

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1961 - 66

THE

House of Assembly Debates

(OFFICIAL REPORT) SECOND SESSION OF 1961-66 HOUSE OF ASSEMBLY

Tuesday, 2nd November, 1965

Pursuant to the adjournment, the House of Assembly met at 2.30 p.m. o'clock today.

PRESENT

His Honour -J. E. T. BRANCKER, Q.C., (Speaker) Hon. C. E. TALMA. (Minister of Health, Housing, Local Government and Community Development); Hon. J. C. TUDOR, M.A., (Minister of Education); Mr. S. E. SEALEY; Hon. G. G. FERGUSON, (Minister of Agriculture, and Fisheries); Mr. W. R. COWARD; Mr. StCo WEEKES, J.P.J Mr. W. R. LOWE; His Honour E. L. CARMICHAEL, J.P., (Deputy Speaker); Hon. N. W. BOXILL, (Minister of Com. muni cations and Works); Mr. J. B. YEAR WOOD and Hon. A. DaC. EDWARDS. (Minister of Trade and Labour).

Prayers were read.

MINUTES

Mr. SPEAKER:

It is with regret that I inform hon. members that the Minutes of the last two meetings of this Chamber have not yet been circulated in fact, are not yet ready.

I have the honour to inform the House that I have received a copy of a Bill which was passed by the Senate at its meeting of the 28th October, 1965, and in accordance with standing Order No. 55 (3) of the Standing Orders of the Senate. the concurrence of the General Assembly is required. It is a Bill intituled \"An Act to limit the remedies available to plaintiffs in proceedings seeking relief in respect of the acts of omissions, or the threatened or apprehended acts or omissions, of persons engaged in the execution of any approved scientific or research project.\"

PAPERS LAID

Hon. J. C. TUDOR:

Mr. Speaker, I am commanding to lay the following

Annual Report and Statement of Accounts of the Caribbean Broadcasting Corporation for the year ended 31st December, 1964.

GOVERNMENT NOTICES

Hon. J. Q TUDOR:

Mr. Speaker, on behalf of the Hon. and Learned Premier and Minister of Finance, I beg to give notice of the following

Resolution to place the sum of \$37,964 at the disposal of the Government to supplement the Estimates 1965-66, Part 1 - Current as shown in the Supplementary Estimate, 1965-66, No. 25, which forms the Schedule to the Resolution.

Resolution to place the sum of \$13,750 at the disposal of the Government to supplement the Estimates 1965-66, Part II - Capital as shown in the Supplementary Estimate, 1965-66, No. 26, which forms the Schedule to the Resolution.

Hon. N. W. BOXILL:

Mr. Speaker, I beg to give notice of the following

Resolution to approve, under Section 10 of the Barbados Harbours Act, 1960, the sum of \$11,427 required to supplement the Estimates of the Port Department for the year 1965-66 as shown in the Schedule to the Resolution.

REPLIES TO QUESTIONS

Hon. N. W. BOXILL:

Mr. Speaker, I beg to give notice that Oral Reply to Parliamentary Question No, 58/1964 asked by the hon, senior member for St. Michael is ready,

COMMITTEE OF SUPPLY

Hon. J. C. TUDOR:

Mr. Speaker, I rise to give notice of my intention to move the House into Committee of Supply at its next Sitting to deal with the money Resolutions of which notice has just been given.

PRIVATE MEMBERS. BUSINESS Mr. LYNCH:

Mr. Speaker, I beg to give notice of the following Resolution

BE IT RESOLVED that this House call upon the Government to put an end to the discriminatory use of Radio Barbados C.B.C. - T.V. by the Government party and to take steps to ensure that all political parties represented in this House have free equal access to such publicly-owned media of information.

QUESTIONS

Mr. CARMICHAEL:

Mr. Speaker, I beg to give notice of the following Questions

To enquire of the appropriate Minister:-

1. Is the Minister aware that persons some of whom had induction courses and are now assigned to Primary Schools in this Island as Teachers have not yet received salaries for the months of September and October this year?

2.

3. That this hardship is causing many of them inconvenience and embarrassment in the performance of their duties as Teachers?

4.

3. Will the Minister regard this as a matter of urgency and take Immediately the necessary steps to remedy this state of affairs?

To enquire of the appropriate Minister:

1. Is it the intention of Government to make Christmas advances this year to Civil Servants?

If the answer is in the affirmative

(a) Is the Minister aware that persons availing themselves of these loans would find it more helpful if such advances were made during the first week in December?

If the answer is in the negative

(b) Will the Minister therefore direct that Christmas loans for Government employees be made

available to them not later than the first week of December this year?

If the answer is in the negative

(c) Would the Minister urge on Cabinet to re consider such a decision?

SUSPENSION OF STANDING ORDERS

Hon. J. a TUDOR:

Mr. Speaker, I beg to move that Standing Orders Nos. 5, 14, 16, 18, 40 and 45 be suspended for the remainder of today's sitting.

Hon. C. E. TALMA:

I beg to second that.

The question was put and resolved in the affirmative without division.

Hon. J. C. TUDOR moved seconded by Hon. C. E. TALMA that Question Time be now taken. The motion was put and carried nem. con. QUESTION TIME

Mr. SPEAKER. It is now Question Time, and as I am at present advised, the Reply to Question No. 58/ 1964 asked by the hon. senior member for St. Michael is ready.

Mr. SEALEY:

Mr. Speaker, the question reads as follows

To enquire of the Appropriate Minister:

Is Government aware that Warner's Gap, Brittons Hill, is in a very bad state of disrepair?

2. Will Government place this road high on its priority list for repairs during this financial year?

Hon. N. W. BOXILL:

Mr. Speaker, the reply is as follows

"(a) Warners's Gap, Brittons Hill, needs to be repaired

(b) Consideration will be given to including this in the road works programme for the financial year 1966-67 when priorities are being examined." 2.55 p.m.

GOVERNMENT BUSINESS

Hon. J. C. TUDOR:

Mr. Speaker, I beg to move that Government Business be now taken.

Hon. C. E. TALMA:

I beg to second that.

The question was put and resolved in the affirmative without division.

COMMITTEE OF SUPPLY

Mr. SPEAKER:

The first Order of the day is a motion in the name of the Hon. Leader of the House to move the House into Committee of Supply to consider a grant of sums of money for the service of the Island.

Hon. J. C. TUDOR:

Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

Hon. C. E. TALMA:

I beg to second that.

The question was put and resolved in the affirmative without division.

Mr. Speaker left the Chair and the House went into Committee of Supply, Mr. BATSON in the Chair.

SUPPLEMENTARY ESTIMATES 1965-66 No. 24 Head 18 - Police - was called.

Hon. J. C. TUDOR:

Under Head 18, hon. members will see the various sums allocated to the various items dealing with certain aspects of Police, Item 27, deals with Washing Allowance; Item 42, Instruments for Band; Item 43, New Instruments for Band; Item 49, Motor vehicles and Item 81, Wireless Equipment.

All these items, Mr. Chairman, are now required to be supplemented, and hon. members will see the reasons from the notes which appear in the Addendum.

With respect to the first Item, the amount required is to pay an increase of \$12 a year from the 1st April, 1965 to 552 Constables. This is in respect of a Washing Allowance.

With respect to the second Item which is for Instruments of the Band, this amount is a revote of funds which lapsed at the end of the last financial year. The same thing applies to Item 43, New Instruments for Band. This amount is a revote of funds which lapsed at the end of the last financial year because these Instruments did not arrive in time for payment to be effected from the provision in last year's Estimates.

With respect to Motor Vehicles, the amount is also of some funds which lapsed at the end of the financial year. The amount required is to meet the cost of a scooter and to pay for Radio Telephone equipment for a motor cycle. The motor cycle and radio equipment were ordered last year, but the radio equipment did not arrive in time for payment to be made from the funds provided for the purpose in last year's Estimates. As regards the scooter, that model is no longer manufactured and it is proposed to purchase a suitable one locally.

As regards Item 81, Wireless equipment, there is also a revote of funds. The amount is to pay the freight charges on a Diesel Generating set ordered through the Crown Agents who submitted their claim after the end of the financial year.

I beg to move that Head 18 stand part.

Hon. C. E. TALMA:

I beg to second that.

Mr. MOTTLEY:

Mr. Chairman, I would Just like to enquire of the mover of the Resolution what would this increase of \$12 per year for the 552 Constables bring the amount to per Constable for Washing Allowance.

Secondly, I would like to know if it is within the knowledge of Government that applications were made by non-commissioned officers of the Police that they should be granted a House Allowance. This is something which these Policemen were agitating for some time ago, and the hon. mover of the Resolution, I am sure, would appreciate that this would call for some questioning.

Hon. J. C. TUDOR:

Mr. Chairman, I would certainly answer the hon. member with respect to the first question. This is of course, a Washing Allowance and it is payable to members of the Force. It was increased from \$48 to \$60 per annum, per person, with respect from the 1st April, 1965. The amount now required was not included in the 1966-66 Estimates. It is now put in and will be backdated from lie 1st April.

With respect to the House allowance, I am not in a position to answer the hon. member because I do not see any information with respect to that: but I would draw it to the attention of the Hon. Minister in charge who, I am sure, will give him the answer sometime.

Mr. MOTTLEY:

Mr. Chairman, I appreciate the answer to the first question, but I would prefer if the Hon. Leader of the House give me that answer as regards the House Allowance when he gets the information. I do know that representation was made with respect to that question or something like that. 3.05 p.m.

Host. J. C. TUDOR:

Mr. Chairman, I am sorry, the hon. member probably did not hear me. What I said is that I cannot answer him because I did not have the information in the file which would enable me to do so; but I would draw the matter to the attention of the appropriate Minister who would, no doubt, supply the answer.

The question that Head 18 stand part of the Schedule was put and resolved in the affirmative without division.

**HEAD 37 - MINISTRY OF HEALTH, HOUSING, LOCAL GOVERNMENT AND
COMMUNITY
DEVELOPMENT**

VISUAL AND DENTAL TREATMENT Visual and Dental Treatment Head 37 _ Ministry of Health, Housing, Local Govern.

ment and Community Development _ was called.

Hon. C. E. TALMA:

Mr. Chairman, the next Head in the Schedule is Head 37. In moving that this Head stand part of the Schedule, I would like to draw the attention of hon. members to the fact that the School Ophthalmic Service is provided for the benefit of children attending the Primary and Comprehensive Schools, and it is staffed on a part-time basis by the Senior Specialist Ophthalmologist of the Queen Elizabeth Hospital. Quite recently it has been drawn to the attention of the Government that mainly because of the limited number of sessions with the Senior Specialist Ophthalmologist, there is a great back-log of work there. In keeping with the policy of the present Government whereby an incentive is granted to the School Dental Service by means of which school children between the ages of five and fourteen years are given free dental treatment, it is now proposed that the school Ophthalmic Service should be similarly extended, making provision for 61,000 children to be treated each year as compared with 48,000 who are now eligible for this treatment. It is proposed that there will be now four additional three-hour sessions per week to be given by the Ophthalmologists quite apart from the system referred to, which was given by the Lions Club. This system would be under the charge of a duly qualified Nurse.

In so far as the provision of frames and glasses is concerned, in future the work will be given not to one firm of contractors but to two firms of contractors so that the glasses will be supplied more expeditiously. The provision for this year is \$18,606, but the provision which will be required for the next financial year will be \$37,152. The object of the stepping up of this scheme is to see that the back-log of work is expedited and the children will be given expeditious treatment by the provision of four three-hour sessions every week as compared with the two three-hour sessions which the Senior Specialist Ophthalmologist now gives. I beg to move that Head 37 stand part of the Schedule.

Hon. G. G. FERGUSSON:

I beg to second that.

Mr. MOTTLEY:

Mr. Chairman, the hon. member who has just sat down has not been given to misleading the House. He has said that the policy of the Government is that all school children have been given dental treatment, and the service has now been extended. I have written down what the hon. member has said; but

his predecessor in office will tell you that I have tried to get this matter settled because the children who are going to the private Secondary Schools and the Roman Catholic Schools were not given this treatment. I state that emphatically. The hon. member was surprised to hear what was happening, and he has given the assurance that something will be done about it.

Hon. C. E. TALMA; On a point of order. What I said was that the School Ophthalmic Service is provided for the benefit of children attending Primary and Comprehensive schools, and therefore any reference which was made to children would be a reference to those children.

Mr. MOTTLEY:

Mr. Chairman, I opened my remarks by saying that the hon. member was not given to misleading the House. He said that all children were given dental service, and they were now giving this Ophthalmic service to all children. I said that I have had to take the matter up where people came to me and complained that they could not get their children's teeth extracted from this service. What I am saying is this. I would commend the Government on seeing fit to bring about a comprehensive service which would include all school children. The change in the educational system in Barbados today is such that the children at the Modern High School or at any of these Private Secondary Schools are drawn from the walk of life from which they cannot get into the Government Schools. The Government of this country cannot provide all the places in the Schools for the children of this country, and therefore the children who go to the Private Secondary Schools are taken from that walk of life where people can ill afford to pay for these ophthalmic services. I have underlined that part of the note in paragraph 6 where it says this

"The school Ophthalmic Service is provided for the benefit of children attending primary and comprehensive schools, and is staffed on a part-time basis by the Senior Specialist Ophthalmologist, Queen Eliza-beth Hospital. This arrangement does not satisfy the demand".

The note goes on to say this:-

"It is proposed to reorganize the service so as not only to meet existing requirements but also to include all school children under the age of 15 years....."

I want to know, Sir, if the wording "all school children" will mean the children who come from the humble cottages of the poor, who must go to these Private Secondary Schools and who, because they wear a different uniform or because their sisters may be going to some other school which is run by the Government - when they use the words "all school children" here, I hope that the Hon. Minister will assure us that they actually mean all school children. There are many children who should have been in the Government Schools, but there is absolutely no room there for them. I do not see why they should not be given this treatment. I hope that the Hon. Minister will be able to assure us that all school children who are under the age of 15 years will be given this treatment. 3.15 p.m.

I believe anybody with the experience of the Hon. Minister of Education must know that you get a number of children with ability from poor homes whose parents would not be able to give them glasses. It is at the age of 15 years that the school masters find that they need glasses. There are those of us who have been fortunate to have electricity for our children to study by, but I have seen life in the raw, and I know that those children who are now getting into some of these Secondary Schools are using kerosine oil lamps, and you would be surprised to know that some of them go under the street light to study. I am wondering if the age of fifteen years is correct or whether it should not be the

school-leaving age. This is worded in such a way that if you are at the Modern High School, the Federal or the Arlington and you reach the age of fifteen and you are in the Fifth Form, you cannot get glasses. I am sure that hon. members have had the experience of hearing from teachers that children reaching the age of sixteen and having to do much study get headaches, and when they are sent to the doctor, it is found that they require glasses. When a mother sends a child to an Ophthalmic surgeon and

the glasses cost \$35 or \$40, she cannot afford them, and the child suffers a set-back.

I hope that hon. members will not allow me to sing a solo on this matter. I commend the Government for making this change, but I do not agree that it should stop at the age of fifteen years. If fifteen years is not the school leaving age, why should you pin it down to that age? I would say that there are more children at Private Secondary Schools than at Government aided Secondary Schools; so how can you pin it down to fifteen years when you know that at that age a child is in the Fourth Form and has to go on to do the School Certificate? I commend the Government for bringing this Resolution and for extending the service, but I should like to know for the benefit of the public if a child who is fifteen years and two days old would be entitled to this service. According to this, if you happen to be in the Fourth Form at Richmond and doing the School Certificate, you cannot get glasses although your mother is a scrubber or a washer. This has been going on for a long time, and I have had to take the present Minister of Trade to task and appeal to him on several occasions in a matter of this sort where people have come to me day after day. I should not like to mention that I was brought into contact with a very brilliant Barbadian who has distinguished himself because an application was made for glasses. While we appreciate the extension of the service, nobody can stifle his conscience and say that what I am saying is not true. I challenge the Hon. Minister to say that I have not approached him on this matter and to say that as a school master he did not find that at fifteen years some of his pupils needed glasses and could not get them.

Mr. WEEKES:

Mr. Chairman, I am very pleased to see that this service includes all school children. Only this morning the Guardians Committee of the parish of St. Philip had to recommend glasses for a child who goes to the Federal High School. The Headmaster of the school gave the child a letter and told the child's parents to take this letter to the Guardians Committee of the parish. I must say that I am very happy that the Government has decided to include all children in this scheme, because it takes the burden from the Board of Guardians. I associate myself with the hon. member who has just spoken in saying that I do feel that the age limit of fifteen is not the right age for children who are going to these schools. I do hope that in future Government will find it possible to think of moving the age to eighteen so as to help more children, as the hon. member has pointed out. Certain children might be preparing for examinations, and at that time their eyes might be bad and their parents may not be in a position to help them; and therefore I am appealing to the Government to reconsider this age limit and do something to help the children at a later age. In doing so, the burden will not be on the taxpayers of any particular parish, but this responsibility will be taken on by the Government. I should like to say again, Sir, that I commend the Government for including all school children.

Mr. LYNCH:

Mr. Chairman, I too would like to add my plea to that of the hon. members who have spoken so forcefully on this subject. I must point out to you, Mr. Chairman, that the hon. senior member for Bridgetown was entirely right when he said that the dental service did not apply to all schoolchildren. Children who attended Private Secondary Schools were regarded as being the lesser breeds without the law, and to them this service did not extend.

Hon. J. C. TUDOR:

Mr. Chairman, on a point of order, it must be possible for the hon. Junior member

for Bridgetown to make whatever speech he likes without impugning dishonourable motives or policies to this Government or indeed any Government. Nobody -- and certainly not this Government -- ever thought that children who attended Private Secondary Schools were lesser breeds without the law. The very policy which we have put into effect will show that this is not so. I think that the hon. member should really be more constrained. 3.25 p.m.

Mr. LYNCH I am sorry if the Hon. Minister misunderstood me. I thought I made it so clear that everybody would have understood me. I spoke in the past tense. I said that they were regarded as the lesser breeds without the law, and so did not come under the aegis or protection which was accorded to children who attended other schools. This is a situation which the present Government inherited.

I am quite sensible of what has been done by the present Government to aid these children, but I am sorry that the Hon. Minister misunderstood me. However, what we do find is that the parents of children who go to Private Secondary Schools have to pay taxes to provide benefits for those children who were fortunate enough to get into the Government-maintained schools. That cannot be denied.

I will be the first to commend the Government on this question and other things which they have done to assist children who have passed for Private Secondary Schools; but I do think that Government should extend the age in a matter of this sort.

It is not a good thing to suggest that children leave school at the age of 15 or that as soon as a child passes the age of 15, it is no longer eligible for assistance, because it is from that very age that children begin to do intensive study. It is usual for boys and girls of the age of 15 or 16 to take Certificate examinations, and it is at that time that you find the greatest breakdown in the sight of children, especially those who have to study by light other than electric light. Many of those who live in country areas have to study by lanterns. It is at the age of 16 that children do intensive study to pass their first public examination, and it is most likely that they suffer at that age from a breakdown in eyesight.

Why then a line should be drawn at the age of 15? Why should it not be a proviso of all school children benefiting to school leaving age? Why should it not be that all school children should be accorded this great benefit which Government is about to give to some? Believe me, I commend Government on this measure: but I would like to see it extended to include those children who would be most vulnerable to breakdown in their eyesight due to intensive study.

Mr. CORBIN:

Mr. Chairman, as concerning the provision of spectacles by Government for children whose sight may fail at the age of 15 and lower, I do not know if hon. members realise that as regards those who live in the country areas an amount of money is provided by each of the District Councils for relief in that respect. Whether the person be man, woman, girl or boy and their eyesight fails them, they generally go to the Guardians Committee who gives them an order to go to an eye specialist, and if they need glasses, they are prescribed.

By this Resolution, I see that the Government is stopping the District Councils from providing for these children. In the Council's Estimates, an amount is provided for these children. If Government is going to take over this responsibility it will relieve the District Councils. However, I am glad to see that this Government is prepared to supply children of 15 years and under that age with treatment for bad

eyesight and I see no harm in that.

I heard an hon. member say that it should be extended to 16 years because it is at that age when eye

strain reaches its climax, I know from experience that it is around that age that children suffer from eye strain because I am a man who began to wear glasses from the time I left school I had a cataract picked off my eyes at an early age, and up to this day if I read plenty by light, it worries me.

If the Hon. Minister would change the age from 15 to 16, I think it would be alright. It would mean that they are leaving out no one. An hon. member said just now that a schoolmaster gave a child a letter to take to the Guardians Committee. That is what I was speaking about. There is a provision in the Estimates of District Councils for that particular purpose, but this Government seems as if they are going to take over the whole responsibility and I think they are doing a good Job. Any motion like this should be supported.

Mr. CARMICHAEL:

Mr. Chairman, I cannot restrain myself from making a comment on a Resolution like this. One would say that this Resolution is to help the children of more unfortunate parents. However, as regards the provision which is made, one is inclined to think that provision should be made for children older than 15 because it might be said that you will find more children over the age of 15 who suffer from eye strain than under the age of 15. In many cases you will find children of the age of 16 and 17 who get down seriously to their studies, and that is the time when eye strain shows itself. Therefore, however praiseworthy this Resolution may be, it seems as if there is an omission when you restrict the age to 15 years.

Hon. A. DaC. EDWARDS:

Mr. Chairman, I have listened to the arguments in favour of the extension of this age from 15 to school leaving age, and I should like to point out that before a decision was taken to allow school children between the ages of 5 and 15 to benefit from this Ophthalmic treatment, a survey was carried out among the children who were treated in the Primary and Comprehensive schools, and that survey has proven that the bulk of children benefitting from this scheme are children between the ages of 9 and 12.
3.35 p.m.

The majority of the children who are treated with the Ophthalmic service in the Primary and Comprehensive Schools are between the ages of nine and twelve years. Very few of them who are over that age benefit from that treatment, and the Government took the decision to give an additional three years so that if there were any who did not benefit from the service, who were between the ages of nine and twelve, they would benefit from that additional three years. One Specialist pointed out that the children whom he dealt with mostly were those who were between the ages of nine and twelve years who suffered from defects in their vision. It should be appreciated that the vote with which we are now dealing has been increased by 200%. The vote for 1965 is \$25,000 and it is estimated that the entire service will cost over \$75,000, which is a very appreciable increase. We cannot expect an increase of 400% or 500% in one scoop. We appreciate all the arguments which hon. members have put forward today, but what we are saying is that you may find the odd case of over 15 years which can be dealt with

administratively. From our survey it was shown that the children who were in greater need for this service were those who were between the ages of nine and twelve years. We carried the age to 15 years so that those who had defective vision would have been able to get treatment.

The other point which should be considered is that this service was provided only for children in the Primary and Comprehensive schools. The mothers of children who attended for pre-natal treatment benefited under this vote. The entire vote was \$25,000. We are not saying that we will not consider the question of extending the service at all. If we are advised that the service should be extended to children of the ages of 16, 17 or 18 years, in the light of the economy of the island, we will do that. If there is anything which is in the in-

terest of the people of this country, the Democratic Labour Party will do it; but we were advised that we would have to think of the money involved. The jump from \$25,000 to \$75,000 is a big one. Over and above that, we had a backlog of hundreds of children, which the Hon. Minister will deal with, but I just got up to say that this was not a decision which was made overnight; this is something which we were considering for a long time. It will be remembered that the provision for dental treatment was made in this year's Estimates and because of the difficulty in dealing with Ophthalmic treatment, we could not come here with the Resolution until today because we wanted to be quite sure that when we did something about the Ophthalmic service it would be something of a comprehensive nature. I hope that that little explanation will satisfy the hon. member.

Mr. LYNCH:

Mr. Chairman, I would like to thank the Hon. Minister for his explanation. If he says that there is very little chance of children over the age of 15 years benefiting from this scheme, why do they not put it up to the school leaving age? If there are so many children in that age group which need glasses, that is something which has to be considered by the Government.

Hon. A. DaC. EDWARDS:

On a point of order. The hon. member did not follow what I said clearly. I said that the children over the age of 15 years should be dealt with administratively.

Mr. LYNCH:

If the Hon. Minister would go on a tour with me to visit the Fifth and Sixth Forms of any school, he will see that there is a rush for glasses in these Forms. He must be only well aware of the children who go to him at the first part of the examination, and when they are referred to the Doctor, glasses are ordered for them. If this benefit is to be used with regard to so few people as a result of the survey, it might well be extended to those pupils who are of school-leaving age and when the odd case comes up it can very well be taken care of. The hon. member must remember that increases should not be confined absolutely to Hospitality votes. These increases will come.

Mr. MOTTLEY:

Mr. Chairman, I should just like to say this. We have commended the Government for their action in this matter. If I had to offer any further commendation, it would be to the present Hon. Minister of Trade. In my handling such cases with him I have been offered nothing but courtesy; I have found the hon. member to be very courteous. We are commending the Government for handling this matter. Surely the Hon. Minister in charge can appreciate what we are doing. I have been able to get the North and the

South to follow me in putting this matter in the Estimates in spite of the criticism which I have had. I would like to say that the money which we put in was primarily for grown-up persons and not for children. Those of us who wear glasses will realise that the man who discovered the provision for wearing glasses has made a very great contribution to humanity. Sometimes I cannot find the other pair of glasses with one pair off. People who wear glasses know what it means. I have been dealing with this matter for over 20 years, and I would like to say that if this had been a Bill before this House instead of a Resolution setting out the actual age, I would have moved an amendment to make an extension to the school-leaving age. 3.45 p.m.

I would defy anybody over there to oppose my suggestion, because they honestly know that the school leaving age is the correct thing. We commend you for what you are doing; we know what has happened; we know it is a necessary service; we know the change from the old education system, We know that children who reach the Sixth Form today are of parents who cannot sometimes afford to give them clothes, and that is why I am making the appeal to the Minister to go into this matter again. Several people who would have applied for this service were dissuaded from doing so because they were told that this was only for elementary schools, and if you were going to the Modern High School or some other

Private Secondary School, you could not get it. Over the past three years I have had to communicate with the Minister over this matter, The hon. senior member for St. James who was a school teacher has spoken on this matter; my colleague, a teacher, has spoken; the Hon. Minister of Trade who himself was a teacher has spoken; the Hon. Minister of Education who was a teacher has spoken. My colleague has said that this service is necessary for children in the Fourth and Fifth Forms, and that is what we are asking you to consider, Nobody is asking you to give glasses to those who can afford them, nor would anybody begrudge this vote of \$18,000 for the extension of this service.

The note which you have put here for the guidance of the Auditor General and the Accountant General says that it is proposed to re-organise the service so as not only to meet existing requirements, but also to include all school children under the age of fifteen years. We commend the Government for including all schools, because some time ago there seemed to have been some prejudice against certain schools, like the Roman Catholic School, and the Minister knows that. No child, unless he is a genius, gets a school certificate or Advanced Level Certificate at the age of fifteen years. I have heard from Ophthalmic Surgeons that children at preschool age or Just as they start school require glasses through hereditary conditions. On the other hand, if you start to use your eyes a tremendous lot, you will find that some night you turn on the light and the whole room becomes dark. That has been the experience of those of us who have had to do a lot of reading, after which you would go to your doctor.

You have fixed the age above which no person in school can take the Barbados Scholarship; therefore if a child is taking private lessons, it is not a school child. If a woman from Mile-and-a-Quarter or from Lakes in St. Andrew had a child at the age of seventeen at school and could not afford to give it glasses, do you mean that he would be unable to do Advanced Level or take the Barbados Scholarship? All we are asking you to do is to make this service available up to the school leaving age.

Hon. J. C. TUDOR:

Mr. Chairman, the Government's point of view in this matter has been very fully put and very ably defended by the hon. senior member for Christ Church and the hon. Junior member for St. Andrew. I

rise not only to add to what two Ministers of Government have already said, because there is not very much to add to that, but perhaps to meet the arguments made by two hon. members on the other side by pointing out certain facts. First of all, they do not need to pressurise us on this matter, because the necessity to bring all school children within the ambit of this provision was so evident to is on this side, that we have made a departure in policy which is radical from the policy which formerly existed.

Before now the dental and ophthalmic treatment of school children was confined exclusively to Government schools, and in these schools to children of a certain age. We have changed that policy now and have done two things: we have brought all schools, both our own and private, within the scheme, and this is to be our policy from henceforth. I may even disclose to hon. members, if I may divert for a moment, that in the new recommendations which I am making to the Cabinet and to the Education Board, for the next three years I am giving equal, or at any rate significant weight to the part which the Independent schools play in this Island, and the Independent schools will be represented on the Education Board from henceforth; so that you are only preaching to the converted, --Mr. Chairman, when you tell us to do this and do that.

There are some practical things which I want to state. Up to the present moment and until the House okays this, we cannot put the new scheme into effect; therefore it is the old scheme which obtains even now. As it is now--and I am speaking about the eye service - only 580 children a year can be done; this is the reason

for the backlog. There must at the time of speaking easily be 3,000 children now waiting to have their eyes examined. It may even be more. 3.55 p.m.

The first Job which has to be done in this extended and increased scheme is to take care of that backlog because you would not be helping the situation in any way if you bring in all school children now. What we want to do as from next week, or from the time that this Resolution is assented to, is to catch hold of those 3,000 children and have their eyes examined immediately because this represents three years of suffering. This is something which worries my own heart, and I think it should worry the heart of other hon. members - the fact that we are not able to get hold of those 3,000 children and have their eyes examined. The first should come first, and the children who really are waiting for examination should be examined first.

We have been given an eye-tester by the Barbados Lions Club to whom we are very thankful, and the services of a nurse will be employed to operate this bit of equipment. Obviously, when we have no more children waiting to have their eyes tested, then is the time to re-examine the question of increasing the age. This does not mean that if a 16-year-old child needs to have his eyes examined and is recommended to us, we would not use our discretion; but, as I have said, there are 3,000 children who have been waiting since 1962 and we should attend to those first. That is why we have re-organised the service. The four additional 3-hour sessions by Ophthalmologists, and the services of a nurse will deal with them first.

There is another thing. The total school population between 5 and 19 years is most probably about 66,000 or 67,000. If this service would be catering to 61,000 children, it is easy to tell us, why not take in all. Of course, there is no objection to taking in all now other than practical objection. If you were to send all children between 5 and 19 to have their eyes examined, then, the people who are carrying out

this service would still attend to the backlog first because that is the more pressing; therefore, I will ask hon. members not to feel that we are opposed to the service being extended to the school leaving age, but we are concerned now with giving immediate relief to the 3,000 children who are on the backlog.

We are hoping that with the increased specialist services, the nurse and the new facilities, we would have this backlog wiped off within a year. If by that time we find that we are only coping with day to day work, obviously there will be no objection to extending the facilities to the children of 16,17 and 18 years.

The question that Head 37 stand part, was put and resolved in the affirmative without division.

On motion of Hon. J. C. TUDOR. seconded by Hon. C. E. TALMA, the Resolution for \$31,599 was passed.

On motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, the CHAIRMAN reported the passing of one Resolution in Committee of Supply.

Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. J. C. TUDOR. seconded by Hon. C. E. TALMA in each case, the Resolution was read a first and second time and agreed to.

Mr. DEPUTY SPEAKER left the Chair and Mr. SPEAKER took the Chair.

RESOLUTION re BORROWING OF \$600,000 BY TRANSPORT BOARD

Mr. SPEAKER:

The next Order of the day

Hon. J. C. TUDOR:

Mr. Speaker, I beg to move that Order No. 4 be the next Order under Government Business.

Hon. C. E. TALMA:

I beg to second that.

The question was put and resolved in the affirmative without division.

Mr. SPEAKER:

This Order stands in the name of the Hon. Minister of Communications and Works, the hon. Junior member for St, Thomas To move the passing of the following Resolution

Resolution to approve the guarantee by the Government of the sum of \$600,000 to be borrowed by the Transport Board, for the purpose of meeting their obligations and discharging their functions under section 15 of the Transport Board Act, 1955.

Hon. N. W. BOXILL:

Mr. Speaker, what this Resolution seeks to ask this hon. Chamber to do today is what each and every one of us does at some time or the other, that is, to back a liote. This is simply a matter of the Government backing a note for the Transport Board.

Now, as hon. members know, Government was saddled with the Transport Board, and in order to give a proper transport service it would be necessary to obtain or to apply for new buses. 4.05 p.m.

The present position of the Transport Board is that the Board owns 97 buses, 21 of which are wooden buses of the gasoline engine type and they are worn and obsolete. Now that the Transport Board will be re-organized, it is necessary for the Board to have a complement of 125 buses approximately. Private concessionaires will have to have 108 in order to fulfil their obligations to the general public. Sir, what we find is that the Transport Board, as it is now, is not in a position financially really to run these buses, and therefore they have asked this Govern. ment - I want to make it clear that not one cent is coming out of the Treasury - to back a loan at a Bank guaranteeing the repayment of this money, as somebody must be responsible for backing this loan. Since the Transport Board happens to be the baby of this Government, whether legitimately or illegitimately, we will still have to support it.

As I have pointed out to hon. members, this sum of \$600,000 which the Transport Board is about to ask the Government to approve by way of a loan will be paid back at one half per cent less than whatever the loan market is at the time. If the loan market is 6%, the rate of interest at which this loan will be repaid will be 5 1/2%. Without more ado, Mr. Speaker, I will be quite willing to answer any question which any hon. member wants to ask. I therefore beg to move that this Resolution to approve the guarantee by the Government of the sum of \$600,000 to be borrowed by the Transport Board for the purpose of meeting the obligations and discharging their functions under the Act, do now pass.

Hon. G. G. FERGUSSON:

I beg to second that.

Mr. MOTTLEY:

Mr. Speaker, I know that the Hon. Minister has recently undertaken this portfolio and, consequently, he would not be as au fait with all matters connected with the Transport Board as the former Minister. The Hon. Minister was rather short in his explanation and introduction of this Resolution. As he rightly says, the Government took over the Transport Board, or a section of the bus service of this country, and, as hon. members know, we are opposed to the idea of nationalising the service. The Addendum to this Resolution states this-

"The Transport Board has negotiated a bank loan of \$600,000 repayable in ten (10) years. The rate of interest applicable to the loan is 1/2 of one per cent below the prime commercial rate. A condition of the loan is that it should be guaranteed by the Government and this Reso-

lution seeks approval for the guarantee." The Addendum goes on to say that the loan is to finance the purchase of new rolling stock for the Transport Board. Ten buses will be imported as complete units while the bodies for other buses will be locally constructed and fitted on imported chasses,

Mr. Speaker, if anybody came to me for the purpose of backing a note, one of the first things I would want to know is if he is going on a spree and how is he going to spend the money. I think that the Hon.

Minister was purposely short in his introduction of this Resolution because he anticipated certain things. The Addendum states that new rolling stock will be purchased, that ten buses will be imported as complete units while the bodies for other buses are to be locally constructed and fitted on imported chasses. The first question I would like to ask is this: How many other buses and how many of these chasses will there be? This Resolution speaks about the purchase of new rolling stock and I want to know how many will the other buses be, I would like to know how many of these bodies will be locally built and by whom will they be built. We want to know that you are not throwing money down the drain by building the wooden type of buses. Are you going to build steel bodies or are you merely putting back the old wooden structures? Those are questions the answers to which every hon. member of this House would like to know. The Hon. Minister said that there are 21 buses of the Transport Board which are of the old and obsolete type. It is not for me to infer that ten will be scrapped or eleven are to be scrapped. I do not know. Mr. Speaker, we need a lot of information on this matter because we are holding ourselves responsible to the tune of over \$1/2 million for the purpose of providing new buses for the Transport Board.

There is one thing which I should like to admit and it is that you can see that within recent months under the new management - I am not saying this because I want to throw any bouquets or anything of the sort because I am not friendly with anybody at the Transport Board, but you can see more improvement in the service of the Transport Board. There is a tremendous amount of improvement in the service of the Board, and it seems to me that there is much more discipline being exercised than was the case before. Be that as it may, our stand has been and will continue to be, that concessionaires, as the hon. member has said, who operate 70 or 80 of these buses or something like that, will have to operate these buses, and the Transport Board will have to operate quite a number of buses more because of the redistribution and the reorganization of the routes, and so on, and because of the changes which have been recommended and put into force. 4.15 p.m.

What I would like to find out is how private enterprise has been able to carry on without folding up ever since there was a division as against the Government-subsidised buses. There is a private concessionaire on the floor of this House - and he would correct me if I am wrong - but I understand that the same Union rates prevail with the Transport Board as with the private concessionaires, and if they pay the same rates to their conductors, drivers and inspectors as the Transport Board and have to bring in new buses, who is going to back a note for them? There is another question which I would like the Minister to answer. Now that you are backing a note for \$600,000, will you tell this Chamber how much money the Transport Board owes to the Bank from loans that have been guaranteed by the Government? There is no sense flogging a dead horse or a living one if it is doing its best. By that I mean that ever since this matter came before this House, we took one stand. We preferred to see private enterprise run the service, and no one in this country can deny that. The most rabid Socialist cannot deny this. They have been paying the same wages, giving an excellent service and improving on the type of buses, while the other service has been going down, and you have to come all the time for money to replace rolling stock.

I do not expect the hon. member to tell me today that there WAS a financial report on the bus service, because that only applied to the situation at that time. The fact that the money will be drawn by the Board in instalments as it may from time to time require seems a businesslike way of doing things. The Hon. Minister must realise that it is very important for him to reply to the questions I have asked before we on this side can agree to guarantee this \$600,000, The comparison to be made between the

nationalised transport service and that of the private concessionaires have shown time and again that they are able to pay taxes, pay the same wages and pay retroactive pay without folding up, and nobody backs a substantial loan for them. We are asked to guarantee more than \$1/2 million for a service which is in no way better than that of private enterprise. If you could prove to us that tills was a superior service to that run by private enterprise, you would have a tremendous case to make out and we would have to shut our mouths; but I know that the hon. member cannot begin to dream that he can shut us up on a matter of this sort. I would like the Minister to give me the particulars for which I have asked.

Mr. COWARD:

Mr. Speaker, I know that there are hon. members who are very anxious to hear me speak on this Resolution, and I must let them know that I rise to support the Resolution, taking into consideration that units must be replaced, repairs must be done and more units must also be given in order to give the best service to the travelling public. This Resolution is asking the Government to back a note for the Transport Board. I think hon. members will agree with me that in most businesses business men back notes for certain people to get through with their business, and at this stage I cannot see any criticism being levelled against this, because we are not asking the Government to give this money to the Transport Board from the Treasury; we are only asking them to back a note, and I feel that that is in order.

Mr. SMITH:

Mr. Speaker, my colleague said that hon. members wanted to hear him speak on this Resolution. I thought he would have shed more light on this, because he is in the business, and I was waiting to say something after he had spoken because this is up his street. 4.25 p.m.

Anyhow, Sir, from my commonsense, I know that the Transport Board will have to do something if they want to transport the people because there are some buses which I have seen on the road which are in such bad condition that I was only waiting to hear when passengers dropped out of them. Therefore, the Transport Board would have to get some money to obtain a complete stock of new buses.

However, Sir, I would like to know from the Hon. Minister if it is not time for the Transport Board to let this House and the public know their policy on transport. It is time that we should know what are their real intentions about it. Sometime ago, I read in the newspapers and heard about concessionaires doing this and that and what not, but I think that it is time enough when we should know what is happening rather than calling upon us now and then to back a note. The hon. senior member for the City pointed out Just now when you are going to back a note what is expected of you. I do not know because I am not so high in position to back a note for people, but people have to back notes for me sometimes. Because of that, I know what I have to do to satisfy both the bank manager and my backer. I cannot ask my backer to put his signature to a note just so and that is all; sometimes even my balance sheet has to be known so as to let both parties know what is the position.

This Resolution which is before us does not state anything of the sort. It does not state how much money has already been asked by the Transport Board that the Government should back them, They have not said how much money the Transport Board has paid back the Government. The Transport Board is asking us to back it with money all the time and we are going to back it on this oc-

casion too; but we still have to remember that forasmuch as the Transport Board is negotiating a loan

and this Government is backing the note, if anything happens, then this Government will have to pay the loan. Surely, then, the Hon. Minister should be in a position to tell us these tilings.

As I have read, the loan is to finance the purchase of new rolling stock for the Transport Board. Ten buses will be imported as complete units while the bodies for other buses will be locally constructed and fitted on imported chasses.

I would like to know if the Hon. Minister can answer this question. Will the bodies for the other buses which will be locally constructed be built from steel or would they be of wood? I would like to know also the reason for only ordering ten buses and building bodies for other buses here. I have some idea of the business and, in my opinion, the most money is being spent on the chassis; and if you order the entire unit, I feel that it would become cheaper to you than buying a chassis and building the body here, I am not out of favour of your building bodies here because you will be helping local labour; but, at the same time, you want to see a decent bus on the road.

I hope when the wooden buses are going to be built that they will be able to carry the luggage which is demanded of them. However, the Hon. Minister should tell us what is the difference between the cost of a complete bus imported from overseas and an imported chassis with a locally built body. He should point out to us where the Transport Board stands to gain by building the bodies of buses locally.

We are going forward, we are not going backwards; and I feel that a body made of steel lasts much longer than a wooden body; and with the modern conveniences, and so on, which the public is demanding in this community, I do not know if the local builders are in a position to do the same Job.

There is some reason for only ordering ten buses. I do not know if this \$600,000 which the Government is asked to guarantee is for the purchase of buses only or if it is to wipe off the slate, so to speak. We should be told how many buses on the whole the Transport Board is planning to put on the road and how many they are going to dismantle or take off the road. All of that should be in the Addendum to this Resolution; we should not only be told that you are going to back a note and we are willing to answer any question put to us. We should have it here in writing so that we would be able to refer to this Resolution years later.

Surely, something should be done about these buses because the Transport Board really does not have anything running on the road. The buses which they now operate, are just suited to hatch chickens in; and, nowadays, we do not even want that type of coop because we have modern things for hatching chickens.

Forasmuch as the present buses in use are a disgrace, let us know how many buses you intend to put on the road and if this number which you are ordering is going to do the Job. Tell us also if you have finished coming back to us because I remember on the last occasion I said that you will soon be coming back to us for more money. You cannot call the sum of \$600,000 a small sum, but what I know is that it is going to take this small amount for what you are going to do now, but do not come every now and then asking us for money. I suggest that you ask for it one time and finish. I do not like your coining every now and then because when you come so fast for money, you will overrun the boundary.

I will be very glad if the Hon. Minister would tell me now that he is finished. Let him assure us that

this amount will wipe off the slate and get everything off the ground!. If this amount of \$600,000 is for the purpose of purchasing new buses, we are quite willing to give you new buses;

but, Sir, when we give you tills amount there is still another hurdle because the new buses are not going to deliver all the money which is being collected in them. 4.35 p.m.

I want to know if everything is going well now and the only hitch is the provision of the new buses. If that is the only hitch, I am feeling very happy; but do not let them come back here again and ask for more money because, in my opinion, as to the position of labour today, the prices of materials and everything else, I still feel that these bodies which will be built locally, may cost Just as much as or more than the imported ones. The cost of materials is high, the labour will cost a lot of money and I do not know who will be doing the job of turning. If you do not have these firms with the necessary equipment and they have to send the work to another firm, and so on, I do not see how these bodies can be built at a cheaper rate than if they are imported. The Hon. Minister did not tell us who is going to build these bodies. I am not talking about building a chair or anything of that sort; I am talking about building the bodies of these buses, and I would say that it is surprising how much labour goes into this work. If it is an ordinary person who is doing this Job, and he finds that he has to send the work elsewhere in order to have something else done, I do not see that you will be doing a good job.

I hope that the Hon. Minister will tell us who will be building these bodies, because that is nothing which is to be hidden. I would like to know how many bodies will be built; we should know the make of the units which should be suitable to the tropical conditions which we have here. It is not every unit that you can put on the roads here. Mr. Speaker, I am sorry that I cannot get up again to speak because I feel that, in that case, I would have a lot to say when the Minister replies. I cannot do other than vote for this Resolution because the Transport Board is in need of re-organization. Again, if I were to vote against this Resolution, I would be voting against the people. The people have to get to their work in time. Sometimes you see that there is a big hold-up on the road and the people have to wait for another bus. Sir, I am wondering if this \$600,000 will wipe off the slate or if the Hon. Minister will be coming back again for another \$600,000.

Mr. CORBIN:

Mr. Speaker, I have sat and listened to hon. members who have spoken on this Resolution. This Resolution which is before us is a Resolution asking this Government to approve the guarantee by the Government of the sum of \$600,000 to be borrowed by the Transport Board for the purpose of purchasing new rolling stock, and so on. My point is this; I am looking forward to finding out how much debt the Transport Board is in. That is the important thing. I heard the hon. introducer of this Resolution say that this money will not be coming out of the Treasury; it will be coming from some commercial bank. I want hon. members to realise that as soon as a draft is made by a Solicitor or by the Bank and anybody puts his signature to it, he has covered everything which is on that paper. He is responsible for the repayment of every cent of that money and I am saying that while this money is not coming out of the Treasury, the Government is responsible for every cent that is borrowed. You will find, Sir, that dozens of people who have money Will finance this loan very quickly because it is guaranteed by the Government, and the Government will have to re. pay it. We must find out what is the outstanding debt of the Transport Board before the Government can con. sider taking on this responsibility.

Mr. Speaker, I remember some time ago that I asked a gentleman to back a note for me. He asked me:

"Homie, have you paid off the debt yet?" I said "Yes." He said "Let me phone the bank." I said "You should take me at my word." He said that he would still phone the bank. He did so and then told me "I can sign for you now, because you have cleared the debit," I want to know, Sir, if the Transport Board has cleared its debt and is coming back for a loan now. If that is the case, we will

have to approve of this loan because we know that the Board is discharging its obligation.

Sir, this Resolution calls for a loan to finance the purchase of new rolling stock, and so on. I know, Sir, that there was plenty of rolling stock at the Transport Board and some of it rolled out into the sea. (Laughter). I hope, Sir, that the rolling stock which the Board is now purchasing does not roll into the sea (Laughter). I do not see why the Transport Board is building the wooden type of buses which we are getting rid of. From time to time these wooden buses shackle to pieces. Fam , the Board is asking for \$600,000 and they want twenty buses at \$20,000 each. Out of that money they can get ten buses new. Why should they not spend more money and acquire the number of buses they want complete, instead of importing the material from overseas for the purpose of building these chassis? That should be left to the private concessionaires who have to draw their belts. Here these people are getting a large sum of money in their hands and I think they should spend it in the best possible way. Because the question of transportation is a very important one today, we would like to see people get proper accommodation. Mr. Speaker, the reason why I am voting for this Resolution is that the Transport Board is giving a better service than the private concessionaires are giving today. 4.45 p.m.

The buses run by the private concessionaires leave the bus stand every hour or every two hours, but the buses run by the Transport Board leave every half an hour whether or not they are full. They have to keep going all the time and that is why I am willing to support them. I would however like to see the same facilities created for the private concessionaires so that they can borrow money to assist them in providing a better service for the travelling public. The Transport Board is asking the Government to guarantee a loan of \$600,000 but the private concessionaires have to go from place to place hunting for money. I hope that in future the Government will find it possible to guarantee a loan for the private concessionaires so that they can fulfil their obligations.

Mr. Speaker, I am going to support this Resolution, but I look forward to hearing from the Minister how much money the Transport Board owes away, so that this Government will know exactly what to do.

Mr. SPEAKER:

If there is no other hon. member who seeks to contribute to this debate, then the Hon. Proposer of the Resolution may now exercise his right of final reply.

There is no other hon. member. Let the hon. Junior member for St, Thomas exercise his right of final reply.

Hon. N. W. BOXILL:

Mr. Speaker, if in presenting this Resolution I was brief, it was not due to any disrespect for hon. members on the other side. I was just giving them a chance to put as many questions as I knew they would have, and therefore I propose to reply to the various questions which have been asked. If in so doing I omit to answer any question, it is again not because of any disrespect, but because I may not

have remembered or I may not have made a note of it, and if I am asked again, I will try to answer.

I will start by saying that the hon. Junior member for St. Joseph asked me to make an emphatic statement as to whether I would be coming back to the House to have it guarantee another loan in the near future. As far as I can ascertain, the answer to that is "no, not in the near future, I hope." Several members have enquired why the Government proposes to order ten buses and eleven chassis at this stage. I think the hon. junior member for St. Joseph and the hon. senior member for St. Andrew asked that question.

I will say, Sir, that there is a dire need for these ten buses at this stage to supplement what we have now, because as the hon. junior member for St. Joseph has pointed out; there are some buses which really ought not to be on the road; but since better cannot be done, we are trying to keep them on the road until we can get in the others. The reason why the Government has decided to bring down chassis is because the Government feels that there are qualified engineering works here, and if we gave these people the incentive, they would start building buses for Barbados, and maybe they would be able to ship some of them overseas; but at any rate it would create employment for the community. One hon. member asked if these buses would be wooden or steel bodies. These would be steel body buses. The Hon. Leader of the Opposition also enquired who would build these buses, I might inform him that tenders were invited and the contract was awarded to the Acme Engineering Works.

The Hon. Leader of the Opposition also went on to say that the operation of the Transport Board buses was no better than the service provided by private concessionaires. I might concede that, but the hon. member will also concede to me that whereas the private concessionaires altogether have a total of 100 buses and employ approximately 330 people, the Transport Board with 97 buses has to employ 547 people. The Leader of the Opposition was in this Chamber when the statement that bus fares would be raised 'over my dead body' was made, and as a result of that this Government inherited the good and we had to inherit the bad. Everyone knows that formerly the Transport Board, the Housing Authority and a couple of these other Boards were places for pawning off or handing out little doles to political aspirants, or to what is known in common Bajan language as "yard fowls", and that is how this Government came to be saddled with an employment situation like the one which it has, 4.55 p.m.

If this Government were to decide to trim these workmen down to the size of the private concessionaires, I am sure that the hon. Junior member for St. Joseph would be the first person to come in here with a question claiming that this Government is creating more unemployment for the poor masses; how hard-headed this Government is and what not; this Government would not let the people get a berry; therefore, we have found ourselves saddled with this kind of workload and I do not see any way how we are going to get rid of this in the immediate future. But we have to remember that a good bus service has to be provided for the people.

The ten buses which we are bringing in are being brought in at a cost of \$22,000 each. (A VOICE: What is the name?) Bedford. (A VOICE You have gone for Bed-fords on this occasion.) Those of us who read the newspapers often would have noticed an article in one of them that the firm of Bedford Motors has sold more engines than anybody else. (A VOICE Are they gasoline buses?) No, Diesel.

Mr. SPEAKER:

I am afraid that certain hon. members, of whom all seem to be on my left, are ignoring Standing

Order 29 which states that while a Member is speaking, all other Members shall be silent or shall confer only in undertones and shall not make unseemly interruptions. If they are speaking in undertones, you would not hear them.

Mr. SMITH:

Mr. Speaker, I rise on a point of order. It is not that we wish to interrupt the Hon. Minister, but if he has not given replies to the questions which we asked him, we are only reminding him.

I would like to know what is the name of the make of the machine which you are importing now.

Mr. SPEAKER:

I think the hon. junior member for St. Joseph has already spoken. What should be done is to pass a note around to the Hon. Minister.

Hon. N. W. BOXILL:

Mr. Speaker, I was saying that the ten buses to be ordered would cost \$22,000 each.

There are going to be Bedford buses. The additional chasses would cost \$8,350 each if we are going to buy five chasses at one time, but if we were to buy eleven chasses, we would get them at \$8,000 each; so you would save \$350 on each chassis in this manner, (A VOICE: That is only because they want to get you ordering all at one time.)

Mr. SPEAKER:

Let the Hon. Minister proceed and thereby discourage any undue interruption.

Hon. N. W. BOXILL:

The cost of building a body locally for a bus is in the vicinity of \$6,700 each.

There is just one other thing. The hon. senior member for the City enquired why was it that the present concessionaires could operate at a profit whereas the Transport Board was not operating at a profit, I pointed out that our employment position was much greater than that of private concessionaires. The other thing is that some of the routes which the private concessionaires operated were far better than the Transport Board's. That is so, even up to this day. This was one of the reasons why the Transport Board was losing money.

In reply to the question of how much money the Transport Board owes up to this day, as far as I can ascertain, the amount is \$162,000. I take that as a remarkable job which has been done under the new management because it must be remembered that since this Government came into power, we have not had to give the Transport Board one cent of the taxpayers' money.

Mr. MOTTLEY:

Mr. Speaker, I rise on a point of order. Is the hon. member's colleague telling him what to say? The Hon. Minister knows very well that we have given them \$240,000.

Hon. N. W. BOXILL:

The Hon. Leader of the Opposition has anticipated what I was going to say very much. I was going

to say that what we did give to the Transport Board was not termed as expenditure, but we gave it as a subsidy. 5.05 p.m.

Mr. Speaker, in my conclusion, I would say that I think I have answered all the questions which have been asked by hon. members. (ASIDES) We have ordered twenty chasses and ten buses. I hope I have satisfied boia members.

The question that this Resolution do now pass was put and resolved in the affirmative without division.

**RESOLUTION TO APPROVE THE MOTOR
VEHICLES AND ROAD TRAFFIC
(AMENDMENT) (NO. 5)
REGULATIONS**

Mr. SPEAKER:

The next Order of the Day stands in the name of the Hon. Minister of Communications and Works- To move the passing of the following Resolution-Resolution to Approve the Motor Vehicles and Road Traffic (Amendment) (No. 5) Regulations, 1965,

Hon. N. W. BOXHILL:

Mr. Speaker, the Addendum to this Resolution reads as follows-

"This Resolution seeks the approval of the Legislature to the Motor Vehicles and Road Traffic (Amendment) (No. 5) Regulations, 1965, which were made by the Director of Highways and Transport on 12th October, 1965, under the provisions of Section 7 of the Motor Vehicles and Road Traffic Act, 1987 (1937-16) as amended by Sections 41 and 42 of the Department of Highways and Transport Act, 1945 (1945-12) and were approved and sanctioned by the Minister on the 20th October, 1965.

The Regulations have been laid in the Legislature."

This Resolution deals with the Car Park and I may say that it deals with the whole of Bridgetown, Eventually

the whole of Bridgetown will become a restricted area for parking because the area has become congested. Sometimes you are in Bridgetown and you will find it very difficult to get a place for the purpose of parking your car. Since a car is not anything which can be folded up, the Government has decided to provide parking places for the various motorists who must come to Bridgetown today and do their daily chores. At the same time, we are trying to alleviate the hardship in two ways; in the first place, we are finding somewhere for people to park their cars, and at the same time we do not want to make tilings difficult. There is the Independence Car Park, (MEMBERS: Where is that?) If hon, members do not know where that is, I am sure that there are a lot of people who show the tourists where the Independence Car Park is. As a matter of fact, at the next meeting of this House, hon, members will see where it is. We are taking into consideration the road which runs by the Empire Theatre which is Probyn Street and, as the Regulations set out, the portion of the wharf on the North Bank of the Inner basin of the Careenage between Chamberlain Bridge and Victoria Bridge. We are amending the Fifth

Schedule of the Principal Regulations as follows-

(a)by inserting therein opposite the figure and words \"2. Trafalgar Square\" appearing under the heading \"Name of Parking Place\" and under all the words the particulars relating thereto under the other headings contained in the said Schedule the words, figures and symbols as follows -

CD under the heading \"Description of Parking Place\" the words, figures and symbols --

\"(4). The portion of the wharf on the North Bank of the inner basin of the Careenage between Chamberlain Bridge and Victoria Bridge;\"

(ii) under the heading \"Position in which vehicle may wait\" the words \"Rear to Careenage\";

(iii) Under the heading \"Classes of vehicles which may wait\" the words \"Motor Cabs\".

(b)by inserting therein immediately under the figure and words \"9. Fairchild Street\" appearing under the heading \"Name of Parking Place\", and the words and particulars relating thereto under the other headings contained in the said Schedule the words, figures and letters as follows --

(i) under the heading \"Name of Parking Place\" the figure, letter and word ..9 A. Careenage\";

(ii) under the heading \"Description of Parking Place\" the words \"The area between the South Bank of the inner basin of the Careenage and Fairchild Street to the West of Probyn Street, and to the east of Bay Street\",

(iii) under the heading \"Position in which vehicle may wait\" the words \"Rear to Careenage. Rear to Fairchild Street\";

(iv) under the heading \"Classes of vehicles which may wait\" the words \"Private Motor Cars\".

(c)by deleting the figure, letter and word \"13 A. Constitution.\" under the heading \"Name of Parking Place\" and all the words and particulars relating thereto under the other headings contained in the said Schedule.

Before hon. members say anything on this Resolution, I would like to point out that in making certain areas restricted areas, the Government has in mind to instal the metered system for people who just want to park their cars and shop at a store on lower Bay Street going to the Chamberlain Bridge. We have taken into consideration the fact that quite a number of vans which ply for trade at Manning's Store on the Pier Head and the Wharf would be

disconnected, I am just mentioning this by the way so that nobody would be able to say that a hardship is being created on these people. We have earmarked three lanes so that these vans may park while the owners are waiting to get materials from the Stores, These places will be stipulated as places where these vans may wait. They will not be too far from the places where the owners earn their daily bread. The Regulations go on to set out the amendment to the Sixth Schedule by adding the following Restricted Places to the principal Regulations:

The section of Fairchild Street between Bay Street and Nelson Street.

The Section of Probyn Street between Fairchild Street and Victoria Bridge.

The section of Lower Bay Street between Fair-child Street and Pier Head Lane.

The area between the Wharf on the East Bank of the Careenage and Probyn Street.

The area between the west side of the Chamberlain Bridge and Bridge House.

Cavans Lane.

Pier Head Lane.

We have earmarked places where the owners of vehicles can park their vehicles while they are exercising their calling or trade, and we have also earmarked an area in the vicinity of the Public Buildings which we have to define, I beg to move that this Resolution do now pass.

Hon. A. DaC. EDWARDS:

I beg to second that. 5.15 p.m.

Mr. MOTTLEY:

Mr. Speaker, the time is long overdue for making Regulations relative to parking, and I suppose people will have to realise that owners of motor vehicles will have to pay for parking their cars. The hon. member did quite well in his effort to explain, but I would just like to draw to his attention, if he looks at the Regulations which are signed by Mr. Hayward and the Minis. ter, that under the heading \"Restricted Places.1 he will see \"the area between the wharf on the East Bank of the Careenage and Probyn Street\".

I said last week that this was going to cause some confusion in having the name \"Independence Square\" which was not provided for here, and he will find that he will have to amend these Regulations; otherwise it will be difficult to report people. You must have drafted these Regulations before you came here last week, and I can tell you that you will not get one person convicted under this.

Mr. SMITH:

Mr. Speaker, I will ask the hon. member, now that he is on the question of parking areas, to go into the matter now that he has a place for pick-ups and vans plying for hire and make the street above the Public Buildings and above Barclays Bank available for parking temporarily for businessmen who have to do business in the Banks. I do not see why the road along the wharf could not be used for persons going into the Royal Bank or Barclays Bank. I would be glad if the Minister would go into the matter and reserve these areas for business people who may want to spend five or ten minutes in the Bank, but may have to drive all the way down to Fontabelle or up Bay Street to park, and then have to walk back from the Bank with money in their hands. 1 hope the Minister will go into the matter and relieve that situation.

Mr. SEALEY:

Mr. Speaker, traffic is becoming a big problem in Barbados today, but people who have to go into the Banks for ten or fifteen minutes should be able to park their cars along the wharf and along such streets. In big countries parking meters are placed on the busiest streets, and I would suggest that meters be used in such places as

Broad Street, behind the Public Buildings, High Street and Bay Street, leaving spaces for vehicles drawing heavy materials. Indeed, the parking difficulties are becoming so acute that I envisage the day when you may have to park two miles out of the City and take a taxi to Bridgetown. I am not criticising the Resolution. I am only adding a little light as to where parking meters can be placed.

Mr. SPEAKER:

If there is no other hon. member who desires to speak, the Hon. Minister may reply, if he thinks fit.

Hon. N. W. BOXILL:

Mr. Speaker, I just want to point out something to the two hon. members who have just spoken about meters. I do not want to appear rude, but apparently they did not follow me closely. What I said is that the Government is embarking on a meter system, so that we will make it convenient for people who have to do shopping to put in ten cents in a slot for a minute or so. We on this side are fully aware of the difficulty people have to go through in getting somewhere to park. Even you, Mr. Speaker, find it difficult to get into the spot that has been allotted to you in the Building Yard, and I am sure that hon. members find it equally difficult. We are therefore considering putting meters in various parts of the City where people can put in ten cents and go and do their shopping. I must say, however, that I do not agree with the hon. senior member for St. Michael about parking in Broad Street. (A VOICE It is a one way street!) But there are two lines of traffic, and I am not fully sold on the idea. Wherever we find it possible to facilitate people who come to town to do shopping, we will go all out.

The question that the Resolution do now pass was put and resolved in the affirmative with a division.

SUSPENSION OF SITTING

Hon. J. C. TUDOR:

Mr. Speaker, I beg to move that this sitting be now suspended for half an hour.

Hon. C. E. TALMA:

I beg to second that The question was put and resolved in the affirmative without division, and Mr. SPEAKER suspended the sitting accordingly.

5.25 p.m.

On resumption,

TOWN AND COUNTRY PLANNING BILL, 1965

Hon. J. C. TUDOR:

Mr. Speaker, I beg to move that Order No. 2 be taken as the next Order of the day.

Hon. C. E. TALMA:

I beg to second that.

The question was put and resolved in the affirmative without division,

Mr. SPEAKER:

The next Order of the day stands in the name of the hon. and learned senior member for St. John Second reading of a Bill to make provision for the orderly and progressive development of land in both Urban and Rural areas and to preserve and improve the amenities thereof, for the grant of permission to develop land and for other powers of control over the use of land; to confer additional powers in respect of the acquisition and development of land for planning; and for purposes connected with the matters aforesaid.

Hon. E. W. BARROW:

Mr. Speaker, it is generally believed that the Town and Country Planning Act of 1969 was the first piece of legislation which we had in this Island which would provide for the orderly development of the country in so far as building development, roads, factories, and other structures were involved. This, of course, is not quite accurate because we had from time immemorial almost, such measures as the Bridgetown, Speightstown, and Hometown Act which was recently repealed, and we also had provision whereby the Health

Authorities could impose restrictions upon the development and sale of land. The Health Authorities, for the most part, comprised of members of the old Vestry system and other Government bodies at that time, and they had the power to make regulations and impose building codes on the development of land.

For reasons best known to themselves, they never elected to make any regulations or to set up a building code and, as a matter of fact, I know of few cases, if any, in which any serious attempt has ever been made by those august bodies to enforce conditions even in so far as the width and quality of the road which developers were to lay down for the sale and disposition of land in this country was concerned.

Perhaps, one of the reasons why there was this reluctance on the part of those persons who were entrusted with these very similar duties was because the qualifications for membership to the Board was your propensity to develop land yourself.

For instance, there was a provision in the Bridgetown, Speightstown and Hometown Act whereby a Police Sergeant could be charged with something like £20 for every day in which he allowed a wooden building to be erected and remain on certain streets of Speightstown. In those days, £20 was more than a year's salary for a policeman, and right up to this year people were allowed to put houses of every description in Speightstown without proper roads, and there is not a single case on record of a Police

Sergeant having been brought before a magistrate of a District Court in order that he may be mulcted in the fine which he was to pay for contravening such provisions.

If I may read a few provisions of this Act which was passed in 1891, it would disabuse the minds of the public that there was never any provision for planning; but this Act was very much more observed in the breach than in the observance of the provisions. It was because we never had the people who were willing to enforce its provisions properly because of political reasons. The only provision which people were prosecuted for was for letting off fireworks and things of that kind.

Under Section 21 it is stated:-

"No house, storehouse, kitchen, stable, or building whatsoever shall be erected in the principal streets, alleys, and lanes within the limits of Speightstown, otherwise than with such materials and in such manner as hereinafter mentioned, and any person who shall presume to build contrary to the regulations contained in this section shall be warned by the sergeant of police on duty in the said town to remove or alter the same conformably with the said regulations, and on refusing so to do shall incur a fine of twenty pounds, and such building shall be deemed a common nuisance, and the builder or owner thereof shall, within such time as shall be appointed by order of the Police Magistrate, remove the same and in default thereof such house or building shall be taken down by order of the said Police Magistrate, and the materials thereof sold by public auction by any police or parish constable and after payment of the expenses attending the taking down of such house or building, and the fine and fees of the complaint (in case such fine and fees shall remain unpaid), the balance shall be paid to the owner of such house or building: Provided always that nothing in this section contained shall extend to hinder repairing of any house already constructed."

If any Police Sergeant were charged with contravention of this Section, he would not have drawn any salary for a year if he were convicted. The reason for that was that they had suffered a series of fires, and they did not want a repetition of this by the erection of more wooden buildings; therefore, they insisted that all the houses in Speightstown should be constructed of some material other than wood.

Now, as far as Bridgetown was concerned, under the Bridgetown Speightstown and Hometown Act, there were certain restrictions; but what we have been more interested about is that under this Act it was stated in Section 1(2):-t.10 p.m.

"(2) In order to secure uniformity in all buildings which shall be hereafter erected within such limits, and for the better security against fire, the Commissioners are hereby authorised and required from time to time, and as often as may be necessary, to prepare rules and regulations for the erection of such buildings, and for building, altering, or repairing any building in future elsewhere within the limits defined, stating in what manner, with what materials, and under what conditions and restrictions all such buildings shall be constructed and built, or altered, or repaired; and such rules or regulations shall be submitted to the Governor-in-Executive Committee for approval and the Governor-in-Executive Committee may revoke, alter or amend such rules and, after thirty days' publication in the Official Gazette, all such rules and regulations shall have full force and authority of law and be binding on all persons whomsoever in the matters therein set forth and provided,"

And then they gave the power to appeal against such rules to the Governor-in-Executive Committee in

Sub-Section (3). Mr. Speaker, the reason why I am going back into this historical background is that I have heard a lot of objections to the matter of appealing to a Minister, but there it is that the Governor-in-Executive Committee in 1891 was the body to whom appeals were forwarded. It is also significant that Section 3 (2) which I have just read relating to the powers of the Highway Commissioners gave them very wide powers not only as to the building lines which would have to be observed, but actually to tell you the kind of house, the design, the kind of material which would be allowed to be used and so on. When I read letters in the newspaper talking about the autocratic powers given under the Town and Country Planning Act, I cannot help but being amused at them. It is only that the Highway Commissioners of St. Michael did not elect to carry out the provisions of the Act, in so not electing to carry out these provisions, they must be considered not only to be seriously in default, but also to be doing an injustice to this Island by not ensuring that between 1891 and 1961 they had proper pavements, sidewalks and tenancies in this metropolitan parish of St. Michael.

Mr. Speaker, this Act is so beautiful in its simplicity, that I wonder whether the 83 Sections of the Town and Country Planning Bill which we now have before us are really necessary. The Bridgetown, Speightstown and Hometown Act in the first three Sections dispose of what should be done with Bridgetown. Section 4 dealt with lumber and coal yards, and those four sections covered Town and Country Planning in Bridgetown. Every single power vested in the Commissioners of Highways has been disposed of, I do not know who was the draughtsman of this Act, whether it was Sir Herbert Greaves or Sir Conrad Reeves; but it was a proper Act. You cannot get a copy of this Act in San Fernando. The Port-of-Spain City Council have always carried out their duties; but this Bridgetown, Speightstown and Hometown Act is purely Barbadian. Unfortunately, it was not taken seriously by the successors in office of the legislators of that day.

In Section 5 it is stipulated that the wharves should be properly lighted. Section 6 dealt with the prevention of fire and Section 7 dealt with the behaviour of members of the public - which I would like to see properly observed in the bus stands. Forestalling in the City was prohibited by Section 8 of the Act; Section 9 dealt with the hours for bringing provisions into town; Section 10 dealt with the cleaning of the streets; section 11 dealt with the straying of hogs or sheep and Section 12 dealt with dogs. Section 12 stated that dogs shall not be permitted to infest the

streets, and the police were enjoined to destroy any dog which was found wondering on the street. I do not think that there was any limitation as to the time of the day or night at which they should be removed. This is one of the Acts which, although it appears to be a bit Archaic, I regret that modern legislation made it necessary to repeal. I think it is probably one of the best Acts we have ever had on the Statute Book. The year 1959 was not the beginning of Town Planning in Barbados because it really started in 1891. Neither the Highway Commissioners nor the members of the Police Force have exercised their authority in accordance with the provisions of the Act, either as regards the destruction of dilapidated wooden buildings, or the control of straying animals or the behaviour of crowds and mobs in the precincts of the City. Within a period of three or four months we have repealed the Bridgetown, Speightstown and Hometown Act because we are making provision as far as anomalies are concerned; and in the Town and Country Planning Act we have set out in extenso and in detail all the matters which we considered were briefly covered by the legislation of 1891. However, Sir, there is a modern trend that you should dot the "IV" and cross the "T's", so that every citizen should know about them. Anybody who reads Section 3 of the Bridgetown, Speightstown and Hometown Act of 1891 would not be in any doubt as to the powers of the authorities within the precincts of the City of Bridgetown. 6.20 p.m.

Anyone reading the section dealing with the construction of wooden houses in Speightstown would see that the Police Sergeant was subject to a fine not greater than \$96 for every wooden house that he allowed to be constructed. The Police Sergeant was the Town Planning authority, and a very severe fine was imposed on him. I really have not checked up on this, but a Police Sergeant in those days worked for not more than £20 a year, because in 1891, £20 a year was a lot of money. Schoolmasters got \$7 a month, and I do not mean Pupil Teachers; so you could not see a Police Sergeant getting more than \$8, because Headmasters now get about twice as much as a Police Sergeant; and yet the law was so strict, and they considered Town Planning so essential, that they imposed a fine of £20 on the Sergeant for every wooden house that he allowed to remain. It would have been very interesting if someone, in order to show up the deficiency of law enforcement in this country, had brought a case some time last year against the Station Sergeant of District "E" and had a £20 fine for every wooden house that existed in Speightstown. I think the Treasury would have had to come to his rescue. I do not know where he would get the money from.

You would think that in running through the historical background of Planning legislation in Barbados, I am probably overstating the case. What I am trying to illustrate is that the Town Planning provisions we had were much more rigorous than the ones people complain against today, and that the power was absolute; and they did not give you any discretion as to the type of building material that you could use in the construction of a house -a discretion which every Barbadian householder exercises today. The restrictions which are imposed by the Act which we are considering are restrictions more in respect of the distance from the centre of the highway that you are allowed to build at all, having regard to the availability of resources of water, or other zoning restrictions which have been imposed for the preservation of the health of the community. These are the main overriding considerations. There are no considerations that you cannot build a wooden house as they had in the old legislation which is only being repealed in 1965.

In 1959 an Interim Control Act was passed, and by Section 14 of the Act should remain in force for three years and should have expired by July, 1962; but in 1962, 1963, 1964 and 1965, the period was extended in each and every year by a further period of one year until all the various bodies who claim to have some interest in legislation of this kind could have had an opportunity to give their comments. These included me Bridgetown City Council; the Southern District Council; the Northern

District Council; the Town and Country Planning Officer; the Barbados National Trusts the Barbados Chamber of Commerce; the Law Society; the Hon. Chief Justice. the Ministries of Communications and Works, and Development, Trade and Labour; the Local Government Commissioner; the Permanent Secretary of Home Affairs and Minister without Portfolio, and the Bar Association, All these bodies were consulted from time to time, and in many instances more than once. Some took their time about submitting replies, and others were in constant touch with the Ministry in the preparation of the Bill. The Bill of 1959 which was extended for a period of one year pending the introduction of this one was purely temporary and made no provision for securing a positive planning policy, or did not deal in any detail with the various administrative procedures which are essential in any permanent planning legislation.

The reason why the Bill of 1959 was of a temporary nature was that it was decided that some experience of local problems should be gained before embarking on permanent legislation. By and large,

the provisions of the new Act are similar to those of the Interim Control Act, but there are significant differences between the two Acts, Firstly, I should mention, Sir, that among the new features, the law definitely charges the Minister responsible for Town and Country Planning with the over-all responsibility for securing the proper use of land in Barbados, There was no such provision for proper land use in the Interim Control Act, As a result of this innovation, a Town and Country Planning Advisory Committee to advise the Minister on any aspect of Town and Country Planning will be appointed.

The second significant departure, apart from the first one which I mentioned, which is the responsibility for the proper use of land, is that development plans have to be prepared by the Town and Country Planning Officer, and he has to present these plans to the Minister for his consideration. These plans will be considered by Government and will have to be advertised in the Press, and the public will have a right to inspect the plans and to buy the plans as well, so that they can study them carefully at their own leisure. The public will then have the right to make objection to any provision in the plan which they feel is not in their interest or that they cannot accept There is also provision for a public enquiry, if necessary.

Now, if I may just pause here, we have already mentioned the proper use of land, the purpose of the Bill being to make permanent provisions which already exist; then we have introduced proper land use into the Bill. We have also imposed a duty on the Town and Country Planning Officer to prepare development plans which will be available to the general public, at, I hope, a reasonable price, and the general public will have the right to object to those plans if they think fit.

The present position in Barbados is that the Town and Country Planning Development Office is not a Planning Department at all. It has been doing planning, of course, under my directions; it has prepared a Master Development Plan of the island; but as far as the general public is concerned, it is not a planning office. 6.30 p.m.

The Town and Country Planning Office is looked upon by the public as a nuisance office - an authority which stops you from doing what you as a free citizen should do. This is one aspect: and it is significant that the first prevention of abuse in the construction of buildings is that you must submit a plan. That is the one thing which gets the most publicity. When one wants to put up a building, one has to submit plans to the Town and Country Planning Office and usually when the plans are submitted, they are not legible and the developer then has to go and seek Assistance in the drawing of plans which are comprehensible to the Government Control Officer. This involves expense rightaway; and, therefore, you must expect that there would be antagonism in the country in which people are accustomed to adding on an ell-chamber without

resort to any other person other than the lumber yard and their meeting-turn. The only limiting factors would be the amount of money which they get from a meeting-turn, or how much the lumber yard proprietors would credit them with. Those were what the Town Planning restrictions were; so it was not a question of if you built within six feet from the road or ten feet from your neighbour.

When we came in 1959 and said that we were going to control the amount of land which was to be used for a particular purpose, and said that you must build within six feet from the road and ten feet from your neighbour, it would necessarily create antagonism, and people coming and saying that we let

somebody else's plan go through because he paid back his hand, and my plan was not allowed because I had to tell off the man. We are well aware of all these things. This country has grown up without any plans, and it is a wonder that we are able to drive through the streets of Bridgetown.

I have seen some whimsical decisions or exercises of discretion, and I have had even to judge and even to overrule the decisions made by the Town and Country Planning Officer where they were not in accordance with the law, or unduly or alternatively could not be considered reasonable in the light of our conditions here; all of which were within the four corners of the Act. Before I was Minister in charge of that Department, I think I had reason to challenge certain decisions of the Town and Country Planning Officer in respect of interpretations; therefore, all of us in Barbados are very jealous of our basic rights. Everyone of us likes to be his own architect, his own doctor, his own lawyer and likes to do exactly as he pleases with the property which belongs to him. Therefore, as far back as 1891, the law did not guarantee a person any uninhibited right to deal with his property in whatsoever way he liked; it was always subject to the general welfare of the community; and if you wanted to build a wooden building in a certain area, you were not allowed to do it; you were told that you would be endangering the other inhabitants of that district. Similarly, if you insisted on building a two-or-three-storeyed building right at a corner. In these days of motorised traffic, that building becomes a danger to other members of the community, and it is for this reason that certain sanctions have to be imposed. It is also dangerous to build your house too close to your neighbour's for the obvious reason that it might cause a fire hazard; but, of course, you know that the average Barbadian has never allowed anybody to build too close to his own house,

I think that a lot of agitation against Town Planning, like the agitation against so many other things, is purely political, and an effort to prevent the officers in the exercise of their duty along with members of the Government. I would say this. When this Government came into office, we found a tremendous backlog of appeals against decisions of the Town and Country Planning Officer. At that time there was no proper machinery for the hearing of those appeals, and this Government instituted a system of Reporters! that is, getting some responsible members of the community as Reporters. There were three teams composed of a member of the High Court as a Judge, and a member of the business community; and those teams cleared off all the appeals; so I do not believe today that there is any outstanding appeal - one of my colleagues has told me that there is one, but it is not yet three months old. As far as I remember, there were over thirty or forty people who were held up for two or three years, some of them members of important business concerns which would increase the employment factor of this community; others, private householders who had made applications and appealed. There was no machinery devised for the proper hearing of those appeals, and the then Government appeared to be reluctant in hearing appeals. As far as I can remember, out of over forty appeals which were properly dealt with by this Government, in no single case the recommendation of the Reporters has not been accepted. In some cases, it might have been slightly modified in favour of the developer but in no case that I can remember have the recommendations of the Reporters

not been accepted -- and they are not shorthand reporters or parliamentary reporters -- they were three teams comprised of High Court Judges, and members of the business community; and the appellant had the right to be heard with Counsel, and the Town Planner also had the right to be heard, 6.40 p.m.

The significant thing is this, that in the system which was instituted by this Government, in many cases the Reporters have over-ruled the Town and Country Planning Officer and we have upheld the

Reporters; so that there is no question of any collusion between the Government and the officials in this respect. They have their job to do and we have ours to do. In many cases, we have not only agreed with the Reporters in reversing the decision of the Town and Country Planning Officer: but we have been at pains to add our quota to any strictures in relation to what we consider to be the unjust exercise of any discretionary powers vested in that Officer. How anybody, either inside or outside of this Chamber, who has any honesty, could accuse this Government of limiting the rights of the subject and his fundamental freedoms, is a great puzzle to me. There is not a case where this Government has allowed anybody's house to be pushed down with a bulldozer. I know that there are three houses and commercial buildings which the Town Planner has allowed to be erected and which should be pushed down. There is a gentleman who has a new store not very far from here, and the Hon. Leader of the Opposition has said that the gentleman who owns that building is going to own the Financial Building. That is what the hon. member said. The Hon. Leader of the Opposition said that

Mr. MOTTLEY:

On a point of order. The hon. member said that I claimed that the owner of a store not far from here.....(ASIDES)

Mr. SPEAKER:

Let the hon. member make his point of order.

Mr. MOTTLEY:

What the Hon. Premier says is absolutely not true.

Hon. E. W. BARROW:

The hon. member said that the Government would be in bankruptcy, and Mr. Wilson will own that building.

Mr. MOTTLEY:

That is a deliberate lie.

Mr. SPEAKER:

I will ask the hon. member to withdraw the word "lie".

Mr. MOTTLEY:

I withdraw that.

Hon. E. W. BARROW:

The hon. member has a very short memory because he said that at the opening of the store.

Mr. MOTTLEY:

Mr. Speaker, on a point of order. I will say that that is untrue all the time. I have never said anything about the Government going into bankruptcy.

Mr. SPEAKER:

Will both hon. members take their seats? Let both hon. members take their seats; otherwise I will adjourn this House because of grave disorder.

Hon. E. W. BARROW:

I know that at least five persons will go into the Court and be prepared to swear to that.

Mr. MOTTLEY:

I say that that is absolutely untrue. Every time the hon. member says that, I will say it is untrue.

Hon. E. W. BARROW:

Well, Sir, the hon. member regrets his indiscretion;

Mr. MOTTLEY:

I have never said that. What would I say that for?

Mr. SPEAKER:

Again, both hon. members are on their feet. The Hon. Leader of the Opposition continues

to make his denial, and that has been emphatic, vehement and vociferous.

Mr. MOTTLEY:

Yes, Sir, but the hon. member insists on saying that and he knows that it is untrue.

Hon. E. W. BARROW:

Whether the hon. member accepts the veracity of what I say or not, it is only my word against his word; but I can assure you that there are people who would go into Court and swear to that. Where do you think they could get that from?

Mr. MOTTLEY:

From the same place you lie down with them.

Mr. SPEAKER:

There are two hon. members in this House, apart from the Speaker, who should set an example to others. They are the Hon. Premier and the Hon. Leader of the Opposition. I do hope that they will now set an example in parliamentary decorum.

Hon. E. W. BARROW:

Mr. Speaker, the hon. member has objected to my statement but I should just like to inform any vendors of property that there are no Government buildings for sale. If any one either inside or outside of this Chamber thinks that any Government building will be sold, especially the one which will be a matter of pride for Barbados, he will be mistaken. The commission agents are extending their tentacles out; and when you get people who are casting their eyes on the Financial Building which is not complete, what do you expect? The next thing which they will want to buy is the Hilton Hotel - and, by the way, the answer to the Question which was asked by the hon. member in relation to the money spent on that Hotel will be ready by next Tuesday.

Mr. MOTTLEY:

I thank you.

Hon. E. W. BARROW:

I have made mention of the fact that there are certain provisions in this Bill which were not in the old legislation of 1959. There are provisions for the proper use of land, the submission of development plans and consultation with Local Government Authorities. The plans will be submitted to the Minister to whom any objection can be made by members of the public. What I was trying to illustrate is that whereas before Town Planning was regarded as a restrictive exercise -- something to prevent people from doing something which they thought they should be allowed to do - today Town Planning has gone beyond that stage. Town Planning is the laying out of the physical resources of the Island in such a way that we make provision in anticipation of future developments, growth of traffic and population, expansion of business establishments and social facilities. 6.50 p.m.

We have already prepared a Master Development Plan of the Island of Barbados for the next fifteen years which in due course, when this legislation comes into force, will go through all the procedures which have been outlined in the Act. We have also completed a complete aerial survey of the Island. We have also completed a soil survey of the island; and whereas former Directors of Agriculture were extolled to the skies for describing the soil structure of Barbados as falling into three categories, the new survey which has been done by this Government, to which every plantation owner or any other person interested has access, has been breaking down parts of fields into three and four different soil structures - - and I do not mean necessarily a ten acre field, but a half an acre field. You can go and get your transparent copy and put it on top of a plan of your estate, and see a soil structure of probably eighty or ninety different types of soil. There has been a soil survey of the Island and some people's backyards may be found to contain three different types of soil. As I said before, we have done a complete aerial survey of the Island on a very large scale on which every house in the Island, every road and every lane and every tree is visible on the photograph, and we have done a comprehensive Master Plan for the development of communications and facilities in this Island for the next fifteen years until 1980. This has been done under the

direction and control of the Ministries of this Government. It was never done before; so planning now has moved into another phase.

We have also, of course with the help of the United Nations, had a survey of the underground water resources of the Island. All these things are then fitted together in assessing the suitability of land for development, where your underground water resources are, and what is the productivity of the soil in any particular developing area, what is the density of population in any particular area, what is the flow of traffic in and out of a particular area so that adequate highways can be planned. The year before last year, every decision which was made by the Government either as to location of a school, the width of a highway or the permitting of building development by private developers or the Housing Authority, has been related in some way or the other to the surveys which we have carried out and which will be put before the general public as soon as we give them formal approval in the provisions of this Act. I do not know what else there is to be done in this Island but to sit down and watch steadily the economic growth of this Island because with Social Security coming in, with the over-all physical Development Plan, with an accurate assessment of our water resources and rates of extraction from the underground sources which we draw upon, with the accurate evaluation of the soil types and structure to every square

inch of the soil, I do not know how much more planning could have been done in any community in the world in such a short time.

What will happen when most of us are gone either from this Chamber or elsewhere is that some wise person may come along of a different persuasion and decide that this is a whole lot of foolishness, using a colloquial expression - and decide to let somebody build where they should not allow them to build, or decide that the Friendship or Belle areas should not be reserved as underground sheet water protection areas, and allow somebody to put down a septic tank or well or series of wells there because somebody wants a quick dollar; and the next thing you know is that we have an epidemic in Barbados and half the population is wiped out. That is how they would settle the unemployment problem. This is the kind of thing that happens when you do not have any particular philosophy or ideology; everybody is for sale and everything is for sale; so the first thing we have to have is a philosophy, and the philosophy of Socialism is planning the economy for the benefit of the largest number of people. This is the basic philosophy; and that is why we have been carrying out a programme to take care of the immediate wants of this society, as well as its future needs.

Now general planning is not a question of what the Town Planner allows you to do and what he does not allow you to do. I have heard members on the opposite side say that we allow people to do certain things and prevent others from doing them. All these accusations are levelled against the officers of the Town Planning Department; and all I can say is that if any member of this Parliament or any member of the public has a complaint to make against the Town Planning Department, I would be the first one to make sure that if there has been any breach of the law or trust, those persons should be prosecuted. I do not want to let anybody give anyone the impression that we are going to close any gaols. We intend to keep them open, because only people who break the law go to gaol; and so when we hear people talk about going to gaol, we know that these people have something on their consciences. That is all that is worrying them, and therefore they do not expect that we will do like the Highway Commissioners of St. Michael and not enforce all the provisions contained in the Bridgetown, Speightstown and Hometown Act. If the law cannot be enforced, that would be a good argument for repeal or abolition. We have obsolete Legislation like the Assize of Bread Act, because I have not heard that J & R Bakeries have been prosecuted when a loaf of bread went below a certain size. They sent up the cost of bread 25% and there was not a letter in die newspapers. We did not hear any Conservative howls of anguish on the

other side of the House; but we hear them say that the Town Planner will not allow them to do this. The people of the General Board of Health - or whatever they used to call that august body - had permission to develop land, and they would put a token strip of asphalt down; and two months after people moved in, if they had a motor car, they would have to leave it in the highway because of the potholes, and then the same land developers who were sitting on the General Board of Health would tell the people to send a petition to the Minister of Communications and Works asking him to do the roads because they were paying taxes.

Let us take a look at the tenantries. I will not mention St. Lucy because they came under the Highways Commissioners years ago. Apparently the representatives of the parish made sure that the parish of St. Lucy did not suffer for want of proper roads. Before anybody - I would not say to the dereliction of anybody else - that parish had proper roads; so I leave that out. 7.00 p.m.

Let us go where the plantocracy live. You go to the parish of St. George or St. John, not so much St.

Philip but Christ Church, St. James, St. Peter and so on, not St. Andrew. What did you find? When the Barbados Government Railway was disbanded, former members of the Vestry had their intravales macadamised; but you come to Bridgetown and you find that the General Board of Health allowed people to cut up land in tenancies and sell them out without putting in a half-inch main for water or putting marl on top of the dirt to make a road. They made roads for their lorries to drive on, but where the majority of people lived, they had to stumble over rocks in the dark and wade in pools of water -- and that is still the position in Bridgetown today. The intravales in the rural parishes are still better than the tenantry roads in Bridgetown. All those roads called second class highways are nothing else than roads which were built so that the lorries of those people could have a good road to travel on; but, on the other hand, go down to St. Andrew where were it not for the tender mercies of the hon. member who is now Minister of Communications and Works, you will still find people living behind God's back, people living in places where they are not able to get out their canes. Yet you find this wonderful policy prevailing that people who call themselves leaders do not want to go to other places 118 miles away and say that they are champions of the cause of those people as well. I say that because the town planning in some of those places is far behind the town planning standard in Barbados.

Sir, when we look at the Bill before us, gone are the days of laissez faire where the Government had no right to interfere for the rights of the people. We are aware more than anyone else that this Government cannot be forgiven for introducing the Tenantry Control Bill. We are aware that they do not like the limitations or the criteria which have been placed on the Land Acquisition Act with respect to the value of land and so on, but there is more reformatory legislation to come to this House. We have had Mr. Cokes working for us and he has submitted several reports to me; but pressure of work on the Crown Law Officers has prevented us from bringing the Bill on the floor of the Legislature. But there are not going to be any more dilapidated buildings about Bridgetown: because if you have property, in the future you will have to develop that property and if you do not do that, you have to pay an undeveloped tax on it. They cannot be any more vicious; they cannot be any more antagonistic to this Government; therefore, it does not make any difference to us, because they cannot be any group as vicious in their opposition to social reform than the Conservatives and their so-called allied Opposition. These are some of the reforms which we propose to bring down. We know that no employer likes the idea of making a contribution towards the security of workers in their old age, but Town planning is on all fours with reform, and these are the reforms for which we are pressing.

I said that there would be consultation and public enquiries ordered and that there would be regular surveys. [I think it is only fair to hon. members to say that this whole idea of an Advisory Committee is something which [I know is going to work. We have found that there are people who are public-spirited enough and who intend to do their homework. Right now I can tell you that there is nobody advising the Minister because the Minister does his homework.

However, this is one of the Bills which when the people in whose favour it is brought down do not agree to exercise their rights and privileges, they try to hold it up. Let me give you an example. We have sent from time to time several important bills to the various Boards in Barbados, and the very people on those Boards have taken as long as 18 to 23 months on them. We had to send several letters to them asking them to reply and, as a matter of fact, some of them never held any meetings on the matter. As far as this Town and Country Planning Bill is concerned, this Bill has been sent to the various Boards

concerned several times, and if certain amended Clauses did not cause certain lawyers to object to the Bill, we would not have had any reply up to now from that body. The Bridgetown City Council of course, would take an interest in something like this Bill because it dwells on the toes of the monied classes and they would have an interest in it because it introduces something to prevent them from doing what they like. Therefore, of course, they are going to send in replies. 7.10 p.m.

Of course, they are going to send in replies. Some of the replies they did not understand themselves. I can prove it from here, but I do not want to malign the Bridgetown City Council as a general Body. There are people who make all of this profession --the mealy-mouthed and sanctimonious - and when you examine who is doing the work or who is burning the midnight oil and studying something, there are those who are questioning his interest in accepting legislation which is for the good of the community, and whether the community will be impaired by it or not. You do not get any constructive proposals from the people who profess that they have the interest of the community at heart. In this Bill, we have not only made provision for consultation, but for the review of plans and for periodic surveys being made. The Town Planner has to carry out a complete review of his Development Plan at least once in every five years. Another interesting feature of this legislation is giving the Town Planner the right to qualify or revoke a planning commission at such time as it was felt necessary in the interest of the applicant. I cannot remember any such provision being made, but the Town Planner now has the power to modify any planning commission in any way if it is sought in the interest of the applicant or of town development.

Another feature of this Bill which I am positive the Conservatives would be reluctant or slow in instituting, is the principle of compensation. I know that a few places at the corners of narrow streets have been burnt down, whether they were sold to insurance companies or not. I can think of two of them. But the Town Planner had refused permission for any one to construct any buildings on those two sites because of the traffic hazards which would be created, and the smallness of the buildings involved. These landowners are placed at a disadvantage through an Act of God and not through anything designed on their own part; but they have lost that property. However, the Town Planner says that they cannot rebuild anything on those sites. What is their position? These owners can apply for compensation; and if the Government wants to leave the spot as an open one they can do that, or they can set up a monument to the Bridgetown City Council or put up a fountain at which horses and birds can drink, or they can erect a few signs. There is no provision today for the payment of any such compensation. I can think of one case where a relatively small amount of money was involved. There was an old lady who was not very well off and who was put to a great disadvantage through the Town Planner, and I got permission from the Cabinet to pay compensation to her out of the vote for contingencies. That

vote is to be dealt with in emergencies and we have to be very careful how we spend it. I did not feel that that old lady should have been put to the inconvenience to which she was put because the decision of the Town Planning Officer could not be circumvented in any way. However, Sir, we have put in a provision in the Bill where there will be a compensation fund, which may be considered as something which is subject to abuse,

In 1947 they had a Development Control Act in Great Britain and they set up the compensation fund at £300 million. That was done by the Socialist Government. Here again you get people who execute covenants of this political persuasion but who are acting in an undemocratic manner, and we are the

people involved because of our sense of Justice and equity and being put in a better position than they would be in their own Government. They would not like to set up a fund because it is coming out of their pockets. There is no discrimination in the laws of this island that if you are a European and you commit an offence you could get off, but if you are a native African, the son of a Barbadian, then you can go to gaol. We are adding lots of Statutes to this island and we are repealing those which are obsolete and are a hindrance to the full social and economic development of the island. We are overworking the Crown Law Officers in order to make sure that everybody enjoys privileges and freedoms.

The next innovation therefore will be the innovation of compensation. There are those who claim that we cannot keep because we are night chubs, but nobody can tell me any innovation which is to the detriment of the country. The first innovation we made was in relation to the proper use of land. The Commissioner of Inland Revenue will also have certain powers under the provisions of this Bill. As the position is now, you have to pay on the annual value of land which could only be in favour of the landowners of this island. You have people who are paying \$3.00 per year on land which they in turn sell at something like 12 cents per square foot. 7.20 p.m.

We warn taxes on land on its capital value, not on its annual rental value, and we hope to institute this shortly. This will be another source of irritation, but they cannot become more vicious or vindictive than they are at the moment; so one little more something will not make them any less worthy of salvation or unworthy of salvation. They are beyond redemption already; so it is not going to consign them to purgatory by making them more vicious, because they are already there; so it is said; Far be it from me to suggest that Your Honour does not follow the tenets of your faith.

However, Sir, I was talking about the innovation of proper land use, the preparation of Development Plans - which we have already done - and there is provision in the clauses which relate to consultation with Local Government Authority that there should be public enquiries; so it is not only consultation; it is the principle of public enquiry in the Development Plan that is the third innovation that I beg to draw to Your Honour's attention. The fourth innovation is that the Town Planner is under a duty to do a re-appraisal and a new survey, at least one, every five years of the Development Plan period. The next innovation is the right of appeal which they never had before. Under the new Bill there is specific provision requiring that there should be an appeal against a planning decision. Both the Town Planning Officer and the private capitalist are entitled to command a hearing and to receive one before the person appointed by the Minister for that purpose. There was no intrinsic right to command a hearing of an appeal within the shortest possible time under the existing legislation. The next innovation is one which never existed before under any law, that is, the right to compensation; and the other innovation is the new provision for land acquisition which goes beyond the powers which the Government now exercises or may exercise under the existing Land Acquisition Act. In other words, the Bill extends the scope of the existing Land Acquisition Act to include power to acquire land for any planning purpose which is designated for acquisition in an approved

Development Plan, Once a Development Plan is approved, there is power under this Bill to proceed with Acquisition of land. For instance, in our new Development Plan --I cannot say it is an approved plan yet - but it is a draft Master Plan for the development of the whole island of Barbados, we have new roads going through Bridgetown and so on probably cutting across existing buildings and highways -- the kind of urban renewal that is going on in every progressive and industrialised country today. The

Town Planning Act would apply to them, and we have provision outside of the Land Acquisition Act to acquire property for planning purposes which are designated in the Master Development Plan for development

It is a great pity that in this community people spend so much time on the negative aspects of politics and not on the positive aspects. I know that it is a bit of a problem for anyone, who has not got the intellectual discipline my present Ministers have, to sit down and study 83 clauses in a Bill. What I am trying to do here for the benefit of members of the other side who have not perhaps the time or inclination or the understanding to analyse the sociological and economic implications of the Bill which is before us, is to show that it is not merely the vesting of restrictive powers in a Development Control Officer who used to be called the Town and Country Planning Officer. It is not merely a Bill informing people that they cannot build within a certain number of feet of the highway or within a certain distance of their neighbour's boundary. This is a planned sociological and economic implement whereby the whole structure of the society may be reformed and reshaped in a way which would be congenial to the fuller enjoyment of the amenities and physical resources of this Island by all its citizens.

I therefore beg to move that this Bill be now read a second time.

Hon. G. G. FERGUSON:

I beg to second that,

Mr. MOTTLEY:

Mr. Speaker, two weeks ago when I asked the Hon. Leader of the House for more time to study this Bill more thoroughly, I did so with the object of getting those who are in my Party and more fully acquainted with the aspects of this type of legislation to go into the general and legal aspects of it. I shall not attempt, Mr. Speaker, to put you in the uncomfortable position of indulging in any extraneous matter in respect of this Bill. The Hon. Premier said that he regretted that I missed the educational exercise in the first part of this Bill. I do regret it myself, because I am one of those people who believe I can be educated by the most humble.

This Bill contains certain of the Town and Country Planning Interim Regulations which were brought here in 1959. You will recall, Sir, that legislation in respect of Town and Country Planning before this Government came into power did not give very much for us to go on, and as time went on, people who wanted to develop and were accustomed to the laissez-faire method of developing took objection. I got my first glimpse into Town and Country Planning from a copy of an Act sent to me by a Minister in England who sent a copy of the latest Town and Country Planning Act in the United Kingdom; and having gone into that, we anticipated all that would come into this Bill which is before us today in respect of social legislation.

As far as we are concerned, Sir, this Bill seeks to make certain changes in the Interim Bill which was before this House from time to time since 1959. We do not feel that we can accept all the changes, and I must register protest against some of the matters with which the Hon. Premier has dealt. For instance, he suggested that persons would object to the question of not allowing them to put houses near the water resources at Friendship. 7.30 p.m.

I think that is quite unfair because I believe, when he himself was in the Opposition, he ought to recall

my having agreed with the then Government in power because I had heard from a distinguished physician, a Public Health

man in British Guiana, that if we went on in the way we were going on -- and this was a Bill in order to control building in certain places where it would affect the water supply and that Bill was sent to Select Committee - and sinking sewerages within a certain distance of the wells from which you get water, we would be soon in a death trap. It is not fair to say that we on this side of the House at no time attempted to control building within the area of wells which supply us with water. That legislation was not brought in by any Socialist Government either.

I do say this: what we have observed with respect to this Bill is that so far there has been quite a lot of change and at least members ought to know the position in which the people stand as regards it. Up to the present time, we have had no actual planning and therefore people do not know where they are.

On the question of development, whatever happens does not matter. The country would be developed if it is to be developed in an orderly manner. When I received a copy of the Town and Country Planning Law of England, I was surprised to see how far it went, and I realised that whenever you have a certain amount of control, even people in the past actually resented it and in fact there is still some resentment by people today.

I do not want to actually go and get the Hansard, but I remember when a similar Bill came up in this House, some hon. members who support this Bill now were very much against it. They offered tremendous opposition to it when the last Government brought it in. That was naturally so, because the powers which they felt were vested in the Town and Country Planning Officer were too much.

You come to another part of the Bill which gives you the right to appeal to Reporters. I remember now that when the question came up of appealing to the Minister--and this was during the time when the Minister of Communications in the last Government was speaking -we tried to amend the Bill so that instead of your appealing to the Minister you would appeal to a Court. There was a tremendous lot of backing to that amendment. Since then, I have learnt that there is an appeal straight to the Minister in connection with any appeals which have been made.

It does not matter how much indigestion the Bridgetown City Council has given the Hon, Premier; all I do hope is that he would not get a stroke from it. I would like to say that this Bill was sent to the Bridgetown City Council. The Hon, Premier has the replies which were sent to him, but he does not seem willing to quote the replies. We sent replies on whatever was raised. However, the Hon. Premier in his usual manner is suggesting that we would not do homework on this matter and that there are some of us who do not understand. If everybody understood on the same level, then there would be no room for the simple. At any rate, we have people who understand just as the Hon. Premier, and they have pointed out difficulties and flaws which this Bill contains.

I have heard that this Bill was sent to the Bar Association and I understood that it took some time before it was sent back. What I am concerned with is that the hon. introducer of the Bill stated that there are certain sections in it which completely change it from the Interim Bill, and this Bill gives them so much power and it really sets out planning for a long term development of this country on the question of what the recommendations would be at a later stage on the development of land.

On the question of the rating of land which the Hon. Premier referred to, he knows that I have on several occasions deprecated the fact that in 1959 when the system of rating came about of rab land, it caused some of the most valuable lands not to be rated. I am sure that the hon. senior member for St. Andrew on several occasions raised the question of allowing all the rab land which was originally rated before the 1959 system of rating came about not to be rated. Because that land was not rated it brought about a tremendous increase in taxation on small householders.

We have found out that this right of appeal should be made to the Minister; but what we would like is having this appeal heard within a certain time, 7.40 p.m.

I will deal with this question of public enquiry when we go into Committee on this Bill. We have had this Act from 1959, and what is the area from which you should be prohibited? In my opinion, this Bill brings this matter of planning up to date. Most people all over the world feel that where there is legislation as to the planning of houses, Town Planners try to force their ideas on people. Let us take the Belleville District; there was no question of Town Planning in those days. When the people in those days said how houses should be erected, there was no Town Planning and that was long before Mr. Stevens or any of us were here. You had to leave the same space of four or five feet outside the building and the guard wall was to be of a certain height. At that time there was still the interest taken to see that there was a proper lay-out and proper planning of buildings. If you were to look at the Belleville area today, you will see that the proper provisions were there.

We now have before us this Bill which is a very voluminous one. It is a Bill in which anybody in a Party must sit down with a legally-trained man and discuss the objects and reasons and see how it should be operated, Mr. Speaker, I could indulge in the extraneous matter in which the Hon. Premier has indulged with ease, because I am a great expert at doing that, if I want to do it. I informed the Hon. Leader of the House that we were not yet ready to deal with this Bill, and having gone through it now, I will say that there are one or two amendments which I would like to suggest. This Bill has been drafted by the Government. It was sent to the members of this House, and before it came up for discussion in here, it was sent to the Law Society, to the legal luminaries and the like. I think that this Bill must also have been sent to the Northern and the Southern Councils too. The Bill is now before the House and we have now got in front of us what recommendations or suggestions have been made. Although hon. members seem to object to any legislation being sent to a Select Committee, it is my duty to say that this Bill should be referred to a Select Committee where hon. members of all Parties can be in a position to see if there are any suggestions which they would like to make.

As far as I am concerned, I was able to discuss this Bill with those members of my Party who would have a greater knowledge and understanding of the facts of the Bill and of the draftsmanship than I would have. I feel, therefore, that it is necessary that this Bill be referred to a Select Committee. Mr. Speaker, I beg to make that motion.

Mr. SPEAKER:

I should like to remind the hon. member that the Bill has not yet received its Second Reading.

Mr. MOTTLEY:

I feel that this Bill should be referred to a Select Committee where we shall be able to discuss its pros

and cons. Despite the extraneous matter which has been brought in as to the Highway Commissioners, the roads and so on, all of that could be answered, but nobody wants to put anybody else in any embarrassing position in asking how lands develop and so on. The present time is neither the time nor the occasion for that. The time will come when all of that will be answered by all of us and we will answer it in good and glorious style. We will answer the question as to whether people are opposed to the Government's philosophy or not. Whether other people have a philosophy or not is a different matter.

After hearing the Hon. premier's remarks today, one would have thought that this legislation which is now before us was the beginning of legislation of this kind; but this sort of legislation was brought in by the last Government and, naturally, it was criticised. I have to make these things quite clear. I have never had any occasion to criticise the Town Planner of any dishonesty; I would be the last to say that I would accuse any hon. member of anything unless I found that it is so. Wherever my party and I did not agree with the Town Planner in respect of certain things, we have

always said so. There was an occasion when we disagreed with the Town Planning Officer; the matter was drawn to the attention of the Hon. Premier and he endorsed our views and disagreed with the Town Planning Officer. I can say where that was. It was a question of developing an area for the siting of a warehouse. We said that the area could be so developed because it was in proximity to the commercial banks and we saw no objection to that being done. The Town and Country Planning Officer would probably have good reasons for arriving at his decision other than selfish reasons, but we could not see that where you would have three gasoline stations, if somebody wanted to site another one, the Town Planner could not allow that one which was coming along to be sited. We could not see that where you were going to have three gasoline stations, you could not have the fourth. 7.50 p.m.

Hon. E. W. BARROW:

Mr. Speaker, on a point of order, I wonder if the hon. member would give way. I heard the hon. member mention something Just now where the Town and Country Planning Officer said something about a gasoline station in which they did not agree with the Town and Country Planning Officer. A little while before that he said that I agreed with the Bridgetown City Council and overruled the Town and Country Planning Officer, but the hon. member did not make it clear that this was in connection with Geddes Grant's Warehouse in Whitepark Road where the Town and Country Planning Officer said that this should be reserved for residential purposes. The Bridgetown City Council Town and Country Planning Committee did not agree with him, and I violently disagreed with the Town and Country Planning Officer, because I did not appreciate how an area that had one foundry, a lumber yard, a garage not to mention solicitors. offices and other industrial things like pioneer products could be considered a residential area. I not only wrote and told the Town and Country Planning Officer that permission would be granted, but sent a copy of what I wrote to him, in which I said that I considered that in this case it was whimsical and could not be supported on rational grounds, to the Bridgetown City Council.

The hon. member comes along in his way and is talking about a gasoline station. I know of no such occasion on which I have over-ruled the Town and Country Planning Officer, and the hon. member in fairness ought to make that clear.

Mr. MOTTLEY:

Mr. Speaker, I have not said anything about a gasoline station which he over-ruled. If the hon.

member wants me to quote chapter and verse, it was not Geddes Grant; it was Plantations Limited, and the building is opposite the Cotton Factory which he turned down and said it could not be used as a warehouse. We wrote back to him and said we did not agree with him.

Hon. E. W. BARROW:

It is really immaterial to me who the applicant was. My understanding from my study of the file is that it was Geddes Grant in respect of Dr. Hutson's property at Wakefield. If it is Plantations Limited it is immaterial to me, but no Town and Country Planning Officer can tell me as a Barbadian what district should be residential and what should be non-residential.

Mr. MOTTLEY:

Mr. Speaker, up to now I do not think the Premier has risen to say that I have misquoted him. What I have been saying is that the Town and Country Planning Officer in one breath would say to someone that he could not put something at a certain place, and in the next breath would say to someone else that he could put something the same place. In this instance we disagreed with the Town and Country Planning Officer as we have so often done. We were pleasantly surprised to get a copy of the letter sent to the Town and Country Officer from the Ministry in charge saying they did not agree with him, which letter took in the entire area from the corner of Passage Road right down to the Courtesy Garage and pointed out what we pointed out; that is, that this area was already used for commercial purposes and you could not pin people down to using it for residential purposes. The same thing happened in the Fontabelle area although this was not sent to

us by the premier. It was made abundantly clear that one side was to be used for industrial purposes and the other side for residential purposes, yet certain people were allowed to erect industrial buildings in the area allotted for residential purposes.

Mr. Speaker, we welcome the question of the right of appeal and having this done in such a manner that people would know. I also welcome the question of laying out the entire Island into areas and letting people have maps. As a matter of fact, it would be good for the Northern District Council to have a plan which builders and other people can go and see exactly what they are doing, because in the Northern parishes where people are allowed to develop and can build ten feet from one boundary, another person may come to the conclusion that he can use his land and put stale manure in it, not knowing that it can pollute the water. If he is prevented from doing so, he may feel that there is some sort of discrimination; but when people know exactly what the true position is, they would not feel that there is any discrimination. So far as the Bill is concerned, we support the principle of it, but we will have to suggest that it be sent to Select Committee,

Mr. SMITH:

Mr. Speaker, we have to be very careful in passing Bills of this nature. From merely reading it you cannot see everything; but after it has gone on the Statute Book, you come up against a lot of obstacles. Now I am in agreement with Town Planning because it is a fact that there are buildings in the City which are practically in the road, and we cannot now encourage it any longer now that we have so much vehicular traffic. In the country areas where the majority of the land is agricultural, we agree that when a person wants to build he should make application to the Town and Country Planning Officer and submit his plans, but I know of a case now where a person is quite willing to give part of his property to a relative, but a public highway passes through the land and leaves a very small part which the owner

would like to keep; but as the Act stands, he would have to pass through the same channel as if he were going to build or sell. A proviso should be inserted in this Bill so that if a person has a bit of land and a highway passes through it and he wants to give part of the land away, it would save him from having to pass through the same channel as if he were going to sell or build.

I know what would be said as soon as I sit down, but the time has come when so much power should not be given to one man or woman. If you read this Bill, you will see that right through it the Minister is responsible for everything. 8.00 p.m.

It has gone so far that the Minister's decision will be final. I am saying that I will never agree any more to so much power being given to one man. Some one has a property. It should not be that because the law is there and the big stick is in the corner that you can take up the big stick and hold it over the owner's head. Why should the decision of the Minister be final? They say that they have gone into the matter and made recommendations; but whatever the

Hon. J. C. TUDOR:

I rise on a point of order. No, Mr. Speaker, the Objects and Reasons are not the Clauses of the bill. He distinctly said that in several Clauses he has found this objectionable paragraph and now he quotes the Objects and Reasons. I would like to know in what part of the Objects and Reasons has he found this.

Mr. SMITH:

Mr. Speaker, so long as the Hon. Minister wants the Clause, I would give it to him. He is the Minister of Education and he knows everything.

Hon. E. W. BARROW:

Will the hon. member stick to the point? Mr. Speaker, I rise on a point of order. I was speaking on the orderly constitutional development of the country.

Mr. SMITH:

Mr. Speaker, I have not said anything on which I have misquoted him.

Clause too. That shows me that the Minister has not read the bill.

Hon. J. C. TUDOR:

I rise on a point of order. No, Mr. Speaker, the Objects and Reasons are not the Clauses of the bill. He distinctly said that in several Clauses he has found this objectionable paragraph and now he quotes the Objects and Reasons. I would like to know in what part of the Objects and Reasons has he found this.

Mr. SMITH:

Mr. Speaker, so long as the Hon. Minister wants the Clause, I would give it to him. He is the Minister of Education and he knows everything.

Hon. E. W. BARROW:

Will the hon. member stick to the point? Mr. Speaker, I rise on a point of order. I was speaking on the orderly constitutional development of the country.

Mr. SMITH:

Mr. Speaker, I have not said anything on which I have misquoted him.

Mr. SPEAKER:

I am waiting to hear the point of order.

Hon. E. W. BARROW:

The hon. Junior member for St. Joseph said that all through the Bill he sees that the decision of the Minister is final. The Hon. Leader of the House has asked him which particular part. There is one part of the Objects and Reasons which states that, and that is Clause 19, and up to now the hon. member cannot find it. When a member gets up and makes a stupid statement that all through the Bill he sees that the decision of the Minister is final, that is a deliberate and gross misrepresentation of the Bill.

Clause 19 provides for a right of appeal to the Minister. If the hon. member was in the House, he would have heard that I said there are certain sociological innovations within this Bill.

Mr. SMITH:

Mr. Speaker, that is not a point of order. The hon. member is now making a speech.

Hon. E. W. BARROW:

The hon. member would not know the difference anyhow. Mr. Speaker, let us get our respective rights. The hon. member said that all over this Bill you will see that the decision of the Minister shall be final. The Hon. Minister of Education asked him what part of the Bill he referred to and he said that he referred to the Objects and Reasons. That is not part of the Bill. The Objects and Reasons point to Clause 19 of the Bill. The remarkable thing about it is that the Minister does not hear the appeal himself, but appoints a person or persons to hear this appeal. Is it therefore fair for the hon. member to say that all through the Bill the decision of the Minister is final when the Minister is acting on the advice of an independent judicial authority whom he appoints to hear the arguments between one side and the other?

There are rights of appeal to the High Court. Mr. SMITH: That is not a point of order, Mr. Speaker.

Hon. E. W. BARROW:

I will not have the hon. member getting up in his compelling manner saying this and that

Mr. SPEAKER:

I will ask both hon. members to resume their seats.

The Hon. and Learned senior member for St. John rose on a point of order. He is making the point, as I understand it, although it is not being made in a particularly concise manner.

Hon. E. W., BARROW:

I really do not understand why should the hon. member make a sweeping statement and say that all through the Bill he sees that the decision of the Minister shall be final. When he says that I am entitled to refer to the whole Bill Clause 19 provides for a right of appeal to the Minister. Clause 29 deals with lists of buildings of special architectural or historic interest. Clauses 45 and 46 deal with notice to enforce control under section 30 an appeal to a Judge in Chambers against a notice under section

How can you say then that all through the Bill you see that the decision of the Minister is final? You should read it even if you do not understand it.

Mr. SMITH:

Mr. Speaker, I did not say "all through this Bill you will find that the decision of the Minister is final." If that was all through the Bill, then in every paragraph you would have seen it.

Now, the Hon. Premier is talking about Clause 19. Well, Sir, he can put in whatever he likes. He belongs to that dance -- it is an old time dance -- which you call "The Twist." 8.10 p.m.

I am not talking about Clause 19; I am referring to Clause 18 on page 26 of this Bill. The hon. member wants to save his colleagues and he can do that in Clause 19. I am referring to Clause 18 for the benefit of the Hon. Minister of Education who knows everything. Clause 18 (4) says this:-

..The decision of the Minister on any application referred to him under this Section shall be final."

I did not say that that was so all through this Bill. You will notice, Sir, that in these paragraphs reference has to be made to the Minister and he has the final say. Even the particular paragraph to which the hon. member for St. John referred there is the question of appointing two or three other people to go into the matter. If the Minister says that he has to appoint people, I am quite sure that he will not appoint me. Whom do you think he will appoint? He knows whom he will appoint. Why not let the appeals go to the Court? You are talking about appealing to a Judge in Chambers and I have heard that a case was tried in Chambers and the defendant was not present; he knew nothing about the case until the bailiff went to lock him up. That is a case that I heard about.

Hon. E. W. BARROW:

On a point of order. Mr. Speaker, the hon. member has made a very serious reflection and I take it that he is referring to a case in Barbados. Your Honour will know that cases are not heard in Judges. Chambers. Some cases are heard on application in Chambers, or there may be notices of motions in Chambers in extreme cases. If the hon. member knows about this case, I would be very grateful if he would send to the Ministry of Home Affairs the names of the parties involved and the dates of the hearing of the case that the party knew nothing about. There are people in this country who try to pull down the reputation of everybody in this country and try to give the people a bad impression. I have had no less than twelve years' experience in the administration of justice in this island and I cannot think of a case where a thing, such as has been mentioned by the hon. junior member for St. Joseph, has happened. That could only be a judgment in rem and not in personam because a judgment could not be issued out of a High Court of Justice from a Judge in Chambers against a person. In deference to the profession, I think that the hon. member should be corrected on that matter. If the hon. member has the information, he can take it from me that the Government will take steps to see that that position is exposed. But I do not think the hon. member should be allowed to make statements like that when making references of any kind.

Mr. SMITH; Mr. Speaker, the hon. member can talk as he likes, but I say that I have heard of a case which was tried in Chambers and the defendant knew nothing about it. The hon. member can say whatever he likes; I have heard him criticise a Judge in here already.

Hon. E. W. BARROW:

Mr. Speaker, on a point of order. The hon. member can refer to Hansard, but I will answer him. I remember that on one occasion I read an uncontradicted report where the Judge advised litigants in a case to go to the Ministerial Buildings and I said that, in my opinion, it is not any part of the duty of a Judge to take part in political delegations. That is an acknowledged principle of the Rule of Law. Do not let us talk

about criticising a Judge; the hon. member might know what the rule of lawlessness is, he certainly does not know what the Rule of Law is. If the hon. member wants me to start, he can start.

Mr. SMITH:

Let the hon. member start; I am ready.

Mr. SPEAKER:

Does the hon. member want to proceed with this Bill?

Mr. SMITH:

If the hon. member wants to start, he can start; I am not afraid of him. Whenever he is ready to start, I am ready to start too. I was saying, Sir, that in this Bill - I have just read it - you will notice that where the decision of a Minister has been made on any application which is referred to him under this Section, that decision shall be final and there are other paragraphs which begin with "The Minister."

Mr. Speaker, I am getting afraid of giving so much power to any one man. Whoever does not like that, does not like it. I say what I have said especially having regard to what I have heard today from responsible people. I am saying, Sir, that the right of appeal should be given and the matter should end up in a Court of Law. That is what I am saying. I am representing the people and I am quite sure that the people will be quite satisfied. Imagine a poor man -- or a rich man for that matter -- who has his land and people want to do as they like with it! That is bloody nonsense.

1 Mr. SPEAKER:

I would like to suggest to the hon. member that he should use different and non-sanguinary language.

Mr. SMITH:

I will withdraw that, but you know, Sir, when one is vexed he is not pleased; when you see that you are sold into the hands of one man, you have to be very careful. Whatever you have, one or two people can go on it and do as they like with it and you cannot say one word! Sir, if anybody came to do as they like with my property, I would be obliged to use my gun or my wampa. 8.20 p.m.

These people should have the right to appeal and have it threshed out not by one Minister or two persons. Where is this nice little country of ours going?

Mr. SPEAKER:

May I suggest to the hon. member that when we go into Committee on this Bill the hon. member can propose any amendment along the lines which he has in mind that he may care to, and if they meet with the approval of the Chamber, they will become part of the Bill?

Mr. SMITH:

As I said in my opening remarks, this Bill is too hard in some cases. I agree that people should not be allowed to build in the road as they did before, but other things are too hard, because if you want to do something and you are told that you cannot do it, you do not have the right to appeal to a Court of Justice. If you appeal to the Minister, whom do you think he will appoint? Do you think he is going to appoint a Chief Justice? I know whom he will appoint. After all we should protect the people's rights, and it is their land. We are not encouraging them to over-run their boundaries, neither should we encourage anyone to take advantage. If you take, for instance, a person who belongs to a Party other than the Party in power, you know the instructions that can be and will be given. I know what will happen, and we have to guard against that. This Government should remember that they win not always be in power, and they should pass laws and regulations to suit everybody. They may come in for a touch of their own medicine if they intend to own something. They should think along these lines and not think about too much power. Because I would not sit down and keep my mouth shut, threats have been made to me.

Hon. E. W. BARROW:

On a point of order, I wonder if the hon. member's righteous indignation has only welled up since he spoke with the hon. senior member for St. Philip, because the Northern District Council submitted, after they had full consideration of this Bill, a letter to the acting Local Government Commissioner for transmission to my office stating

\\"DRAFT TOWN AND COUNTRY PLANNING BILL. 1964\\"'

With respect to the above subject, I am directed by the Chairman to inform you that at a meeting of the Council held on Thursday, 30th July, 1964, the following Resolution was passed."

My understanding is that the hon. member who has Just temporarily subsided - I think \"sat down.. is probably the proper term -- was present when that Resolution was passed.

\The Council agrees with the general provisions as set out in the Objects and Reasons of the Draft Town and Country Planning Bill of 1964, but recommends that development Orders should provide that the Council be con. suited in all cases where there are objections by applicants to the decisions by the Town and Country Planning Officer on application for planning permission."

Such accommodation has been made in this Bill, This is the only point raised by the Northern District Council at a meeting at which he voted in favour of this Resolution, but his indignation has been of more recent vintage,

Mr. SMITH:

Mr. Speaker, the hon. member who has just sat down is in charge of this Bill, and he has the right of reply. Do you mean to say that the hon. member is going to get up everytime on a point of order and make speeches? It is not fair to me. He should make his notes and reply when the time comes and not get up every time and make speeches. What is he telling me now about the Northern District Council? I am on the floor of this House, and I am representing the people of this country; but if you take the

behaviour of the Hon. Premier now, how can you think of putting more power on him? He does not want me to talk. If I am talking foolishness or ignorance, he should get some cotton wool and stick it in his ears or go outside until I am finished.

Hon. E. W. BARROW:

Mr. Speaker, on a point of order, I would expect you to protect the members of this House against unjustified slandering statements made by hon. members on the floor of the House. We can deal outside with statements they make outside, but nowhere did I suggest not wanting the hon. member to talk. Since the hon. member found his voice in 1961, it is very difficult after a silence of fifteen years. Far be it from me or any member on this side of the House to prevent the hon. member from enjoying the full flow of the joy of listening to a voice which has been silent for such a long time; but when he gets up and says I do not want him to speak, I must rise on a point of order to point out that the hon. member's indignation which was welling up over his head was of more recent vintage than 1964 when we accommodated everything they asked for in the Bill. I am entitled to rise on a point of order, and I will continue when he deliberately tries for political reasons to misrepresent anything that is said on this side or misconstrues anything that is contained in the Bill. so the hon. member can go on talking, because I know that a man who has lived in the darkness for such a long time, when he sees the light, does not want to go to sleep.

Mr. SPEAKER:

That is not a point of order. May I point out to hon. members that we have been doing our business from 5.55 p.m. without a break until now, and even the Chair is beginning to feel the strain?

Mr. SMITH:

Mr. Speaker, the hon. member who has just sat down talked about a person who has been in darkness and has come to light. Well, Sir, I know some who were in darkness and came to light, but not for too long, and they are making now for darkness again and to the gallows too, because when they go back to darkness they are going to hang themselves or do something wrong.

Mr. SPEAKER:

Anyhow, let us revert to Town and Country Planning, please.

Hon. E. W. BARROW:

Mr. Speaker, I rise on a point of personal explanation. I would like you to enlighten the

hon. member that I was only quoting from Cardinal Newman when I said that some people who have been in darkness and have seen the light do not want to go to sleep, because they are afraid they would miss some of the light; so I was merely quoting Cardinal Newman who is one of the eminent Cardinals of the Church. If the hon. member takes this as a personal affront, there are people who would understand good parliamentary language, not the filth I hear bandied about in this place from Tuesday to Tuesday.

Mr. SPEAKER:

I wish that Cardinal Newman were not only more often quoted in this Chamber, but that what he has laid down would be followed by each and every one of us.

Mr. SMITH:

Sir, I will go on with the Bill. When you get such an example coming from one who should know better, it is obvious that we would not be able to get too far or be able to federate. That is the same thing that happened at Sherbourne House.

Mr. SPEAKER:

I should like the hon. member to deal with the Bill

Mr. SMITH:

I said that is the same behaviour that went on at Sherbourne House.

Mr. SPEAKER:

I have been through this Bill with meticulous care, and therein is no reference - expressed or implied-- to Sherbourne House.

8.30 p.m.

Mr. SMITH:

The Hon. Premier knows by now that I am not afraid of him. One of his lackeys came in here and told him that I was talking to the hon. senior member for St. Philip. Now, Sir, what has that to do with it? He does not know what I was saying to the hon. member. He does not know it, but I will not be even doing what I should be doing in my W.C. in his drawing room. Now, Sir, I cannot talk with whom I want to talk. I can talk with any person. I work and I work hard too. I do not have to depend on an election to this Chamber for a living-Mr. SPEAKER May I suggest that we try to maintain this debate on a high level? It may be that more than the hon. member are feeling the strain of this non-stop debate.

Mr. SMITH:

I can work and do anything. I do not depend on elections for a living, but there are a lot whom I am going to see take their lives if they do not get back in here.

Mr. SPEAKER. That has nothing to do with the Bill

Mr. SMITH:

But it is the truth. No injection can save them.

Mr. Speaker I am saying that I am in agreement with the hon. senior member for the City that this Bill should go to Select Committee so that it could be hammered out because it would take a few amendments here and there. If hon. members on the other side do not agree to it being sent to Select Committee, we can only do our part; they have the numbers. This is a very voluminous Bill. I do not know how long they took dealing with it. Perhaps they may have been dealing with it for the last six months; therefore, they must be acquainted with it. Sir, you are a first class lawyer; therefore you know that sometimes when you read something, something slips you, You are one who earns your living by the law. There are Bills which have come before we had even got a chance to debate them, Government brought in amendments to them. I would not say that the person who drafted them was not a real draftsman. I am a laymen and if it so happens that something has slipped them, it is liable for something to slip me too.

However, if something wants ironing out, let it go to Select Committee. We should have the right of appeal hot where should that appeal be heard? It should be heard in the Law Courts. We get justice there. When the Judge says that you are wrong, then you are wrong. If he says that you are right, you are right. We would not have to go any further, but as I have said, someone may lose his temper sometime or

the other and I dare suppose we may lose good persons through it because everybody is not going to tolerate this thing that people can go on your land and do anything without your having a say. As the old people used to say, we should see every light out. After all, it is your property, no matter how you came by it. It is yours. therefore, I cannot get in here and encourage such a thing. We have seen it happen too many times.

I do not want to irritate the Hon. Premier any more, but I know of a case.

Mr. SPEAKER. I am not concerned with such cases now.

Mr. SMITH. I am only saying what can happen. I will not call any names or go any further, but I know what has happened to a poor man.

Hon. E. W. BARROW:

There is no member of the public in this Island who would say that I have ever colluded with any person, whether he be magistrate or lawyer to prevent somebody from getting Justice. I am the first person in the history of Barbados, as regards people entering my Chambers, to insist that they get a receipt if they give me any money, and when their case is not done that their money is refunded. No lawyer has ever done it until I instituted the practice.

When the hon. member gets up and say that he knows of a case of a certain poor man, I do not know what he is talking about: but people would get the impression that I victimised some poor person in the country; therefore, Your Honour should not allow such statements. I must lose my temper when certain persons are allowed to slip up in here. I do not think Your Honour should sit down and allow the hon. member to make a statement like that.

Mr. SPEAKER:

I have not heard the hon. junior member for St. Joseph make any disparaging reference to the profession and integrity of the hon. senior member for St. John.

Hon. E. W. BARROW:

What was the hon. member referring to?

Mr. SPEAKER; I have no idea; he made no reference.

Hon. E. W. BARROW:

There is one cardinal principle in the discharge of one's duty, whether it be you, the hon. senior member for the City or anybody else. Your Honour should never allow people to get up in here and make insinuations under the guise that they are sheltering behind parliamentary privilege; you should

see that that privilege is not abused. The hon. member should be made to understand that he is making an insinuation.

Mr. SPEAKER:

I have heard no insinuations. As regards the point which the Hon. and Learned Premier made when he referred to lawyers not giving receipts, I would say, certainly he is correct because a barrister is not required to give . receipt in as much as it is only an honorarium of which he is a recipient, 8.40 p.m.

Hon. E. W. BARROW:

That is the sort of Shibboleth under which you take shelter and I refuse to take advantage of it.

Mr. SPEAKER:

I am a member of the Local Bar, and for a long time I have known that a former Attorney General of Barbados, when in private practice, used to give receipts to clients, but that is unique. Why he did that I do not know. Just as a barrister cannot sue for his fees, he does not give a receipt to clients for fees unless he is especially requested so to do.

Hon. E. W. BARROW:

I was referring to the Attorney General who followed the practice of the English people who have these things to suit themselves.

Mr. SPEAKER:

Has the hon. junior member for St. Joseph concluded his speech?

Mr. SMITH:

Mr. Speaker, I have been interrupted on so many occasions that it seems to me as if I would lose my temper now. I do not want to embarrass the Chair by so doing, and therefore I will refrain from going any further in this matter.

Mr. CORBIN:

Mr. Speaker, this Bill which is now before us deals with Town and Country Planning. If you read it carefully you will see the full implications of it. This Bill is worthwhile reading and you also have to study it. It is a long Bill and it has good Clauses in it, I have been Chairman of the Town and Country Planning Committee for the Northern District Council, and I may say that after reading this Bill I have got to know more about the subdivision of land than I knew before. This Bill is for the purpose of controlling land and protecting the people. I will show you what I mean by the control of land and the protection of the people. When an application comes to the Northern District Council, it has to come from the person to whom the land belongs and it goes to the Town and Country Planning Department. It comes back to us and we will go to the spot ourselves. We will look at the spot and if we think it is all right we will say \"Yes, this land can be sub-divided\". Then the matter goes back to the Town and Country Planner and if it is satisfactory to him, it is all right.

I see that there is some land which some person who died left for his children; it was something like four acres which was to be divided. The Town and Country Planning Officer sees, first of all, that a road is cut on the particular land so that when it is divided and anybody dies, a portion of it can be sold to strangers because there will be a road where people can get in and out of their premises at any time.

They can sell it to strangers and there would not be any disturbance. I want to endorse some of the remarks which the Hon. Premier has made. I remember that in the parishes today especially in the parishes of St. Andrew and St. Joseph - if I can remember rightly I think the hon. junior member for St. Joseph has been around with me at some time - land has been sold for many years before we were born and we have seen that land in divers places divided into small lots such as half an acre, one acre, two and three acres, but there was no road cut so that the people could go in and come out of the land Mr. Speaker, it is burdensome to any Government which comes along and finds that there is no road to such land. The people will worry the representatives in this House because they want the roads, but when they wanted the land they never remembered that they wanted the roads as well.

If you were to read the Vestries Act you will see that where anybody wanted to sell any land, he had to cut roads and instal water before the land was sold; otherwise you will find that there will be a disturbance. I knew a gentleman called Mr. Nichols who sold land at Belleplaine, He has died and he has left enless work for solicitors and lawyers because there were no roads cut in the land at all. They did not know whom the land belonged to; they did not know whose land was John's, Wesley's or Mortimer's. All of that happened because there was no provision mack for controlling the land. If they had had proper control of the land do you think that Swan Street, for instance, would be as it is today? You can go through the whole island today and you Will see that there are districts the position of which would hurt your head. That is all because there was no proper plan. 8.50 p.m.

Here we have a Town and Country Planning Bill under which you must seek permission to build. If your plan is correct, you can go ahead and build; so I see nothing wrong with that. This Government or any other Government has a right to protect the development of this country; so I do not see why there is so much controversy over this Bill, because if the Town and Country Planning Officer turns down your application, you can appeal to the Minister. A lot

of development is going on in this island, but there must be some control over it I hope that in time the Island will be properly developed, with proper roads and other amenities, so that people can get to their homes without having to pass through mud and water, I am going to support this Bill because it is going to control and protect the sale of land when it is sub-divided, and see that roads are made and houses are erected in a proper way.

Mr. HOLDER:

Mr. Speaker, it has been rather interesting to sit and listen to certain members speaking on this Bill. This Bill as has been said by hon. members is voluminous, but it was started many years ago, and with things like planning there are many things that have to be ironed out. I feel that some of the points raised are very essential, and I will suppoot the motion that it be sent to Select Committee. I am very sorry that the hon. member who last spoke is not in his seat, because he began by saying that he was Chairman of the Planning Committee of the Northern District Council. I had some experience with that in its beginning but only for a short time.

Now with regard to what the hon. junior member for St. Joseph has said about the Minister having full charge, I am not definitely clear on that. Now there is a matter which I would like to call attention to, and I can call names. There are some poor renters in Taitts, St. James, who bought some land from Gibbes Plantation, St. Peter, and the lay of the land is on a cliff on one side where these people lived. These people have had to remove their houses; and yet when you pass the road within a stone's throw

from where they lived, you can see bungalows going up, although it is a water-borne area. Why should these people be deprived of their land and moved to another area, and yet you can see bungalows going up in the same area? These people must feel perturbed when they see houses going up near the land which the coloured people owned, I feel, therefore, that there should be a little more latitude in this Bill. The case 1 mentioned is not a fictitious case. The same difficulty i experienced at Carlton where people have bought land that was put up for sale, and I cannot understand why.

I support the motion that this Bill be sent to a Select Committee. 9.00 p.m.

Mr. SPEAKER:

If there is any hon. member who wishes to speak, let him do so now before the Hon. and Learned Premier exercises his right of making a final reply. (A PAUSE) Apparently, there is no hon. member who is desirous of doing so; therefore, the Hon, and Learned senior member for St. John may now proceed.

Hon. E. W. BARROW:

Sir, it appears to me that not one single member who has risen to his feet on the Opposition benches appears to be sufficiently seised as to the detailed provisions of this Bill. In my opening remarks, I went through all the important aspects of the Bill and demonstrated the changes which have been made as well as the innovations as compared with the Interim Control Act of 1959. I have had on specific occasions to correct certain misrepresentations made during the course of the debate; therefore, there is only one point which I think I should answer now.

We have heard certain remarks during the course of debates in this Chamber. I wish if hon. members hear rumours that they get the full details and conduct their investigations thoroughly, and when people have complaints that they make the complaints to the appropriate Ministry or if they think that it is a matter which is better dealt with through the slow and laborious way, that they come and ask a parliamentary question.

The hon. junior member for St. James has Just spoken and I must congratulate him on reaching almost double figures in the number of speeches which he has made during the past fifteen years. We followed with great anticipation the contents of his speech, but I will advise the hon. member that if he knows of some grievance which the people of that plantation have that they put it in writing.

As regards what the hon. junior member for St Joseph said, I have given a ruling in my office that all correspondence should be answered within 48 hours after the day that it has been received. You often find that this is carried out, but there may be occasions like the time when the hon. member wrote me, that he does not get a reply within 48 hours.

If I may go back to the point which I was making, you get people getting up in here and making general accusations. What are the circumstances? I know that there is some complaint made by certain Councillors of the Northern District Council in representing some people who moved on to some land. They had applied a period of times without permission. Despite the fact that bungalows may have been built, the fact of the matter is that they had done so long after the restrictions had been imposed by the Town and Country Planning Office. I have not heard that they have been forced to move, but the matter is still under consideration as far as I have been made to understand. When anyone says that rumour has

it that so-and-so has been done, that is nothing which I can investigate. We can only investigate matters of a specific nature and of which we know the surroundings past and the nature of the case; so I regret at this short notice that I cannot give an answer. I am not like Sherlock Holmes. Therefore, there must be information, and people must state what their grievances are and they must have recourse to legal Counsel to advise them what their rights are; but there is a reluctance by persons in this country to go to the proper authority for advice. If they have a legal point to decide, they will go to an undertaker or somebody like that. If they have a tear in their raiment, they will go to their neighbour's wife. This is one of the outcomes of Colonialism. As I have said, I have not heard that anybody has moved off the land and that they have been refused the right to appeal to any decision which the Town Planner has given under the existing legislation.

There is Just one other point. I want to make it clear that under the legislation of 1891, the only appeal that one could make was to the Governor-in-Executive Committee. Where the Governor-in-Executive Committee formerly exercised its right as regards these functions, because of the introduction of the Ministerial system of Government, these functions are now invariably performed by the Minister. You will find that in 1964 when the new Constitution was brought into force -- a Constitution which was an improvement on the Trinidad and Jamaica Independence Constitution - it was introduced without protest. The Governor-in-Executive Committee Act which was in force up to that time was repealed and, furthermore, the Executive was replaced by the Cabinet, and the Cabinet was given authority to delegate its functions. Now, it is due to the natural growth of the Cabinet system of Government that you cannot clutter up the Law Courts with trivialities, like, for instance, if somebody would like to build and the Government takes objection, because such a matter does not require a judicial decision; that is a decision which can be given by a responsible person. A Minister of Government has the power to give decisions in matters relating to social and political circumstances. A minister is a Member of Parliament and he is responsible to the people; a Judge is not subject to the control of Parliament.

Therefore, you do not want to go into Judge's Chamber or go into Open Court with everything. If the Town Planner says that you must build six feet from the road or that you must step back eight inches off your neighbour's line and there is a complaint, the Minister can decide something like that. This is a social and economic decision, and it has nothing to do with the administration of justice. 9.10 p.m.

But there is no case where a Minister or any other person is supposed to exercise powers in excess of those which have been granted to him, or in a way which is inequitable. Where the law says that a man has the right of appeal, he had the right to apply for a declaration to find

out what authority has exercised its powers. If it has exercised powers in excess of its authority, that exercise of authority is declared to be ultra vires. We must appreciate that where a Minister invites a person to hear a complaint against the Town Planning Officer, there were 850 applications last year alone and the Reporters which we appointed incidentally.. (Asides). The hon. junior member for St. Joseph says that we were not going to appoint him. Well, Sir, there are two reasons why we could not appoint the hon. member. One reason is that he is a Member of Parliament and the next reason is that he is too onesided. We have appointed Sir Frank Holder, who was formerly Chief Justice of the Federation and the late lamented Mr. E. R. L. Ward, who was formerly Chief Justice of British Honduras. I think they had a Mr. Chandler from St. Philip and a Senator who is also a business man. When the hon. senior member for St. Philip gets somebody to come inhere and do his dirty work for him, he should go and examine the facts. The hon. senior member for St. Philip... (Asides)

Mr. SMITH:

On a point of order. Mr. Speaker, did the Hon. Premier say that the hon. senior member for St. Philip prompted me from outside to do the dirty work for him? That is not so. If the hon. member is accustomed to doing dirty work, it is his dirty work because he is dirty. (Laughter).]

Hon. E. W. BARROW:

Mr. Speaker, I do not think that the hon. member is justified in attacking an hon. member who is absent Just like that.

Mr. SMITH:

I have never said that the hon. member is dirty.

Hon. E. W. BARROW:

Well, Sir, the only person to whom the hon. member referred is the hon. senior member for St. Philip and the records of the House will show that. I was merely demonstrating that this kind of thing does not do this country any good. There are people who do not have any access to the facts, people who do not know that the former Chief Justice of the Federation was one of the Reporters, and I may say that these Reporters were put there because of their impartiality. Anybody can look , at the Boards which this Government has appointed and he will see that they were appointed on equitable grounds. We go by our record. We have a period of three years and nine months in the administration of this Island, and nobody can say that we have done anything to the detriment of the people of this island. When the hon. member throws out his insinuations, he is not being honest to the people of this island, far less to the economic future of the island. If you want to destroy Barbadians you might have to go to St. Lucia to do that; you cannot do it in Barbados. If you want to destroy Barbados from the inside, then the roof will fall in on your head, and we may still have to extinguish the flames and prevent you from being destroyed.

The question that this Bill be now read a second time was put and resolved in the affirmative without division.

Hon. J. C. TUDOR:

Mr. Speaker, I beg to move that you do now leave the Chair and the House go into Committee on this Bill.

Hon. C. E. TALMA:

I beg to second that.

Mr. MOTTLEY:

Mr. Speaker, I beg to move that this Bill be referred to a Select Committee.

Mr. SMITH:

I beg to second that.

Hon. E. W. BARROW:

Mr. Speaker, before you put the question I want to make a few remarks and I do not want to be uncharitable to anybody. We all know the difficulties under which the members on the opposite side of

the House labour. In the absence of their supporters they have found themselves in this most unfavourable position. This Bill went not only to the different Departments of Government, but also to the Bridgetown City Council, and members of the Opposition are members of the Bridgetown City Council. This Bill also went to the Northern District Council

of which the hon. junior member for St. Joseph is a member. It also went to the Southern District Council and the hon. junior member for St. Philip is a member of the Southern District Council. So far, Sir, we have covered about eight members of this House who are members of the various Councils and that represents 33 1/3% of the members of this House. The Barbados Chamber of Commerce has been covered, the Law Society and the Bridgetown City Council. 9.20 p.m.

I may point out to the hon. member that the Bill went to the Bridgetown City Council on several occasions -and the Bridgetown City Council and the Chamber of Commerce are one and the same thing - and the Law Society. In other words, 50% of the Opposition knew more about the Bill than the Ministers, because the Ministers only knew about tills when it was presented as a Cabinet Paper. A Cabinet Paper has to be prepared in my office; they do not see it until two days or a day before or the same morning of a Cabinet Meeting, and that goes for every Cabinet Paper including a Bill with 83 Clauses like this. They do not know how a Government is run. That is collective responsibility, but it is also separate responsibility as well.

Every single objection from the Bridgetown City Council was investigated. (Mr. MOTTLEY: Tell me them.) I will give them to you. The first objection was that the Bridgetown City Council was perturbed by the definition of "Development", in Clause 13 by inclusion of the words "or the subdivision of land". The Council considered that the inclusion of the above mentioned words would act as a fetter on the disposition by Will of land, and that this would particularly work a hardship on very small land owners who may be desirous of leaving specific areas of their holdings to their children or other members of their family, but which would require planning permission if the Bill were passed in its present form.

Secondly the Council was not in agreement with the constitution of the Town and Country Planning Advisory Committee. They wanted Councillors having a special knowledge of matters within the Jurisdiction of the Council who could play an important role in orderly planning and development of the Municipality. It considered that all applications for planning permission should be submitted to the Council, and that there could be no justification in the allegation that such a procedure would be dilatory in its effect.

The Council appreciated the necessity for a measure of control over the use of land in the light of Government over-all Development Programme. It considered that to "freeze" the use of land for a period up to twelve years would create an unnecessary and inequitable burden on land owners.

Fourthly the Council considered that the proposed powers to be conferred on the Town and Country Planning Officer under Clause 25 by which the Town and Country Planning Officer would have power by Order to require the discontinuance of the use of any land or to impose conditions upon the use of such land or to order that any building or works should be altered or removed were onerous and could impose a serious hardship on land owners and should not be enacted.

Then the Council considered that Clause 52 was too widely worded and that land acquired by the Government whether compulsorily or by agreement could only be disposed of to any other body or person for development where such disposition and development was necessary for the security of the Island.

All these things were considered; so how can you call this Government a dictatorship?

Mr. MOTTLEY:

What about disposition by Will?

Hon. E. W. BARROW:

The only member who came nearest to dealing with disposition of land by Will was the hon. senior member for St. Andrew. As far as I can remember, speaking subject to correction, the hon. senior member for Bridgetown never mentioned anything about disposition by Will. The position is that we have so much legislation to consider in the course of each and every week that I cannot remember what we have passed; but the Cabinet has already approved a Bill if it has not been passed in the Legislature. Every disposition of land by Will creates an immediate trust for sale which brings the law in Barbados in line with the English legislation. As far as I know, it has passed the House already. I may be wrong, but I know this is the answer to any question of sub-division by Will, because it would create a hardship. The Real Property Act of Barbados and other Statutes which allowed the fragmentation of land would now come under the new Real Property legislation whereby all dispositions of land and all trusts created by Will or otherwise will create a trust for sale, and the devisees would hold the land as statutory tenants-in-common, and the executors of the Will would hold the land in trust with the power to sell the land. If they want the land divided, nevertheless it is still held by the executors or trustees in trust for sale, and there must be permission from the Town and Country Planning Officer for any development thereon. If the devisees get together and decide they do not want it sold, I suppose as is done in the United Kingdom, they can decide not to sell. I am getting involved in matters which the hon. senior member for Bridgetown should understand, but to explain them in detail, the hon. member may get a little confused since we are dealing with Town and Country Planning legislation.

Mr. Speaker, all this was agreed on and the persons raising these objections were notified about the changes. So, all of this does not amount to two rows of common pins or safety pins. We have done things that the law does not require us to do. We have sent the Bill to the Bridgetown City Council; we did not have to send it to the Chamber of Commerce, or the Law Society or the Bar Association, and I do not see, since the professional and competent authorities have aired their views and we agreed with some of them and disagreed on others, and having agreed on a multiplicity of very important matters and disagreed on certain minor matters, that it is going to make any difference to this government whether it goes to Select Committee. This is a motion I cannot entertain because we know that traditionally when you want to kill legislation, you send it to Select Committee and it goes on cold storage and dies. We want this Bill to see the light of day, and I regretfully announce to the members on the other side that we will not be supporting the sending of this Bill to Select Committee. 9.30 p.m.

Mr. MOTTLEY:

Mr. Speaker, I rise on a point of privilege. On the question of sending this Bill to Select Committee, it is only because of the question of wills that we want to thresh out this matter with Solicitors. We do not have legally trained people in here on this side of the Table, but we do have them in our Party. I know

that was a question which was raised and which has not been settled. I do not mind sitting down silently sometimes and let people believe that I am ignorant; but I can tell the Hon. Premier that I understand this Bill as well as anybody else in this Island.

A. far as the Bill is concerned there is no desire to kill the Bill if it goes to Select Committee. It is a question of wills. Let us say you have a man who is dividing his land by way of a will to four or five children. It may be an acres of land. We can see that there would be a difficulty there, and we want to have this particular thing threshed out in Select Committee, I do not think this would take more than one meeting of the Select Committee,

This is a Bill which affects the entire Island. Let us take the parish of St. Lucy. I have seen people from that parish who have spent thousands of dollars over a quarter

acre of land in the Law Courts. That is the only reason why I suggested that this Bill should be sent to Select Committee. I have never yet attempted to send any Bill to Select Committee with a view to putting it in cold storage. This is a question of getting that particular matter threshed out, so far as I am concerned.

The question that the Bill be sent to a Select Committee was put and resolved in the negative, the House dividing as follows:-

AYES:

Mr. HOLDER, Mr. SMITH, Mr. MOTTLEY -3.

NOES:

Mr. BATSON, Hon. J. C. TUDOR, Hon. E. W. BARROW, Hon. C. E. TALMA, Hon. G. G. FERGUSON, Hon. A. D.C EDWARDS, Hon. N. W. BOXILL, Mr. LOWE, Mr. YEARWOOD, Mr. CORBIN. - 10.

The question that the House go into Committee on the Bill was then put and resolved in the affirmative without division.

Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. BATSON in the Chair.

Clause 1 was called and passed.

Clause 2 was called and passed.

Clauses 3 to 20 inclusive were called and passed.

Clauses 21 to 23 inclusive were called and passed.

Clauses 24 to 32 inclusive were called and passed.

Clauses 33 to 49 inclusive were called and passed.

Clauses 50 to 53 inclusive were called and passed.

Clauses 54 to 60 inclusive were called and passed.

Clauses 61 to 68 inclusive were called and passed.

Clauses 69 to 72 inclusive were called and passed.

Clauses 73 to 83 inclusive were called and passed.

The First Schedule was called and passed.

The Second Schedule was called and passed.

The Third Schedule was called and passed.

The Fourth Schedule was called and passed.

On motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, Mr. CHAIRMAN reported the passing of one Bill in Committee.

Mr. Speaker resumed the Chair and reported accordingly. 9.40 p.m.

On motions of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA in each case, the Bill was read a third time and passed.

Mr. SPEAKER:

The next Order of the Day stands in the name of the hon. senior member for St. John....

BILL READ A FIRST TIME

Hon. J. C. TUDOR:

Mr. Speaker, we are not proceeding with any further business at today's sitting of the House, but before I make the motion for the adjournment of the House, I should like to say that we have seen a Bill which has been passed by the Other Place and it has been sent down by that Chamber to this House. This is a Bill intitled an Act to limit the remedies available to plaintiffs in proceedings seeking relief in respect of the acts of omissions, or the threatened or apprehended acts or omissions, of persons engaged in the execution of any approved scientific or research project.

I beg to move that this Bill be now read a first time.

Hon. C. E. TALMA:

I beg to second that.

The question that this Bill be now read a first time was put and resolved in the affirmative without division.

THE ADJOURNMENT

Hon. J. C. TUDOR:

Mr. Speaker, that concludes Government Business for today's sitting of the House. I beg to move that this House do now adjourn until Tuesday, 16th November, 1965, at 2.30 o'clock p.m.

Hon. C. E. TALMA:

I beg to second that.

The question that this House do now adjourn until Tuesday, 16th November, 1965, at 2.30 o'clock p.m., was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

9.45 p.m.