

THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION OF 1966 - 71

HOUSE OF ASSEMBLY

Tuesday 16th January, 1968.

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., F.Z.S., (*Speaker*); Mr. L. E. SMITH, J.P.; Mr. K. N. R. HUSBANDS; Hon. C. E. TALMA, (*Minister of Health and Community Development*); Hon. J. C. TUDOR, M.A., (*Leader of the House*); Mr. J. W. CORBIN; Hon. G. G. FERGUSSON, (*Minister of Trade, Tourism, Co-operatives and Fisheries*); Mr. R. ST.C. WEEKES, J.P.; Mr. W. R. LOWE; Hon. N. W. BOXILL, (*Minister of Communications and Works*); Mr. W. C. B. HINDS; His Honour G. E. SARGEANT, (*Deputy Speaker*); Mr. C. A. E. HOPPIN, J.P. and Mr. J. M. G. M. ADAMS, M.A.

Prayers were read.

Mr. YEARWOOD entered the House and took his seat.

MINUTES

Mr. SPEAKER: With the concurrence of the House, I will leave over the confirmation of the Minutes until the arrival of the Clerk as to a certain matter which has been drawn to my attention in connection therewith.

Mr. MC TTLEY entered the House and took his seat.

LETTER FROM AUDITOR GENERAL *Re ACCOUNTS*

Mr. SPEAKER: I have the honour to inform the House that I have received a letter from the Auditor General, dated 2nd January, 1968, which reads as follows:-

Sir,

Section 26 of the Financial Administration and Audit Act, 1964 provides that the Auditor General shall report annually as soon as possible and not later than the last day of December, following the close of each financial year, the results of his examination of accounts. Such report shall be addressed to the Speaker of the General Assembly and a copy transmitted to the Senate for information.

2. With respect to the financial year, 1966-67,, I have to inform you that it has not been possible to submit the relative report by 31st December, 1967, for the reasons set out below.

By section 10 (2) of the above-mentioned Act as amended by the Financial Administration and Audit (Amendment) Act, 1967, the Accountant General is required to transmit certain statements to the Auditor General within a period of four months after the close of the financial year i.e., by the 31st July. The statements for 1966-67 have not yet been received.

By section 10 (3) of the principal Act, Accounting Officers and Collectors of revenue are required to transmit to the Auditor General appropriation accounts or statements of receipts and disbursements, as the case may be, within a period of three months after the close of the financial year, i.e. by the 30th June.

Out of 61 Appropriation Accounts, only two were submitted by 30th June, 1967; 8 in July (2 incomplete) in August, 2 completed and 2 (incomplete) in September, 4 in October and 1 in December. At present 41 Accounts and parts of 2 accounts in respect of the financial year, 1966-67 are still outstanding as follows:-

APPROPRIATION ACCOUNTS: 1966-67

Current

Head 2:	Service Commissions
3	Legislature
6	Legal
10	Accountant General
11	Pensions
12	Charges of Debt
17	Premier - Home Affairs
18	Police
19	Fire Service
20	Town and Country Planning Office
21	Prisons
22	Lands and Surveys
23	Meteorology
24	Premier - Cabinet and General
25	Economic Planning Unit
26	Barbados Regiment

27	Civil Aviation
28	Ministry of Agriculture and Fisheries - Items 37-48, 100-112 and 121
29	Ministry of Communications and Works
30	Public Works
31	Waterworks
32	Printing Office
33	Highways and Transport
34	Light Houses
35	Electrical Inspection
36	Ministry of Education
37	Ecclesiastical
44	Ministry of Trade - Items 21-29, 48 and 53
45	Public Assistance
46	Old Age Pensions

Capital

Head 102:	Communications and Works
104	Education
105	Home Affairs
106	Office of the Premier

Annexed Estimates - Post Office.

3. The Revenue Accounts outstanding for the abovementioned period are as follows:-

REVENUE ACCOUNTS 1966-67

Estimates Head	Sub-Head	Items
2 - Taxation	-	1 - 6
3 - Licences	-	1 and 6 - 20
5 - Rents and Royalties	-	1 - 6
6 - Interests and Redemption	-	1 - 8
7 - Net Revenue from Government Commercial Undertakings	-	1
8 - Revenue of Government Department and Services:		
"	2 - Judiciary	iv
"	5 - Pensions	1 - v
"	7 - Inland Revenue	
"	8 - Home Affairs	
"	9 - Local Government	
"	11 - Police	1 - xii
"	12 - Prisons	1 - v
"	13 - Miscellaneous Services	1 - iii
"	14 - Ministry of Agriculture and Fisheries	1 - xii and xiv - xxxi
"	15 - Printing Office	1 - iv
"	16 - Highways & Transport	1 - iv
"	17 - Airport	1 - vi
"	18 - Electrical Inspection	
"	19 - Waterworks	1 - vii

"	20 - Town & Country Planning	
"	21 - Ministry of Education	1 - vii
"	22 - Medical	1 - v
"	23 - Labour	1 - ii

Estimates Head	Sub-Head	Items
9 - Special Receipts	-	1 - 8

4. With respect to the financial year 1965-66 the accounts still outstanding are as follows:-

YEAR 1965-66

APPROPRIATION ACCOUNTS

Current

Head 3: Legislature

REVENUE ACCOUNTS

Estimates Head	Sub-Head	Items
5 - Rents and Royalties	-	2, 3 and 6
8 - Revenue of Government Department and Services:		
"	7 - Inland Revenue	
"	9 - Local Government	
"	20 - Town and Country Planning	
"	22 - Medical	1 - v
9 - Special Receipts		4

5. It is considered that you should be informed of the position for the information of Parliament.

I am,
Sir,
Your obedient Servant,
G. B. Brandford
.....
Auditor General.

Hon. A. DaC. EDWARDS entered the House and took his seat.

PAPERS LAID

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Hon. Prime Minister and Minister of Finance, I am commanded to lay the following:-

Report of the Standing Insurance Committee and Statement of Accounts of the General Insurance Fund for the year 1965-66.

Report of the Standing Insurance Committee and Statement of Accounts of the General Insurance Fund for the year 1966-67.

Hon. A. DaC. EDWARDS: Mr. Speaker, I am commanded to lay the National Insurance and Social Security (Stamps) Regulations, 1967.

Hon. J. C. TUDOR: Mr. Speaker, I am commanded to lay the Financial Statement of the Urban Development Corporation for the period ending 31st March, 1967.

GOVERNMENT NOTICES

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Hon. Prime Minister and Minister of Finance, I beg to give notice of the following Resolutions:-

A Resolution to place the sum of \$34,340 at the disposal of the Government to supplement the Estimates 1967-68 Part I Current, as shown in the Supplementary Estimates 1967-68 No. 36 which forms the Schedule to the Resolution.

A Resolution to place the sum of \$80,838 at the disposal of the Government to supplement the Estimates 1967-68 Part II Capital, as shown in the Supplementary Estimates 1967-68 No. 38 which forms the Schedule to the Resolution.

A Resolution to place the sum of \$123,623 at the disposal of the Government to supplement the Estimates 1967-68 Part II Capital as shown in the Supplementary Estimates, 1967-68 No. 39 which forms the Schedule to the Resolution.

A Resolution to place the sum of \$12,600 at the disposal of the Government to supplement the Estimates 1967-68 Part I Current as shown in the Supplementary Estimates 1967-68 No. 40 which forms the Schedule to the Resolution.

A Resolution to place the sum of \$15,000 at the disposal of the Government to supplement the Estimates 1967-68 Part I Current as shown in the Supplementary Estimates 1967-68 No. 41 which forms the Schedule to the Resolution.

A Resolution to place the sum of \$375,876 at the disposal of the Government to supplement the Estimates 1967-68 Part I Current as shown in the Supplementary 1967-68 No. 42 which forms the Schedule to the Resolution.

I beg to give notice of my intention to move the House into Committee of Supply at its next meeting in order to deal with the Money Resolutions of which notice has just been given.
2.55 p.m.

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Hon. and Learned Prime Minister, Minister of Finance and Minister of External Affairs, I beg to give notice of a Bill to amend the Pensions Act, 1947;

Also, a Bill to amend the Diplomatic Immunities and Privileges Act, 1967.

NOTICE OF REPLIES TO QUESTIONS

Hon. N. W. BOXILL: Mr. Speaker, I beg to give notice that reply to Parliamentary Question No. 67 asked by the hon. senior member for St. James is now ready;

Also, reply to Parliamentary Question No. 112 asked by the hon. senior member for St. Thomas is now ready;

Also, reply to Parliamentary Question No. 113 asked by the same hon. member is now ready;

Hon. C. E. TALMA: Mr. Speaker, I beg to give notice that reply to Parliamentary Question No. 53 asked by the hon. senior member for St. Thomas is now ready;

Also, reply to Parliamentary Question No. 115 asked by the same hon. member is now ready;

Also, reply to Parliamentary Question No. 117 asked by the hon. junior member for St. John is now ready;

Also, reply to Parliamentary Question No. 103 asked by the hon. senior member for St. James is now ready.

Hon. J. C. TUDOR: Mr. Speaker, I beg to give notice that Oral Reply to Parliamentary Question No. 62 asked by the hon. junior member for St. Peter is now ready.

PRIVATE MEMBERS' NOTICES

Mr. SPEAKER: The hon. senior member for St. Thomas. His Resolution *re* suspension in November.

Mr. J. M. G. M. ADAMS: Mr. Speaker, I beg to give notice of the following Resolution:-

This House is of the opinion that the suspension on November 7th last of the senior Member for St. James, and on November 14th last of the Leader of the Opposition for five sitting days of the House is totally unlawful, illegal and unwarranted and contrary to its Standing Orders in as much as the procedure laid down in Standing Order No. 36 was not followed by either the Chairman or the Speaker and should be formally rescinded.

This House is further of the opinion that all accounts of the proceedings on this matter be expunged from the record of the House and from the *Official Gazette*.

QUESTIONS

Mr. SPEAKER: The Hon. and Learned senior member for St. Thomas. His question *re* Questions.

Mr. J. M. G. M. ADAMS: Mr. Speaker, in view of the fact that the Hon. Minister of Communications

indicated to the House that certain answers to questions are ready, I will not proceed with this question.

Mr. SPEAKER: Am I to understand the Hon. and Learned senior member for St. Thomas to say that he does not propose to put his question *re* questions left unanswered on the Order Paper?

Mr. J. M. G. M. ADAMS: Your Honour's understanding is correct.

Mr. SPEAKER: Then, the same hon. member. His question *re* Domestic Science Classes at Welches Combined School.

Mr. J. M. G. M. ADAMS: To enquire of the appropriate Minister:-

1. Will the Minister responsible make an investigation as to why a request from 30 ladies resident in Redmans Village area in the parish of St. Thomas addressed to the Ministry of Education on August 10, 1967, asking for the opening of Domestic Classes at Welches Combined School, St. Thomas, was not acknowledged by the Ministry until December 28, 1967?

2. Will the Minister see that such classes are started as soon as possible?

Mr. SPEAKER: The same hon. member. His Question *re* Mangrove Asphalt Production Works.

Mr. J. M. G. M. ADAMS: To enquire of the Minister of Communications and Works:-

1. Is the Minister aware of the fact that, recently, employees of his Department working at Seawell and Mangrove Asphalt Production Works have been laid off without any information being given to them as to whether they will be re-employed or, if so, when?

2. Is he aware of the fact that some of these employees have given as much as 10, 12 and 15 or more years of service?

3. If the Minister is not aware of the above, will he enquire of his Department and so obtain the facts?

4. What policy, if any, does his Ministry adopt in matters of the laying off of employees?

Mr. SPEAKER: The same hon. member. His question *re* 10 cents postage stamps.

Mr. J. M. G. M. ADAMS: To enquire of the Minister of Communications and Works:-

1. Is the Minister aware that there is a great need for a 10 cent postage stamp in Barbados both for the purpose of franking registered inland letters and for airmail letters to the Eastern Caribbean.

2. Will the Minister make arrangements for such a stamp to be issued forthwith?

3. Will the Minister also make arrangements for this much used value to be included in future issues of commemorative series of stamps whenever appropriate?

Mr. SPEAKER: The hon. junior member for St. John. His Question *re* road workers formerly employed by the Vestry of St. John.

Mr. YEARWOOD: To enquire of the appropriate Minister:-

Is the Minister aware that two road workers formerly employed by the Vestry of St. John and subsequently by the Southern District Council - namely James Alfred Padmore and Javen Shepherd - have retired from the service of the Southern District Council (one in December, 1965 and the other in February, 1965) and to date have received neither pension nor gratuity, although entitled to receive same?

2. Will the Minister investigate the cases mentioned without delay?

Mr. SPEAKER: The same hon. member. His question *re* extension of water main.

Mr. YEARWOOD: To enquire of the appropriate Minister:-

Will Government (a) extend the water main passing through Edgecliff to Hotherstal to the junction of the road leading to Hotherstal Tenantry and (b) erect a standpipe at the uttermost part of the said village so as to provide the inhabitants thereof with water?

Mr. SPEAKER: The hon. junior member for St. James. His question *re* monument of Hometown.

Mr. HOLDER: To enquire of the appropriate Minister:-

Will the Minister, now that the tourist season is in full swing, take immediate steps to have the inscription on the monument at Hometown St. James re-lettered?

Mr. SPEAKER: The same hon. member. His question *re* installation of telephone at Day Nursery, Thorpes Housing Area, St. James.

Mr. HOLDER: To enquire of the appropriate Minister:-

Will the Minister take steps to have a telephone installed at the Day Nursery at Thorpes Housing Area, St. James to meet cases of urgency - such as seeking medical aid in case of sudden illness, among the child-population at the said Nursery - occurring there?
3.05 p.m.

Mr. HOLDER: I beg to give notice of the following Question:-

To enquire of the appropriate Minister:-

Is the Minister aware that the roads and byways near the playing field at Thorpes Housing Area, St. James, are in urgent need of repair?

Will the Minister have the said roads and byways repaired and re-surfaced as soon as possible.

BILLS READ A FIRST TIME

On the motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, a Bill to amend the Pensions Act, 1947, was read a first time.

On the motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, a Bill to amend the Diplomatic Immunities and Privileges Act, 1967, was read a first time.

SUSPENSION OF STANDING ORDERS

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Standing Orders No. 5, 14, 16, 18, 19, 40 and 45 be suspended for the remainder of today's sitting.

I think hon. members will see the obvious necessity for this. Ordinarily within five minutes from now Question Time would have been over, and as hon. members know, we have given notice of quite a number of replies to questions which can be disposed of. I think, there may be some of which we have previously given notice which can be dealt with and removed from the Order Paper.

In addition to that, Mr. Speaker, I think hon. members will be aware also that the House will wish to congratulate Your Honour and the Deputy Clerk though not on the same things, and also to give sympathy to three hon. members who since we last met have suffered family bereavement, as well as for the House also to pass a Resolution of sympathy and condolence to the Government and people of Australia on the recent tragic death of their Prime Minister, the Right Honourable Harold Holt. For these and other reasons which I believe the other side will endorse, I beg to move that these Standing Orders be now suspended.

Hon. C. E. TALMA: I beg to second that.

Mr. MOTTLEY: Mr. Speaker, I am not altogether opposing this, but I want to make it quite clear that the Government, being aided and abetted by certain persons, has been playing the fool for a long time with the Hospital Sweepstake Bill which stands in my name. If I agree to this now, it is because the Minister asked me about this matter, but I want to make it clear to the general public that if it is the last thing I do in this House, I am going to bring this and let it be dealt with by the House. The last speaker on this matter was the Minister of Agriculture. On one occasion it was felt that the Prime Minister had been speaking and he was not in the House, you could not go on with the debate - something unheard of in Parliamentary history. I will agree with the motion today, but after today I will be doing this matter. I sense what is being done. The idea is to wait until I am not present in the House and say that the hon. member is not in the House, and try to rush it through and say the hon. member has no right of reply.

Mr. SPEAKER: Is the hon. member seconding the motion?

Mr. MOTTLEY: I am sure Your Honour who wears glasses can see and would be able to hear. (A VOICE: Order!) Shut up your mouth, man!

Your Honour knows that the Minister of Social Services seconded this.

Mr. SPEAKER: I was not aware.

Mr. MOTTLEY: I beg your pardon. And you will ask that "Short stump" to keep quiet in the House.

Mr. SPEAKER: The hon. member knows well not to heed asides.

Mr. MOTTLEY: So does Your Honour. I have just made my position clear.

Mr. SPEAKER: It has been made lucidly clear.

Hon. J. C. TUDOR: Mr. Speaker, before you put the question, I should just like to set the record straight in respect of the remarks which the last hon. member made. There has been no question, certainly not in my attempt to move the suspension of the Standing Orders, to deny the hon. member a right which he has and must exercise under the Standing Orders of this House. When I had a private word with him outside the Chamber, I said to him and he reminded me that I need not say it that it was so obvious that he must wind up the debate which he himself had initiated, and therefore the question of circumventing his right just does not arise. I thought I had made it quite clear in my remarks, Mr. Speaker, why I thought the other side would agree to this for the reasons which I mentioned.

The question that Standing Orders Nos. 5, 14, 16, 18, 19, 40 and 45 be suspended for the remainder of today's sitting, was put and resolved in the affirmative without division.

Mr. SPEAKER: *Apropos* of the Minutes to which I referred earlier before Mr. Clerk was here, the Minutes for 5th December, 1967, I am informed, have been duly circulated, and if there is no objection to the confirmation of the Minutes of that date, they will be confirmed.

Hearing no objection, I declare the Minutes of 5th December, 1967, now duly confirmed.
3.15 p.m.

I would now invite the attention of hon. Members to the Minutes of the 12th December, 1967, and in particular to page 6 thereof - the middle of that page - wherein it is stated:

"Hon. C. E. TALMA moved, seconded by Hon. G. G. FERGUSON that this House do now leave the Chair, ..."

That is an obvious error in respect of which, I take it, an hon. member would be good enough to move

the deletion of the words "this House" and the substitution therefor of "His Honour". As it stands in the Minutes, which I know every hon. member has carefully perused, as is the custom of hon. members, "Hon. C. E. TALMA moved, seconded by Hon. G. G. FERGUSSON that this House do now leave the Chair."

Hon. J. C. TUDOR: Mr. Speaker, at this stage, I would like to move an amendment which would read as follows:-

"Hon. C. E. TALMA moved, seconded by Hon. G. G. FERGUSSON, that His Honour do now leave the Chair".

I beg to move that the Minutes, as amended, be now confirmed.

Hon. C. E. TALMA: I beg to second that.

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

Mr. J. M. G. M. ADAMS: Mr. Speaker, I thought the motion was merely to deal with the amendment to page 6, and I did not know it was an amendment to confirm the Minutes. At page 10, you will observe - about the middle of the page the words -

"The question was put and carried *nem. con.*, the House dividing as follows:"
This surely must be an error.

Mr. SPEAKER: I am indeed grateful to the hon. senior member for St. Thomas for drawing to my attention that, on page 10 of the same Minutes, there appears another error where it is stated "The question was put and carried *nem. con.*, the House dividing as follows:....."

An interesting situation has arisen, because I have just declared that the Minutes as amended, be confirmed. I would have to ask the hon. Leader of the House to move that the Minutes be further amended.

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that the Minutes of the 12th December, 1967, be further amended as indicated by the hon. senior member for St. Thomas.

Mr. SPEAKER: The question is, that these Minutes be further amended as indicated by the hon. and learned member for St. Thomas on page 10. If there is no objection, I will allow a further amendment of these Minutes in respect of the deletion of the appropriate words and the substitution of the words proposed. May I inquire if there is any further amendment which any other hon. Member wants to propose in respect of these Minutes? (*Pause.*)

I now declare that the Minutes, as further amended, now stand finally confirmed.

CONGRATULATIONS TO MR. SPEAKER

Hon. J. C. TUDOR: Mr. Speaker, before the House proceeds with the business of the day, I believe

that hon. members will think it in order if they had an opportunity to congratulate Your Honour on a most felicitous event which Your Honour has participated in since last we met. Unfortunately, for myself, I was not present on the last occasion when the House sat, and I could only agree that Your Honour and hon. Members on both sides of the House exchanged the warmest possible Christmas and New Year greetings. It seems to me, looking back, that little did hon. Members know, when they exchanged those greetings with Your Honour, that Your Honour was going to have what has turned out to be a very happy Christmas indeed. Had they known it, it is almost certain that Your Honour would not have been suffered to undertake the event without some attention from all the Members of this House.

Nevertheless, since this is the first opportunity in which we meet since that happy event, I think I can speak for all hon. Members when I offer you on their behalf, and on my own behalf, the warmest and sincerest congratulations on Your Honour's recent marriage. This, I think, is the sort of event which brings not only personal happiness to Your Honour, but the warmest wishes of all your many friends and, particularly, of all hon. Members of this House.

It is true, of course, that, Your Honour having left the ranks of bachelorism, you have left in this House, at any rate, its representatives severely depleted. It only remains now for the hon. junior member for St. James and for me, of the whole twenty-four - I hope I am doing no injustice to any hon. member - it seems to me that there are only two of us of the whole twenty-four now left in this quite restricted but, perhaps, as we see it, not unfortunate state.

At the same time having, as it were, held the path for so long, and having suddenly surrendered, it may well be that Your Honour has in that subtle way pointed the way forward for the two remaining hon. Members of this Chamber. While I can give no guarantee in respect of myself, certainly I will advise the hon. junior member for St. James, since Your Honour has done very well, that he might well like to contemplate that happy state himself.

3.25 p.m.

However, it is a personal congratulation to Your Honour, and I think that all hon. members of this House will join me in wishing you and Mrs. Brancker a very happy and prosperous life together.

Before I sit down, the House will also wish to take note that since we last met, Her Majesty the Queen has been very graciously pleased to confer the decoration of Officer of the Most Excellent Order of the British Empire on our Deputy Clerk. When this was announced, Mr. Speaker, it gave pleasure to the whole House, not only because we know the Deputy Clerk as a personal and a very valuable and esteemed friend of all of us, but because we felt that in this instance, if in no other, the recognition came where it is certainly due. The Deputy Clerk has continuously been a servant of this House for more than thirty

years, and generations of members of this House in several Parliaments have borne testimony to his efficiency and friendliness and his very pleasant personality. It therefore gave us extreme pleasure to hear that this distinction has been conferred on the House, and the House, in congratulating the Deputy Clerk, must feel that it owes a special measure of praise to Her Majesty for the distinction which she has accorded to a servant in Parliament, a distinction which is not often discerned in Parliaments in this part of the world. It is a very great honour indeed, and the House is sensitive of the distinction which has been conferred on one of its servants, and a senior servant at that, who has enjoyed the confidence of all sides of the House in every Parliament. Although, Mr. Speaker, the Deputy Clerk cannot speak in this House except in the course of his duties or in reply to questions put to him by Your Honour, we would still like him to know that although he cannot reply to us in this House, the House congratulates him most warmly and would like him to know that this House approves of the honour which it thinks is most deserving.

Mr. HUSBANDS: Mr. Speaker, I join in the expressions of congratulation which have been offered by the Hon. Leader of the House, firstly in relation to the congratulations which he has expressed to you on the occasion of the taking to yourself a wife. I assure you that on this side of the House we are very happy that you are now happily married, and as I have always regarded it, the taking of a wife by a man is like ballast to a ship. It is not that I ever had any opinion that you would be likely to careen, metaphorically speaking, in not taking to yourself a wife, but now that there is a wife at your side, I am perfectly sure that as Speaker of this House, as a responsible and a very respectable citizen of this country, you will feel that that added responsibility will add to the qualities which you already possess.

Apart from that, there are the congratulations which have been expressed towards our Deputy Clerk on the occasion of his receiving New Year honours from Her Majesty the Queen. I remember that when I was a very young member of this House, our Deputy Clerk was already here, and he had already made himself one who was appreciated by the members of this General Assembly. I have had a lot to do with him and I can testify to his application to duty, to his sincerity and his willingness to offer to every member of this Chamber advice which was not only of great value to young members, but even to those very responsible and experienced members of this Chamber. I feel that Parliament has been honoured on this occasion, and I know that our Deputy Clerk is really deserving of the honour of Officer of the British Empire, which has been conferred upon him by Her Majesty the Queen. I really do not have to paint the lily and I need not tire this House by being tedious and too lengthy; but I am sure that, no matter what a member is or has been, he has always had the Deputy Clerk to rely upon for advice.

Mr. SMITH: Mr. Speaker, I am very glad that I have the honour this afternoon to congratulate you for

the second time on Your marriage. Now, Sir, I used to refer to you at all times, when I have to talk about you as one of my best friends; but today I can say that you are one of my best friends and also my brother. (ASIDES) I heard a voice asking what kind of brother? Well, Sir, I say a brother in most respects.
3.35 p.m.

Then, Sir, since you have joined the fraternity of married men, I can afford to say that you are my brother and, Mr. Speaker, I do not know if you have noticed it already, but married men travel very slowly. There is where you become my brother. You would not be able to add the "noughts" too quickly to your bank account now because you have joined the fraternity where you have to provide for a daughter. Sir, you have said "I will" and you will have to do so.

I am very glad, Sir, to see that we in this Chamber can now greet you as Mr. Speaker and as a whole man. We have now some hon. members who are unmarried members amongst us and, Sir, I do not know what they are preparing to do, whether they are going to get jealous of us who are married. One hon. member who spoke referred to the hon. junior member for St. James. We can also refer to the hon. junior member for St. Lucy. It is time for him to wake up and get married, and I hope that they will get jealous, Mr. Speaker, and let yourself and myself partake of something good and free on their part. You have passed that way; I have passed that way; and they must also pass that way too.

Sir, for the second time I must congratulate the Deputy Clerk for his many years of service in this Chamber. From the time that I came into this Chamber as a member. I found him to be very energetic and worthy of being a Clerk and when I say the Clerk, I mean the Clerk - not a clerkess. He did his job and is still doing it as a Clerk should.

I sincerely hope that he will be spared many more years to carry on the work of this Honourable Chamber as a true and honest Clerk.

Mr. CORBIN: I have to rise to congratulate Your Honour on your dignity and for your marriage. I remember someone has said that a lad should take his yoke in his early youth, but now, Mr. Speaker, you have taken it in your later days and I trust that God will help you and give you strength to carry your yoke. I know it is going to be heavy to carry at this time of the day, but I am sure, Sir, that you have chosen your way and I know it is a good way according to the Old Book, and I know that God gives to every man according to his way and according to the fruits of his labour, and I know that God will, prosper you in all your ways. I know that dignity and honour will follow you and that God will give unto you wisdom, knowledge and understanding to enable you to carry your burden.

Now, Mr. Speaker, love begets love, and if you have love, charity will follow you and you will never forget, as long as you live, the step which you have taken because you have bound yourself in order to

stabilise your mind. I trust that God will guide you along your journey and prosper you on your way, and may He settle your mind that you may be prepared to endure all.

Therefore, Sir, I compliment you for the move that you have taken and may God bless you.

Mr. MOTTLEY: Sir, while I have congratulated you already, yet I think it is fitting that I should join hon. members of this House in offering you my congratulations for your abandonment of what you once described as the happy band of bachelors and that you have removed from that state to that of marriage life.

I am sure, Sir, that you will find the first hundred years of marriage life the hardest, but, nevertheless, you will enjoy it and you will regret you did not take this step before. I offer you my sincere congratulations and I hope that we will soon be attending a ceremony for a young Branker. I hope that occasion will not be far off.

Now, Sir, I think that I should also offer the Deputy Clerk, Mr. Lisle Thomas, my congratulations on what I consider a very deserving honour which he has received from Her Majesty the Queen. During my twenty odd years in here, and even before the advent of party politics, the Deputy Clerk had always shown his willingness to help young members as they entered this House.

There is one thing which no one can say of the Deputy Clerk, and that is that he has ever shown any leaning to one Party or to the other. He has always been willing to do his best and give of his experience to hon. members in guiding them along proper and correct lines which they should go in this House.

I have much pleasure in offering him my congratulations as one of the officers who is very much deserving of this honour.

Mr. SPEAKER: I am deeply grateful to hon. members - those who have spoken and those who have given no sign of dissent - in respect of the congratulations which have been offered me. On behalf of my wife and myself, I offer my thanks. At least the New Year has opened with hon. members agreeing on one matter and, in fact, they have gone as far as to show a complete concurrence on another matter in the honour which I most gladly received has fallen on the Deputy Clerk's experienced efficient and conscientious service when Her Majesty the Queen has made him an Officer of the Most Excellent Order of the British Empire.

I had never been so pleased with the award of an imperial honour than I was when I learnt that Her Majesty, Elizabeth, Queen of Barbados had made Herbert Lisle Thomas an Officer of the Most Excellent Order of the British Empire.

Hon. J. C. TUDOR: Mr. Speaker, unfortunately for us, joyful occasions are never entirely separate from sad occasions. I think it was H. G. Wells who in one of his novels did try to define how the charac-

ter in the novel "Mr. Polly had only one suit which he used for all occasions, and through wearing it to weddings and in the event there was a funeral, he just put a black arm band around it, and H. G. Wells, commented, so closely akin are human joys and sorrows.

3.45 p.m.

So it is with hon. members of this Chamber this afternoon. We have just congratulated Your Honour and the Deputy Clerk, and we must now draw our attention to the fact that since we last met, in addition to the occasions of joy which some members had, other members have had occasions of sorrow, and that family bereavements have been experienced by three hon. members, - the hon. senior member for St. Peter, the hon. senior member for St. Philip, and the hon. junior member for St. Michael - all three of whom have lost through death close relatives.

The House may wish to direct later in the proceedings that formal notice be taken of these matters and that the appropriate communications be sent through its Clerk to the families of the hon. members concerned. However, I did not judge it necessary to move three separate motions of condolence, but I am certain that all hon. members here present would wish that an expression of the House's sympathy and condolence be despatched to the three hon. members concerned, so that they may know of the feeling which is shared by all hon. members and the sympathy which is held out to them in their respective bereavements.

In addition to this, Mr. Speaker, again when the House was in recess, the whole Commonwealth received a grievous shock with the very tragic news that the Prime Minister of Australia, the Right Honourable Harold Holt, Member of Parliament, had lost his life while swimming. This is a grievous and most tremendous tragedy for the Government and people of Australia to bear, and if one can judge, Mr. Speaker, from the attendance of twenty or thirty of the most outstanding and most distinguished personalities in this world, including His Royal Highness the Prince of Wales, the President of the United States of America, the Prime Minister of Great Britain and the Leader of the Opposition of Great Britain as well as twenty or so other heads of State or Government attending the Memorial Service, - if you can judge by that, Mr. Speaker, you get a tremendous example of the high esteem in which the late Mr. Holt was held in Australia and in the Councils of the world.

Unfortunately for us here in Barbados, we did not know him at all, although I believe our Prime Minister had met him some years ago at the Commonwealth Prime Ministers' Conference, but it was ironic that our Prime Minister received from Mr. Holt a Christmas greeting card and a personal message which of course was sent out some time before his untimely death, and that just when the Prime Minister was about to reply in a similar vein, the shocking news of Mr. Holt's death arrived in Barbados. As I said before in this House on these occasions, all death is first of all a personal tragedy. There are loved ones who feel it more than anyone else and

therefore to his widow a special word of sympathy ought to go from this House; but he was in addition to being a husband and a father, a public personality in an important Commonwealth Country, and the people of Australia who knew him best of all have expressed throughout all sections of their community their profound shock and sense of grief at the tragic loss. I think therefore that this House, in taking note of this unfortunate event, could let it be known in the appropriate fashion through the Governor-General and the Government and people of Australia, including Mr. Holt's widow, that we share with them the sense of grief and tragedy in this untimely passing.

I therefore beg to move the passing of the following Resolution:-

"BE IT RESOLVED that this House place on record its profound sympathy with the Government and people of Australia at the death of the Right Honourable Harold Holt, P.C., M.P., Prime Minister of Australia;

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to His Excellency the Governor-General of Australia, and to Mrs. Holt."

Mr. HUSBANDS: Mr. Speaker, I regret, but I feel in honour and in duty bound to second this Resolution. I regret the passing of the late Mr. Harold Holt, P.C., M.P., Prime Minister of Australia. It was in 1951 that I first met this gentleman in his capacity as Chairman of the Australian delegation in Ottawa in the Dominion of Canada. Something took place which makes me remember our first meeting. I remember we were discussing a matter which related to the Government era then - the Associated Statehood among the Commonwealth powers - and the representative from Ceylon was on his feet, and as soon as that representative sat down I tried to get the ear of the Chairman of the Council, then Mr. Harold Holt. I had some difficulty in doing this, and actually there was a little fracas between that gentleman and myself; so I have some great reason to remember Mr. Holt. After that, Mr. Holt and myself became very good friends. We toured that great Dominion from Montreal to British Columbia, and we were on the very best of terms.

In 1959 I had the good fortune to visit the Commonwealth of Australia, and Mr. Holt was again very hospitable, very kind and very obliging. On that occasion I remember one day presiding over one of the Sessions in Canberra of the Commonwealth Parliamentary Association Joint Meeting. Mr. Holt on that occasion delivered himself on a speech on economics within the Commonwealth. He was indeed a man of many and varied gifts - a gentleman of great charm, personality, of a very quiet disposition, and a scholar especially on matters touching on economics. He was regarded in the entire Commonwealth as an author on matters dealing with economic questions.
3.55 p.m.

He was of course, as we all know, a member of the Privy Council, one of the Queen's advisers. He loved the sea; he braved the waves, and he went to his death without any timidity and it was a very sad and fateful day when he and just a few friends went to the beach, and that was the end of it. In my opinion such a personality does not die; it just passes away. He was a man I will never forget. I cherish his memory, and all those whoever had the great fortune of being associated with him respected him as a man and, of course, like many other Australians, he was extraordinarily sociable, kind and understanding.

In seconding the motion, I speak with much feeling because I know that the Commonwealth has, indeed, suffered a severe blow. I do not know if Mr. Holt ever had the privilege of visiting these parts, but I am sure that, if he had done so, he would have endeared himself to many, not just as a politician or as a statesman, but as a man who every man would have cared to meet, to know, and to be associated with.

I sincerely hope that his nearest of kin will find some condolence in the expression of sympathy that has come from all over the world to the sorrowing widow, the Government and the people of Australia.

Mr. SPEAKER: Before I put this motion, I would like to endorse and support the statement made about the deceased Prime Minister of Australia. There is a motion duly moved and seconded in respect of that sad event, and I am asking hon. members, when I put the question, to indicate their support of the passing of this Resolution by standing in their places for two minutes.

At this stage, hon. Members stood in silence for two minutes.

Mr. SPEAKER: I declare this Resolution duly to have been passed, and I direct Mr. Deputy Clerk to take the necessary steps to have a copy of this Resolution duly and expeditiously transmitted to His Excellency the Governor-General of Australia. I will see to it that it is appropriately signed.

QUESTION TIME

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Question Time be now taken.

Hon. C. E. TALMA: I beg to second that.

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

Mr. SPEAKER: Accordingly Question Time will now be taken. Question No. 117 standing in the name of the hon. junior member for St. John.

PLAYING FIELD AT GALL HILL

Mr. YEARWOOD: Mr. Speaker, to enquire of the appropriate Minister:-

Is the Minister aware that work on the project for the provision of a playing field at Gall Hill, St. John has ceased?

2. Will the Minister state why?

3. Will the Minister state:

(a) how soon will work on the said project be resumed.

(b) the probable time when the said playing field will be ready for use?

Hon. C. E. TALMA: Mr. Speaker, the replies are as follows:-

1. Yes, Sir.

2. The levelling of the field was planned to be effected in two phases, the first of which involved rough earth works to determine the character of the land, and to provide a basis for estimating the final cost of preparing the playing field.

3. It is considered that the field will be ready for use by the beginning of June, 1968.

PUBLIC BATH AT BRIDGEFIELD

Mr. SPEAKER: Question No. 115 standing in the name of the hon. and learned Member for St. Thomas.

Mr. J. M. G. M. ADAMS: Mr. Speaker, to enquire of the Minister of Community Development:-

1. Is the Minister aware that there is a great demand and need for a public bath at Bridgefield in the parish of St. Thomas?

2. Will the Minister take steps to provide such a bath forthwith?

Hon. C. E. TALMA: Mr. Speaker, the replies are as follows:

As the Honourable Member is well aware, my Ministry has been negotiating with the owners of land in Bridgefield since August, 1967 for the construction of a public bath.

Mr. J. M. G. M. ADAMS: Mr. Speaker, may I ask the hon. Minister upon what basis he asserts that I am well aware of the fact that his Ministry is in communication with the owners of land at Bridgefield?

Hon. C. E. TALMA: On the basis that the hon. member is a very active representative for St. Thomas and he has prepared the ground.

Mr. J. M. G. M. ADAMS: Mr. Speaker, will the Minister accept that I appreciate his compliment, but I cannot accept the premises in the original answer.

Mr. MOTTLEY: Mr. Speaker, can the Minister tell us whether any negotiations have been carried out with the owners of Cane Garden Estate in this respect? I am talking about Cane Garden and Hopewell Estates Limited.

4.05 p.m.

Hon. C. E. TALMA: In reply to the hon. senior member for the City's question, I am advised and I am aware of the fact that negotiations are being conducted with a private party. A lady, an individual owns this, not a company. I am not saying that it is the most suitable site.

CESSATION OF DOMESTIC SCIENCE CLASSES AT BOSCOBELLE GIRLS' SCHOOL

Mr. SPEAKER: Question No. 62 standing in the name of the hon. junior member for St. Peter.

Mr. HINDS: Mr. Speaker, to enquire of the appropriate Minister:-

1. Is the Government aware of the hardships caused to young women residing at Boscobelle, St. Peter and St. Andrew; Mount, St. Peter and St. Andrew; Gays, Diamond Corner, Castle and Moor Hill, St. Peter, who are desirous of taking courses offered under the Government sponsored Domestic Science Scheme through the closing of the Centre located at Boscobelle Girls' School?

2. What was responsible for the cessation of classes being held at this centre?

3. Will Government take steps to have such classes re-commenced with as little delay as possible?

Hon. J. C. TUDOR: Mr. Speaker, the Reply to the hon. member's Question is as follows:-

"Young women residing in the villages mentioned could not have experienced any hardship on account of the discontinuance of the Domestic Science teaching at Boscobelle Girls' School, because there was never an adult class there.

School classes in Domestic Science at Boscobelle Girls' School were discontinued because the teacher of those classes has gone overseas and a suitably qualified teacher was not readily available as a replacement.

Classes re-commenced on September 18th, when a suitably qualified teacher was attached to the School staff."

Mr. HINDS: Does the Minister consider at this stage that adults in the areas mentioned are suffering through not having classes conducted at this Centre?

Hon. J. C. TUDOR: This could be the case, but that was not the original question. The hon. member said in the question that young women residing in these areas are experiencing hardship because of the closing down of the Domestic Science teaching in the Boscobelle Girls' school, and it was pointed out in the reply that this could not have been so because there was never an adult class there. School classes in Domestic Science at the school were discontinued because the teacher of those classes had gone overseas and a suitably qualified teacher was not readily

available as a replacement. I do not know if that satisfies the hon. member.

Mr. HINDS: Is the Minister aware that girls who had left school, returned to this centre while these classes were in session and have benefited from the instruction given at the said Centre? That is after the children had left school.

Hon. J. C. TUDOR: I am aware of this. This was a private arrangement between the children and the school authorities, but the hon. member would know that these classes were conducted by the school as a part of the school's curriculum. They were not adult classes in Domestic Science.

Mr. HINDS: Is the Hon. Minister telling us that the Centre of instruction at the Boscobelle Girls' School was a private Centre and not a Centre operated as a branch of the Domestic Science teaching at the Housecraft Centre as such?

Hon. J. C. TUDOR: No, it was not a private Centre. It was not a Housecraft Centre established at all. It was a part of the curriculum of the Girls' School, and it was only discontinued because the substantive teacher on the staff went away and could not be replaced immediately. There has been a replacement now and therefore the curriculum, as far as this subject is concerned, has been resumed.

Mr. HINDS: Is it customary for people in a district to make a private arrangement with a Centre or with instructions at a Centre such as we have before us now and as the Minister told us, has been going on?

Hon. J. C. TUDOR: I said, a private arrangement I do not mean a personal arrangement. But, obviously, if three or four or any number of people attend a school in a certain subject, it is quite in order for the teacher to continue to give them instruction after they have left school. This does not mean that an adult centre has been set up. What the hon. member does not seem to grasp is that there has never been a Housecraft Centre for the teaching of adults. It was only an institutional curriculum within the School.

PAVEMENT BETWEEN POLICE HEADQUARTERS AND COLERIDGE STREET IN BAD REPAIR

Mr. SPEAKER: Question No. 113 stands in the name of the hon. and learned senior member for St. Thomas.

Mr. J. M. G. M. ADAMS: Mr. Speaker, to enquire of the Minister of Communications and Works:-

1. Is the Minister aware that the pavement between the new extension to the Central Police Station and Coleridge Street is partially unmade, partially broken and generally in bad repair?

2. Will the Minister take steps to have this pavement made up and surfaced to the same standard as the remainder of the pavement between Police Headquarters and Coleridge Street?

Hon. N. W. BOXILL: Mr. Speaker, the Reply to the hon. member's Question is as follows:-

1. Yes, Sir.

2. Work on the construction of the pavement was resumed on the 4th December last.

Mr. J. M. G. M. ADAMS: Mr. Speaker, there is supplementary question which I would like to ask. Is the Minister aware, or will he accept, that shortly after the work was commenced, I went to see what was being done and I spoke to one of the workmen on the project, and another workman told the first workman; "Please do not speak to him; he will only make trouble in the House of Assembly about it?"
(Laughter).
4.15 p.m.

POST OFFICE FACILITIES IN ST. THOMAS

Mr. SPEAKER: Question No. 112 standing in the name of the same hon. member.

Mr. J. M. G. M. ADAMS: to enquire of the Minister of Communications and Works:-

Is the Minister aware that the need for better Post Office facilities in the parish of St. Thomas is becoming more acute with increased Post Office responsibilities in respect of National Insurance administration?

2. When will work start on the building of a new Post Office in St. Thomas, funds for which are provided in the Capital Vote for the Ministry of Communications and Works for 1967-68?

Hon. N. W. BOXILL: Mr. Speaker, the reply is as follows:-

1. Yes, Sir.

2. It is proposed to commence construction of the new Post Office in St. Thomas as soon as negotiations for the acquisition of the site have been completed.

Mr. J. M. G. M. ADAMS: Mr. Speaker, this is a supplementary. Bearing in mind the fact that the Government owns a relatively large amount of property at Rock Hall, St. Thomas, where the present Post Office is situated, could the Minister amplify his answer?

Hon. N. W. BOXILL: As we all know, the Post Office in St. Thomas is much too small, but according to what the Town and Country Planning Officer has said, his department has taken a constructive survey of the area of the whole Island and thought that St. Thomas should have more than one Post Office. Instead of building a new Post Office in Rock Hall, they thought that we should build a Post Office in Hillaby on lands belonging to a Mr. Clarke, the man that owns Hillaby. But as far as Mr. Clarke is concerned, he is not too happy about selling the land: so,

mostly likely, we would have to buy by compulsory acquisition - but we do not like to acquire lands by compulsory acquisition if we can avoid it because it always leave a bad taste. The suggestion is to build two Post Offices because the Post Office in Rock Hall really serves St. Thomas and St. Andrew also.

The people from White Hill, Moe's Bottom and Baxters who live on this side of St. Andrew have always requested that their parcels or mails be sent by this Post Office in St. Thomas because the bus service is more convenient to them than having to go down in Belleplaine.

Therefore, the suggestion was one to facilitate the people by building a Post Office suitable for the people in Hillaby as well. But these negotiations, as I have said in the Reply, have broken down somewhat because Mr. Clarke is not too happy of the putting of a Post Office on his land. It is most likely that we would have to acquire it compulsorily.

Mr. J. M. G. M. ADAMS: Mr. Speaker, has the Minister considered the putting of a Post Office at Jackson? I think that the Minister realises that at some stage or the other, all transport roads from St. Thomas have to pass through Jackson and, therefore, a Post Office at Jackson may well be a great facility to the residents of Welchman Hall, where a third of the population of St. Thomas lives as well as the residents of Porey Spring and other locations whose buses have to go through Jackson on their way to Bridgetown.

Mr. SPEAKER: Is this a part of the question?

Hon. N. W. BOXILL: Mr. Speaker, I do not want to be bandying about, but the reason for suggesting a Post Office in Hillaby is for that reason which was given and also for that which the hon. member talked of putting one at Jackson. The member seems to have forgotten that the people of Fisher Pond and Walkes Spring have to use that Post Office; so we are also contemplating according to the survey that was carried out, the establishing of a Post Office on that side of the fence, may be, at Welchman Hall where you have the greatest density of the St. Thomas population. We are mindful of all these things.

However, the people in Jackson can get in and out of Bridgetown quite easily; therefore we do not think that is a most suitable site for a Post Office for the people of St. Thomas.

LEVIES ON GOODS OF TENANTS

Mr. SPEAKER: Question No. 53 standing in the name of the hon. senior member for St. Thomas.

Mr. J. M. G. M. ADAMS: To enquire of the Minister of Housing:-

1. How many levies have been carried out on the goods of tenants of the Housing Authority during 1967 to date?

2. Is the statutory fee for carrying out such levies being paid to the Bailiff or Bailiffs concerned, or is some other form of remuneration being employed?

3. Are any of the Bailiffs concerned themselves tenants of the Housing Authority?

4. What is the total cost of the levies to date?

Hon. C. E. TALMA: Mr. Speaker, the replies are as follows:

1. Sixteen levies had been carried out as at 13th June, 1967.

2. Under section 17 of the District Auctioneers Act, 1904 (1904-3) a fee of three shillings is payable to a person entrusted with the execution of a warrant by the person against whom the warrant of distress for the rent is issued. Independently of this, a bailiff might, in the absence of an express statutory prohibition, enter into an agreement with a landlord for extra remuneration beyond the fees and costs fixed, on this basis the Housing Authority has in isolated cases paid fifteen dollars for a levy. However, new rates for future levies are under consideration.

3. Yes, Sir.

4. The total cost of the levies carried out on the goods of tenants as at 13th June was \$240.

Mr. J. M. G. M. ADAMS: Mr. Speaker, can the Minister bring these figures any further up-to-date?

Hon. C. E. TALMA: I can only answer as to the time that the question was asked and the information given me. I am afraid that I cannot bring it any further up-to-date.

These are all the levies that have been undertaken or given out by the Housing Authority up to that date. May be, the hon. member can ask further substantive questions if he wants further information. He can ask questions for information up to 1968 for that reason which he asked in this question. Or for the last six months as from June last year.

Mr. J. M. G. M. ADAMS: Mr. Speaker, can the Minister amplify his answer to part two of the question as to what other arrangements for levies have been made?

Hon. C. E. TALMA: If the hon. member will recall, I said that there are new rates for future levies under consideration, but I cannot tell you exactly what are those new rates. They are under consideration.

Mr. J. M. G. M. ADAMS: Mr. Speaker, the Minister has made it clear that his answers were made up to the 13th June, 1967. I am asking as a supplementary if those rates which were under consideration on the 13th June, 1967, have now come to fruition. He has said that 72 cents is what the law allows a bailiff to

get, but that the bailiff was getting \$15.00 from the, Housing Authority. We want to hear if that is reduced.

Hon. C. E. TALMA: For the hon. member's benefit, I would let him know that this matter was referred back to the Attorney General as recently as 7th November, 1967.

4.25 p.m.

This matter has been under active consideration, and the advice of the Attorney General was given on 10th November 1967. The Cabinet dealt with this matter on 27th November, and the final answer is being given now. You will see therefore that the matter is being actively pursued, the final advice was given in November, and as far as I am aware the new rate has not been settled yet. I am not therefore in a position to say what the new rate is or what the new instructions are.

Mr. MOTTLEY: I should like to ask a supplementary here, because I do not think people should be taken advantage of, nor do I think that opinion should be given to suit the Government either. It should be given to suit the laws of the land.

Mr. SPEAKER: Would the hon. member put his supplementary question?

Mr. MOTTLEY: The supplementary question is this: is it a fact that an opinion was given that while the fee is 72 cents, that the owner of houses or the landlord or for that matter the taxing authority can agree to pay \$15 to a man? This comes out of the people, and whoever gave this opinion is dishonest.

Mr. SPEAKER: The question has been posed.

Hon. C. E. TALMA: Mr. Speaker, under section 17 of the District Auctioneers Act, 1904-3, a fee of three shillings is payable to a person entrusted with the execution of a warrant by the person against whom the warrant of distress for rent is issued. Independently of this the Bailiff might in the absence of an express statutory prohibition enter into an agreement with a landlord for extra remuneration beyond the fees and costs fixed and on this basis the Housing Authority has in isolated cases paid \$15 for a levy. However, new rates for future levies are under consideration.

Mr. MOTTLEY: Mr. Speaker, as a supplementary is any other bailiff paid \$15 for a levy beside the one the Housing Authority uses? I would like to see how you would collect money.

Mr. J. M. G. M. ADAMS: Mr. Speaker, while the Minister is considering that, I would add one that is closely related. Was the work of levying put out by tender? What was the basis of selecting a particular bailiff and paying \$15 for carrying out levies that other bailiffs might have done for the 72 cents?

Hon. C. E. TALMA: The hon. member who has just sat down knows very well from experience of the law or the Bar that when you want a bailiff you do not put out a tender. If you want to make everything appear

ridiculous, you come along those lines; so let us move from that. In the first place it is three shillings set out in the District Auctioneers Act. It is an old Act of 1904 which is outmoded and which needs amending. Three shillings in 1904 which is about \$30 to day. Another thing is that when you employ a bailiff in certain cases to execute certain levies of distress, he is risking his life, and sometimes a bailiff would not accept even \$50 to execute certain warrants and levies of distress. It depends on the gravity of the situation, the circumstances, the mileage and everything else when he fixes a fee for himself. Three shillings is just the cost which falls on the man levied on, but the man who employs him has to pay him for travelling, for risking his life and for all the inconveniences he may suffer and the indignities suffered in carrying out such a levy of distress. Therefore \$15 is not too much for certain isolated cases, but in the regular run of things, we may pay \$5.72. The number of distress warrants he has to execute in the first instance is very extensive. It must be remembered that this was just a sort of sample levy. The Housing Authority has no intention of embarrassing its own tenants and people whom we are trying to help; but at the same time we have to see that the money is put into a Revolving Fund, and this was just a sample levy in order to bring people to their senses, and make them realise that they have to pay, because if they fail to pay, there are so many other thousands waiting to be helped who cannot be helped because the Revolving Fund does not go into motion. When the hon. member asks how many bailiffs the Housing Authority employs at that rate and if there are tenders and so on, I think the questions have been answered.

Mr. MOTTLEY: I have not asked anything about tenders and I agree with what you said about tenders. I asked the hon. member as a supplementary if any other bailiff beside the one which the Housing Authority used has been paid \$15 for carrying out a levy. This is a simple straightforward question.

Hon. C. E. TALMA: I am not aware of anymore, but I will seek the information and bring it back. As far as I am aware, that is the only bailiff who was employed for this purpose and who received that fee.

Mr. HINDS: Mr. Speaker, I wonder if the Hon. Minister can tell us if a policeman in uniform accompanied the bailiff when he was on this \$15 assignment.

Hon. C. E. TALMA: Mr. Speaker, I am not aware whether or not a policeman accompanied the bailiff.

Mr. HINDS: I would like to enquire from the Minister if the bailiff was given police protection when he was executing this warrant.

Hon. C. E. TALMA: I have already said I am not aware. I am not in a jury box to be asked one question two or three different ways.

Mr. J. M. G. M. ADAMS: Will the Minister give an assurance that in future other bailiffs will be invited to negotiate and state their fees for doing this

highly onerous work for which alone one bailiff out of the whole tribe of bailiffs has been paid \$15? Will he give an assurance that in future no political considerations will be allowed to enter into the choice of bailiffs and that the Housing Authority will ask a number of bailiffs what they would charge for carrying out these levies?

Hon. C. E. TALMA: Mr. Speaker, I think I have already given an assurance that in so far as future levies of distress are concerned, our Solicitor for the Housing Authority has suggested a fee of \$5.72; so that in all probability that will be the fee which will be paid in future. But it is all based on the number of distraints to be carried out, the distance and other surrounding circumstances. As I intimated already, the fixed rate has not been settled yet, but the Housing Authority's Solicitor has advised that a fee of \$5.72 be paid and not three shillings.

4.35 p.m.

Mr. HINDS: Mr. Speaker, I would like to enquire of the Minister if he is now telling us that the Solicitor or the solicitors in the Housing Authority are saying that \$15.00 is too much? What is the reason for recommending \$5.72.

Hon. C. E. TALMA: Mr. Speaker, I thought I had made myself clear. I have given the answer already. If he wants me to give him the answer again, I will do so. I thought I made myself clear when I said that as for these 16 cases a fee of \$15.00 has been decided on, but, in so far as future levying is concerned, we have been advised by the Housing Authority's Solicitor that a sum of \$5.72 is a reasonable fee, provided that there are a number of these executions to be carried out. The amount has not been finally settled as yet.

Mr. HINDS: Mr. Speaker, I wonder whether the Minister will tell us if the Solicitor for the Housing Authority was consulted before the Housing Authority agreed to pay \$15.00 each for these 16 cases?

Hon. C. E. TALMA: Mr. Speaker, I am not aware, and I cannot say whether he was consulted before or after.

Mr. J. M. G. M. ADAMS: Mr. Speaker, would the Minister agree that, bearing in mind the known political association of the Bailiff in question, it would have been better for the Housing Authority to have consulted their Solicitor beforehand so as to avoid any accusation of political partiality with the taxpayers money?

Mr. HINDS: Mr. Speaker, the Minister told us that there was a risk involved in the levying. I would like to know if the Minister could tell us whether there was a risk to the life of the Bailiff or a risk regarding the property, or a risk regarding the tenant who was levied on?

Hon. C. E. TALMA: Mr. Speaker, I merely gave hon. members an idea of what basis or of what things would operate in arriving at any particular fee. In going to execute a levy in certain areas in these days

one exposes oneself to a certain amount of danger, owing to the prevailing attitude of certain people. I did not say that there was any risk involved in this particular case or in any special case. I merely gave an idea in fixing the fee, or in fixing remuneration, what would be involved. I did not say anything about any risk involved. I merely gave an idea of the way in which a fee is arrived at and what has to be considered in arriving at the fee. That is all.

Mr. HINDS: Mr. Speaker, would the Minister say that the Housing Authority was acting in the best interest of the tenants involved when an amount of \$15.00 was agreed upon for this particular Bailiff in the case of these 16 levies? Was the Housing Authority acting in the best interest of the tenants?

Hon. C. E. TALMA: Mr. Speaker, that was a Cabinet directive which the Housing Authority was compelled to follow. The Housing Authority could not act on its own. The Cabinet gave a directive which had to be followed.

Mr. HINDS: Mr. Speaker, is the Minister now telling us that it was not the decision of the Housing Authority to pay this Bailiff \$15.00, but that it took the Cabinet -

Hon. C. E. TALMA: On a point of order. Mr. Speaker, the Hon. Member is misunderstanding me, apparently, intentionally. I cannot say anything different. I am not speaking of the fee now. I said that the directive came from the Cabinet to execute these levies. The Housing Authority did not decide to levy; it was a directive from the Cabinet.

Mr. HINDS: Mr. Speaker, I tried to inquire from the Minister if the Housing Authority was acting in the best interest of the tenants when it agreed to pay this particular Bailiff \$15.00 for each levy in respect of the 16 cases? That is what I asked the Minister. He replied that it was a Cabinet directive.

Hon. C. E. TALMA: I did not say that. Are you trying to give the answer? If you want to answer yourself, you can. I said that the Cabinet directed the execution of the levies so that the Revolving Fund could get into motion and to endeavour to make the people pay what they owed. It is known that several of them can pay. As far as the fixing of the \$15.00 fee was concerned, that was done by the Housing Authority and, eventually, it was approved in the circumstances, but finally stopped. An instruction was given to stop that rate. We sought the advice of the Attorney-General, the Crown Solicitor, the Solicitor for the Housing Authority and all the legal people as to the true interpretation of the Auctioneers Act and what reasonable fees should be paid.

I have a letter here from the Solicitor for the Housing Authority, and this is in July, 1967; so that he came in, apparently, after the matter was dealt with. A Bailiff fee is 72¢ under the District Auctioneers Act, 1904. The Auctioneer's fee is 7 1/2% of the amount levied for. That is the District Auctioneers (Amendment) Act, 1954 (63). He said: "It is unfortunate that this fee has never been raised for the past

53 years by subsequent legislation, and I would suggest that some discretion may be used in accordance with the present day standard of living. I would, therefore, recommend a fee of \$5.72 to \$7.72 be paid for such distraint, that is, the removal of furniture, or the taking of an inventory, and a fee of \$1.72 for the sticking up of the notices. The number of distraints should also be taken into account, but in the final analysis this is a matter for the Manager and the Board." That is the advice the Solicitor gave on the 26th July, 1967.

Mr. HINDS: Mr. Speaker, is the Minister telling us that the Housing Authority does not understand the difference between a Bailiff's fee and an Auctioneer's fee?

Hon. C. E. TALMA: I have not suggested that. I just gave you the full advice of the Solicitor in question. If the hon. member wants to confuse it, that is a matter for him.
4.45 p.m.

Mr. J. M. G. M. ADAMS: Will the Minister say, in view of the date that he has given to the House, whether the check which was made and the seeking of the advice of the Crown Solicitor were made as a result of this Question being tabled in the House? Was that the first occasion on which it came to the Minister's notice that the bailiff was being overpaid?

Hon. C. E. TALMA: No. We have to read our Minutes very carefully. The Minutes of the Housing Authority are carefully perused and it came to my attention then for the first time. Normally, within two weeks after the meeting, the Minutes are sent out to the Cabinet, and they would have to come to me within that time.

Mr. HINDS: Can the Minister tell us when the Minutes reached the Cabinet?

Hon. C. E. TALMA: I have no Minutes here and I have no records here. I have just given a rough idea; I have said that after the meetings of the Housing Authority are held, it has been laid down by the Directors that the Minutes must be sent out to the Cabinet within two weeks of the meeting being held, so that in all possibility those Minutes concerning the distress warrants were sent out within two weeks.

Mr. J. M. G. M. ADAMS: Mr. Speaker, it is a simple question. Is it a fact that this matter first came to the Minister's attention as a result of this Question having been asked?

Hon. C. E. TALMA: The answer is categorically and unequivocally "No". This matter came to my attention when I read the Minutes of the meeting, say, about two weeks after the meeting dealing with this matter was held.

Mr. J. M. G. M. ADAMS: The question is: Why has this Question taken six months to be answered? Did they know before the Question was asked that there was a problem and how could it take six months to

answer the Question? The House of Commons answers a Question within three weeks.

Hon. C. E. TALMA: Mr. Speaker, in truth and in fact the Replies were ready as early as the ninth of August, but they had to be revamped and certain other advice was necessary from the Attorney General. In truth and in fact, the Replies were ready since the 9th August and they could have been given, but we wanted to have a further research which was done by the Attorney General.

Mr. SPEAKER: That concludes the consideration of Questions to which the Replies have been laid and in respect of which hon. members are presently in their places.

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.

APPOINTMENT OF AUDITOR OF SUGAR INDUSTRY AGRICULTURAL BANK

Hon. J. C. TUDOR: Mr. Speaker, before you call the Orders of the Day under Government Business, there is a matter which the House would like to be done. It has to do with the appointment of an Auditor of the Sugar Industry Agricultural Bank which, for some reason or other, has not yet been done. Their year starts on the 1st June, and ends on the 31st May. For some reason or other, there has been an oversight. I now beg to move that Mr. J. Milliken be appointed as Auditor of the Sugar Industry Agricultural Bank for one year commencing from the 1st June, 1967, at a salary of \$600 per annum.

Hon. C. E. TALMA: I beg to second that.

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

LEAVE TO WITHDRAW RESOLUTION

Hon. J. C. TUDOR: Mr. Speaker, before we proceed further, there is something to which I would like to draw the attention of the House. On the 12th December, 1967, notice was given of a Resolution to approve the leasing of land situated between Prescod Boulevard and the rear boundaries of properties on the West of Fontabelle Road as described in the Schedule to the Resolution. Notice of that Resolution was given on the 12th December, 1967, but the Resolution has not been printed because it was discovered that both its text in respect of the Schedule and in respect of the Addendum were not set out in their proper form. I beg to move - therefore, in fact, I am asking the leave of the House to withdraw that Resolution of which I gave notice and to substitute therefor a Resolution of similar purport, copies of which I will have circulated to hon. members immediately.

Mr. SPEAKER: The Hon. Leader of the House is asking the leave of the House to withdraw the Resolution of which notice was given on 12th December, 1967.

4.55 p.m.

I understand that that has not been circulated and the hon. member should intimate to this House what he proposes now to proceed with.

Hon. J. C. TUDOR: Mr. Speaker, I am asking leave of the House to withdraw the notice given as appearing under Item 3 of Government Business and to substitute therefor an identical Resolution of similar import, copies of which would be circulated to hon. members immediately.

Mr. SPEAKER: The hon. member is asking leave of the House to withdraw a notice of a Resolution to which he has referred with the view of circulating certain copies which, I understand, are immediately available. If there is no objection, leave will be given.
(A PAUSE)

Hearing no objection, leave is given to withdraw that which the hon. member has sought to withdraw and to substitute that which is now in the process of circulation.

Hon. J. C. TUDOR: Now, Mr. Speaker, I am very grateful to you for allowing me to give notice of a Resolution to approve the leasing of land situated in Prescod's Boulevard and the rear boundaries of properties on the west of Fontabelle Road as described in the Schedule to the Resolution.

Mr. MOTTLEY: I would let the hon. member know straight away here and now that it is customary in all matters to have the plot. You must have the plot when you are dealing with the matter.

Hon. J. C. TUDOR: Yes.

THE PETROLEUM ACT 1950 (AMENDMENT)
BILL, 1968.

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Item No. 5 be the first 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: Item No. 5 is the instant Order of the day, and it is in the name of the Hon. Minister of Trade, the hon. senior member for St. Michael: Second reading of a Bill to amend the Petroleum Act, 1950.

Hon. G. G. FERGUSON: Mr. Speaker, this Bill seeks to change the title of the Petroleum Act (1950-1) to the Petroleum (Winning Operations) Act of 1950, to provide for the issue of licences to search for and get petroleum in the submarine area within the territorial waters of Barbados and also to impose penalties for contravention of Section 2 of the Act of 1950.

It is well known, Mr. Speaker, that explorations have been carried out within the Island for natural gas and petroleum products. All the Act is asking for is to extend the rights of this country in this respect to the submarine area within the territorial waters of it.

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

Hon. C. E. TALMA: I beg to second that.

Mr. J. M. G. M. ADAMS: Mr. Speaker, I am sure that all Barbadians would be glad if it should come about that oil exploration is extended to the territorial waters of Barbados and if any oil should there be found.

Of course, the Minister who introduced the Bill appreciates the international legal difficulties of the definition of "territorial waters". All the Act says is that "submarine area" means land underlying the sea waters surrounding the coast within the limits of the territorial waters of Barbados. If the Act still is that territorial waters are to be extended to within three miles or to within six miles, it may be that at some period in the future exploration will be sought to have it at a greater distance than that, and we may have difficulty with Section 2 of the Act as amended. But this is a question for the international lawyers of whom Mr. Speaker, I may say that I am not one.

Mr. Speaker, while we are in Committee on this Bill, I will be saying something on Section 4 A. It is a new section. At this stage, I will just say, Mr. Speaker, that we would be glad if exploration for oil is extended. Even if it is not got, it will bring something to Barbados to have it sought.

As far as we are concerned, I would be glad if the Minister has any information as to whether companies have interest in off-shore drilling. We on this side would be glad to hear of it.

Hon. G. G. FERGUSON: Mr. Speaker, the company at present exploring for oil is interested in off-shore drilling. I would like to assure the hon. senior member for St. Thomas that I do not think we need worry in Barbados about the distance of our territorial waters, as far as our continental shelf is concerned, because within a small distance from our shores we are far outside of the 100-fathoms term - with the exception of one or two shelves that might fall within the three-mile limit - but less than half-mile off shore in most instances the depth is far greater than 100 fathoms.
5.05 p.m.

I have not heard very much of deep sea oil drilling to that extent, because the rig has still got to go down to the bottom of the sea for boring and to be stationed there. I have seen offshore drilling wells, but none to the extent of depths of water beyond the 100 fathom curve. I do not think we need worry about

any greater distance as far as drilling for oil is concerned in our territorial waters.

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

On the motion of Hon. G. G. FERGUSSON, seconded by Hon. C. E. TALMA, Mr. SPEAKER left the Chair and the House went into Committee of Supply, Mr. YEARWOOD in the Chair.

Clauses 1 to 4 inclusive were called and passed.

Clause 5 was called. It reads as follows:-

5. The principal Act is hereby amended by insertion immediately after section 4 of the following section 4A:-

"4A. (1) A licensee or lessee under any licence or lease of any part of the submarine area granted under the provisions of section 4 -

- (a) shall not carry on any operation authorised by such licence or lease in such a manner as to effect the closing of the marine approaches to any of the Harbours of Barbados.
- (b) shall cause any works or installations erected by him to be of such a nature and to be so constructed, placed, marked and buoyed as not to constitute a danger or obstruction to shipping;
- (c) if required in writing so to do by the Minister for the time being responsible for Communications and Works, shall illuminate between the hours of sunset and sunrise, in a manner satisfactory to the Harbour Master, all derricks, piers, survey marks or any other works or installations erected in the area included in the licence or lease, the means of illuminating to be such as shall be approved or required by the Harbour Master; and
- (d) shall adopt all practicable precautions (which shall include the provision of modern equipment) to prevent pollution of the coastal waters by oil, mud, or any other fluid or substance which might contaminate the sea water or shore line of Barbados.

(2) A licensee or lessee under subsection (1) who contravenes any of the provisions of that subsection shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding three months and in the case of a continuing offence to a fine not exceeding twenty five dollars for each day or part of a day during which the offence is continued after the first day on which a conviction is obtained."

Hon. G. G. FERGUSSON: Mr. Chairman, I beg to move that Clause 5 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. J. M. G. M. ADAMS: Mr. Chairman, I would like to draw the Government's attention to subsection (1) paragraph (d) of the new Section 4 A which Clause 5 seeks to embody in the principal Act. It will be found at the top of page 4 of the Bill before the House.

Mr. Chairman, this is just not good enough as a protection against the shores of Barbados being fouled by oil. If I may read, it says:-

"The licensee shall adopt all practical precautions (which shall include the provision of modern equipment)"

That is the only sanction which is placed on the licensee against perhaps, getting up some oil and releasing it on the shores. Mr. Chairman, a single drum of oil released in appropriate places, I am sure the Minister will agree, can make a substantial area of the beach unusable for a morning or a day. When the "Torrey Canyon" struck the rocks off the West of Cornwall, it made the beaches of the west coast of England unusable, killing the sea life and fouling the beaches generally for a long period of time. I have forgotten what damages the British Government is claiming, but they run into tens of millions, in its case against the "Torrey Canyon". Oil can be a powerful pollution. Even a small quantity of oil can do a great deal of damage to beaches, and all you are saying here is that a licensee shall adopt all practicable precautions. There should be something in this section saying that the onus is on him to show that he adopted practical precautions. This business of "which shall include the provision of modern equipment" is just put in as a draftsman's afterthought, because one would think that all practical precautions would certainly include the provision of modern equipment. It is in our view a badly drafted paragraph, and one which will provide no defence against some such occurrence in offshore prospecting where a few tons of oil drift ashore and foul the beach.

Here in Barbados we are badly placed for facilities for cleaning beaches from oil pollution, and we have exceptional need of our beaches for tourism. You would only have to suggest once that there is an oil well offshore and the beach is dirty for a morning, and you will ruin that hotel's or the owner of that beach's business perhaps for the whole of the season. It may be that the need for improving this section will not arise at once, but oil is a very pervasive thing, and people who discharge oil on to shores must be made to understand that they can only do so under the most stringent safety conditions, and I do not think this paragraph is sufficient of a barrier to protect the sea water and the shoreline of Barbados from pollution by the items mentioned in it.

The question that Clause 5 stand part was put and resolved in the affirmative without division.

Clause 6 was called and passed.

On the motion of Hon. G. G. FERGUSSON, seconded by Hon. C. E. TALMA, Mr. CHAIRMAN reported the pass-

ing of one Bill in Committee, and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

Hon. G. G. FERGUSON: Mr. Deputy Speaker, I beg to move that this Bill be now read a third time.

Hon. C. E. TALMA: I beg to second that.

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, I am sorry to hold up the passage of this Bill, but it has just been drawn to my attention over here that in Clause 6 of the Bill as it now stands an amendment be moved to section 5 of the Act to add the words "the submarine area of", and it is suggested that it is just possible that what is really meant is "the submarine area or". If this is a misprint in the Bill - I wonder if the Minister would look at it - perhaps he would do well to recommit it rather than pass it where there might be an error if it is meant to be "or". 5.15 p.m.

In an earlier part of the Bill land has been disjoined from submarine area. In this case we talked of "submarine area of" the land. You will find that Clause 3 refers to the land or the submarine area. Clause 3 is going to insert an amendment to disjoin land from the submarine area. It is intended that Clause 5 will now conjoin land to the submarine area. It might need a further study of the original Bill. I am sure the Minister would not like this Bill to be passed without giving it some study.

(At this stage the Hon. Prime Minister took his seat.)

Hon. G. G. FERGUSON: Mr. Deputy Speaker, I think the objects and reasons of the Bill mention "within the territorial waters of Barbados." In other words, the continuation of the continental shelf of Barbados and not "off Barbados." "Off" Barbados could be any distance, but it would be the submarine area within the territorial waters of Barbados. I think it is in order.

Mr. J. M. G. M. ADAMS: On a point of order, Mr. Deputy Speaker, I am suggesting that the word should be "or" and not "of". The amendment would now read:

"Natural gas recovered from the submarine area or the land comprised in the licence or lease." You will be confining royalties for gas to be recovered from a submarine area. If the Minister looks at the Act, he will see what I mean. It is not "of." This is royalty. It says that every lessee should be entitled to have certain royalties. We are now altering that to say - let me read the whole section, Mr. Deputy Speaker. The alteration will make the Clause read like this:

"Every licensee or lessee under a licence or lease granted under this Act shall pay a royalty computed at the rates specified in the licence or lease of the selling value of all crude petroleum or natural gas recovered from the submarine area of the land comprised in the licence or lease."

If the Minister looks at it, he will realise that it must be meaningless. It would mean that the licences of the present gas-well in St. Andrew would only be

able to get royalties from the submarine area of the land in their lease. You only have to look at the Act to see what it really means. It must be the submarine area or the land comprised in the lease.

Hon. E. W. BARROW: Mr. Deputy Speaker, I was not here when this discussion started. I have listened to the hon. member and, although I am not the draftsman, I am inclined to agree with the hon. member. I would suggest that the word "of" be changed to "or". This is obviously a typographical error.

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, I would move that the word "of" contained in Clause 6 of the Bill - (An hon. Member: "The matter will have to be recommitted.")

Hon. E. W. BARROW: On a point of order. This is the Third Reading of the Bill, and I think it is competent for the House to make verbal amendments. If there are any other errors like that, I would be grateful if we could be saved the humiliation of having the Bill sent back from the Other Place with the corrections. Sometimes between approval of these Bills and the presentation to the House many typographical errors are made of this kind. If the hon. member on the other side have detected any errors, I think it would be competent for us to amend them at this stage.

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, I would move that the word "of", the last word in Clause 6 of the Bill, be deleted and the word "or" substituted therefor.

Mr. HUSBANDS: I beg to second that.

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

5.25 p.m.

Hon. E. W. BARROW: Mr. Deputy Speaker, I should just like to go back to this phrase wherever it occurs and make some corrections. 4 (a) should read, and I think it does read "the submarine area and Barbados"; 4 (b) I think is wrong; it should read "within the submarine area or Barbados." The submarine area is one term and Barbados is another term because the submarine area is defined in the Interpretation Clause as within the three-mile territorial limit, and Barbados of course, being the land area. Then there is the other verbal amendment as to Clause 6; therefore really there are two slight verbal amendments which will have to be made, that is, to 4 (b) and the one to which we have already agreed, unless, of course, there are some others which have been detected. I beg to move those amendments.

Hon. J. C. TUDOR: I beg to second that.

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, I would also move to amend Clause 4 (b) line 4 of the Act by deleting the word "of" and substituting therefor the word "or".

Mr. SMITH: I beg to second that.

Hon. E. W. BARROW: Mr. Deputy Speaker, on a point of order. You cannot have two motions on the same matter, although it is a mere bagatelle, but I have already moved that amendment and it was seconded by the Hon. Leader of the House. I do not see any point of having it moved twice.

Mr. J. M. G. M. ADAMS: I am very sorry, Mr. Deputy Speaker, I misunderstood what the Clerk said. I happily withdraw my motion.

The question that Clause 4 Sub-Clause (b) be amended to read "within the submarine area or Barbados" was put and resolved in the affirmative without division.

On the motion of Hon. J. C. TUDOR seconded by Hon. C. E. TALMA, the Bill as amended was read a third time.

On the motion of Hon. G. G. FERGUSON, seconded by Hon. C. E. TALMA, the Bill was passed.

INCOME TAX (AMENDMENT) BILL

Hon. J. C. TUDOR: Mr. Deputy Speaker, I beg to move that Order No. 1 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. DEPUTY SPEAKER: Order No. 1 stands in the name of the Hon. and Learned Prime Minister:—To move the second reading of a Bill to amend the Income Tax Act, 1921.

Hon. E. W. BARROW: Mr. Deputy Speaker, on the 29th September, 1966, in the course of my speech dealing with the Budget of that year, I made the following statement and I quote:—

"I have decided to widen the scope of the allowances for medical expenses to permit a deduction in respect of spectacles, dental treatment and dentures. 5.35 p.m.

"I have also decided to discontinue the deduction permitted under Section 18, of the Income Tax Act of 1921 for annual payments under deeds, contracts or other settlements, with the proviso that payments under existing deeds, contracts or settlements, shall continue to be deducted for the balance of the term of the deed or for five years, whichever is the least. However, only payments for charitable, religious, educational or for scientific purposes will continue to be deducted. No deduction will be allowed in excess of ten percent of the taxable income.

"I also feel that in industry some concession can be made and I propose that in the case of the basic industries specified under the Third Schedule of the Income Tax Act no initial allowance will be made to the investment allowance which is to be increased to twenty per cent as the industries will therefore be entitled to recover from taxed profits at twenty per cent of the cost of any plant and machinery.

Now these proposals of mine in September, 1966, have now been embodied in the Bill, but in addition to the proposals which were outlined in this budgetary statement, we have also the proposal now to make provision for the taxation of what is called "unit trust". I think hon. members who are not in the financial field should be made aware that a unit trust is a joint enterprise in investment, and under a unit trust many people can put various sums of money into an investment fund and no individual contributor to the fund is entitled to a specific return on the particular investment of the fund.

In the U.S.A., such an operation is described as a mutual fund. If I may give you an example, Citizen A may contribute one hundred dollars to the fund, Citizen B ten thousand dollars and Citizen C one thousand under a mutual operation which is managed by a Board of Trustees. The total capital of the trust would therefore be \$11,100.

Now the trust may buy Barbados Government Debentures giving a yield of seven and three quarters per cent. It may buy stock in Banks Brewery yielding ten per cent. It may have some investment overseas in Texaco or Trinidad Leaseholds yielding six and one half per cent. The man who has put in \$10,000 is not to claim that he must get the ten per cent from Banks Brewery which was put into the mutual fund; so the total earnings of the fund are then pro-rated after deduction of expenses annually amongst the contributors on a *pari passu* basis, that is, in accordance with the contributions, so that no individual contributor would be entitled to the return or the profit from a specified investment.

To sum up the whole situation, our Income Tax Act of 1921 does not make any specified provision for the taxation of such operation; it is not clear, and under normal circumstances such operations would either have to pay the rates that companies pay or, if it is an overseas approved investment, it will have to pay a different rate altogether.

Therefore, in addition to the proposals which I made in September, 1966, in the Budget, Mr. Deputy Speaker, I have included an amendment to make provision for the taxation of unit trusts. You will find, Sir, that provision relating to unit trusts will be found in Part I of the Schedule to the amending Bill which is before us now. The definition of a unit trust is also contained in the Schedule.

Now, Sir, you will see that under 11D, "Unit trust" means any arrangement that provides facilities for the participation by persons as beneficiaries under a trust in which an interest in the property subject to the trust or in the income or other gains arising therefrom may be purchased, in the income or other gains arising from the acquisition, holding, management or disposal of securities or any other property whatsoever.

Then under 11D (2) for the purposes of this Act, a registered unit trust shall be deemed to be a company resident in Barbados and the persons having an interest in the registered unit trust shall be deemed to be shareholders in that company with the shareholders

of the persons having an interest in the registered unit trust being deemed to be in the same proportion as their interest in the registered unit trust.

Then under sub-section 11D (3) they deal with the income of the trust and the distribution of the income.

All other measures which I gave notice of in September 1966, are self-explanatory and provision has already been made for deduction of this amount under the 1921 Act itself, and what we are doing now in the Bill before us is to remove the initial allowances granted to basic industries. This is something which is there and it is to increase the investment allowance from ten per cent to twenty per cent.

It is also to provide that annual payments made by virtue or in consequence of a settlement would be allowed as a deduction under Section 18(2) in the case of -

- (i) payment to charities for a period of not less than three years subject to a limit of 10% of taxable income;
- (ii) payments under a settlement expressed to be for a period of seven years or for the life of the beneficiary, whichever period is the longer; and
- (iii) payments under a seven year covenant if such covenant was entered into before 29th September, 1966.

It is also to allow expenditure on spectacles, dental treatment and dentures to be included in claims for medical expenses to be deducted from personal income; and deductions by self-employed persons in respect of premiums paid under annuity contracts approved by the Commissioner of Inland Revenue up to an amount not exceeding one thousand dollars or 7 1/2% of earnings.

This is a fairly straightforward Bill to which the Government has been committed by the Budget and in the Budget Speech of 1966, and as a result of the period which has elapsed, there has been plenty of time for any interested parties, whether in industries or in the legal profession, or the Accountant profession to make representation to the Ministry of Finance. I am pleased to say that no objections have been registered - not that it would make any difference to me because once I have made up my mind about a Budget, that is according to our provisions, that is law. But any modification certainly would have been taken into consideration in the actual drafting of the Bill.

Mr. Deputy Speaker, I therefore beg to move that this Bill be now read a second time.

Hon. G. G. FERGUSON: I beg to second that.
5.45 p.m.

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, the Minister of Finance has given an outline of the Bill and indicated that most of what it contains has already

been introduced in one way or another in earlier budgets. This does not of course apply to the taxation of unit trusts. I must confess that despite the elegance of the drafting, and despite the oblique way in which the draftsman has achieved the shifting of the burden of collecting the tax from the Inland Revenue on to the proprietor of the unit trust, I still have reservations about the prospective section 11 (d), the provisions relating to unit trusts. We have no Capital Gains tax in Barbados, but it seems to me that this provision for taxing the capital gains of persons who do not have enough money to speculate on a large scale, but who have to do their speculation in securities or other property via a unit trust where they join together with other persons who have money in order to do something they would not be able to do due to the limitations of their funds.

As I see it, Mr. Deputy Speaker, if an arrangement, to use the words of the Act, to provide facilities for the buying and selling of stocks and shares, assuming that these unit trusts and mutual fund arrangements do, has as its purpose speculating on the Stock Exchange, anything it gains from speculating on the Stock Exchange is going to be income rather than another gain, and this income, if realised by the sale of securities, will be income only because it is so construed as a result of the general activities of the trust; but to anybody else it would be regarded as a capital gain.

Now the Prime Minister outlined exactly what unit trusts are and in a simple way, I think, went as far as is necessary. I do not think we need any outline as to what capital gain is, but my argument can be summed up, roughly speaking, in these words: if you have \$100,000 of your own, at the present time you can mess about in the Stock Exchange as much as you like, and if you can overnight make another \$100,000, you do not even have to pay as much on it as if you had won a sweepstake. In fact, you have to pay nothing, because after all you stood to lose your \$100,000 and a capital gain such as that is not taxed in Barbados. But if you invest money in a unit trust and the unit trust speculates with your \$100 rather than \$100,000 and \$100 of 999 other people and achieve the same result, you will then have to pay a tax on whatever small and puny gains you were able to make on your \$100. The big man, in other words, who has enough money to speculate on his own would be making a capital gain, and the small man who has neither the money nor the investment knowledge to speculate on his own will be paying not only the proprietors and operators of the unit trust to speculate for him, but will also stand to pay the Government the result of his speculations. Mr. Deputy Speaker, I see that can come about very easily indeed, and I am prompted to think that this provision is a little bit premature. It seems to me to be a type of provision which is attached to a tax system which already has provision for a Capital Gains tax so as to prevent anybody slipping through the provisions of a Capital Gains tax by means of a unit trust.

Now, Mr. Deputy Speaker, as far as I know, although it is a financial provision introduced by the

Minister of Finance and therefore came into force on November, 17, 1967, - for let us not forget that we are debating something that is already law - we have to pass it, but its introduction, since it was a proposal for new taxation, made it law on the day it was brought down here by the Minister of Finance. As far as I know, no register of unit trust has yet been declared; but, Mr. Deputy Speaker, there are insurance companies which operate in Barbados on precisely this basis of speculation; not only speculation by people who are in a position to give them X dollars, but by ordinary small people who are only in a position to give them \$20 a month. Is such a type of operation, Mr. Deputy Speaker, going to be caught by this section? Is that what the Minister of Finance is aiming at? Because if the operation of this section affects those companies that combine unit trust arrangements with a certain amount of term insurance and endowment insurance so as to give persons who have fundamentally no capital an opportunity to speculate, then we will have to say, Mr. Deputy Speaker, that this is a section discriminatory in the extreme, and I would certainly welcome the Prime Minister's and Minister of Finance's comment as to who exactly he expects will be caught by this new section 11 (d), or who indeed has already been caught subject only to his declaration.

If the Prime Minister knows that there are unit trust operating in Barbados and he intends that their operations be curtailed, it is time to put an end to the speculation and the doubt and say directly that such and such an operation is envisaged when the application of section 11 (d) is considered. I can only say, Mr. Deputy Speaker, that I have the greatest possible doubt about it. If it is the thin edge of the wedge of a Capital Gains Tax, let the Prime Minister say so.

5.55 p.m.

After all, he is the Minister of Finance and is responsible for making whatever arrangements he thinks appropriate for taxation. But they should not come in by the backdoor. If it is a straight, open frontdoor arrangement that will be reflected in the next Budget in a general Capital Gains tax, then the members of the House are entitled to know, even though we may think that a premature publication may have prejudiced a great deal of what could normally be hoped to be achieved by a capital gains tax. We think that an explanation, Mr. Deputy Speaker, is in order.

Hon. E. W. BARROW: Mr. Deputy Speaker, I rise only because of the final remarks made by the hon. member. It is very unfortunate that whenever the hon. member opens his mouth he can do something which is contrary to the privileges which are claimed by His Honour the Speaker from the person presiding over the administration of this Island at the opening of every session. One of the main privileges which is claimed is that the best construction has to be put upon the business and deliberations of this Chamber. To operate otherwise would be always to be operating out of pure malice and spite and to do irretrievable harm to the economy of this Island.

The people on the other side are always trying to raise a lot of red herrings to create alarm and despondency -

Mr. J. M. G. M. ADAMS: On a point of order, Mr. Deputy Speaker.

Exactly at whom is the Prime Minister referring when he says the people on the other side? There is a correct mode of address, Mr. Deputy Speaker, and I object to the words, if he means myself or any of my colleagues sitting in this Honourable House.

Hon. E. W. BARROW: Mr. Deputy Speaker, the members of the Barbados Labour Party - the so-called Labour Party - on every possible public occasion spare no opportunity to try to create alarm and despondency amongst the people in the Island and potential investors from outside. This is a perfectly straightforward Bill. The hon. member gets up and says that it is a Capital Gains tax coming through by the backdoor.

Now, I would make no apology Mr. Deputy Speaker, if I were going to introduce a Capital Gains tax in Barbados. I want to get the position clear. But if there is one thing I would not do, I would not tell it to anybody who was even an enemy of the hon. Member who has just sat down, less one of his friends or himself. I would be abdicating my responsibility as a Minister of Finance if, either during the course of a debate in this House, or outside of it, or to any of my own colleagues, I disclosed what taxation measures I intended to impose.

Now get this straight. No matter how low-minded people may be in this country when they are in politics, they cannot be sufficiently low-minded for me not to see through their devices. Neither would I give him the assurance that he has asked for that, when and if it were in the best interest of Barbados, I would not do what the United Kingdom has done, what the Dominion of Canada has done, and what is the Federal law of the United States of America.

Now how can an impoverished community like this give an undertaking to his rich friends, or the friends of any of them, that we would never have a Capital Gains tax? Neither am I going to say that I am going to impose one, because I have not given it a thought for many years. When the time comes, if it is necessary to impose a Capital Gains tax, I will impose it and he will only know when I rise to my feet and say so. If he can get any comfort from anything I have said, he is entitled to be comforted; but if he remains discomforted, then he can stew in his own juice.

Now let us come to this question of capital gains and unit trusts. The hon. Member for the City can tell the member for St. Thomas, who has just sat down, that if he is dealing in real estate and he has a turnover in real estate, although by some stretch of imagination you can call it a capital gains, under the

existing law of Barbados the profits made from that transaction are taxable. If I as an individual householder sell my house, having bought it, say, for \$2,000 and I sold it for \$2,500, then that \$500 margin is regarded as a capital gain and it is not taxable. But if I am in the business of real estate, buying and selling houses, although you can call it a capital gain in the hands of the recipient, according to the 1921 Income Tax Act, that is income and legitimately so. None of the real estate dealers in Barbados have ever complained, except one - and he was not anybody in this House now - against the imposition of such a tax because that has been the law of Barbados from time immemorial.

Let us get down to cases now. Speculation on the Stock Exchange is one of the hallmarks of a stockbroker. A stockbroker buys and sells stocks with narrow margins from day to day, and he may have a multiplicity of transactions. Every time that conditions are favourable, he will sell to make a capital gain.

Mr. J. M. G. M. ADAMS: Mr. Speaker, on a point of order. Does the Minister of Finance know what a stockbroker is? By definition stockbrokers do not speculate; they buy and sell for other people. He does not know what he is talking about when he says that they speculate.

Hon. E. W. BARROW: The stockbroker indulges in speculation whether he does it for himself or for other people. If this is a man's business, then he pays tax on any gains which he makes. If a Company is set up purely for the purpose - let us leave aside the people who are involved in Stock Exchange - of speculating, that is its business; and to say that you should not tax a man who is making a business out of speculation is as ridiculous as to say that a man who buys two old goats down in St. Andrew for \$3.00, butchers them and sells them for \$15.00 should not be taxed on his profits because it would be a capital gain! It is as ridiculous as that.

Now there is no Bill that you can bring into this Chamber - I defy any member on the floor of the Chamber, the great know-all and Pundit on the other side, the financial genius - that a member cannot say something about the poor man on it. Let me give an example now. If we put up a tax on foreign motorcars, that is, other than Commonwealth motorcars, from 40% to 50%. If these cars cost, let us say, in the region of \$11,000 before taxation, then 40% would add another \$4,500 on them. You can come in here and say that we do not want a poor man to own an expensive motorcar, too. You can put up that argument. You can say that, because the tax is put up to \$5,000 and the car will now cost \$16,000, the Government is oppressing poor people because it does not want poor people to own \$16,000 motorcars. On any Bill at all, you can get up for the sake of cheap politics and say that the Government is taxing somebody's profit that he expects to make.

Let us examine this situation critically and see whom he is trying to protect. We have a rate for com-

panies at 40%; it is over 50% in Trinidad. If things are so bad in Barbados and there is so much dictatorship and oppression of the poor man here, why is everybody not rushing to Trinidad, or Jamaica, or St. Lucia, the Greater and Lesser Antilles, that they so much want to embrace? Let them go to St. Lucia or to St. Vincent and see if they are better off. We have a rate here of 40%, but our rate of personal income goes up to 75%. This means that people earning over £5,000, because of our socialistic, progressive taxation system in this country, have to pay 75% tax on their next income.

If capital gains in unit trusts, as he calls them, were not taxed, all a man would have to do, since we do not have the corporation tax in Barbados - as a matter of fact, I can tell you something that is in our new Income Tax Act, the comprehensive Income Tax Act. We have ruled out the possibility of a Corporation tax. Since we do not have a Corporation tax -

Mr. J. M. G. M. ADAMS: On a point of order. Would the Minister of Finance say what is the difference between a Corporation tax and a Company tax? What does he mean by a Corporation tax in this context?

Hon. E. W. BARROW: I am not here to educate the hon. member. He is the financial expert on the other side. There was a Corporation tax in Canada even before the Carter Report; there is a Corporation tax now in the United Kingdom; so you go and look at Halsbury's Statutes of the United Kingdom and you will find out what a Corporation tax is. A Corporation tax is not a Company tax in the sense that the hon. member understands. I am not here to give lessons in finance. I am answering the hon. Member. If he wants to know, I will explain it to him outside. If he wants to be rude in here, I will deal with him.

We do not have a Corporation tax in Barbados, and I do not propose to introduce a Corporation tax. If the hon. Member thinks it is the same thing as a Company tax, let him go on and think that. Now we have people in the private income bracket paying 75% income tax. We have a fixed ceiling on Company tax at the moment in Barbados - because I say at the moment, nobody should rush to the telephone and say that I am going to put up Company tax. I am saying that at the moment the tax is 40%.
6.05 p.m.

A man therefore who is paying 75%, all he has got to do is to transfer his excess income. Obviously, he may not be working by the sweat of his brow for that £5,000 bracket that he is in: he may have certain dividends and so on. All he has got to do is transfer all of that over to the unit trust, if you do not tax the gains, and then he gets taxed at 40% and have capital gains on it as well, so that the money he may have invested even in mortgages he would withdraw and put it in the unit trust if the gains were not subject to taxation. Now the difference between Company tax and Corporation tax is this: a company in Barbados takes out the tax which it owes to its shareholders or its dividend earners, and then they are entitled to set

off the 40% which is paid to the Commissioner of Inland Revenue, not under this amendment but under our existing law, in assessing their personal liability for income tax. It is as simple as that. If we had a Corporation tax - a company is taxed, and pays whatever the company tax is; the dividends are paid and then there would be no deduction because the company and the shareholders would be two separate entities. I do not mind informing the hon. member, but there is a way in which to ask a question, and if you do that with humility, we will tell you. All of us have limitations. The point is this: you cannot encourage our people who are paying in the very high brackets to withdraw their investments, their worthwhile mortgages and put them in the unit trusts. Indeed the unit trusts is a device for the small man and not against the small man, because the average small man who gets his \$75 or even \$3.00 cannot go to a solicitor and say: "I want 100 shares in the Barbados Shipping and Trading Company or in Gardiner Austin Limited or any other company in Barbados or in Applewhaites Limited", because they would laugh at him. There are no shares available for sale on the market, but if he finds that he makes a winning out of the race track not far from us in Marhill Street, and he has a little surplus money, he can leave it with the unit trust and they will invest it in their totality of investments. They do not have to take over something to be available; they have their funds there, their mutual funds, and therefore he is entitled to share in whatever investments there are already.

Mr. Deputy Speaker, how can this be against the small man? The small man does not have recourse to the stock market or to the investment market at the present moment, and you cannot say that you are preventing him from making a capital gain because there is no organised exchange whereby you can mobilise small savings in order to give a man who keeps money in an Ovaltine tin or something like that, and may want to invest it, or who keeps money under the mattress. He desires one thing and this is very important. The small man must have liquidity; that is, he must be able to go and cash in his holdings, whatever it is, or his investment. If he has some calamity or some sudden expense like a wedding, a funeral, a christening, a service-of-song or something like that, he may want to pay the band for a party on Friday night. He can go and cash in, he can go and say: "Look, I have this certificate here"; he can get an advance from the bank for it. At the present moment, the small man, the small shopkeeper, the small garage proprietor, is not investing even in the Barbados Government debentures because he has a great deal of trouble in transferring his interests to somebody else and getting some cash money for it.

Now, Sir, why do we make provision for the unit trust? It is that here is an opportunity for the small man to go and provide two or three dollars or two or three hundred dollars and feel that he is somebody too. And you bring in a Bill like this and the hon. member says that we are discriminating against the small man! As I said before, I cannot remember what Bills we have had in this House during the past three months,

but there is no Bill that you can bring in here - you think of one. We may have a Bill to exempt the Barbados Turf Club from the payment of the duties which are supposed to go to the Government and you say that we are doing that for the big shots in the Turf Club, and the small man is not getting any benefits out of the small racehorse owner. As I was saying, Sir, there is no kind of Bill which you can bring in here which, by some stretch of the imagination, you cannot get up and invoke that we are doing something against the small man. I would like to say this; it is a travesty for anyone to use a Bill like this and say that it is discriminating against the small man. What we have done in the Bill is to make sure that you do not get the kind of transfer of investment of funds which would be against the interest of the small man.

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

On the motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. YEARWOOD in the Chair.

Clauses 1 to 5 were called and passed.

6.15 p.m.

Clauses 6, 7, 8, 9 and 10 were called and passed.

The Schedule was called.

Hon. J. C. TUDOR: I beg to move that this be the Schedule.

Hon. C. E. TALMA: I beg to second that.

Mr. J. M. G. M. ADAMS: Mr. Chairman, Sir, the passage of the Schedule will depend on what exactly section 11D of the Act is going to become.

Mr. Chairman, it is not our policy, unless we see that the Minister of Finance is obviously going mad, to criticise in detail his selection of a particular aspect of taxation policy, or to concentrate on it at a time like this; and, therefore, under the circumstances you will have to consider whether the fact that a particular section of the Bill appears to be discriminatory is worthy of some comment or whether it is worthy of deletion.

I, obviously, Mr. Chairman, am not going to go over the principle of whether the Income Tax Act should be amended in this direction, but it must be made clear. We cannot take precisely what is said about unit trusts by the Minister of Finance as being the be-all and end-all. The Minister of Finance said that the Unit trusts are for the small man. That is what I said. This is not a Bill to introduce unit trusts into Barbados; it is a Bill to tax unit trusts which, as the Minister said, are for the small man. That is for the man who has three dollars or seventy-five dollars and cannot carry it to a solicitor, or it may be some-

one who has won a little money in Marhill Street and he puts it into a unit trust. This is a Bill to tax those people and that is what we mean when we say that it is discriminatory to the small man.

The Minister of Finance likes to say how he set a trap and somebody else falls into it, but on this occasion, he has set a trap which he himself has fallen into because he has explained the same thing of a unit trust to the small man and he then said that he cannot understand what we mean.

When we say that this Bill is discriminatory against the small man because it is taxing unit trusts, what we simply mean is this. The big man who has the know how, who has the money, can speculate on the Stock Exchange and anything he likes. The small man who has to rely on winnings in Marhill Street or the seventy-five dollars he has available or a twenty dollars a month which he gets, and puts it into a unit trust, will now have to pay for the know-how of the operations of the unit trust and will have to pay tax on it as well, and therefore it is discriminatory. We feel, because the big capital maker is exempted, and the small capital gainer is affected, that it is discriminatory. It is as simple as that.

Now, Mr. Chairman, there is one thing. Section 11D subsection 2 states that for the purposes of this Act, a registered unit trust shall be deemed to be a company resident in Barbados. They are, therefore, I take it, subject to the provisions of the Companies tax because a Corporation is only another way of describing how you go about taxing a Company. But then, this would mean presumably that the proprietors of the trust will have to make out the 40 per cent, or whatever it is, from any savings which anybody may claim.

Mr. Chairman, how exactly is this done. If the Minister of Finance knows, can he tell me? Is this going to be operated under Section 3 paragraph (b)? Is the unit trust itself going to be asked to make the annual payment to the Commissioner of Inland Revenue in respect of aggregate accumulations that any shareholder may have with them? I ask that because the typical unit trust at the moment, Mr. Chairman, is not one - as far as I know, I do not hold shares in any, but my observation tells me it is one - in which people every year say: "I put in \$100; give me all the excess over \$100 that you have speculated and got for me." The typical unit trust is one in which it is accumulated and reinvested; so if you put in \$100.00 at the beginning of one year, at the end of that year, you will have \$110.00. Then that \$110.00 is re-invested, and if it is that, the rate of appreciation continues to be the same at the end of the next year you will have \$121.00 and so on. It goes on thus, as far as I know.

Clearly, the Minister of Finance has given a great deal of thought to it. He has come down here with this Bill; so perhaps he can answer this. Is that the method that has been envisaged by the provisions of section 11D? Mr. Chairman, as far as I know, the Government of Barbados has no Income Tax Authority. They have not the slightest know-how as to whether or not a man

can withdraw his money from the unit trust at any time and, therefore, I do not think it is necessary for hon. members to have any suggestions made to them that because a man can withdraw his money at any time, therefore, he is the person whom you should tax more readily. It is the people whose money is left liquid.

I cannot see the application of the liquidity principle to the principle of the Bill, but, perhaps, the Prime Minister can make an explanation, and with that that he has in mind - rather than merely the word "liquidity", and the other concepts which he offered us.

One more statement that I would make, Mr. Chairman. I am very glad that the Prime Minister has paid certain tributes to his two predecessors as Ministers of Finance, when he congratulated them on the socialistic progressive taxation which is embodied in the Income Tax Act of 1921 of Barbados. I am informed that such socialistic progressive taxation was entirely introduced - the rates of Income Tax - by his two predecessors.

Hon. E. W. BARROW: I do not think that I have to reply in view of the fact that I did not have any predecessors in the Ministry of Finance, but the hon. member did ask a question and except that it may infringe on future taxation policy, I suppose I am under some kind of obligation to answer him.

My answer to his query about undistributed profits is that this is a question for the Commissioner of Inland Revenue. We read the law as it is. I know what is intended when I approved the Draft Bill. I would not like to give any interpretation; that is for the Judge and the Commissioner of Inland Revenue. I do not like the legal profession to get somebody to come in here to get the Minister of Finance to answer a question during the course of a Bill so that they would be able to say subsequently; "Well, the Minister of Finance, or some other Minister, said that this is the way that the Bill should be interpreted."

We deal with Bills according to the language which they express in the ordinary and general meaning, and whatever is in the Bill is what we intend. How the Courts interpret it or how the Commissioner of Inland Revenue would apply it would be a matter for those two parties respectively; so the hon. member would forgive me if I do not fall into this trap of trying to usurp the function of the Law Court of Barbados.

Mr. J. M. G. M. ADAMS: I heard the hon. member made a very clever aside and that would also be my comment.

What I was really seeking, Mr. Chairman, was not to get an interpretation to assist any lawyer to get an opinion for his clients; what I am really seeking is this; is it that the Prime Minister has knowledge of how this particular section is applied in other countries in which a similar form of wording exists? Out of sheer ignorance, Mr. Chairman, on my part I ask this question because I am not ashamed to say so if I do not know something.

If I were the Minister of Finance, I have no doubt that I would have to ask the question for my getting advice and would have been told the answer; but if the Prime Minister has been asked and he knows that they are doing it in such a way in other countries, I would invite him to say: "Well, in Canada they do it in such-and-such a way; but I must not usurp the functions of the Judge or the Commissioner of Inland Revenue; I presume that they will do it the same way here."

6.25 p.m.

I really would like to know. It is just a question of sheer knowledge of how this is done in other countries, because I can hardly imagine that the Prime Minister would introduce it without asking himself such a question, or, failing himself, someone else who would know.

Hon. E. W. BARROW: Mr. Chairman, the thing about law is not to know all of it, but to know where to find it; and if that is what the hon. member wants to find out, the Clerk will lend him a volume of Halsbury's Statutes, the 1949 or 1959 amendment - I forget which - but that narrows down the field from 1,100 years to about eleven years; so somewhere in between those eleven years you will find the relevant provision in Halsbury's Statutes. I hope that answers the hon. member's question.

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

On the motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

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

THE SPECIAL LOANS ACT, 1968

Hon. J. C. TUDOR: Mr. Deputy Speaker, I beg to move that Order No. 4 be 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. DEPUTY SPEAKER: Order No. 4 stands in the name of the Hon. Prime Minister: to move the second reading of a Bill to authorise the Government of Barbados from time to time to borrow sums of money limited in the aggregate to 20 million from any bank, corporation, or other institution for purposes to be approved by Parliament.

Hon. E. W. BARROW: Mr. Deputy Speaker, with the growth of Government participation in industry in this Island, either through the Development of any of the Statutory Corporations, from time to time these bodies need funds for operating expenses, for capital and for other purposes. Now the normal procedure is this: in every case, of course, the Institution advancing

money to different corporations must have the approval of the guarantee of the Government, and the Government then comes to the Legislature and states that a sum of money is needed and the Government is going to guarantee the repayment of the particular sum of money, because Parliament must know what commitments, direct or indirect, the Government has.

Now we have a different situation today where the banks and other institutions say they will make money available but not on a guaranteed basis; they would make it available directly to Government for the operation of these things. For instance, the Transport Board may need \$1 million for new buses. I am not saying they need that now; we have already dealt with the Transport Board some months ago, but this is a situation which recurs. The Transport Board may need \$1 million for new buses. The Transport Board goes to the Bank, but the Bank then says: "You are on Government land and your buses are rolling stock. They are not like a plantation that you can see". I am giving a hypothetical case - "so we will make this money available, but we will make it available to the Government, and then the Government in turn can lend it to you." Now this is a practice which has developed particularly with the banking institutions in this country. Every time we come to the House for approval to borrow money, whether it is for capital development purposes or whether it is for a Statutory Corporation, it is necessary to have a special Act of Parliament on every single occasion, and we now know from what the Banks tell us that they prefer to lend money direct to the Government rather than to Corporations who may not have the uncommitted assets; so that in the case of anything going wrong, they then have to tell the Government that they had the guarantee: So they must pay direct. They will lend the Government the money at more reasonable rates. It means that now we are printing new laws, we have a new Act of Parliament every time we want to borrow \$1,000, \$5,000 or \$500,000 as the case may be.

There are a lot of Government operations going on. There is the new Industrial Development Corporation. We are building estates within the next ten weeks alone; we are starting projects of about \$400,000 in factories, and then there are the various Statutory Boards which have been established by Act of Parliament. It is merely a question of procedure. We still have to come to Parliament. Therefore, if the Government wants to raise a loan, let us say, for the Transport Board, the Government will get the approval by Resolution instead of getting the approval by an Act of Parliament which will then have to be repealed when the money shall have been repaid. This is all there is to this Bill. The Government will have to come to Parliament by Resolution, and the Bill gives the Government authority to do it by Resolution and have a maximum borrowing of up to \$20 million altogether in this matter. This is the purpose of the Bill which is now before the House.

The alternative method, Mr. Deputy Speaker, would be that every time the banking institutions want to lend Government money, we would have to have an Act of Parliament which has to be printed and bound

in the Statute Law of Barbados, and we normally do our money transactions for Government Departments by Resolution rather than by Act of Parliament. Therefore this is putting capital loans of this nature in exactly the same position as when we come down here, as we did shortly before Christmas, let us say, for \$93,000 to do repairs to roads in the parishes of St. Joseph and St. Andrew. So we do it by Resolution and we have to come to Parliament and pass a Resolution for the approval of this loan. This Bill gives you authority to do it by Resolution, and the Bill itself imposes a limitation on the total amount of money which may be borrowed in this manner without a formal issue of Government stock. While on that I should say, Mr. Deputy Speaker, that the formal issue of Government stock is something quite separate and distinct from this kind of institutional borrowing from the Banks, because you have to prepare prospectus, forms and all that kind of thing when the Government is raising money. This is a matter in which you may need \$1/2 million for buses here today, \$750,000 for the Development Board factory building next month and all that kind of thing, and the limitation is imposed of a \$20 million ceiling. It is a prudent ceiling to have - we may never reach it - and Parliament of course in its discretion can subsequently raise, lower or abolish it altogether.

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

Hon. C. E. TALMA: I beg to second that.
6.35 p.m.

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, I thought that I had got beyond the stage that anything the Prime Minister said would surprise me. I must confess some surprise when this Bill was introduced in terms of the needs of the Statutory Corporations. This Bill is a perfectly simple Bill. The Government, from time to time, needs to raise money without all the limitations imposed by the Public Loan Act. It may want to borrow money outside Barbados; it may want to borrow without raising it as a public loan in stocks and debentures as the Prime Minister has said.

I myself was the most surprised man imaginable when I heard that this had to do with different institutions and Corporations which, I gather from what the Prime Minister is saying, no longer have credit with the bank.

Hon. E. W. BARROW: On a point of order. Mr. Deputy Speaker, I never made any such statement. That is exactly how malicious the hon. member can be. He heard what I said, and I made no such statement of any Corporation not having any credit.

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, I am sure the Prime Minister knows as well as anybody else that he cannot say that another hon. member is malicious. He cannot even ask if another hon. member is malicious, because I would have to ask if he is mad, if he is a lunatic, if he is an idiot or what. But let it pass, Mr. Deputy Speaker. I did not come in here to quarrel and make a fuss tonight.

I welcome what the Prime Minister says he is not suggesting that the Banks will no longer extend credit to the institutions. I welcome it, because when he introduced this Bill by saying that the Banks would prefer the Government to borrow the money rather than guaranteeing the loan, it could have no other construction than that the Banks preferred not to lend money to the Statutory Corporations but to the Government. *(Laughter.)* I am very glad to hear that the Prime Minister, to the accompaniment of his laughing hyenas, has straightened the situation.

This is a simple Bill. Hon. Members will recall that, when the Public Loan Act was being amended recently and the limit was being raised. I suggested to the Prime Minister that what was needed was a Loan Act. It is better to pass a new Loan Act sometimes than to amend an old one. There was even a special reason for that because the Public Loan Act, which we were then amending, provided that loans raised under that Act could only be spent on the 1960-65 Development Plan, which is incidentally the Development Plan of the Barbados Labour Party. The Government, it should be noted, is still borrowing money to carry out our last Development Plan. I pointed all of that out, and I said a new Act was needed. A new Act has not come.

If the Government considers that it is more convenient to be able to borrow money directly from the bank, whether to lend a Statutory Corporation, or to be used on ordinary capital works, be that as it may, if the Government considers that is better, we have no quarrel with it. This is, as far as we are concerned, something which we saw was necessary and which, as a Party, we will not be opposing, no matter how much we have to deplore the Prime Minister's coming in here and making such a statement as you have to have a new Act of Parliament every time we want to borrow money and then going on to connect that remark with \$93,000 for St. Joseph roads? Why does the Prime Minister make statements like these? Why does he come in here and talk about institutions, \$93,000, new Act of Parliament, get approval by Resolution? These things have no reference to what is before us.

The Prime Minister, I have to say, Mr. Deputy Speaker, thinks, rightly or wrongly, that when he is dealing with his primary audience - Mr. Deputy Speaker, I am being menaced by a hand. I do not want to spy strangers, but I have not come in here to have anybody shake a hand, or fist, or wave at me; not any hon. Member and still less anyone else. I will be happy to point out to the Marshal of the House the nature of my complaint, because I do not want to go to any further extent. *(At this stage the Marshal had a conversation with the hon. Members.)* I am aware of the Rules, Mr. Deputy Speaker, but these people have no particular wish to clear the House. I really am not having it, Mr. Deputy Speaker, and, if there is any difficulty, I will have no alternative but to clear the privilege of members for debates without interruption.

The members on this side of the House would not encourage anybody to come here and threaten the

Prime Minister. Anyway, I think the matter is being attended to, Mr. Deputy Speaker, If I may continue with this business of \$93,000 for St. Joseph roads, Mr. Deputy Speaker, the Prime Minister thinks that he is dealing with his own Party, or with a bunch of financial nincompoops who will take anything he says about finance and believe that it is important, relevant or true. We do not have to come in here with a new Act of Parliament everytime we want to borrow money. There are Acts of Parliament which place an upper limit on the amount of money which the Government of Barbados may borrow. This is an Act of Parliament that places a different limit and sets out different means by which the money may be borrowed.

I have no idea why the Statutory Corporations should be so much in the Prime Minister's mind in introducing this Bill. I do not know what Corporations would have to be bailed out in the next few weeks. I do not know exactly whether money is going to be spent on some particular project, politically convenient, or whatever the case may be; but certainly, Mr. Deputy Speaker, we on this side will be looking very closely at it.

Mr. Deputy Speaker, if one listens to the Prime Minister's speech, one will almost imagine - Mr. Deputy Speaker, in a moment I really will have to make a complaint about the matter to which I referred I really will have to have this place cleared. If the Officials of the House do not feel that they can proceed against an individual, I will have no alternative. Mr. Deputy Speaker, you may not know; I do not believe the Prime Minister knows; I do not believe the Leader of the House knows that we in the Opposition have often been subjected to interference at the foot of the stairs when we are going to our cars. I have had to make reports to the Police about persons who do not respect the Parliamentary Immunities and Privileges Act. I really and honestly do not believe, Mr. Deputy Speaker, that the Prime Minister or anybody on that side welcomes heckling, interference, disturbance or any type of participation whatsoever in the deliberations of this House by any but its members.

6.45 p.m.

If there is going to be any challenge to the position of members in this Honourable House, if there is anyone who thinks that because he is a Democratic Labour Party yard fowl dragging its disease from pillar to post so that an hon. member cannot get out of this House, I will have to disabuse him of that thought. I am saying for the last time that if it is felt that the Marshal cannot remove an individual, then I will have no alternative; but I must not be heckled in this Honourable House. I may have to put up with the hon. junior member for St. Thomas, (*Laughter.*) but I am not going to put up with it from anyone who has not received the confidence of members of the electorate, far less anyone who has not even received the confidence of an employer.

Mr. Deputy Speaker, we have no objection to this Bill. It provides the Government with a certain flexibility in this arrangement of raising loans. The Prime Minister is right in saying that the Government will still have to return to the House because I do not think it will cause any tremendous procedure. Whatever money is to be spent, there will still have to be an appropriation for it. A Resolution will not have to be passed every time the Government wants to borrow money; A Resolution will only have to be passed when the Government, as the present situation is, wants to spend the money. Mr. Deputy Speaker, as I say, this is something which has been adverted to already by Speakers on our side in debates on public loans, and we are glad to see that the Government has taken our hint and is prepared to make this Bill law; so that there will not have to be the relatively clumsy procedure of amending the Public Loan Act and raising public loans but by the normal statutory methods.

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

On the motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. YEARWOOD in the Chair.

Clauses 1 to 4 inclusive were called and passed.

The Schedule was called and passed.

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

Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

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

GOVERNMENT BUSINESS CONCLUDED

Hon. J. C. TUDOR: Mr. Deputy Speaker, that concludes Government Business. In fixing the Order Paper for next Tuesday's meeting, I would like Committee of Supply to be made the first Order, the Bills, notice of which was given today, next, and whatever is left over from today's sitting.

ADJOURNMENT

Hon. J. C. TUDOR: Mr. Deputy Speaker, I beg to move that this House do now adjourn until Tuesday next, 23rd January, 1968, at 12 o'clock noon.

Hon. C. E. TALMA: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER adjourned the House accordingly.

7.00 p.m.