THE

House of Assembly Debates

(OFFICIAL REPORT)

THIRD SESSION OF 1966 - 71

HOUSE OF ASSEMBLY

Tuesday, 18th May, 1971.

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock.

PRESENT

His Honour Sir J. E. T. BRANCKER, Q.C., F.Z.S., *(Speaker);* Mr. L. E. SMITH, J.P.; Hon. K. N. R. HUSBANDS, J.P., *(Minister of Trade, Tourism, Community Development and Youth Affairs);* Hon. C. E. TALMA, *(Minister of Health and Social Welfare);* Hon. J. C. TUDOR, C.M.G., M.A., *(Leader of the House);* Mr. J. W. CORBIN, J.P.; Hon. G. G. FERGUSSON, *(Minister of Communications and Works);* Mr. R. St.C. WEEKES, J.P.; Mr. W. R. LOWE, J.P.; Mr. W. C. B. HINDS; Mr. C. A. E. HOPPIN, J.P. and Mr. J. B. SPRINGER.

Prayers were read.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, 16th March, 1971 have been circulated, and unless there is any objection they will be confirmed. There being no objection, I declared the Minutes of the meeting of the 16th March, 1971 duly confirmed.

The Minutes of the meeting of the 3oth March, 1971 likewise have, I understand, been circulated, and in the absence of any objection I will declare them confirmed. There being no objection, I declare the Minutes of the 30th March confirmed.

The Minutes of the 30th April, 1971, I have been advised, have been circulated, and in the absence of any objection.....

Mr. HINDS: Mr. Speaker, I have already drawn to the attention of the Clerk the incorrect spelling of the word "ophthalmic" on page 4 bottom right hand corner. When the Resolution was being discussed I drew it to the attention of the Committee that it was incorrectly spelt, and I suggest that it be corrected.

Mr. St. JOHN entered the Chamber and took his seat.

Mr. SPEAKER: My information is that it has been corrected; I am grateful to the hon. member.

The Meeting of the 4th May, 1971, those Minutes have also, I understand, been duly circulated, and in the absence of any objection they will be taken as confirmed. Hearing no objection, I declare the Minutes of the 4th May of this year duly confirmed.

PAPERS LAID

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Minister of Finance I am commanded to lay a statement showing the net Customs and Excise Receipts for one month ended 30th April, 1971.

Hon. N. W. BOXILL and Mr. YEARWOOD entered the House and took their seats.

GOVERNMENT NOTICES

Hon. C. E. TALMA: Mr. Speaker, I beg to give notice that Oral Reply to Parliamentary Question No. 137 asked by the hon. junior member for St. Peter is ready.

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

Hon. J. C. TUDOR: Also that Oral Reply to Parliamentary Question No. 163 asked by the same hon. member is ready.

PRIVATE MEMBERS' NOTICES

Mr. SPEAKER: There is a Resolution in the name of the hon. senior member for St. James who has stated to me that he has been unavoidably detained, and I have given him the assurance that it may be given notice of later today.

QUESTIONS

Mr. SPEAKER: There is a question in the name of the hon. senior member for St. Thomas whom I do not observe to be in his place.

Rt. Hon. E. W. BARROW entered the House and took his seat.

Hon. J. C. TUDOR: Mr. Speaker, I see the Hon. Leader of the Opposition is not in his place, but we did have a conversation behind Your Honour's chair last week and I intimated that it was our intention to start the Representation of the People Bill, 1971 of which notice and first reading were given last Tuesday. In the light of that, we could agree to the suspension of Standing Orders for which I will make the formal motion in the next few minutes, and we could also agree that on a day next week, preferably Tuesday, we would devote time on that day to the completion of the Private Member's Resolution on the Marketing Corporatiion.

SUSPENSION OF STANDING ORDERS

Hon. J. C. TUDOR: Mr. Speaker, in the light of the above, therefore, I beg to move that Standing Orders Nos. 5, 14, 16, 18, 19, 40, and 45 be suspended for the remainder of today's sitting.

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

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

Mr. ADAMS entered the Chamber and took his seat.

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.

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Order No. 7 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: Order No. 7 stands in the name of the Rt. Hon. and learned Prime Minister, and it is to move the second reading of a Bill to consolidate and revise the Laws of Barbados relating to the Representation of the People.

A BILL TO CONSOLIDATE AND REVISE THE LAWS OF BARBADOS RELATING TO THE REPRESENTATION OF THE PEOPLE

Rt. Hon. E. W. BARROW: Mr. Speaker, in moving the second reading of this Bill, I would like to give a brief history of the changes which have been brought about from time to time in matters relating to elections which really is the main purpose of the Representation of the People enactment.
12.25 p.m.

The principal Act under which we were operating was the Representation of the People Act, 1957, and amendments made to that Act, particularly the Representation of the People (Amendment) Act, 1959-17, the Electoral Registration Act, 1961-1 and the Registers of Electors (Special Provisions) Act, 1969-12. The earliest Act that we have some record of, is the Representation of the People Act, 1901-1. From 1901 to 1942 members were elected annually to sit in the House of Assembly of this Island, which first met, as far as I can remember, in 1629 as the common Assembly, and from 1629 to 1901 there were annual elections in Barbados, but even in the Act of 1901 there was a restriction of the franchise and the qualification for voting for the House of Assembly. This anomaly was only removed, as far as I can remember, in 1950 or early in 1951 when universal adult suffrage was introduced in Barbados regrettably, the very last territory in the whole of the Commonwealth, even after St. Lucia, to introduce universal adult suffrage. Even though we had boasted of a common Parliament from 1629, it took us in our own slow, methodical way some 321 years before we could introduce universal adult suffrage, when we trusted the masses of this country sufficiently to do what was called at the time of the great Reform Act, 1848, "to take the leap in the dark to give the masses the vote."

I understand from those who had been in the Legislature and had been in positions of authority that they were not sure how the masses would vote, and that is why they did not want to give them universal adult suffrage voting for men and women at the age of 21. It is a very significant enactment, because I refused to run as a member or a candidate for an election in this country unless there was universal adult suffrage. That is on record. I could not see myself going around to the back windows of some of the bourgeois farmers and merchants, who then had the restricted right to vote, asking them to support my candidature.

So 1951 was really a very significant year in the legislative history of Barbados, because in that year it was the very first election in which every man and woman over the age of 21 who was registered as a voter had the right to exercise his or her democratic privilege.

In 1901 I noticed, too, that in that year the life of the Legislature was one year, and the life of this House and the members of the Other Place who were appointed by the Queen's representative for what appears to be conveniently indefinite periods even at that time. The life of the Legislature in 1901 to the early 40's - again I must apologise because Your Honour would be in a better position to instruct me on the precise year in which the annual Parliament

became a biennial Parliament. From my research - I notice that the revision of the Laws of Barbados in 1942 Chapter 16 - I can find in none of the supervening legislation that in this year the life of the Parliament had been extended to two years. Once again, Your Honour would be able to enlighten me on this. From the available copies of the Laws of Barbados, it is in 1942 when we had the Representation of the People Act. There is a hiatus between 1901, the very first law passed in that year, and 1942 when I notice that at that time it was already two years.

It was in 1942 that two persons who have subsequently become eminent Judges and who had worked even in this Chamber, I believe, as Clerks to the House at one time or another had undertaken the revision of the laws of Barbados. All the available copies of the laws, kept in the chaotic state to which we have now become enured, have more or less disappeared both from the Law Library and the Libraries of this House. In 1949 another change was made when the life of the Legislature was extended from two years to three years.

When I entered this House in 1951 the life of the Legislature was three years. In mid-stream, as it were, the life of the Legislature was extended without any referendum or constitutional amendment, but merely by a simple amendment to the Representation of the People Act from three years to five years. Way back in 1951 we were urging, Your Honour included, for single member constitutiencies. As far as I can remember, it was no part of the programme of the political Party that became the Government on December 5 or 7, 1951, that they would extend their own life span as members of the House, but it was certainly part of our programme that we should have single member constituencies.

In 1953 was our warning, and the life of the House was extended. I have no recollection whatsoever of any member of the then Opposition opposing this extension of life. It appears to me, from my extended period of 19 1/2 years in this Chamber, that when anything is to be done which either increases the emoluments of members or postpones the day on which they have to render an account of their stewardship to the people who have put them in this Chamber that we have no division between whatever Opposition there is and whatever Government there may be. There seems to be a convention of unanimity over money matters which far surpasseth all human understanding. For my own part, I think that hon. members are well aware that I have never in the 20 years taken part in any discussion on matters relating to the emoluments of members of this House neither have I voted thereon.
12.35 p.m.

I do not consider that to be my primary function neither have I condoned or endorsed, and in all due fairness neither have I objected to the extension of the life of the House from two to three and from three to five years, in the first instance because I was not here to object and in the second instance I was a member of the House but I was also a member of a Governing Party, and to be quite honest whith you, I think that a five-year term of the Legislature is logical. The only thing which I can object to of course is that there did not appear to me to be any direct mandate from the people of this country that the Legislature should arrogate such a right to itself. I can only say when I look around and see what happens in other areas in the world and even what happens in Barbados that there is a limitation on human action imposed by the penalty of death under which we are all sentenced from the days of our birth, because I would hate to think that mankind would have the right to perpetuate himself in office indefinitely in any democratic society. I would hate to think that people like Adolf Hitler and Stalin and the other tyrants who have been inflicted on mankind from time to time would have the right to preside indefinitely over the destinies of people in any part of the world and to perpetuate themselves until the end of time in office. It is a good thing that this House of Assembly does not have the right to extend its life to fifty years because I believe in five-year Parliaments. I think they should never be extended one month longer than five years except as is constitutionally provided for by the constitution of this country; but I sat here and witnessed Parliament extending its own life and it is a good thing that the Creator did not give them the power to extend their mortal life in the same way that they have extended their political life.

Mr. Speaker, I was merely giving a background to the constitutional developments behind the Representation of the People Act. We had three significant changes in 1942, 1949 and 1953 from two to three and from three to five years, but the most significant change, I respectfully submit, took place in the election in 1951 when the people of this country as against the Legislature extending their own rights were given the extended right to which all people in democratic societies must be entitled.

I think that someone once mentioned in the Federal Parliament - I do not wish to call any names for obvious reasons - that the greatest thing that happened to the West Indies since emancipation was when a Conservative Prime Minister of Great Britain visited these shores in the Eastern Caribbean, particularly Barbados and Trinidad and Tobago. I consider that the greatest thing that happened to the people of Barbados since emanciaption was universal adult suffrage. I do not care whether it is a member of the Royal Family, an eminent historian, a Prime Minister of Great Britain, and we have had even the Archbishop of Canterbury himself since that time, they are of no significance to the generality of people in this country in so far as the extension of their democratic privileges is concerned. What is more important to the people of Barbados is that they should have the unequivocal right to say who should represent them without any fear of intimidation or otherwise, and in a society in which you have a restricted franchise in which only the property-owning classes in the country have the right to say who should preside not only over their own destinies, but over the destinies of people who did not have the right to say anything at all, that could never be a de-

mocratic society, and I could never understand how the elected representatives of the people who depended on what was at that time considered the popular vote of people in the lower economic strata of this country could sit down year after year and contemplate and accommodate with any kind of equanimity a situation in which they would continue to go at the backdoors of the plantocracy, the petit bourgeois, planters and shopkeepers who had nothing to say to the masses of people. This is the kind of situation. This is the kind of situation which in the time even of Plato's Republic when he drew up a blue print for the perfect society in which everything was carefully ordained for and you had your elite and other people and all the citizens would have the right to assemble in the market place and exercise the vote, that you had people living in the society who had no legal status at all and who had no rights whatsoever and these were the people who were not emancipated. It is true that in Barbados today we have people who are not emanicapated even although they have universal adult suffrage, but I am talking about emancipation as a term of art. I am not talking about those people who do not see that they have a right to vote for the Government, because people who vote for any other candidate than the Government's candidates are not emancipated people in my opinion, but that is my personal opinion. They are not even manumitted so they cannot become emancipated until someone performs the act of manumission. They have to be manumitted from slavery, and they have this in the Local Government system where as in Rome and in ancient Greece the manumission did not take place until the amendment to the Local Government Act demolishing and abolishing for all time the Local Government system which was an anachronism and a vehicle for personal aggrandisement for the vested interests in this country.

I do not know why some members on the opposite side are taking exception to the fact that there are people in this country who are not emancipated. The point I am beginning to make is that there is no point in talking constitutional reform and fighting the Colonial Office unless you have the masses of people behind you. It is as ridiculous to have that situation in which West Indian leaders were fighting for limited constitutional arrangements with the Colonial Office as if anyone in another country ever had any right to say to one man come and he should come, and to another man go and he should go as they did with Colonial Secretaries and Governors whose salaries we paid. It appears to me that the battle line should be drawn along the division of those who believe in democracy and those who do not - those who believe that every man and woman over the age of 21 should have the right to vote at that time, and those who do not believe that the masses of people were entitled to have any say in the Government of the country.

Mr. Speaker, I do not consider the advent of a British Prime Minister as the greatest event that had occurred in the history of the West Indies since emancipation. Prime Ministers now in Barbados and foreign Prime Ministers are a dime a dozen. I even had a conservative Prime Minister living in my constituency, and I had to tell him jokingly one time that I am sure his presence in my constituency would create history, because it was the first time that an ex-conservative Prime Minister would be voting for a Labour and Socialist Prime Minister because he did not have any alternative other than to vote for the incumbent. I do not want to dwell on this, but I am giving a history of the development of the representation of the people in Barbados. How can you say that the coming of a conservative Prime Minister is the greatest event in the West Indies since emanciaption? There was no emamciaption in Barbados until all the people were given the right to vote which was of course extended in 1963-64 by lowering the voting age to 18, and we are in advance of the United Kingdom, in advance of Canada, in advance of the United States of America and a lot of the other highly industrialised sophisticated societies in this regard, so that in many respects we are constitutionally in the vanguard in respect of the representation of the people.

12.45 p.m.

I do not have to go into the arguments for lowering the voting age to 18 because they are obvious and have been very carefully canvassed and debated in this House already, and the voting age in Barbados has now been lowered to the age of 18, so that every young boy (and young girl) whether at school or working, whether he has a job or whether he is unemployed, at the age of 18 he can seek to change the conditions of the society which might make him unemployed. He can seek to change the condition in the society which may have at one time denied him the right to further education by exercising the right which he should have, because at 18 you have the obligation to bear arms if you are called upon by the State, and one can also incur as far as I can remember even the extreme penalty if convicted before a Court of competent jurisdiction.

Those are the highlights, I think; it is true that from time to time the franchise was lowered, but the Parliament which was proud of its foundation as long as three hundred and fifty years ago, long before the mighty United States of America, one hundred and sixty years before the United States of America had decided to challenge the imperial leadership and to throw off the yoke of colonialism, but we had a Parliament of Barbados, we had a Parliament which suited certain people and a Parliament which, I repectfully suggest, that right up to the late 1950's was primarily concerned about imposing the smallest amount of taxes on themselves and doing the least possible for the struggling masses of humanity in this country. As you are aware, as a member of the Governing Body, Mr. Speaker, throughout all my travail at one of the institutions of what they call first grade education in Barbados, we did not even have a place to assemble which would have cost about $35,000, because the people here in the legislature did not consider that education was something which they had to be concerned about, because they could send their children to England, so if the boys at Harrison College, two or three generations of

them, had to go through their whole school life without even having a place to assemble even to say prayers in a spirit of corporateness, if I may use that expression, to be aware that there are other people in the school other than the boys immediately in their own form.

This was the underlying philosphy of Conservatives in this country, and it was no part of their philosophy or political ideology that the masses of people in Barbados should be given the right to vote, so in 1951, when we held our first elections under universal adult sufferage constitutionally, was the real emancipation of the people of Barbados, and then in 1953 the Leader of the Government elected to change the life of the Legislature from three years to five years. I have already given an explanation of that, I say that I do not disagree that the Legislature should have a life of five years, and I think that should be the limit of the life of the Legislature; this Bill seeks no change in that respect, the life of the Legislature is not being extended.

This Bill when enacted will for the first time in the constitutional history of Barbados allow elections to be conducted on a basis of single member constituencies, but the change to single member constituencies was made a long time ago when we set up a Boundaries Commission which became *functus officio* when it had delivered its report to Your Honour and then delivered it to the House. Your Honour, I believe, was Chairman of that Boundaries Commission, and that Boundaries Commission is not a standing Boundaries Commission, that Boundaries Commission became *functus officio* because it was established by the will of the Legislature and its terms of reference were limited to the function which it had to perform; Your Honour is well aware of that.

Those amendments were made in 1966, and in 1969 the Register of Electors (Special Provisions) Act came into force. As a matter of fact there is another bit of legislation, the Election Controversies Act, which has also been enacted but will only be proclaimed and become law, having been passed by both Houses of Parliament, the Election Controversies Act will become law when this Bill becomes law, and it is now in a state of suspended animation although we do have an Election Controversies Act on the Statute Book under which such disputes are disposed. That existing legislation will be repealed at the same time the proclamation is made on the more recent Bill which has been passed, and when this Act shall have been passed, because the two things are inter-related. Certain changes have been made in the Representation of the People Act, but substantially apart from the system of registration and the keeping of registers the Bills are very similar; there are five or six substantive changes, and in the first place certain boundaries have been rationalised. Since the report of the Boundaries Commission the opportunity has been taken to rationalise certain boundaries, and to give you an example, in the parish of St. James the Boundaries Commission recommended the taking away of two electoral districts, as far as I remember SA and SB, from the northern part of St. James and tacking them on to the parish of St. Andrew which at that time had a very low registration. What has been done in this Bill is to give back one of the districts to the parish of St. James, and a part of the adjoining district to the south will remain in St. Andrew, so that the boundary now instead of running along as it originally did along the boundary between St. Peter and St. James which was changed by the Boundaries Commission, the boundary line now for St. Andrew will come down..... *(Asides)* As far as I can remember all the St. James polling districts are called SA, SB, SC, SD, SE, SF and SG.
12.55 p.m.

The part of St. James which has been handed back is the District of SA, but the new boundary will start by the Spring Head Gully and come down to the junction of the road at the bottom - -

Mr. CRAIG: Mr. Speaker,.....

Rt. Hon. E. W. BARROW: I am not giving way; I am a Minister of Government making a second reading speech.

Mr. CRAIG: Try and sit down, now. On a point of order.

Rt. Hon. E. W. BARROW: Mr. Speaker, I will not have any member, whether he has been trained or not, telling me to try and sit down.

Mr. CRAIG: I tell you to sit down, Barrow. Do you think you are talking to Cammie?

Mr. SPEAKER: Did the hon. member say on a point of order?

Mr. CRAIG: Yes, Sir. The Prime Minister is misleading us.

Mr. SPEAKER: The maps are being circulated.

Rt. Hon. E. W. BARROW: Mr. Speaker, all the hon. member had to do was to say, "May we see the maps." The maps were given to the Clerk a long time ago to be circulated. It is time that people should have respect for this House. *(Asides)*

Mr. SPEAKER: Members not addressing the Chair will please observe the appropriate Standing Orders.

Rt. Hon. E. W. BARROW: Mr. Speaker this change in the boundary goes along by Spring Head Plantation where it meets the boundary and follows the gully of St. Andrew along Taitts all the way down behind St. Silas Chapel and joins back with the boundary at S.D. at the corner of Sion Hill. Whereas before - *(INTERRUPTION)* After a further look, the main reason, of course, for this new division is the question of the geography and topography of those districts.

Mr. ELLIOTT MOTTLEY: Mr. Speaker, I wonder whether the senior member for St. John will tell us something about the map for St. James.

Rt. Hon. E. W. BARROW: That will be found on the map of the whole of Barbados. There is no separate map for St. James as such, and I do not have one.

Mr. SPEAKER: I would like to suggest that we do not go into too many details on the exact boundaries until we are in Committee, but we should deal with it as is permissible by Standing Orders.

Mr. ERNEST MOTTLEY: Mr. Speaker, I would like to understand what I am dealing with. If the map of Barbados shows the entire thing, then what about the other maps?

Rt. Hon. E. W. BARROW: St. James is a very simple one, and there is no 1 in 10,000, that is approximately 6.03 inches to the mile. What you have there is 1 in 50,000 which is about 1.125 inches to the mile. Roughly this map of Barbados should be about 19 inches from Pie Corner to South Point. The other maps are 1 in 10,000 which will be roughly one inch to the mile. I am sorry, I should have said 6 inches to the mile. We do not have a 1 in 50,000 for St. James available. I think that I may find one somewhere on which a lot of writing has been done, if you want to see the boundaries more carefully. There is also one in the Conference Room at Government Headquarters which cannot be taken down because it is pasted on the wall, but we do not have enough of those available. We have brought the largest scale map that there is available, when we come to deal with St. Michael and Christ Church, which is 6 inches to the mile because of the fineness of the boundaries and the density of the population.

Now, this change in the boundary goes along Spring Head Gully all the way down behind Taitts, down the hill behind St. Silas Chapel and right down to Sion Hill Corner. Everything on the South of that line will remain with St. Andrew, and everything on the North reverts to St. James. The new boundary line is roughly parallel at about half inch to about five-eights of an inch below the St. Peter - St. James boundary line coming from the East half way across the bridge at the bottom of Sion Hill. Everything to the South goes back to St. Andrew, and everything to the North reverts to St. James.

Now, the other parishes affected by the redefinition of boundaries are the parish of St. Michael the constituency of the City, and the parish of Christ Church. *(Asides)* I have already disposed of St. James and the candidate, too. I go now to St. Michael and the City. Now, when the City boundary got to the corner of Westbury Road, it used to go straight through my grandfather's place called the "Red Lion". In other words, the bakery would be in one constituency and the shop would be in another. The property was subsequently owned by Mr. James A Tudor, and the boundary line went through New Orleans down to a point at Palm Beach, and then out to Pelican Island which no longer exists.

Now, what we found in the bye-elections, and I am sure the junior member for the City has experienced it, is that a lot of people did not know where to vote. A part of the people in the New Orleans were in St. Michael South West and some were in a part of the City. In the new boundaries, we have decided to go down Westbury Road so that the people on the left side would be in the City.
1.05 p.m.

Instead of going across from the Red Lion down to Mr. Wilson's place in Fontabelle and out to the bridge over which we used to go across to Pelican Island, we have gone down Westbury Road, turned left on Pickwick Gap which would put the whole of Kensington Oval in the City. I do not think the hon. member would get many votes from Kensington Oval, but he would certainly get quite a few from New Orleans. It appears that the whole of the Orleans is in the City area, and I am sure the hon. member would not object to that because if we go down Westbury Road, St. Leonard's would be the other area and everything on the left which is New Orleans and Pickwick Gap would be in the City. We then go through Pickwick Gap along Hawkins Pond, right around the wall, turn right opposite Mr. Hoad's place and where Dr. Bancroft used to live and go down to President Kennedy Drive, and at President Kennedy Drive we turn left and go straight out to the No.1 Shed which is the end of the Deep Water Harbour where there are houses. When you go down Fontabelle from Pickwick Gap by Kensington Oval, you turn left by Ravens Court along President Kennedy Drive and you go straight out to the sea along President Kennedy Drive and Univeristy Row. That is the City boundary to the north, and I think that is a logical redefinition because on the 1/10,000 map it clearly shows that this illogical line to Pelican Island went straight through about 75 houses and caused enumerators a lot of problems. So what has been added to the City is a substantial part of the New Orleans.

When you come to the other side of the City, the City boundary again did a very funny thing. It used to go from the Corner of Jemmotts' Lane by the Traffic Lights up behind St. Paul's and cut diagonally across - just a line on the map - with no sort of well defined area where you can tell that this house was in this area and that house was in that area, and it went to the Barrier Bridge. If the hon. member would look at the map of Bridgetown, he would see that there was a V-shaped wedge from Jemmott's Lane extending up to what those of us who are more stricken in years know as the Barrier Bridge. The younger generation would not know where that is, but it is up by the Police Girls' Club.

The point I am making here is that you hear all kinds of extragant statements made about changing up boundaries. Any member on the other side will tell you that if there is any change, for them it is a change for the better and not for the worse. What we have done is that when we get to the traffic lights near where the former Speaker of the House, the late Sir Harold Austin used to live, by Enmore, instead of doing funny turns to the left and then going up behind St. Paul's Avenue and cutting across in a

straight line through houses, since we have added something down in New Orleans, about 140 votes evenly distributed in that area, we have cut straight across Jemmott's Lane and everything on the right of Jemmotts Lane is in the City and everything on the left is being added to the other constituency. *(Asides)* About 140 have been taken off. (Mr. ELLIOTT MOTTLEY: How many have been added?) Over 700. I do not remember the amount but considerably more have been added to the City than have been taken off in an area, which I am sure neither of the two sitting members would object to, have added to their kingdoms, not that it will necessarily assist in these new days in any election; but as far as they are concerned, I do not think they have any quarrel. The only people who could possibly be affected if we went straight out to the sea would be the Ministry of Trade. There are no domestic residences affected, but instead of going straight out to the sea, when we get to the corner of Jemmott's Lane and Bay Street, we cut across to the Hospital jetty in a slight diagonal line so that we have a well defined point to define the boundary. In other words, you come right up to the corner of Jemmott's Lane and then cut across the jetty which is abliquely across the road about 50 yards away, not to the north but in that direction, and the point on that jetty is now the new eastern extremity of the Bridgetown constituency.

There is one other amendment to Bridgetown and it is at the Gully House. When you get to what was known as the Gully House by the roundabout or the Globe Cinema, the boundary used to go along Hall's Road and Martindales's Road. (Mr. ERNEST MOTTLEY: It never went along Hall's Road) I remember now. From the corner of Jemmott's Lane the boundary used to go down the centre of River Road, and when you got to the last house in River Road on the right hand side, it went back up the course of the Constitution River and right out to the Gully House. It used to head north again and go along the Constitution River putting Martindale's Road and Hall's Road out of the City area. Then when it got to the Gully House along the course of the Constitution River, it then went up Harmony Hall instead of cutting across the Garden Land in which there was no clear boundary defined. When I say there was no boundary defined, I mean you could not walk along and say which side a person was supposed to vote on; you had to guess; so it goes down Roebuck Street and meets Country Road not behind in the Garden Land but at the junction of Country Road and Roebuck Street, then you turn north and go along Country Road until you come to the corner of Westbury Road which I defined before. When you get to Westbury Road Corner you go along Westbury Road instead of cutting across to New Orleans. (Mr. ERNEST MOTTLEY: In other words, you take out the Coca Cola Factory, the Modern High School and all those places on the right coming down.) There are not many houses there. There are schools and shops. There are not many houses in the redefinition of the boundary. Anyhow, my main purpose is to make it clear what the redefinition is, and the hon. member is even more familiar with it than I am.

1.15 p.m.

Two or three different polling districts in other constituencies will be affected by this redefinition of boundaries.

Mr. ELLIOTT MOTTLEY: On a point of order, if the Prime Minister would just give way for a minute, he has given an outline of the new boundaries, would he be so kind as to tell the House in terms of numbers how much the overall increase in the City would be.

Rt. Hon. E. W. BARROW: I really could not give those numbers accurately because of the difficulties as I said before of not knowing which side a house falls on. A new check list would have to be made, but I would say that the City would probably now be increased by seven hundred or eight hundred votes.

Mr. ERNEST MOTTLEY: On a point of order, Sir, surely the whole idea of redefining is to get a more balanced number of people, a sort of norm in each constituency. You have reduced one a tremendous lot and increased others, and we would like to know what is the norm.

Rt. Hon. E. W. BARROW: I want to be quite clear on this. In many cases it will be dictated by the geography of the old boundaries in making it impracticable to register people immediately, and for even the people themselves to know where they will have to vote, so it does not always work out on a precise mathematical formula of 5,000 or 6,000 persons to a constituency. For instance, if we were to do this exercise properly we would have to forget the parochial boundaries altogether, which would probably have to be done at some stage, and divide the whole island into constituencies which reflect the population density in the particular areas. *(Asides)* I am coming to that now, what they did in the time of the Fedreal Government was to have the whole island as a constituency, so that you got the anomaly that in the densely populated areas 17% of the electorate having easy access to the polls turned out to vote, and in the hilly difficult districts, according to them, 72% and 73% of the people turned out to vote in the parishes of St. Thomas, St. Andrew and St. Joseph, but here in Bridgetown you only had 17% of the people turning out to vote. I find that a little difficult to understand, that is all I want to say, but what was significant was that although members now on both sides of this House agitated for five constituencies, we were told that what suited the Labour Party was what would be done, and when we agitated for single member constituencies they said not in their time because it did not suit them to have single member constituencies, but we put this in our Manifesto. I put it in the Labour Party Manifesto way back in 1951 but it was not implemented, and we put it in ours in 1956 and 1961, and we feel that if we tell the people we are going to do a certain thing we not only have a duty to do it but we are under an obligation to do so and we have a right to do it. It is not a question of what suits this Party, if single member constituencies are logical and good for the island, then we have to carry it out as a Government, and conversely if a redefinition of boundaries which they themselves

have canvassed helps them more than it helps us but it is logical and assists voters in knowing where they are to vote, and it puts a more even distribution of the voters, constituency by constituency, then we have a right to do it; it is as simple as that.

I do not know of a single case in the history of the British Parliament in which there has been a reallocation of voters according to constituencies in which the Government, whether it was a Conservative, a Socialist or a Liberal Government, has not been accused by the Opposition of doing this to suit themselves; that is the nature of Oppositions, and anybody who studies British legal or constitutional history will know that. I took part in an exercise in 1948 or 1949, the election in which Mr. Creech Jones lost his seat, and they claimed that the people in the Labour Party had redefined the boundaries in Wales to make sure that a Minister, Mr. Creech Jones, would lose his seat. Nobody can accuse us of this because we are the Government, but no member on the other side can say that we have tried to damage his image or anything like this by the redefinition of boundaries; I want to make that clear, because if that was so I could chop off 90% of St. John and give it to St. George and St. Joseph and change the complexion of the election and still get my 2,000 votes in St. John. I got three thousand last time.

Mr. ERNEST MOTTLEY: On a point of order, when I asked the hon. member for St. John about the population distribution and geographical demarcation, it seems reasonable for the demarcation of the City here to make a straight line because it always caused some confusion coming down by the Red Lion, but whereas you are taking off 150 and putting on 800, you have not given the population distribution any consideration, and so it happens in other lines of demarcation within the St. Michael area where you have taken them off. This geographical demarcation has not been stuck to as the hon. member said.

Rt. Hon. E. W. BARROW: Mr. Speaker, there are two sides to this picture; first in the Objects and Reasons and in the explanatory memorandum we have stated that it is to take cognisance of the topographical realities and geographical features in the constituencies, and also to try to effect a more even distribution of population, but what I am trying to point out is that sometimes these two purposes are in conflict. (Mr. ERNEST MOTTLEY: Make one bigger then.) In making one bigger we have reduced the disparity between the next door constituency and the City. I hope the hon. member does not take offence, but what I want to say now is a fact that everybody in Barbados knows, most of the young people today when they get married - I will not say necessarily young, intelligent people - they move out of the City because of the congested conditions, there is no more room for expansion and they build in Grazettes or get a place in the Housing Scheme and so on, so there has been a drift away from the City as a residential area and it is becoming a more business area. In the next door constituency - these are only rough figures I have here - St. Michael North West and St. Michael South West, and you are also contiguous with St. Michael North West, but even after that redistribution St. Michael North West is still approximately 1,000 voters more than the City.

1.25 p.m.

(Mr. ERNEST MOTTLEY: "What about St. Michael South West?") St. Michael South West is about 1,000 less, but in order to get the two of them rationalised it would be necessary to add on somewhere else or to diminish the City further. Mr. Speaker, if you look at the constituencies as they stand, you will see that it is almost impossible, unless you are going to zigzag in and out - *(Asides)* St. Michael West, for instance, already has 1,000 more than you. St. Michael North West has 1,000 voters more than you. *(Asides)* That shows the imbalance. *(Asides)* It is big but not densely populated, and that is the point.

Mr. Speaker, there seems to be a running dialogue going on. I am prepared to answer any of the questions, but it makes it difficult for me to have any continuity to my debate. I refuse to answer the questions raised by the hon. member. I am trying to oblige him from time to time, but I just want to say that I think the Boundaries Commission, of which the hon. member was a member, has tried its best to do a good job.

Mr. ERNEST MOTTLEY: Mr. Speaker, I was not a member of the Boundaries Commission.

Rt. Hon. E. W. BARROW: Mr. Speaker was the Chairman of the Boundaries Commission.

Mr. SPEAKER: You, Mr. Crawford, Mr. Lowe..

Rt. Hon. E. W. BARROW: You were a member of the Commission. I am not criticising the Commission. I said that they had tried to do a good job. I am referring to the original Boundaries Commission. (Mr. ERNEST MOTTLEY: "Yes") In the history of the House there has only been one Boundaries Commission.

Mr. ERNEST MOTTLEY: Who are the Members of the new Boundaries Commission?

Rt. Hon. E. W. BARROW: There is no provision in the Standing Orders or in the legislation of this Island for a permanent Boundaries Commission. It was necessary to establish a Boundaries Commission in order to divide the Island into 24 single member constituencies, because we have never had 24 constituencies before. The power is now vested in the Minister, with the approval of the House, to make adjustments to the boundaries from time to time as the population shifts. In this exercise only in 3 parishes it has been found necessary to make the adjustments: St. Michael, Christ Church and St. James. (Mr. ERNEST MOTTLEY: "What about the City") St. Michael affects the City, and the City affects St. Michael. Christ Church is entirely internal, and then you have St. James and St. Andrew.

Your Honour will be aware that the Boundaries Commission took about three years to report to the House from the time it was appointed. It is the function of a Boundaries Commission, when there is an innovation such as changing 12 constituencies into 24, once the House itself sets up the Boundaries Commission, to make the necessary recommendations to the House which were approved by both sides of the House. *(Asides)*

Mr. Speaker, I have been very accommodating to the hon. member; I would like to finish my speech, and I am prepared to answer any questions. The question of adjustment is really done by the House on the recommendation of the Minister. In other words, the Minister of Home Affairs will request the adjustments, and such adjustment have to be approved by this House from time to time. Nobody is taking away anything from a Boundaries Commission, because we do not have one now. If we were going to divide the Island into 30 constituencies, as Your Honour recommended in a Miniority Report, we would need a boundaries Commission to do this, because we would then have to discard all the parochial boundaries and have a long drawn-out examination of the population distribution and the geographical features of the Island.

It is not always possible to reconcile the two political, geographical considerations, that is, getting the population balanced precisely with geographical landmarks and boundaries. Some attempt has been made here to rationalise, but it is not going to work out with mathematical precision. There are still constituencies in the Island which have 8,000 voters and some which have 5,000. At this stage we could not go in for an overall examination, but I hope that after this year we will look at the whole Island and decide whether it would not be better to have a complete re-adjustment which entirely ignores the old-fashioned administrative boundaries of the parish in order to get the voting population more evenly balanced.

I am sure that hon. members will get up and say something about the new adjustments, and I am merely trying to define them in simple terms so that, without even looking at a map, hon. members will understand things.
1.35 p.m.

Could I deal now, Mr. Speaker, with St. Michael North-East voting area? In the St. Michael North-East constituency on the northern boundary, instead of going straight up Highway 3 to the boundary of St. Thomas, the boundary used to cut Jackson in half. When the road got to the fork in Jackson, instead of going straight up the highway to the boundary of St. Thomas and St. Michael by Sharon, it used to go through Jackson in a "V" thereby splitting Jackson in two, not necessarily in two equal districts, and therefore the one on the left hand side would have been St. Michael North-West and on the east and south would have been St. Michael North-East. There is a distance there of about a quarter of a mile straight up the highway from that "V" in Jackson up by Sharon Church to where it meets the St. Thomas boundary. On the southern side of that St. Michael North-East boundary there is one large district called MB because it is mostly sugar cane fields, but when the boundary came down.. *(Interruption.)* If hon. members would allow me to speak, I would be able to finish shortly.

Mr. SPEAKER: Members not addressing the Chair will observe the appropriate Standing Order.

Rt. Hon. E. W. BARROW: Now the eastern boundary of that district of St. Michael North-East used to come down, what we know as, by Applewaite, Hothersal Turning, Waterford Bottom, and when it got to Waterford plantation it would go across Codrington Road and then down excluding Combermere School and the greater part of Nurse Land, and all that area and then go down Bank Hall Road and then come across Savannah Road and come back up to meet Station Hill. In other words, there is a little I suppose mathematicians like the hon. senior member for St. Thomas would call it a trapezium, but I call it a rectangle. We think it is more logical to come straight down Waterford, straight down Station Hill to the same point instead of going across into the Combermere School area and the Bush Hall housing area. So this whole area would be added and taken away from St. Michael South-East. The boundary of St. Michael North-East has been straightened up from Eastmond Corner all the way up to the boundary to the highway by Applewaite and St. Thomas boundary. *(Asides)* Charles Row Bridge is not in this area at all. You start at Eastmond Corner and go straight along the highway so the people in the little rectangle of Waterford housing area are now in St. Michael North-East; so the people on the left hand side of the highway now know they are North-East and not the illogical boundary of cutting into the Waterford housing area. That boundary has been straightened. The same St. Michael-North-East has in this way taken away something from St. Michael North-West. The line used to go straight down from Jackson past Warrens, down Green Hill, down Spooner's Hill, and when it went down by the Kew, instead of going straight down to Eagle Hall corner, for some peculiar reason that used to duck in behind the Kew and Hill Road and come out by Dash Gap.

What we have recommended is that the boundary come straight down to Eagle Hall corner. In other words, you have a clearcut clean boundary from Eagle Hall corner all the way up to Sharon on the same straight road and everybody on the left will vote in North-West and everybody in the east will vote North-East, and then the southern boundary of the North-East district will be straight along Bank Hall Cross Road to Eastmond Corner. (Mr. ERNEST MOTTLEY: You have taken off Waterhall Land) Waterhall Land will now be in North-East. In other words, Waterhall Land used to be cut off and in the North-West. What we are doing now is this: if you stand either at Eastmond Corner or at Eagle Hall Corner or Bank Hall Cross Road, everything on the left at Eastmond Corner would be in North-East, and if you go to Eagle Hall Corner everything on the right with Bank Hall Cross Road as the southern

boundary. *(Asides)* I have already pointed out to the hon. member that there are two considerations; clarity of definition of boundaries, and also population, but we have not been able to work out a precise formula for balancing the two considerations. Frequently they are irreconcilable.
1.45 p.m.

What we are doing is putting in more polling stations, more polling districts in every constituency, and keeping villages clearly defined, so everybody in a village as far as possible will vote inside their village. In the same way that these boundaries have been affected, the adjoining boundaries, Mr. Speaker, will also naturally be affected, and St. Michael West - I think the hon. member says - used to have Waterhall Land; it will not now have Waterhall Land, but they will start on that same corner and go along to Bridge Gap and turn down Bridge Gap and run down the old boundary. (Mr. ELLIOTT MOTTLEY: That was always the boundary.) I said it is still the boundary, you will start at Eagle Hall corner and go down Bridge Gap. I am talking of St. Michael West which is the same boundary from Eagle Hall corner. We have already taken off Waterhall Land; the point is this, St. Michael West and St. Michael North West have been rapidly growing districts. St. Michael North East is largely agricultural once you get above Waterford, and one of the reasons why it has not been able to grow is that it is an extensive zone, 1 area, and the other tenantries in St. Michael North East were already densely occupied and there have been very few developments within that area because of the water restriction, whereas next door in St. Michael North West we have had middle income, high income and low income housing schemes effecting a shift of population and an imbalance in that respect.

One of the rationalities for adding both the Waterford area and the Waterhall area was to give a little more voting population to St. Michael North East because of the restriction of growth inevitably. Once you have a zone I area, from Waterford on, the whole of Friendship Plantation is zone 1 area, no building at all has taken place or has been allowed to take place.....

Mr. ELLIOTT MOTTLEY: On a point of order, Sir, is the Prime Minister now saying that the reason for the shifting of the boundaries in the North East is to give North East more people from the point of view of people developing?

Rt. Hon. E. W. BARROW: I said one of the reasons is that the adjoining areas have been developing rapidly causing a population imbalance and there are restrictions on development in the North East so that the population has not been allowed to grow, apart from the natural increase from the point of view of building construction and so on. The only thing, is other words, that has gone up in the North East since 1964 practically is the National Stadium...

Mr. ELLIOTT MOTTLEY: On a point of order, Sir,....

Rt. Hon. E. W. BARROW: I know the member is on a point of order, but before I give way may I say that this is a second reading speech. I think the Reporters have considerable difficulty in getting some kind of coherence to what I am saying, so I have difficulty too. I have been trying to accommodate the hon. member by answering questions, but just getting up and asking if I do so and so something else will happen is not good enough, the hon. member will have the opportunity in the second reading speech to make what points he wishes to make.

Mr. ERNEST MOTTLEY: On a point of order, it is better to get you to answer us now on the second reading speech.

Mr. SPEAKER: That certainly is not a point of order.

Mr. ELLIOTT MOTTLEY: On a point of order, I do not know if the Prime Minister is aware that St. Michael North East has now become the largest constituency in St. Michael and he is now adding 1,800 voters to it. All the imbalance he is talking about with the other constituencies increasing, he is now increasing St. Michael North East by 1,800 votes.

Rt. Hon. E. W. BARROW: Mr. Speaker, what I am saying is this, here you have the one area in Bridgetown which is the largest geographically, I do not know how many square miles it is, but it can easily be about 8 square miles because of the agricultural nature of the land and the fact that the water restriction zones do not allow any expansion. These two continguous areas are expanding more rapidly than St. Michael North East, and will continue to expand because of planned and approved developments in those areas. Quite apart from that, there are geographical considerations for not adding these two districts in coming out of the highways and going back on to the highways which is slightly illogical. I have said many times before whatever a Government does in adjusting boundaries, in the history of the United Kingdom they always say the Government does it for its own purpose, they cannot prove that here, but we are trying to reconcile the population distribution, not only the geophysical, topographical and geographical delineations, and the main consideration here is the convenience of the electorate. There is also the feature of distribution, but I pointed out there are still a lot of anomalies in the population distribution, some contingencies have 2,000 more than others. I am quite willing to give up half of St. John to any of the constituencies which want it, it will not make any difference to me or whoever is elected. The position is that it is impossible, unless you are going to put it on a computer, because of the way that Barbados is developing, in a sort of disorganised kind of way, to get any clean-cut boundaries which would also reflect the distribution of the voting population and I am merely explaining what has been done.
1.55 p.m.

I have to deal with the Bill and, as far as I am concerned, what has been done is rational. As a

matter of fact, they themselves have admitted that what has been done is to their advantage. I do not think that there are any more major changes in St. Michael. Naturally, when a piece of the City is cut off, the triangular piece from Jemmott's Lane to the Bridge, having been taken off the South Eastern part of the City would be added to St. Michael South. There are no other reallocations of boundaries in St. Michael at this moment.

In other words, there are 4 constituencies set up in the parish of Christ Church which used to be 1 constituency. In Christ Church the 4 constituencies used to be Christ Church East, Christ Church North Central, Christ Church South Central and Christ Church West. There is no change in Christ West; it is a very small area geographically, but very densely populated. In Christ Church South Central and Christ Church East the major changes have been made. Now, Christ Church East used to be all of that area starting from a point between Christ Church East and Christ Church South Central at the Southern most tip of the area by the Lighthouse. It used to go down Goodland, up to Pilgrim Place and all the way up to Lower Greys. The new boundary starts on the boundary of St. Philip and Christ Church; it goes through St. Patricks with everything on the right hand side coming Westward. Being in Christ Church South Central it comes out to Searles Corner and then goes down to Lowland and Pilgrim Place, which is on the main Highway to Seawell Airport, then it goes three-quarter of the way down Thornbury Hill, through Pegwell Boggs, through Gibbons Boggs, through the road by Waverly and Keizer Hill, turn left and then down to a point on the South of Enterprise Road. There is no major change in Christ Church except that Christ Church South Central now has part of St. Patricks, and Pegwell Boggs and Gibbons Boggs have been substracted from Christ Church South Central and added to Christ Church East. Those are the all of the boundary realignments.

At this stage, I think it will be a convenient point for me to move the suspension of this sitting.

Mr. SPEAKER: Are you moving the seconding reading of the Bill?

Rt. Hon. E. W. BARROW: I have not moved the second reading.

SUSPENSION OF SITTING

Hon. J. C. TUDOR: Mr. Speaker, the hon. member has not completed his speech, but he has given way for me to move the suspension of the sitting.

I beg to move that this sitting be now suspended for three-quarters of an hour.

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

The question was put and resolved in the affirmative without division and Mr. SPEAKER suspended the sitting accordingly.

2.05 p.m.

On resumption:

Mr. SPEAKER: When the sitting was suspended, the Rt. Hon. and Learned Prime Minister was addressing the House.

Rt. Hon. E. W. BARROW: Mr. Speaker, at the time of the suspension, I had finished dealing with the adjustments to the boundaries since this is the first election in which voting will take place under single member constituencies, and the Boundaries Commission became *functus officio* some years ago. We have ciruclated and it has been published in the Press a memorandum on the Bill, and this memorandum in my opinion adequately sets forth the principle behind the Bill, such changes as have been made to the Representation of the People Act, 1957 as amended. These are all clearly set out in the memorandum.

There are one or two other changes which I should mention which will be in effect for the first time. A Commonwealth citizen instead of being automatically entitled to be registered will have to be a resident in this country legally for a period of three years before he can be included on the register. Furthermore the register will be a permanent register as provided by the Act of 1969, and it will also be a continuous register, and what is proposed under this is that the camera centre will be permanently opened. Registration for people who become entitled to vote either by residence or by coming of age, that is the age of 18 will be continuous, and every month a supplementary list will be published of those persons who are entitled or whom it is thought will be entitled to be registered. After the statutory period of ten days the register will then be upgraded and the statutory period for objections against the inclusion or exclusion from the permanent list, the register will be upgraded and at least once a year the register will be revised to bring in all the supplementary registrations that take place during the course of the calendar year. That would normally be done in December in each and every year. So there will be provision even now for those persons who did not elect to have their identification photographs taken to go to the centres where the cameras have been set up and will be kept in operation and have their photographs taken for the purpose of identification and inclusion on the register, because for the first time in the history of the Island as in many other countries which have graduated to this state of representative civilisation before us, if you want to have the right to vote and be included on the register, you have to have your photograph taken. If you can establish to the registering officer that you have had your photograph taken for the purpose of identification and of registration and you do not have your photograph, then each polling station will have the photographs of all the persons who are registered and entitled to vote. There will be a permanent record of three photographs, one will be given to the voter, the other one will be with the returning officer and the third one will be kept in the records at the Central Registration Office.

I just want to point out that already 91,000 persons have been photographed for the purpose of registration. In the last election in 1966, 76,000 persons

voted; so at present we have approximately 20,000 more people photographed for the purpose of registration for voting than there were people turning out to vote in the last election, and since then the population of Barbados has actually declined. It has not increased because the preliminary surveys disclosed that instead of having a population of over 253,000, it is more in the vicinity of 232,000. This is a preliminary survey done by the United Nations census, not my guessing.

Mr. ADAMS: On a point of order, hasn't the Prime Minister already agreed in here that the apparent decline was due to a mistake in the estimate and not to any population decline?

Rt. Hon. E. W. BARROW: I am stating as a fact that the population of Barbados has declined. I have said on the floor of this House that it is my personal opinion that we have to watch the decline in the rate of population growth and the net reproduction rate in Barbados due to immigration, family planning and everything else. What I did say is that the census figures might have been inaccurate, but when you talk about population decline and census figures, maybe we are using the terms interchangeably. They are not necessarily interchangeable. When I talk about population increase or decrease, I talk about the net effect of birth rate, death rate and emigration and immigration out of and into the country; so there are four variables which have to be applied before you get the net population figures, and I did say on the floor of the House that it is possible that the estimate which is merely an extrapolation of what has been going on before the census started that the population of Barbados should be 252,000 or 253,000. On their first count it turns out that instead of reaching this estimated figure, it is about 20,000 less. That is one figure and therefore what the hon. member says is correct, that I said the estimate is obviously wrong, and we have to go by the statistics, but when I am talking about the absolute level of population, these are facts, and if the estimate is wrong, then the actual head count must be right, and in terms of head count against head count, I am saying that there has been an absolute decline in population. (Mr. ADAMS: When was the last count?) Ten years ago. (Mr. ADAMS: How much did it reveal?) There has been an absolute decline from 1966. *(Asides)* I wish the hon. member would desist. I cannot engage in a wrangle with him. I try to answer questions as I go along without even calling on Your Honour to intervene, but if he is going on with this childish, low primer nonsense that he is getting on with, it makes it very difficult for me to continue. Although the hon. senior member for St. James who never passed anything but a bus says I am a half-baked economist, at least I am half-baked and some of them never went in the oven, far less with the dough mixed, and I know what I am talking about.

Mr. SPEAKER: Anyhow, let us mind the ballot box; never mind the oven.

Rt. Hon. E. W. BARROW: At least I passed through the oven even if I did not get baked.

If I may go on, Mr. Speaker, with the main purpose of the Bill, what I am saying is that we have already photographed over 91,000 persons which is 15,000 or 20,000 more than actually voted in the last election. I do not see there is any danger of people who really want to vote in any coming election this year or next year being excluded from the register unless they voluntarily abstain and do not want to be registered. In other words, what we are saying is that there is no penalty as in Australia for declining or neglecting or refusing to register, but you do not have the right to vote until you are photographed for the purpose of registration. It is as simple as that; so I do not wish there to be any distortion of this and I am saying positively that every single person entitled to register and vote in Barbados, still has the opportunity to be photographed, to be registered and to vote, and any person who turns up on polling day and says that he did not have a chance to be registered, it means that he did not elect to be registered because we have made it possible virtually right up to the last moment, which will probably be a few days before nomination day, for any person who has moved out of a district, who has just come back to the Island or who is otherwise entitled to vote and is not on the register to have his name put on the register whether it be the supplementary register or the main register and have his photograph taken. Even if he does not receive the photograph, as long as he satisfies the returning officer of the particular district that he has been photographed for the purpose of identification and registration, then he can check through and verify the facts and allow the person to exercise his constitutional right. So there is going to be a permanent register.
3.00 p.m.

There is going to be a permanent register and there are going to be monthly lists, and the register will be updated from time to time. The only other innovation to which I should like to advert, Mr. Speaker, is the question of voting by foreign service electors. I said on the floor of this House in answer to a question by the hon. senior member for St. Thomas that the Government had no intention, no matter what they had thought originally, of instituting overseas voting in this or in any other election. Even if there was a desire on the part of Government to do so, the very fact that we have constituencies - we do not have one of the forms of proportional representation - would make it mechanically difficult, if not impossible, to have such a system; it would be chaotic.

I have had a thorough examination of this and I am satisfied that it could not apply to our present system here in Barbados, but what we are doing in this Bill is to give people who are posted overseas to serve in the foreign missions abroad the right to register and the right to vote in the constituencies in which they are ordinarily resident, not a constituency of their choice but the constituency in which they would have been normally living had they not been posted abroad; this is a different thing altogether. I just want to add in conclusion that the Minister of Home Affairs at my request is now looking at the possibility of making regulations for people who have to work in polling stations - Policemen, and parenthetically I would like to say possibly Nurses - because those of us who have run in elections, and I think it includes all of us here, know the difficulty of

Nurses voting, but I say parenthetically because he is not positive of this, but certainly Policemen because of the large number of polling stations we are going to have now, many more than before, and we are trying to make it compact in a village or community where you will have a polling station and, as the Leader of the House has said in an Aside which I am sure you did not hear, we are taking the polling stations to the people and not the people to the polling stations. This should be so, there is no reason why we should not have more polling stations, but it is going to mean a couple of thousand people who may possibly be disenfranchised, because you have to have polling Clerks, you have to have officers who are supervising at the different polling booths; in one station you may have two or three polling booths, that means six or eight people, then each candidate has his polling Clerks and that type of thing, and then Policemen have to be there from the opening of the polls. I should like to say that I have got the Minister to agree that the polls should open from 6 o'clock in the morning, which means a more extended period of voting and people can vote before they actually go to work, but again this is going to impose an impossible load on the people involved, the Police Officers and so on, and we think that provision should be made for votes to be registered by persons engaged in the election process itself at Police Stations now. We do not want to set up the polling stations 24 hours in advance but voting should take place at Police Stations and under seal and supervision of course, on the day before the election so that all the Policemen and the other persons that we may include by regulations will be entitled to register their votes under the supervision of a Returning Officer.

There are two classes of persons who may not be voting on polling day itself, those are Officers in Overseas Missions and person engaged in the electoral process itself on election day. Mr. Speaker, there is just one other thing I would like to say, I hate to end on this note but I must bring it to your attention, and that is that there is going to be a lot of debate on this Bill, and as I say, we regard it as the function of the Opposition - or they regard it as their function just to talk - and this, I suppose, is their right, and this is true. Last week, when I moved the first reading of this Bill I informed the members of the House that the Minister of Home Affairs had extended an invitation to all the members to visit the Central Registration Unit at Verona, Bank Hall at 9.30 Saturday morning, and thereafter to see the Data Processing Unit, so that all the mechanics of the registration system could be examined by members of the House. I regret to say that only two members of the House turned up and those two members are already familiar with the system; those two members were the Deputy Prime Minister and myself. The two other persons who turned up, the Minister of Home Affairs being out of the Island on Government business, were the Attorney General who knows all about the Representation of the People Act and the Minister of Education; I do not think that in a new system that all of us are really familiar with what is going on, but unfortunately some of us are more prone or prefer to stay away from places and situations in which you can see for yourself what is going on, but prefer to come into the House of Assembly to make all kinds of wild statements against the Government and against Public Officers.

Here is a situation in which out of 45 members of the two Chambers of Parliament four people turned up, the Prime Minister, the Deputy Prime Minister, the Attorney General and the Minister of Education. I want to say that my criticism extends to my side of the House as well, because do not think that they know everything, they are just as abysmally ignorant about some things - but they do not know - as the people on the other side. As Leader of the Government I have already dealt with them in no uncertain manner, but I am only saying that I hope we are not going to get a long drawn out debate criticising the registration machinery and a lot of wild remarks from people who had an opportunity to avail themselves of getting more precise knowledge, so I am only issuing a warning. I cannot stop them from talking, only you, Sir, or death can but I am not going to answer any questions which could have been answered last Saturday morning. It is the right of hon. members to stay away but do not make any extravagant statements on public platforms or in This Place that they could have got information on last Saturday because I do not intend to answer a single question in this respect.

Mr. HINDS: On a point of order, Mr. Speaker.

Rt. Hon. E. W. BARROW: Mr. Speaker, I beg to move that this Bill be now read a second time.

Hon. K. N. R. HUSBANDS: I beg to second that.

Mr. HINDS: On a point of order, Mr. Speaker, the Prime Minister did not try to find out when it would suit hon. members.

Mr. SPEAKER: No point of order.

Mr. ADAMS: Mr. Speaker, we on this side of the House are not opposing the passage of a Representation of the People Act, obviously the people have to be represented, no matter whom they may choose, and this Act is a conception, a useful codification of a number of miscellaneous statutes put together in haste and misunderstanding by the Government over the last few years. Anyone who has listened to the speech of the Hon. Prime Minister who introduced this Bill could come to only one conclusion, that he was trying with a great deal of long-winded nonsense to bore the House into acquiescence with wickedness. 3.10 p.m.

This Bill contains so much that is disgraceful, so much that is dishonourable, that I could hardly believe that even the Prime Minister would have put his hand to it and put his seal of approval. Now, there was a Governor of Massachusetts, I believe, called Mr. Gerald Mandar, who many years ago, upon election as Governor, decided to strengthen his party in

office and he, therefore, altered the electoral boundaries. Ever since then gerrymandering has become the synonym for this type of electoral dishonesty with which we are faced when we consider this Representation of the People Act.

Now, Sir, I want, before I press on to my main argument on the Bill, to ask the Press for once in their lives to try and report this matter in an objective way. As far as the *Barbados Advocate* is concerned, there is a sort of Government truth and Opposition allegation. The Government puts forward a statement which the *Advocate* publishes as if it is true, and when the Opposition produces the facts the Opposition is described as alleging something, as if we are the accused. It is as if the *Advocate* is reporting the proceedings of a guilty plea at Sessions. The prosecution says what the prisoner is supposed to have done. It may be a pack of lies, but the prisoner knows that he has done it in a different way than the perjured witness who may have told the police those lies. This is the position in which we find ourselves. We cannot oppose this Bill as a whole and we have to go along with it, but our going along with it should not in any way be taken to mean that we accept what is said in the preamble that these boundaries are altered for logical reasons or for geographical reasons. These boundaries are altered for electoral reasons.

Sir, there is something that you as a member of the Government Party, although you are moved above that particular level of political activity, and other members on the other side would not know about. We are always hearing that this man in the Government Party is a wicked man; he steals and so on; the Prime Minister steals; this is something that people are always telling us, but until now I tell them that I do not believe it. How can I go with the same high opinion of the Prime Minister, when he can come in here and tell us that the boundary in St. Andrew and St. James has been altered for logical and geographical reasons, and that the new bound- should run along a gully bottom? A boundary runs along a road or a parish boundary, and you alter it from running along a highway in Barbados to running along Spring Head Gully bottom for logical reasons! To whom is the Prime Minister talking? He accused some members on this side of not having got past the second form, but he must direct that argument to members on his own side, and not the members who are considering matters on this Bill.

Rt. Hon. E.W. BARROW: On a point of order, Mr. Speaker. In the first place, the hon. member says that other people tell them that I steal. I would like the hon. member to come outside at any time and make a statement like that and not to shelter under Parliamentary privilege. He also says that he now has to believe it. Your Honour was on the point of interruption, but for some reason you allowed him to proceed.

I said of the hon. senior member for St. James, who accused me of being a half-baked economist, that the only thing he has ever passed is a 'bus; I never said anything about second form. As far as I know, he never went to any institution which had forms but only standards. The hon. senior member for St. Thomas was only being diabolical when he dragged him into the argument. I should like the hon. senior member for St. Thomas to withdraw the remark that people tell him that I steal. I had no reason to steal anything from anybody in my life.

Mr. SPEAKER: The senior member for St. Thomas used words to the effect that he had heard people say that the Prime Minister steals, and he had.....

Mr. ADAMS: I did not say that I believe it; I said how could I continue to disbelieve it? (Mr. St. JOHN: "He should have objected at the time.")

Mr. SPEAKER: The hon. member gives the impression that he has now begun to believe it.

Mr. ADAMS: Mr. Speaker, I will say that I do not believe that the Prime Minister steals.

Rt. Hon. E. W. BARROW: The reason why I did not object at the time is that it appeared to me that Your Honour was about to intervene. I saw Your Honour take up the microphone, and there was no point in my getting up and making a big row.

Mr. SPEAKER: The hon. senior member for St. Thomas must withdraw the remark.

Mr. ADAMS: I have withdrawn it, Sir. I say that I do not believe that the Prime Minister steals when people say that and they say that Carlton Brathwaite is his contact man for getting money from - *(Asides)*

Mr. CRAIG: On a point of order, Mr. Speaker. The Hon. Prime Minister accuses me and says that the only thing I have ever passed is a 'bus. I have also failed the test of corruption, unlike the Prime Minister who has a Ph.D., in corruption.

Mr. SPEAKER: The hon. member must withdraw that.

Mr. CRAIG: It is Your Honour's wish, and I shall do so. He has passed the test in corruption.

Mr. ADAMS: Mr. Speaker, as for the remark that the hon. senior member for St. James has attended institutions which only have standards, the Prime Minister should look around and he would see - I am not saying this to denigrate the persons concerned - the look which passed across the faces of the hon. junior member for St. John and the hon. junior member for St. Andrew after he said so. I happened to be looking at the hon. junior member for St. John when the Prime Minister made that remark.

Mr. SPEAKER: When an hon. member is addressing the Chair, as the Hon. Prime Minister was when he so said, he should be looking only at the Chair. Let the hon. member proceed.

Mr. ADAMS: The Prime Minister was addressing the Chair when I was looking at the hon. junior

member for St. John. Mr. Speaker, I am dealing principally with this question of the definition of boundaries. It is not true, as the Prime Minister said, that whenever there is a redifinition of boundaries in the United Kingdom the Opposition accuses the Government of arranging the boundaries to their own advantage. In 1949 Sir Winston Churchill got up and thanked Mr. Attlee for redistributing the boundaries to assist the conservatives approximately to win 35 seats. You can find that in *Hansard*. So far, Mr. Speaker, in countries where political morality prevails is the spirit of gerrymandering abroad that, in the United States which is as full of political corruption as anywhere else in the world, but not I think at Federal Government level, throughout all the States all the old gerrymanders are being reversed.
3.20 p.m.

The situations where republican legislators set boundaries in order to create large majorities in democratic districts but create a larger number of seats which the Republicans could win, all this is being reversed; but in Barbados we are going to the opposite extreme.

Now I want to speak first of all about the constituencies of St. James and St. Andrew. The hon. senior member for St. Andrew won his seat by 164 votes in the last election. The hon. senior member for St. James in the Districts of SA and SD obtained a majority of approximately 700 votes. The hon. senior member for St. Andrew was therefore in a paper minority in his new constituency of approximately 500 votes. The two constituencies are the two most nearly equal constituencies that abut and bound each other in Barbados before these amendments. The constituency of St. James was slightly larger than the constituency of St. Andrew. It had an estimated number of voters of 6,171. The constituency of St. Andrew had 6,092 voters. You will therefore think that the Boundaries Commission that sat in 1964 had done its work with a mathematical precision and correctness that could not have been bettered in any country. It found one constituency, namely St. Andrew, that was too small for one seat, and it found another constituency namely St. James that was too big for one but not big enough for two, and they made such a precise and excellent division of electors between the two constituencies that they achieved equal electorates all but 79 votes.

Now, Mr. Speaker, I want the people of Barbados to know this; could there be any other reason for taking away votes from the smaller constituency of St. Andrew to put into the big constituency of St. James except to assist the hon. senior member for St. Andrew to retain his seat? There is no reason based upon logic. The hilly districts of St. James had been attached to St. Andrew. Now I am going to tell you something else, Mr. Speaker. The polling district of SA occupied the entire St. James/St. Thomas boundary The polling district of SD touched St. Andrew only on a notional point in Apes Hill where the parishes of St. Thomas, St. Andrew and St. James met. They are the facts of geography and logic. Now for a few political facts. The hon. senior member for St. Andrew has never canvassed Springhead, Sion Hill, Upper Carlton, Rock Dundo, the districts that constitute SA. Of the 110 polling districts in Barbados at the last election, the one which gave the Barbados Labour Party Opposition the greatest percentage of votes was polling district SA. Now, Mr. Speaker, on the other hand, polling district SD also very strong to our party has been cultivated by the hon. senior member for St. Andrew. When he was Minister of Housing he initiated a housing scheme there. He organised a choir in that district, he has purchased one or two canvassers of the Barbados Labour Party in that district. It is a district where he spends time and energy. *(Asides)* He bought them for a lot less than the $4,000 you offered Slims. That remark was not meant for you, Mr. Speaker.

Mr. SPEAKER: I almost heard it.

Mr. ADAMS: I am sure that you have never offered $4,000 to any canvasser to do anything. First of all if you are talking on the grounds of equalising the electorate, that is impossible because the electorate is already equal. If you are talking on geographical grounds, which part of a constituency are you going to detach? Are you going to detach a part that has a boundary or the part that has no boundary? If you had to remove SA or SD, would it not be more logical on geographical grounds to detach SD that never touched St. Andrew at all? You cannot get from St. Andrew into SD without stepping into St. James or St. Thomas. They had no contact, no boundary with it. The only connection that Orange Hill and the other districts of SD had with St. Andrew is that the hon. senior member for St. Andrew spends time, money, energy and interest there. So, Sir, I suggest to the House that neither on grounds of electoral distribution, on grounds of logic or on grounds of geography could you possibly have made an alteration as between St. James and St. Andrew in a manner in which it has been made. There is no way, and Sir, we are talking about a more natural boundary.

Let us get to the natural boundary. I want any hon. member on that side to the House to tell me that Springhead Gully Bottom is a more natural boundary than Highway 2A. Who will get up and say that Springhead Gully Bottom is a correct natural boundary You have a highway boundary. If you wanted to make an alteration, cut off Rock Dundo and put it back into St. James; that would save the hon. senior member for St. Andrew 100 or more votes because he does not even know the roads in Rock Dundo. He would not know the difference between Upper Carlton and Rock Dundo; he would get lost in Bakers Woods.

Mr. Speaker, I am suggesting that this is something that must have been planned for a long time. I do not believe the people who said that Joy paid for that; but it is something that must have been planned for a long time, because the conception of putting a division down Springhead Gully Bottom could not come about in a day or two. The people in SA live to the North of Springhead Gully. There were only 64 people who lived to the South of it in Waterhall, and one house at Apes Hill. There were only 64 people who have been left in St. Andrew. This is something that has

been planned, and the Addendum in itself is misleading because the whole of district SA has not been given back to St. James. The area between Springhead Gully, St. Silas, Waterhall Road going up to Apes Hill is still left in St. Andrew so as to give Orange Hill a notional boundary with St. Andrew. It had no boundary before; so polling district SA has been divided.

I am saying, Mr. Speaker, that the purpose of this, let everybody understand I am accusing the Government of deliberately gerrymandering the boundary between St. James and St. Andrew so as to give the hon. senior member for St. Andrew some hope of winning back his seat. Remember who it is; it is the hon. senior member for St. Andrew for whom a deliberate effort, based in no way on logic or on geography or electoral necessity, is being made to give a chance of winning a seat again. Of all the members of the House, he has been selected with the most blatant piece of gerrymandering to be the beneficiary.

Now, Sir, gerrymandering leads to a lot of things; it leads to counter-gerrymandering if you meet a determined Opposition; it can lead to a lot of public discontent. That is something I will ask the Government to remember. The principle cause of the civil disturbances which have led to a state of emergency, riots and death in Northern Ireland was gerrymandering by the Protestant majority which, although secure, was not willing to shake off any of its weaker members, and went so far on one occasion as to send the City boundaries of Londonderry ten miles down the Newry Road to embrace the new housing area - housing was in it then too, Sir - which was filled with Protestants, and from the day that happened in order to assure a Protestant majority in the Londonderry City Council, there has been civil disorder in Londonderry. That is what you are playing with when you are playing with electoral boundaries.
3.30 p.m.

We come now, Sir, to St. Michael. In St. Michael this is where even the simple mind of the Minister of Home Affairs can apply the gerrymandering equations with some effect. When you are gerrymandering constituencies your object is to lock up as many of your opposing voters into one constituency as possible so that you give them a very large majority in one or two constituencies, you concentrate their voters but you disperse yours, so it has been obvious to us when you look at St. Michael the appearance of logic notwithstanding, that the Democratic Labour Party has conceded at least that Mr. Gilmore Rocheford is going to be a member of the House of Assembly this time next year, in fact long before; it is obvious, otherwise I do not believe that Mr. Allder would have a chance of obtaining the candidature to run against him. It is obvious that poor Mr. Alider is going to be thrown to the wolves; when you have conceded this constituency you concede St. Michael North East and your object then is to lock up the Labour Party's voters in St. Michael North East. Rocheford will win, so you make him stronger.

Just as in St. James they have conceded the seat to the hon. senior member, they are only looking to sacrifice poor little Mr. Turney, but just as in St. James they have conceded the seat of the hon. senior member and they do not mind increasing his majority, in St. Michael they have conceded the seat to Mr. Rocheford. St. Michael North East had an estimated number of voters, 6,802, Waterhall Land - perhaps the most labour area in St. Michael, at least one of the most labour - give it to Rocheford; Waterford Housing Area you are not so sure about, but Rocheford has a big majority in polling station WB, rinse out the hon. senior and junior members for St. Michael in WB, give it to Rocheford, and then you come back.

Bibby Lane is not in my opinion a labour area, but Mr. Allder is making noise; they call it Bibby Lane, and so as a stop you throw in a couple of hundred voters for Bibby Lane. I counted the houses there day before yesterday and I saw 54. You throw in a couple of hundred voters in Bibby Lane in the belief that you will keep Mr. Allder sweet, because you know he is a very quarrelsome person when he is ready, I do not know if hon. members have discovered it yet. You throw in the few voters with a cynical disregard for political honesty the like of which has never been equalled here, and you produce a constituency bigger than the previous biggest, because that is what the Government has done. The Government alleges that some constituencies were too big and had to be made smaller, and some were too small and had to be made bigger, but they have made the previous biggest, bigger still and the previous smallest, is smaller still. The previous biggest constituency was St. Michael South East with 8,642 voters, they have now created a constituency bigger than that, St. Michael, North East, with 8,678. The previous smallest constituency was Christ Church East with 4,712 voters, they have made it smaller still, it is now down to 4,571.

I will deal with the hon. senior member for St. Michael and the hon. junior member for Christ Church in due course, especially the hon. junior member for Christ Church, and I will tell him to beware of the Greeks when they are bearing gifts. Again, I do not believe there is any truth in the rumour that certain backers in overseas circles have offered the Democratic Labour Party $20,000 if they would take off Cox's votes out of St. Michael North East, nevertheless, that is what I believe they have done, because the polling station where Mr. Rocheford and Mr. Cox did best is the one which is now being taken off the back of the senior member for St. Michael and put on to Mr. Rocheford. I will say something, not of praise to the Prime Minister's argument, but of commendation for the Prime Minister's advisers. It is undoubtedly true what he said about the logical division of St. Michael South East - Eagle Hall Road, Bank Hall + Road and Station Hill Road are undoubtedly more logical boundaries than boundaries that run down the middle of Kew Road and Dash Road and that cross over Station Hill and so on. It is also true that there is no room for expansion for other than natural population growth in St. Michael North East, because Friendship Gully occupies a very large acreage; Codrignton, Sunfarms Experimental Station presumably is not going to be built on, the Stadium has blocked

off any possible housing development between the Bow Road and Bush Hall, and it is a constituency which cannot now grow by housing development, but again as his advisers perhaps correctly pointed out to him, St. Michael North West and St. Michael North East are still growing constituencies. The Urban Development Corporation will be opening up lots at Wildey for housing development, there will be factory development, I anticipate the Pine Housing Area will not for ever be contained within its present boundaries, I do not know what the Government's views are about the land at Highgate and other such districts, but I anticipate that St. Michael has room for growing and that St. Michael North West is obviously the fastest growing population area in Barbados with Rock Dundo Park, Cave Hill, Paradise Heights Development and so on, but you have still left those two constituencies as the second and third biggest in Barbados, you have still left them next to or close to other constituencies which are small and which cannot grow; what room is there for growth in St. Michael South?

I believe that advice was certainly considered that one of the polling stations, YA, should be logically divided, that Wildey Road should be a division between the Pine Housing Area and Highgate Gardens and so on. What would have been a logical cut that we on this side would have welcomed, because you would create the same natural boundary, namely the Wildey Road, it would have eliminated the little piece of Brittons Hill that is attached to St. Michael North East, and it would have made the people who live on that side of Villa Road know where they are voting, but nothing like that has been done, and it is the fact that nothing like that has been done that makes us ununderstand that the whole purpose of this exercise was political dishonesty and political gerrymandering and not any logical alterations.

I would make one exception as far as the City is concerned. I also agree that the straight line boundary that ran through New Orleans was another inconvenient boundary. I know at least one person who is reported to have had a foot so securely in two camps that she used to brag every election night that she plumped for Mr. Mottley in the City and gave Cox and Bryan votes in St. Michael. I heard she has said this on election night but she has only said it to me six months after the event when it was too late to prosecute, therefore it was not necessary for me to inform the Police.

Mr. SPEAKER: I take it that this Mr. Mottley is no longer a member of the House.

Mr. ADAMS: I do not know which Mr. Mottley she meant, but if it was the hon. senior member for the City I unreservedly apologise for any derogation from his dignity as an hon. member of this Chamber.

I cannot complain that opportunity has been taken to make a more logical boundary there, I do not think however that the boundary that was chosen took at least as much account of the fact that the polling district known as XA is divided by Kensington Oval and by Pickwick Gap, into two parts, a Westbury Road part and a New Orleans part, and that traditionally the Westbury Road part is hostile to the Barbados Labour Party and strongly supports the hon. junior member for St. Michael, I do not believe that logic could have broken through here, if the hon. junior member for St. Michael did not think that he was losing the hostile part of his strongest polling station - XA is his strongest polling district, I believe - that he was losing the hostile part while retaining the friendly part. I do not believe that the City would have been logicalised, to coin a phrase, had that not been so.
3.40 p.m.

Nevertheless, I for one believe that the boundary to the South will not assist the Government in any way in fighting the seat of St. Michael South. I do not know who has it in for Senator Sandiford, but whoever has it in, I think, has put a knife up exactly where it will hurt quite a lot when he gives Dunlow Lane and surrounding districts to St. Michael South for poor Senator Sandiford to go and contend with.

Sir, I would not quarrel with the City, but these cuts have another effect. St. Michael South-West was always smaller than the City. You take voters from St. Michael South-West and put them into the City so as to reduce St. Michael South-West to being the third smallest constituency - it will be smaller than St. Joseph - with only 4,728, voters. There is no room for expansion there. There cannot be any new housing area in Brandon or Westbury Road or Fontabelle. There will be industrial development in that area.

Now, St. Michael South-West ought to have had a piece of St. Michael West with its 8,000 voters now reduced to 7,500 added to it. Not even electoral imperatives can explain that. There is a polling station West which had 1,000 voters in 1966, Polling District WF, which, I believe, if transferred from St. Michael West to St. Michael South-West would make the two constituencies approximately equal in voters. If the Government were interested in logical division, they would have done that. As it happens WF is a district where the Barbados Labour Party is weak. It was weak once upon a time, but I am not sure about it now. I would imagine that the hon. junior member for St. Michael would welcome Goodland. Obviously, Deacon's Road would be a more logical boundary than Bridge Gap. The people who live around Bridge Gap give an address as Goodland; the enumerator does not know which side of Bridge Gap they live; he does not know whether they live in Goodland South-West or Goodland West, and he has a lot of trouble. Even today day people are wrongly distributed as between West and South-West in Goodland. I repeat that Deacon's Road would be a better boundary; it would contain all of Goodland on one side; it would be a major road which people can recognize and know as an electoral boundary, and it would equalise the second smallest and the second largest constituencies. It would bring them closer together in terms of numbers. Those are the adjustments that should have been made, and you should not fiddle with St. Andrew, St. James and the City.

With regard to Christ Church, I must confess that though they have been skirting around my residence in Christ Chruch with the alterations, it would be a bold Government who would decide that since in St. Patricks the order of voting is that even Senator Morgan could beat the hon. junior member for Christ Church, who came fairly disgraceful at the bottom of of the poll in St. Patricks, you are, therefore, going to take half of St. Patricks off his back and attach it to the hon. senior member for Christ Church who obviously has a safe seat. *(Asides)*

We are going to eat "Peanuts". I wonder if the hon. member knows that the person to whom he is referring as "Peanuts" is so angry that the St. Patricks votes have been taken off and put on his back that he is so extremely doubtful about running that he is now enquiring whether he should go back to the Registry instead of taking full leave? Do you mean to say that the Democratic Labour Party are so wicked that they are honestly encouraging somebody into believing that he could beat the hon. senior member for Christ Church in Christ Church? They are only encouraging the boy in foolishness.

Mr. SPEAKER: We are not concerned with personalities now.

Mr. ADAMS: That is why they carried poor Dudley Smith to get his head chopped off, and encouraged the hon. senior member for St. Joseph to leave the Barbados Labour Party and to commit political hara-kiri.

Mr. SPEAKER: This does not come within the scope of what we are discussing. That does not arise in this debate, and the hon. and learned member for St. Thomas knows better than that.

Hon. N. W. BOXILL: Is he learned?

Mr. SPEAKER: To be addressed as learned one merely has to be called to the Bar, and one has to pass the examinations.

Mr. ADAMS: Mr. Speaker, the next time the hon. junior member for St. Thomas asks me for legal advice, I am going to tell him to look it up himself.

Hon. N. W. BOXILL: I have never asked the hon. member for legal advice. Furthermore, I have had to point out the legal points to the hon. member, which he admitted he did not know.

Mr. ADAMS: How can the hon. member dehy that he has invited my opinion on a legal point? He did draw my attention to a Section of an Act that I was really glad to see, because he told me it revealed how idiotic the Attorney-General's opinion was, and I agreed with him.

Mr. SPEAKER: Let us proceed.

Mr. ADAMS: I was looking for the hon. member to join Porey's Spring to Jackson and leave me in Welchman Hall. If he had done that he would have found me on his back in Welchman Hall the same way. *(Asides)* I have to be afraid of the hon. junior member for St. Thomas. One of these days I might wake up suddenly and see him over me, and I am sure I would die from fright. Nightmares have a very powerful effect on me. *(Asides)*

With regard to Christ Church East, what can you say about the morality of any Government that takes the smallest constituency in Barbados and, in the interest of logic, geography and electoral convenience, makes it smaller still?

Hon. C. E. TALMA: On a point of order, Mr. Speaker. What logic existed in cutting Below-the-Rock into two separate and distinct areas? Below-the-Rock is divided into two areas. Does that make logic into sense?

Mr. ADAMS: Does the hon. junior member for Christ Church really want me to talk about the logic in Christ Church?

3.50 p.m.

He was a member of the Government that set the polling district in Christ Church; he was a member of the Government that divided Christ Church into those twelve polling districts.

Hon. C. E. TALMA: On a point of order, that is untrue.

Mr. ADAMS: The hon. junior member for Christ Church put an advertisement in the Advocate the Sunday before the election of 1951 and said how he was an independent candidate, and on the Thursday night when the Christ Church result was declared, the Barbados Labour Party already had thirteen seats, and he then thanked the electorate for electing him as a Labourite. Once a Labourite always a Labourite. That was the change between Sunday and Thursday.

Hon. C. E. TALMA: Mr. Speaker, on a point of order, whenever I ran in an election and won with a wide majority it was when I ran independently. In 1951 to which the hon. member is referring, I beat all my opponents by almost 4,000 votes. I ran independently and then joined the Barbados Labour Party afterwards, but I always was a Labourite in that I was one of the founders of the Barbados Labour Party. I will always be a Labourite on the side of the workers, and like that I will always stand a fair chance in getting a seat because the people of Barbados happen to know me.

Mr. ADAMS: I enjoyed that, Mr. Speaker, but I will tell the hon. member that there are people within ear shot of this debate, I cannot say they are in the Chamber because Mr. Speaker, I will have to see them and clear them up, to whom my father read out three days ago, the speech which the hon. junior member for Christ Church made on that same election night. He got it out of a file and it was read out to great laughter only three days ago.

Hon. C. E. TALMA: On a point of order, that is utterly untrue. Neither your father or anybody else ever prepared or read out any speech for me. That is going out of the way to tell deliberate lies.

Mr. ADAMS: The hon. member must not say that. He knows I would not tell a lie on him. I said that three days ago on Saturday evening at about 6.30 in the presence of a number of persons who were attending a fair at Tyrol Cot, Sir Grantley Adams had the speech which the hon. junior member for Christ Church made.

Hon. C. E. TALMA: On a point of order, that is utterly untrue, and if that is the standard of his statements, in future I will pay utter disregard to anything he has to say.

Mr. SPEAKER: May we return now to the debate on the Representation of the People Act?

Mr. ADAMS: He had a report of the speech that the hon. member made.

Hon. C. E. TALMA: On a point of order the hon. member's father met me in town one day just about a week or so before the elections and asked me how I was going because he heard I was going very well. I told him I thought I was going through well, but what was more, if I got through I was thinking of rejoining the Barbados Labour Party.

Hon. N. W. BOXILL: On a point of order, I should like to ask the hon. senior member for St. Thomas if the time to which he is referring was the time when they found all those votes that were cast for the hon. junior member for Christ Church in the sea at Christ Church.

Mr. SPEAKER: No point of order. Let us resume serious consideration of this debate.

Mr. ADAMS: Even at this stage if the hon. junior member for Christ Church wishes to rejoin the Barbados Labour Party, we will consider his application.

Hon. C. E. TALMA: On a point of order, I have not intimated that I want to rejoin the Barbados Labour Party. I merely said I was a founder of the Barbados Labour Party in the early days, that I was a Labourite during my entire career, and as such I will always be interested in serving the poor people of Barbados who know me well. All have not died out yet and I think a number is still alive to give me a seat. In so far as St. Patricks is concerned, up to about 1956 or so I got about 80 percent of the votes; so I am not afraid of St. Patricks.

Mr. SPEAKER: No point of order. Now let us get back to the Bill please. Let us leave out the personalities for once.

Mr. ADAMS: There is nobody on the opposite side I least wish to have a quarrel with than the hon. junior member for Christ Church, and I regret that anything I should have said, should suggest that a speech was ever written for him by the former Leader of the Opposition.

The point I am making is that St. Patricks is a district where the Government is weak. The hon. junior member for Christ Church's recollection is hopelessly astray about the 1961 election. In the box known as St. Patricks box CG he obtained 256 votes.

Hon. C. E. TALMA: I said in the 1956 election.

Mr. ADAMS: In 1956 the hon. member I believe topped the poll in eight or nine of the 12 polling districts; but in 1961 Mr. L. B. Brathwaite got 470 votes in St. Patricks and the hon. junior member for Christ Church got 225. So you can quite see that it is a district the Government cannot possibly consider that it is strong in. Also the recollection of the hon. junior member for Christ Church is wrong on the question of the polling districts. Between 1951 and 1956 the number of polling districts was altered, I believe as a result of the Representation of the People Act, 1954 when he was then a Minister of Government, and as a result of that the present polling districts came into existence. No doubt the advisers of the Government will correct me if I am wrong. I do not have access to their detailed files, but I think the Minister will find.....

Hon. C. E. TALMA: On a point of order, any advice I gave the greater portion was ignored because the whole system has been faulty up to now in so far as the polling booths are concerned. For example, in Sargeant's Village, one side of the road votes in St. Lawrence School and the other side goes as far as St. Davids; so they have to travel two or three miles at least. That does not make sense and these are the recommendations I have been trying to get in order every since. Every villager should vote in the village and not be inconvienced and vote far away.

Mr. ADAMS: I would be glad if you put a polling station in Lewis Village, St. Thomas for the eleven electors. There are seven electors at Endeavour and eleven at Lewis Village, - six Springers and the Springer lady's husband. Put a polling station down in there. It is unfortunate, but I am happy to think that both the hon. junior member for St. Thomas and I perhaps will have to send cars there to get people to the polling station. I am happy to send the cars because people obviously have to go a distance. You cannot have a polling station for eleven electors; you cannot carry it to extremities and past common sense, and and there have to be boundaries somewhere; but the point that is being made is that the polling districts are still illogical. Nothing has been done to the polling districts to make them more logical. You only have to look at the shape of the constituencies in Christ Church, the funny triangles of land that run in strange directions. You only have to look at the polling districts in Christ Church to realise that Christ Church is the most illogical of all, but my thesis here is that I do not believe the Government was interested in logic when they reduced Christ Church East from 4,700 to 4,500 electors. The hon. junior member for Christ Church asked why should Below-the-Rock be in two. Look at the districts that are in two in Christ Church. Look at Montrose, Sargeant's Village and Gall Hill. Why should Gall Hill be in a different constituency from Lodge Road? Why should you have a little neck of land running out along Maxwell Road? Why should the old magisterial division between District "A" and District "B" that goes through just as many houses perhaps as the old straight line through the Orleans be allowed to continue to divide Christ Church North Central from South Central?

I remember the hon. senior member for Christ Church and I looking carefully at the list for his wife's

name and we discovered that the boundary goes through the house and the enumerator put his wife in North Central and the man in South Central. That is a boundary that could have been cleared up if you are talking about logic. Even in these very changes that have been made, how could it be lgoical for the boundary between Christ Church East and Christ Church South Central to go up Upper Carter's Gap past Mr. Morris King's house, turn left for 100 yards, turn right again up to Senator Phillips' house and leave out the other part of Carters' Gap which is a much more logical boundary. It is a dead straight line and the population of Carter's Gap live on one side of it; there are nothing but canes on the other side, and the house is being built now. That is a more logical boundary, I would suggest, but you have left Carter's Gap divided into two just the same way. All over Christ Church you still have these electoral anomalies, and for that reason I do not believe in the sincerity of those who say that these boundaries were made for the sake of politcial convenience. I believe that these boundaries were made for the sake of assisting the hon. junior member for Christ Church to keep his seat, but I still say to him' "beware". As he well knows, they do not like him on that side. The Prime Minister's back is turned to him now perhaps by a physical accident, but it is one of those slips that when the hon. junior member for Christ Chruch is under attack, the Prime Minister turns his back on him.
4.00 p.m.

Rt. Hon. E. W. BARROW: Mr. Speaker, I just want to get the record straight. They on the opposite side always turn their backs to the Chair; I have always been taught that you should face the Chair and from the time I sat down I have been looking at the Chair and trying to listen to the hon. member.

Mr. ADAMS: I think it is the hon. junior member for St. Lucy at whom the Prime Minister is looking rather than the hon. senior member in this particular instance; perhaps he hopes to attain greater inspiration in that direction, and I hope for your sake it is not an indication of favour. I am not going to pursue the boundaries any more, I suppose he should be glad that we did not have an increase in members of the House; I was looking forward to seeing St. Lucy divided into St. Lucy East and St. Lucy West, but apparently you, Sir, and the junior member have divided it already in spirit even though the Government has not followed you by dividing it in practice, but let it stay like that, all I would say, I would just give the Government an idea of things that can be done.

I want to ask the Prime Minister this. Suppose we were the Government - he must know the voting figures in his own constituency - you could very easily and very plausibly make out a case that St. George South is too small and St. John too big and create a constituency which would consist of all the polling stations GB, JC, JD and JE. If we did something like that, would the Prime Minister believe for one moment that a constituency which at the last election had given well over 2,000 votes to the candidates of the Democratic Labour Party and 700 to the candidates of the Barbados Labour Party, would he believe for one moment that that constituency was created for any reason other than to lock up the Democratic voters of St. George and St. John in one constituency and to make it possible to win three other seats in the two parishes combined? It is something that can be done, and let me advise the Government to think about that when they get on about this. When we offered you an electoral Commission and a permanent Boundaries Commission in London it was intended not only to stop your excesses but our potential excesses too, because the entire majority of the Democratic Labour Party, in St. George comes from one polling station, because the hon. senior member for St. George defeated Mr. Freddie Miller by more votes in that one polling station than in the whole election; he got over 500 votes and Mr. Miller got 270 or some number like that in one polling station in St. George.

In St. John well over 1,000 of the Prime Minister's majority came from three polling stations while he was beaten in one of the other two, and the hon. junior member has the figures - I think he quoted them to me for 1961 and 1966 - of how much weaker the Democratic Labour Party is in St. John North and St. John South. It is perfectly open with the present electoral machinery we have now, should the Government change, for us to create a constituency of the four strongest Democratic Labour Party districts in the whole of Barbados barring Pie Corner, one in St. George South and three in St. John, we could do it were we in power. Any House of Assembly majority could do it, that is why you want an electoral commission and a Boundaries Commission to stop this fiddling about which I have called in another place the last spasm of desperate men. Do you believe, Mr. Speaker, that we are going to leave St. Andrew in this condition should we be elected to power? Look sharp we might declare the seat vacant and call for a bye election. That is a joke, Sir, and I am glad to see the hon. senior member for St. Andrew laughing at it, that is not by any means to be taken seriously. (Hon. N. W. BOXILL: Do you have it in mind to tamper with the Constitution?) I heard an Aside asking if we have it in mind to tamper with the Constitution, but the Government is tampering with the Constitution, as the hon. senior member for Christ Church will say in his speech, when it insists that nobody can be a voter unless he has an I.D. card. Go and read the section of the Constitution saying that only such laws as may be reasonably required for the purpose of identification can be constitutional.

I do not want to pre-emp the hon. member's speech, but at a meeting of the Barbados Labour Party's Parliamentary Party last night a decision was taken to challenge in the Courts of this Island the Constitutionality of certain aspects of this Bill relating to I.D. cards. If the Minister of Home Affairs and the Chief Registering Officer want to submit themselves to a Court action let them see if the Attorney General can break his unique record of losing every case in which he has appeared in this instance; perhaps they will be lucky or perhaps the Attorney General will back out

from it altogether, but nevertheless that is not my part of the subject, my part of the subject deals with the immorality of this aspect of the Bill, the deep political immorality of fiddling about with constituency boundaries a few months or days as the case may be before an election.

This Bill has a lot of iniquities in it; the next electoral register published is only going to have the names of persons who have been photographed on it, and in my submission that will be an unconstitutional register. Even the photographs that are taken now, those people will have to wait to get on to a monthly list before they can vote, and I do not know if the Government is really contemplating with equanimity the disfranchisement of 40,000 voters in Barbados, persons who have their names on the list but have not been photographed. I do not know what the Government is considering but this will be dealt with, I believe, by other speakers in second reading and in Committee over the next few days. I believe so, Sir, but as far as I am concerned I want to draw to the attention of this Hon. House and the public the immorality involved in this.

The last point I will make about how you gerrymander boundaries is one that is sometimes accidental but in this case, I am submitting, deliberate. One of the objects of fiddling boundaries a certain way is to make the electorate larger in the constituencies which your opponents are likely to win than in the constituencies which you are likely to win; let them win the big ones, a few, while you win the small ones, a lot. For years and years this particular difficulty dogged the British Labour Party. In the election of 1951 the British –Labour Party got more votes than any Party has ever got before in Britain or since; the largest poll ever given to a political party in the United Kingdom was cast for the Labour Party in defeat in 1951, and the reason was that very generally they had the large constituencies and particularly constituencies in large majorities. In 1945 it would have been the other way around; Labour had been favoured because they had many small urban constituencies from which the populations had largely moved out, but the Labour Government in those days, unlike the Democratic Labour Party regime of today, was a Party of decent, upright, moral people.
4.10 p.m.

I am sure that all of the members of the House who are members of the Democratic Labour Party are decent, upright, moral people.

Mr. SPEAKER: Of that there can be no doubt.

Mr. ADAMS: I am sure of that, despite the fact that they introduced this Bill in this way. The Labour Party in those days had a Boundaries Commission in 1949 with equal representation for the parties, and I think the Speaker nominated the members. It made recommendations and the Labour Party lost 35 seats as a result. I am not asking the Government to give away seats. After all we have the dictum of the former Leader of the Opposition along the lines of single member constituencies. Let them get in and introduce single member constituencies, is how it may be paraphrased. Well, they got in and pretended to introduce them, and before we even had an election under single member constituencies they changed the constituencies. They changed the Rules twice in other words, Sir, before the match had even started, but that is by the way.

Mr. Speaker, I have looked roughly at the 6 largest constituencies under the new propositions, and I will read them out in order of size: the largest is St. Michael North East; the next largest is St. Michael North-West; the next largest is St. Michael South-East; then St. Michael West; then St. James and Bridgetown. Out of those 6, I can only see one that it is my present opinion the Democratic Labour Party will win at the next election. My opinion may turn out to be wrong, but we will get some of the seats. We are going to get 5 out of the 6, and maybe a good chance at the 6.

It is obvious that the Government have tried to increase the size of St. James and the City, rock-hard labour seats. St. Michael North-East, rock-hard labour seats; so you put all the voters into them that you can in order that the Government may have a chance in smaller areas. That is an exhibition of political immorality comparable only to the "firing" of the senior member for St. Andrew as a Minister for no reason; the taking back of him for no reason, and the subsequent events that have caused so much distress and disturbance to thinking people in this country. It is no accident that the hon. senior member for St. Andrew is the principal beneficiary of all these electoral fiddles. The Prime Minister is setting the tone and seal of approval on the hon. senior member for St. Andrew when he redistributes the seats in this manner. It may be that we should all now revise our ideas. I fear, to some extent, that I have already begun to revise mine about what standards can reasonably be expected in political life in this Island.

I remember hearing the junior member for St. Lucy addressing school boys at Harrison College - I hope he would not mind my reminding him of it - and in my view the strongest and most slanderous attacks were made upon the hon senior member for St. Andrew. I think the Minister will agree with me that some of the attacks were in fact slanderous, and that both of us tried to quiet them down in our way. But the hon. junior member for St. Lucy's comments on this were that you cannot expect any higher standard of behaviour of politicians than of the population at large. Well, Sir, if this is the philosophy of the Deomcratic Labour Party; if we are to abdicate the sacred trust that is given to us to lead the people and to help the people to see what standards should be, in that case if that is to be, it will have to be, Sir. I for one do not believe the battle is yet lost. This is one of the most crushing blows to political morality that has yet been dealt in Barbados, but I believe that the people still have a counter-blow waiting. They have 23 counter-blows waiting, and they are going to fire the electoral

masses to be able to vote, and yet still the Government does not see the hypocrisy in such a pronouncement when he brings down a Bill which seeks to place obstacles in their way. A person's passport is sufficient to identify him going into a foreign country, people from abroad can come here and you accept a passport as evidence of identity, any hippy, drug addict etc. can come in Barbados with a passport or other things like that, and you come here and say your registration is incomplete so you cannot vote, you must have an identity card. What about those people who went out there and stood up there day after day and night after night and queued up? What about those people who went to the centres and when they went the facilities at the centres were not sufficient to cater to the demands of the crowds? What about them? They made their effort, what happens now? What about the old people who do not want now at this stage to take the extra effort to go and get photographs taken but have passports and have travelled abroad, what about them? Surely the law that was in existence that all that was necessary was the existing law, which for the City of Bridgetown in the bye election there and in St. Joseph in the bye election there was put to the test, and I challenge the other side to make any allegation as to one unfair vote that was cast in any of the two bye elections. The only unfairness, that took place in the bye election, was the attempts by Mr. Banfield, the Returning Officer, and others who tried to prevent people from casting their votes.
4.40 p.m.

Why, if you have the experience and it has worked well, was it not possible to accept a law which has proved to be convenient and which will ensure that the vast majority of people over the age of 18 in this country and residing here at the relevant time would be able to exercise their vote? Mr. Speaker, let them persist in this. If they do not accept the suggestion and put back the existing law to where it was, it shall be fought here through all the legal processes. We believe that the public do not accept kindly this attempt to deprive them of their franchise for which the Barbados Labour Party is in a large measure responsible.

Hon. J. C. TUDOR: Mr. Speaker, I do not suppose that there can be any debate in any Parliament on the representation of the people which would not to some extent and in some measure arouse partisan feelings. It is in the very nature of an Elections Bill that whoever sponsors it should be subject to grave suspicion and scrutiny and that charges of gerrymandering should be laid against them. But since, Mr. Speaker, Elections Bills can only be brought by Governments, and can only be piloted in their respective Parliaments by those who have the majority, there is nowhere in the world in which you can persuade Oppositions that the reasons given for introducing a Bill and for drafting it are exactly as they are. Moreover, Mr. Speaker, where an Elections Bill happens to be presented before a Parliament which is in itself a dying Parliament, it is inevitable that the Party which aspires to be the Government must see in that Bill all the sinister, implications which the Bill does not in fact have.

Mr. Speaker, let me say, first of all, that this Bill would probably have been debated in a better atmosphere at the beginning of a Parliament and not at the end of it, but it is obvious that the Representation of the People Bill cannot be a priority in the first years of Parliament. It will only loom on the horizon when a Parliament is coming to its end and a new Parliament has to be elected. It is then that accumulated experience of the defects of previous legislation, if there are defects, are seen and attempts are made to remedy them in any legislation which is then before the House.

Now, we have heard all sorts of accusations from that side of the House against this side of the House in the two speeches which we have heard, and doubtless, there will be more. Surely, Sir, this is the overspill of the electoral battle and has nothing to do with the merits of the discussion before us. All Oppositions accuse all Governments of gerrymandering; all Governments reject and rebut those accusations by reference to the facts in particular cases. It is indeed significant that, in the middle of the accusations of dishonesty and political morality which have been hurled in the two speeches from the other side of the House, there is the admission that what we have done in respect of a few constituencies worsens our own position politically, as it were, *vis-a-vis* the other side, You have the curious situation in which the gravemen of the charges against us and the facts to support the accusations are that we have so managed the boundaries of some constituencies that we have actually consolidated whatever voting strength the other side can have. It seems to me the other side cannot have it both ways. You cannot on the one hand accuse a Government of everything that is wicked under the sun, and at the same time admit, and not even grudgingly, Mr. Speaker, that what the Government has done has in a large measure improved your own position. This Government does not expect to get bouquets and eulogies from the other side, and certainly, least of all, it cannot expect to have them in a matter in which the other side says on the one hand it is deeply suspicious, and on the other hand that it is abundantly grateful.

The second thing is that the registration of electors has, of course, been the subject of debate in this House, of numerous questions, answers and explanations and, of course, it will come up again during the discussion on this Bill. But certain facts, Mr. Speaker, will have to be laid in the record. It is not now, the 18th May, 1971, for the first time we are saying that you have to be registered and have your identification cards as part of that registration in order to vote. If the matter had gone smoothly, as far back as the 1966 Elections, and if the other side had not taken it upon themselves to prejudice the minds of would-be electors in this country against that form of registration, and if certain technical difficulties had not stood in the way, I am perfectly sure that even the 1966 General Elections may have been held- I would not like to be too dogmatic on this - with every elector having his identification card.

From 1964 we were trying to set up the Camera Centres. That Parliament had appropriated money for all the techniques, managements and facilities for photographing people. But what did you hear from the Barbados Labour Party in 1964 and particurlarly in 1965 and 1966? From the time that they started to oppose the Independence of the country and made it an issue dividing the parties.....

Mr. ADAMS: On a point of order, Mr. Speaker. The Barbados Labour Party has at no time opposed the Independence of Barbados. We opposed Independence for Barbados alone when we could have had an opportunity of Independence in conjunction with the other Islands in the Eastern Caribbean.

Hon. J. C. TUDOR: This is old controversial business, Mr. Speaker. I will only say that if there is such a thing as Independence alone which is not Independence, and if it is a fact that they were going to have a Federation with Independence, I give the hon. member his point. That is all I will say. To get back to what I was saying, Mr. Speaker, from 1965 onwards, when the issue of Independence for the country in whatever form, was before the electorate, the other side took it upon themselves to cast doubt and suspicion on our suggestion that people should be photographed. The members of the Barbados Labour Party went up and down this country telling people that the requirement of an identification card was a bad thing because people were not criminals; that they did not know what the Government intended to do with people once they had their photographs taken; that it was not in their interest to have their photographs taken and, consequently, Mr. Speaker, there was grave and, I think, understandable reluctance on the part of a large number of people in this Island to have their photographs taken.
4.50 p.m.

There are some people, there may even be some members of this present Party, who had their identity cards as far back as 1966. There are people outside the House in this country at large who were sensible enough to have their photographs taken even before the last general election, but the majority of people spurred on by the Barbados Labour Party built up a resistance against the very idea of having photographs taken because it was connected in their minds by the same Barbados Labour Party as something sinister and wicked and a requirement which only a dishonest and wicked Government would impose. Now all that is old history starting from 1965, but since then a new Parliament has been elected and this Parliament is soon to be dissolved. In between times we have had two bye-elections. Because this Representation of the People Bill was in preparation, and because the bye-elections when they took place had therefore to be managed and organised on the double member system, it was obvious that we could not have insisted on the requirement for registration with photographs; so that Parliament was invited and Parliament accepted the invitation to provide alternative means of identification to identity cards. The bye-elections were held both in St. Joseph and the Bridgetown constituencies with the requirement that if you did not at the time of election have your identity card, you could use your passport, your National Insurance Card, your driver's licence or whatever you will. But all the time we had been saying inside and outside of Parliament that by the time the next general election comes, everybody to be fully registered must have an identification card.

Now, Mr. Speaker, suppose it were even true which in my submission it is not, that there has been a misunderstanding on this point and that alleged assurances have been given that this was not to be the case; suppose this is even true for argument sake, is it not a fact that every indulgence has been given to the population of this Island to get this matter settled? Even in this Bill there is provision for continual and permanent photographing, and hon. members opposite are talking as if the general election is to be tomorrow or some time later today, and that because 91,000 or 96,000 people are already photographed, the other 40,000 or 50,000 as the case may be will not be able to vote between now and midnight because the election is going to be at 1 o'clock in the morning. (A VOICE: You do not know when it is.) Well precisely because nobody knows when the election will be and because there is provision in the Bill for continuous registration and therefore continuous photographing, what hon. members opposite should be doing instead of cavelling and laying unjust accusations against the Government, is seizing every effort and opportunity to invite the total electorate of this Island, those whose photographs have not yet been taken to get their photographs taken.

Further, Mr. Speaker, as an earnest of the goodwill and the honourable intentions of this Government, have we not said inside this House and outside of it that we are so careful to get everybody's photograph taken that the aged, the infirm and the incapacitated will have the cameras call at their homes or wherever it is they are ill and take their photographs.

Mr. HINDS: On a point of order, is this yet to happen?

Hon. J. C. TUDOR: It is happening. The hon. member will remember during the Estimates - he ought to remember the Estimates because this is when we heard about the flour bag in the stew - he heard me say because I was replying on behalf of the Minister of Home Affairs on that particular point, and I emphasised it, that it was proposed to take the cameras to the homes of the aged, infirm and incapacitated persons, and no election is going to be held until that is done. If I may broach a personal aspect of it.....

Mr. HINDS: On a point of order, are these the same cameras for which you as Leader of the House told us that you were importing special parts for fitting to them that they could take them to the homes of these people?

Hon. J. C. TUDOR: They may well be, but I can tell the hon. member that there is special equipment

for that and that is what is going to be used. *(Asides)* I cannot, standing on my feet, tell the hon. member if it has arrived because that is not what I am discussing.

Mr. HINDS: On a point of order, the Leader of the House is telling that the photographing is in progress, you ought to be in position to tell us if the special equipment has arrived.

Hon. J. C. TUDOR: Equally if it is in progress the hon. member would know that it has. Anyhow, Mr. Speaker, I was saying, if I may broach a personal explanation, I know my own mother who is incapacitated to some extent, is going to have her photograph taken at her residence, and not only she, but all the hundreds or thousands of such persons in the country. We have given that undertaking and we are going to honour it that the cameras will go to the homes of infirm and incapacitated persons if they wish their photographs taken, to accommodate them. Do you mean to tell me that we say we are willing to do this, we say it is being done, we say that every facility will be given for persons who cannot go to the centres to have their photographs taken where they are, and you still accuse us of wanting to go into a general election without having everybody photographed who wishes to be on the register? The two things cannot be right, Mr. Speaker.

I have just been informed and quite properly that the grandmother of the hon. senior member for St. Thomas was photographed at her home yesterday as she should be, and this is the kind of thing that I mean. How can you accuse the Government which, no matter what you might think of it, is doing this in response to a pledge given on the floor of this House and still talk as if we want to go into a general election and disfranchise 30,000 or 40,000 people. Let me, Mr. Speaker, tell you what I personally think this is all about. We live, I am sorry I have to admit this, in a divided community, and there are certain of our fellow citizens who feel that when legal impositions are made on them to join the general run of citizentry to participate in any facility or to comply with any particular law, special concessions ought to be made for them, and there are therefore some white people in this country who have for reasons of their own, resisted the idea of travelling to camera centres where in their view, they would have to mix with black people and at the times they deem not to be convenient for them. I believe that a large number, I am not saying a majority, of the persons who have not been photographed will be in this category.

The Government has undertaken to photograph the aged, infirm and incapacitated in their homes be they black, white or any colour. It has not undertaken and will not undertake to photograph in their homes able-bodied people of any racial complexion under any circumstances whatever. I want to make that quite clear. *(Asides)* I know I am going to hear it is nonsense, but would it not be better for it to be nonsense and then let all of them come out and get photographed like everybody else than for me to be talking sense and they disfranchise themselves?

5.00 p.m.

Mr. ERNEST MOTTLEY: On a point of order, if the hon. member is making out as a fact that people of certain ethnic groups - and let us be specific - there are around five or six thousand white or so-called white people here, and a tremendous lot of them or nearly all of them went out and took their photographs, so you are wrong. What I am talking about is the 45,000 people who have just come out of the fields and it is not convenient for them to take photographs.

Hon. J. C. TUDOR: The only reason it is not convenient for you to have your photograph taken at camera centres would be if you are aged, infirm or incapacitated, in which case the photographer will come to you.

Mr. ERNEST MOTTLEY: On a point of order, I do not think the hon. member knows Barbados properly. Do you realise that every body from 18 years old up to whatever age you have, would have a vote? Is it not right to say that the times do not suit some of the people in various areas?

Mr. SPEAKER: No point of order.

Hon. J. C. TUDOR: Of course, Mr. Speaker, it may well turn out that it may be a smaller number than what we are all talking about who so far have not been photographed. I myself personally believe that the register of electors will not finally turn out to be 143,000, nor do I have any scientific knowledge of these things, but it just seems to me from general experience, difficult to believe that your register of voters could be more than half of your total population. I say this taking into account even the fact that at one end of the register there is a younger range of person, but I still, even having regard to that, do not believe it will turn out to be as much as this. Then too, there are a lot of people, who were on the 1966 register, who are not now in the country, and their names may still well be there. All of this is by the way, the point I am trying to make - and I do not want the House to forget this - we are always talking about equality under the law, and when we talk about it, we generally mean of course that no person should arrogate to himself the right to set aside the laws of the country and that all of us should obey them, but there are ways in which you show your obedience and your concern for the law other than keeping out of the Courts. The simple requirement to ask a person, no matter who he is, to go to a camera centre once he is able-bodied and get his photograph taken, should not be used as an excuse, that it is inconvenient if you have to stand in a crowd.

During the Estimates the Hon. Leader of the Opposition informed this House that his office, at his own free will, was used as a centre for taking photographs, and it still is, and there are numerous other places where this is going on; at Verona, here and

other places in the Island. In the face of the fact that photographing is still going on, in face of the fact that within the next two or three days, and certainly by the end of this week another 5,000.....

Mr. CRAIG: Sir, if the Hon. Minister will give way, I wonder if the Minister can tell us why the British Coat-of-Arms appears on the Identification Cards.

Hon. J. C. TUDOR: That proves my point, my own Identification Card has the old Royal Coat-of-Arms because I had mine from that time. When we started before Independence we used the Coat-of-Arms of the Colony, and you will notice that those who are now getting theirs will have the nation's Coat-of-Arms embossed on the back. That is exactly the point I was making, that this thing started way back in 1965, and you cannot honourably accuse a Government of the things you have been accusing it of, if you yourself have evidence that it started to do something way back in 1964 which you, by your propaganda, inhibited and frustrated. The Barbados Labour Party inhibited and frustrated the whole thing, and now dragging over a seven year period we are still making all the efforts and creating all the facilities that everybody who wants to be photographed and therefore to be properly registered within the law to be registered, and you are accusing us of disfranchising large numbers of people and threatening us with all the terrors of all the competent and incompetent Courts in this and other countries.

This is the situation, Mr. Speaker, so that we must set the record straight on the registration. Anybody who wants to have his or her photograph taken will not be denied that, and all facilities of whatever nature, will be put at the disposal of the total electorate, both actual and potential, in Barbados to have their proper and legally documented registration. Only if it can be proved that an election was called and that people were in fact disfranchised on the grounds that hon. members say they will be, only then would our action be challengeable, but on the facts that exist now, you cannot say, I submit, Mr. Speaker, that we are disfranchising anybody because we say to everybody, if you are able-bodied, go and get your photograph taken and that the centres are not going to be closed. If you are not able-bodied and you are ill, infirm or whatever situation other than able-bodied you are, we will come to you and take your photograph. Mr. Speaker, is there any category of possible voters in this Island who not being able-bodied, not being infirm or incapacitated, can still be prevented from having their photographs taken? I submit there is no third category unless the category of those who do not want to mix with other people because of the inconvenience.

Mr. ELLIOTT MOTTLEY: On a point of order, the Hon. Leader of the House has said that the photograph centres will not be closed, am I to take it that these centres will be open right up to election time?

Hon. J. C. TUDOR: If you say election time yc must know what you are saying; commonsense w: dictate that if you are having an election tomorro there will not be photographing done tonight fc people to vote tomorrow, but there has to be a reasor able cut off point.

Mr. ELLIOTT MOTTLEY: If the Hon. Ministe wants to be difficult about it, Sir, what is going to l the cut off point? Is it three weeks before the electior Is the Minister stating publicly now that the centre will be open till three weeks before the electior

Hon. J. C. TUDOR: We think not shorter tha five weeks, but this is obviously adjustable.

Mr. ELLIOTT MOTTLEY: Is the Minister sta ing therefore that the photographing centres will l open from now on until five weeks before polling da

Hon. J. C. TUDOR: In order to get the registe ready.....

Mr. ELLIOTT MOTTLEY: Let us be realist about this, the photographing centres were recent closed and were opened again on 9th May 197 5.10 p.m.

Rt. Hon. E. W. BARROW: On a point of orde Sir.

Mr. ELLIOTT MOTTLEY: I am on a point of o der; you cannot get up on a point of order.

Rt. Hon. E. W. BARROW: The hon. member arguing now.

Mr. SPEAKER: Will both hon. members ta their seats.

Mr. ELLIOTT MOTTLEY: On a point of orde Mr. Speaker. As I was saying, what I would like find out from the hon. Minister is this.....

Mr. SPEAKER: A point of order should not sta with a supplementary question.

Mr. ELLIOTT MOTTLEY: The Minister has sa Sir, that the photographing centres will be open up to election time, and there would be a cut-o point which he has indicated would be five week He has also said that the photographing centr would not be closed. I wonder whether the Minist would recall that between March and the 19th Ma the photographing centres were closed. Would th be continously opened before elections?

Mr. SPEAKER: I am afraid that that is not point of order; there is nothing for the Chair to d termine.

Rt. Hon. E. W. BARROW: Mr. Speaker, I ha been asked by the Minister to explain a point.....

Mr. SPEAKER rose --

The hon. junior member for the City took his seat.

Rt. Hon. E. W. BARROW: Mr. Speaker, I have been asked by the Minister to explain.....

Mr. ELLIOTT MOTTLEY: Mr. Speaker, on a point of order.

Rt. Hon. E. W. BARROW: You cannot get up and ask questions like that.

Mr. ELLIOTT MOTTLEY: On a point of order. Sir.

Rt. Hon. E. W. BARROW: Mr. Speaker, is he telling the head of the Government that I cannot rise in here to explain something in a Bill....

Mr. ELLIOTT MOTTLEY: On a point of order, Sir.

Mr. SPEAKER: Will both hon. members sit. There is no point of order made by the hon. member. Will the Hon. Leader of the House continue.

Rt. Hon. E. W. BARROW: On a point of order.

Mr. HINDS: On a point of order, On a point of order.

Mr. SPEAKER: I am standing, let everybody sit.

Mr. HINDS: Thank you, Mr. Speaker. Do not shout at me. I warn you not to shout at me.

Mr. SPEAKER: I am merely speaking to be audible above the din; I am not shouting at anyone.

Mr. HINDS: What private conversation is going on between the Speaker and the other side?

Hon. J. C. TUDOR: Mr. Speaker, I am addressing the House. The hon. member interrupted me and he rose to ask me a question. He put it as a point of order, but I assumed that it was a question of elucidation which he wanted. The Prime Minister sought the information for him, and I am prepared to give way to the Prime Minister to answer the specific point which was raised, and then I will continue with my speech.

Mr. SPEAKER: I think we should get the position clarified. The hon. Introducer of the Motion.....

Mr. HINDS: Mr. Speaker, this is a Bill which trespasses.....

Mr. SPEAKER: This is the position. The Hon. Leader of the House was addressing the House; the hon. member rose on what he says was a point of order which the Chair did not deem to be a point of order; then the Hon. Prime Minister rose, but he did not say when he rose that it was a point of order, nor did he say that it was a point of elucidation. The Hon. Leader of the House has just stated, and he is still speaking so far as I am concerned, that the Hon. Prime Minister sought to explain and elucidate a point.

Mr. CRAIG: Has he sought the leave of the House?

Mr. SPEAKER: Any member who has spoken, be he Leader of the Opposition, be he Leader of the Minority Party in the Opposition, be he Leader of the House, be he Prime Minister or back bencher, has the right to rise, he having already spoken, on a point of elucidation.

Hon. J. C. TUDOR: Mr. Speaker, again I say that I am willing to give way to the Prime Minister on a point of elucidation.

Mr. HINDS: Mr. Speaker, that is not the true position. When the hon. member was addressing the Chair, the Prime Minister should have risen on a point of elucidation and then he could have given way.

Mr. SPEAKER: The Hon. Leader of the House sat, and the Hon. Prime Minister rose. The Hon. Prime Minister may make his point of elucidation.

Rt. Hon. E. W. BARROW: Mr. Speaker, I would just like to make my position clear. There is too much democracy in here because on this side when members are making a second reading speech or introducing a Resolution, we have been answering their questions as a matter of politeness, and not as a point that we have to, in the middle of our speeches and sometimes in the middle of sentences. The hon. member was asked a question on what was ostensibly a point of order. I secured the information and the hon. member gave way. I do not have to speak at all, but since the hon. member elected to be interrupting unnecessarily in order to save time, I am prepared to give the answer to the question which was asked.

Mr. ELLIOTT MOTTLEY: On a point of order, Sir. I object most strenuously to the remark that I am interrupting unnecessarily.

Mr. SPEAKER: That remark is not unparliamentary.

Rt. Hon. E. W. BARROW: Mr. Speaker, the position is that a member does not have to give way, especially when the Speaker has ruled that it is not a point of order to a question which has been asked in the full flow of a debate. Questions can be asked at any time. I am now about to explain to the hon. member, who asked the question, what the answer is. I understood the hon. member to have asked a question and not to have made a point of order. The question was: " What is the position of people who (a) Are being photographed; and (b) Who are seeking to be put on the register, and up to what point is this permissible? I think that I have explained it and, if I did not, the hon. junior member for St. Lucy certainly explained it. That is why I rose to elucidate *(Asides)* If you do not want to hear what I have to say, I could go back to my office and work until midnight. (Mr. CRAIG: "We would be better off.")

Mr. SPEAKER: Let the hon. member proceed.

Rt. Hon. E. W. BARROW: Mr. Speaker, the position is very simple. I said that the hon. junior member for St. Lucy and I explained it. I said that supplementary lists will be made every single month, and at the end of the year the register will be updated. 5.20 p.m.

The monthly supplementary list is attached to the main register, and therefore everyone who is on that supplementary list who has been photographed for the purpose of registration is entitled to be registered. If the hon. senior member for Christ Church wants to give the information, let him give it, but I as introducer of the Resolution am trying to explain it. The supplementary list will be made on a monthly basis; it will be attached to the register. In other words, we have all this information on punch cards in the computer and on tape, but we will not be slipping in names in alphabetical order from month to month. Once yearly all the cards will be put through the computer and the computer itself will reinsert the names in proper alphabetical order, but what you will have for ten or eleven months will be the main register and up to eleven supplementary lists attached to it with the people who have come on to the register and who have been photographed. It therefore stands to reason when the hon. member said it may be five weeks, if you have a supplementary list every four weeks and there is a dissolution of the House and a proclamation by the Governor General that it is to be within the space of the last monthly list being made and three weeks on notice from nomination day to the election, by that process you will see that the maximum period or the shortest period that there could be would be about five weeks. That is how we arrived at it. In other words, if the House was dissolved by proclamation on 3rd June - and nobody knows not even myself, and I am the only person who should, and anybody who says he knows, is not telling the truth because I do not know - there is a statutory minimum period of about 23 or 24 days between the issue and return of the writs and a certain leaway is given. Let us take it that a normal period of 24 to 28 days elapses or supervenes between then and polling day, the last end of the month list will be the list on which people are qualified to vote, right up to and possibly including polling day, although I doubt we will include the day itself because people will be actually engaged in other functions. In that case it would be the end of May. Where the hon. member did not have his ideas really clarified was that he is confusing photographing with the final pre-election register. Photographing can go on even on polling day, but it does not mean that people are being photographed on polling day for the purpose of that election. We will not be doing that because the officers would be otherwise engaged; so I do not want anybody to say that we are photographing ..... *(Asides)* The register is a permanent register like the categories of negligence that are never closed. (Mr. ERNEST MOTTLEY: The register is presently closed.) We are talking about the new Bill. What I am saying is that registration even now is not closed. (Mr. ERNEST MOTTLEY: It is.) Let me explain it, because the Deputy Prime Minister and myself saw registration going on on Saturday morning.

Mr. Speaker, the point is that registration for the old register is closed. The people who are registering now will be registering for the supplementary lists. *(Asides)* I do not know what happened yesterday up there, but I am telling you that we were there on Saturday morning.....

Mr. ERNEST MOTTLEY: I must bring to your notice that registration is closed as far as the public is concerned.

Rt. Hon. E. W. BARROW: If the hon. member would allow me, to explain, I will explain to him. According to the law which is in existence now, the register was closed on 30th November, but registration for the purposes of the new Bill will go on. We registered a lot of people this year already. Registration under the existing law has got to be closed on 30th November, therefore the register which is produced now is a register which is up to date at 30th November, 1970. The hon. member said he wants to ask a question, but I cannot really collect my thoughts if every split second I am getting another question. They do not want to hear.

Mr. SPEAKER: Do hon. members want to hear the clarification? I can hear other hon. members and not the hon. member who is addressing the Chair.

Rt. Hon. E. W. BARROW: There has to be an electoral law. What we are discussing today is not the electoral law of Barbados; we are discussing a Bill, and under our present electoral law registration closes I understand on 30th November every year. The present register we have is a register made up to 23rd November, 1970; that register is complete. In other words, we have to have a period for objections. People are being enumerated now and having their photographs taken, but not for the purpose of the November, 1970 register. It is in anticipation of the new reister or if you do not pass this Bill at all, it will be for the November, 1971 register. If the Bill is passed, it will be for the new permanent register that we are going to have.

Now to come back to the original question, I understand there are enumerators out in the field now particularly in the areas where we have to find out who lives on this side of the street and who lives on that side. You are not going to send out new enumerators for the purpose of this register. People will have to go to the registering officer and get themselves inserted on the new register, but all the people who were on the 1970 register would be automatically on the new register, and people who have been photographed and registered since will be on the new register, and people who go to the registering officer will be on the new register.

The most important point which was made by the hon. senior member for Bridgetown is that since we have this monthly register, it stands to reason that

the register which will be in force will be the permanent register plus the monthly list up to the last end of the month before proclamation is declared. Does that answer the question? Now we are not going to send out a completely new set of enumerators for the new register, because the new register is the old one plus the people who are now being registered and photographed, and at the moment registration is going on at the camera centres and at the offices of the registration officers. (Mr. ERNEST MOTTLEY: When did this start?) As far as I know it never stopped. (Mr. ERNEST MOTTLEY: I do not agree with that.) Do not get confused with the camera centres. We were trying to encourage as many people as possible to get photographed, and we said that 15th March was the last day for getting registered because people wait until the last minute. Then we opened them again to 15th May. Right opposite here there is a centre where you can go and get photographed and so on. (Mr. ERNEST MOTTLEY: But what about registering?) You register at the registering officer any day of the year including Sunday. (Mr. ERNEST MOTTLEY: I am saying this is not correct.) Is this something to quarrel about? Just say it is not correct and explain how it is not correct.

Mr. ERNEST MOTTLEY: There is a lot to quarrel about. I understand exactly what you are saying, but somebody is feeding you with wrong information. The registering officer and the Minister of Home Affairs are there; let them tell you that people were being turned back from being registered. I tried to get a lot of people registered. I know what I am talking about. Do you think this is something to hide up like this?

Mr. CRAIG: Mr. Speaker, on a point of order, if I went to "Verona" this evening before 4 o'clock to be registered, would they register me so that I can vote between now and the coming general election? This is what the public would like to know. It is not true that people are being registered because I sent two people there and they were told that the registration is closed and they could not be registered. This is all we are trying to find out.
5.30.p.m.

Mr. HINDS: Mr. Speaker, on a point of order, people from St. Peter have gone to camera centres to be photographed and they refused to photograph them telling them their names were not on the register, nor could they register them and they sent them away. It happened during this week.

Mr. SPEAKER: They are no points of order; hon. members who have not exercised their right to speak, let them not forget they have their full right to speak, but those are not points of order. Let the Hon. Leader of the House resume.

Hon. J. C. TUDOR: What the hon. members are enquiring about are matters of fact; we are trying to get the information so that we can give it to you. (Mr. St. JOHN: You cannot check information in a heated atmosphere.) Precisely. If registration is going on and we are told this we will tell you this. If we find out that there has been some modification we will tell you. (Mr. ERNEST MOTTLEY: Check now the Officers are in here; this is important.)

Mr. SPEAKER: Members not speaking, please do not shout across.

Mr. ERNEST MOTTLEY: On a point of order, the Prime Minister said it is going on and I know it is not going on.

Rt. Hon. E. W. BARROW: Mr. Speaker, when I said it was going on I was reliably informed that it was still going on, and I said to the hon. member that I have not been with anybody up there but when I was there on Saturday morning I saw a long line of people there at Verona and I was told that registration was going on.

Mr. ERNEST MOTTLEY: Is registration going on for only Government candidates then? I am not mixing any matters in this, I have the highest praise for the Registration Officer, and you cannot tell me they were registering people unless they were registering people unless they were registering for the Government alone.

Rt. Hon. E. W. BARROW: I did not see any Government candidates there, the only candidate I saw there was Mr. Henry Forde.

Mr. HINDS: On a point of order, Mr. Speaker,...

Rt. Hon. E. W. BARROW: We are checking the information.

Mr. SPEAKER: I am not necessarily seeking to pour oil on the troubled waters, but may I suggest that as the Hon. Leader of the House has stated that he is trying to get the information now, might I venture the suggestion that we suspend for fifteen minutes?

SUSPENSION OF SITTING

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this sitting be suspended until 6 p.m.

Hon. G. G. FERGUSSON: I beg to second that.

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

5.40 p.m.

On resumption --

Mr. SPEAKER: The Hon. Leader of the House was on his feet when the sitting was suspended.

REPRESENTATION OF THE PEOPLE ACT, 1971

Hon. J. C. TUDOR: Mr. Speaker, during the interval several members of the House on both sides took the opportunity to have verified the point of discussion at which the debate became very heated. The position is that, as sometimes happens, terms used by people who have to administer things are not the same terms used or understood by the people who want things done and, consequently, the general public when they go to a camera centre or a Registering Officer, but particularly to camera centres, to have their photographs taken like, at the same time, to take the opportunity to register, and by registering they mean giving in their names and their particulars, as they call them.

It has happened, unfortunately, that persons working at the camera centres or even at "Verona" have understood in a distinct and different sense the term "registering" and they, consequently, told persons asking to be enumerated, as we would say, that they could not be registered because the register was closed. Now, we therefore see what the problem is, and we have decided to make it known by all possible means that when people go to have their photographs taken and wish to give in their particulars, the person at the camera centres should take those particulars from them and pass them on to whoever is responsible then for compiling the monthly list which becomes operative under this Bill. From now on it will be clear that there will be no hindrance to persons giving in their names and particulars at any camera centre or at "Verona", or at the residence of any Registering Officer..

Mr. HINDS : Mr. Speaker, the Minister means no further hindrance.

Hon. J. C. TUDOR: Well, to the extent that those working at the camera centre may not have understood what they were to do when the requests were made.....

Mr. HINDS: On a point of order, Sir. Exactly what is the position of those people who have suffered up to this point? I refer to those people who have gone to the camera centres during the past weeks and have been turned away.

Hon. J. C. TUDOR: Mr. Speaker, the hon. member need not waste any indignation on that, because he has heard me say that (a) we are going to make it known from now on that all persons may attend camera centres if they have to be photographed, or "Verona", or the residences of their Registering Officers in their respective constituencies and give in their names if they have not already done so, or (b) if they have attempted to do so and were refused. Does this satisfy the hon. member?

Mr. HINDS: I will reply when you have completed your speech.

Hon. J. C. TUDOR: Mr. Speaker, we are now seised with what the difficulty was. We understand that some people were saying one thing and meaning another, and that ordinary citizens meant by being registered literally giving their names, their addresses, their occupations and so on, and hoping to have all of this taken down to be put on the voters' register.

Now, I want to make this clear while I am on this point. This has not been said in this House, but it may be thought by some people, who may not be familiar with how this debate has come about, that this difficulty has been deliberately engineered by the Government or by public authorities. That is not so. The fact is that you employ people to work in the camera centres; you tell them that their duties are to take pictures and to do all the mechanics of taking pictures; they are concentrating on this and it never occurs to them when somebody comes to them and say "Can I be registered?" to ask for his name and address and so on. They say that the register is closed and, of course, the person goes away with the impression that he has been prevented from being registered, whereas in fact.....

Mr. HINDS: On a point of order.

Hon. J. C. TUDOR: I appeal to Your Honour. Will I be allowed to finish my speech?

Mr. HINDS: I am accusing the hon. Minister of being responsible for the people not being registered.

Mr. SPEAKER: That is no point of order.

Mr. HINDS: I will make my point now. The hon. Minister promised this House that when the enumeration was going to be carried out that he agreed, in principle, with having an enumerator from each existing political party accompany the enumerators appointed by the Government. If that had been done none of this mess that we find operating now would have obtained.

Mr. SPEAKER: No point of order, but material for a speech.

Hon. J. C. TUDOR: Mr. Speaker, I think the hon. member means when we were discussing the Bill in 1969. Of course, I said that, and it is still my basic conviction. I hope the hon. member realises that if you are in a Political Party, you have to move with the central majority opinion in it, and the hon. member knows this even better than I do, because he knows what it is to be struggling against majority opinion inside a Political Party. (Mr. HINDS: "That is why you are now bowing out and leaving...) The hon. member says that is why I am now bowing out. I wonder whether the hon. member will have the opoportunity to bow before a Senator?

Mr. Speaker, I hope that I have explained to the House what the difficulty was, and how we propose

to overcome it. We are going to work on this from now until the General Elections and even beyond that, but we must not be too obsessed with the General Elections. What we are trying to do in this Bill is to provide a system or the mechanism whereby there would be no need to have this kind of discussion in Parliament about how people could get enumerated and how they could get on the voters register. A part of the important purpose of this Bill resides in the fact that we want to make registration a permanent and continuous business. To this extent, this debate has served its purpose.

Mr. Speaker, I want to go on now to the second part of my speech. There is no opportunity like the discussion on an Elections Bill for an elected member of Parliament to state his basic belief about the representation of the people. I said before that it is really a pity that we have to be discussing these things always in an election year, and this is not the proper atmosphere in which to do it, I submit, because passions, expectations and anticipations get thrown into the debate to the exclusion sometimes of commonsense.

Now, I personally believe that the time will soon come in this Island when we will have to think of the expansion of the numbers of the Members of Parliament, and I hope that early in the next session we should be able to attend to this. I think that one of the conclusions which hon. members must draw when they see the statitics, whether amended or not, of the constituencies, is that there have been considerable shifts in the population of several constituencies in this Island.
6.10 p.m.

To this extent, some time in the future perhaps in a more deliberate and calmer atmosphere we will have to attend to this matter and re-distribute and increase the number of seats. Now there is another aspect of this, Mr. Speaker, to which I think hon. members should turn their attention, and it is even more fundamental than increasing or decreasing or re-distributing the seats. We are dealing with the representation of the people and the role which Parliament should play, and I speak now only for myself because this matter has not been discussed with us, at least this aspect of it that I am going to mention, but I personally feel that you cannot work a democratic system thoroughly or properly unless you are always seeking to improve it at the point at which it really means something to the people. We have inherited a system from the British. It is a good system but it has to be modified, I think, in every different context in which it must apply.

The time I think must soon come when members of both Houses of Parliament will have to devise whether in the Standing Orders or in any other way they may, ways of doing the people's business more effectively and efficiently. I personally believe, Mr. Speaker, for instance, that in a system which allows you to have Ministers drawn from both Houses of Parliament, a very sensible and legitimate system - there is nothing wrong with it and it is perfectly defensible - should also make provision for Ministers who constitutionally belong to either House to make their contribution to debate in the alternate House, to have voice but not vote. It seems to me impossible in a small Parliament, and after all ours is a small Parliament, to have a system which puts the whole Parliamentary structure in a straight jacket, because hon. members opposite in this session, though of course not for the reason that they wanted an improvement in Parliament but for other reasons, have always queried the fact why you have to have Ministers in another Chamber, but if they had the Government of course they would take on the same system lock, stock and barrel, because human nature being what it is, people on their side would feel that any attempt to concentrate all their Ministries in this Chamber to the exclusion of the other Chamber would of course be unfair to some of their supporters. So they would inherit the same system and have to work it with the same disabilities. Therefore I think in the near furture we will have to turn our attention to the structure of Parliament itself and to see whether while maintaining all that we have inherited from the British system, we might not now modify it to suit our own circumstances so that the business of the people in both Houses can be better done.

I pass on, Mr. Speaker, to another point. In the course of his remarks, the Leader of the Opposition said that at the Committee stage they would be offering certain amendments. (Mr. St. JOHN: Do you agree with them?) No, I do not agree with them and I will tell you why. I think there may be a lot of merit in one of those amendments though I cannot undertake to support it because I have not studied it thoroughly. It is far-reaching. But there is one of them which I certainly would be inclined to reject and would urge this side of the House to reject. It is the suggestion that there should be written into the Representation of the People Act a provision that a person once elected on a Party ticket to Parliament should not be allowed to have his convictions broadened and to change his political allegiance or accept office in the light of new experience unless he forfeits his seat and returns to the electorate.

Mr. ADAMS: On a point of order, is the Minister aware that it is only within the last forty years that you can accept office in Great Britain even without leaving the Party without returning to the electorate? If you wanted to accept office for the first time in your own Party, you had to fight a bye-election.

Hon. J. C. TUDOR: As I am also aware of course, that in the United Kingdom until perhaps some time in the last century, at any demise of the Crown everybody lost office as well as seats, but this no longer obtains. I think, Mr. Speaker, we must try and grasp the principle here. You cannot base a general principle on a single experience or even two or three experiences. It may have been particularly galling to the other side that they lost one of their members in the course of this session, but he had a perfect right as a human being and as a member of this House to change sides if he so desired, and it could easily have been the other way because the

learned predecessor of the Hon. Leader of the Opposition used to say that he had only got to run his little finger that way to have some of us join him. It is only that his fingers got crossed at a particularly delicated moment, and instead of calling they pushed.

Mr. St. JOHN: A Minister in the Opposition does not earn the same thing as a Minister on the other side.

Mr. SPEAKER: The hon. member quite rightly did not say he was raising to a point of order. He knew it was not.

Hon. J. C. TUDOR: The whole point is that in the cut and thrust of Parliamentary life, you have to take some gains and some losses, and just as how for instance in two bye-elections which we have fought in the course of this session they have gone against us and we have accepted them, hon. members opposite should accept the fact that an hon. member on their side could with propriety cross the floor of the House for reasons which are not only understanding, but sensible, because after all what the hon. senior member for St. Peter has as his perfect vindication is that he did not leave the other side to serve in the Government of China or the Government of East Germany or the Government of Trinidad and Tobago. The Government and people of Barbados still claim his allegiance to which he was elected not only in this session but in preceding sessions, and you cannot, I submit, work off your disappointments or vexation by accusing him even at this stage of this Parliament of something improper or indecent. For this reason if this is the motivation, and this is the only example that I can think of, for the hon. member's suggestion that he would like to see in the law that you cannot accept office from the other side once you have come in on one side, I suspect that it would be better to search for the general principle and then apply it than to take the experience of a single member or the experience of a single Parliament and try to erect that into a principle. That is how I feel about it and for that reason I do not think it is a substantial enough amendment to trouble the House with.

Lastly, Mr. Speaker, I would like to tell hon. members quite frankly that we would like to see this Bill enacted by the 31st of this month because all of the things that the hon. members are complaining they would wish to see done, we should like to be able to get ahead with.

6.20 p.m.

At the same time, Mr. Speaker, we realise that it is a Bill of tremendous importance and that any measure dealing with the representation of the people which comes before Parliament ought to be deliberated studied and debated without undue haste. I therefore am going to propose at the end of today's sitting, whenever that is, that we return again tomorrow at some time to be mutually agreed with both sides and the Presiding Officers, then if by the end of tomorrow's sitting we are not yet concluded, to come again on Thursday and finish this Bill, because it has to go to the Senate. Hon. members will appreciate this, and the fact that they wish to see certain procedures streamlined is evidence also of the Government's willingness to do these things, and the quicker we get the Bill through the better.

Mr. HINDS: Mr. Speaker, we debate this Bill against a background that there is too much democracy in here. That statement came from none other than the Prime Minister, the introducer of this Bill, and this statement, at a time when we are dealing with a Bill, the far-reaching consequences can be of such as to reach down past the very grass roots of the very last of our nationals. Undoubtedly anyone listening to the Leader of the House as to our reasons for becoming suspicious of this or of that, or of any particular move by the Government in introducing a Bill with such consequences, would not have to go far to understand and to appreciate our justification for being suspicious, because the background in itself is one where we have too much democracy.

It would therefore mean, Mr. Speaker, that we have got to examine a Bill of this nature in its every aspect to see where the hand of the dictator has attempted to show itself, and in any Bill which deals with the representation of the people, we feel that we have a bounden duty to be something more than critical. Just for a single moment, we have learnt from previous speakers that at the present moment enumerators are at work; that is what we have been told. We have 24 constituencies and it is only fair to us to be told here and now if enumeration is being carried out in the 24 constituencies, and if not, why not. Mr. Speaker, it would make sense if enumeration was carried out in those constituencies only where you had boundary changes if it were a case where registration was not continuing, but it can create a very dangerous situation if you have 24 constituencies, single member constituencies, and if as the Leader of the House wants to say, or if that is the opinion he has, that enumeration is being carried out in some and not in all; we have heard that it was since 1964 that a Boundaries Commission reported, but we have seen here today that the Boundaries Commission and its work is more or less set aside and the recommendations of a Minister are to be preferred. How under such circumstances with the administration that we have witnessed on the other side from time to time could anyone feel happy and secure, justified and satisfied with such an exercise being entrusted to any one man?

We appreciate the fact, as the Prime Minister has said, that the Minister must make his recommendations but the approval of the House must be sought for his recommendations to have any effect. That is quite true because the Minister comes from the majority Party. I heard the Leader of the House ask if we want the recommendation to come from the minority Party, we do not want that but we do not want it to come from the majority Party alone, we want it to come from a Boundaries Commission comprised not of members from the Government benches alone but from the minority Parties as well.

Leader of the House can tell us exactly when registration is completed. (Hon. J. C. TUDOR: It never is.) When is registration of the individual completed? (Hon. J. C. TUDOR: When he has his card and his name is on the register.) Mr. Speaker, the Leader of the House is saying that registration is complete for the individual when the individual is in possession of his identification card, is that correct?

Hon. J. C. TUDOR: And his name appears on any list whether supplemental or otherwise.

Mr. HINDS: I understand now, when his name appears on a register of electors. Mr. Speaker, I really feel that the Government is not sufficiently serious about representation of the people, for the simple reason that there are cases where people have had their photographs taken and, as the Prime Minister has said today, they have had their photographs taken, the name appears on the register but the person is not in possession of his identification card, but the person can go on polling day and prove to the Returning Officer that he has had his photograph taken, his name appears on the list and he is allowed to vote.

Hon. J. C. TUDOR: If the hon, member would give way, this is where commonsense and fairness would apply. Suppose you had been registered and photographed and you were in possession of your identification card and lost it the day before polling day, you go and give in your particulars to the Presiding Officer and he will have with him as part of his records one of the duplicate photographs attached to the information concerning you, and it is that which he will use to check against your own appearance, visage and countenance, so that the fact that you may be on election day genuinely not in that possession of your identification card - I mean for a good reason like not having received it or having lost it - that would not prevent you from voting so long as it had been done and a duplicate record of its having been done remains with the Presiding Officer. I am informed officially that registration is complete when a person has given his particulars, signed the master registration record card and has his photograph His name is then added to the next monthly list. That completes the registration.

Mr. HINDS: Of the next month or the current month?

Hon. J. C. TUDOR: If all of this was done on 31st May, would you not expect your name to be on the June supplemental register?

Mr. HINDS: No, it is to be on the register of 31st May.

Hon. J. C. TUDOR: Suppose the supplementary list was revised as of the 27th May, what would you expect?

Mr. HINDS: Mr. Speaker, this is representation of the people; this deals with the rights of human beings?

Hon. J. C. TUDOR: Suppose you had your photograph taken at five minutes to four on the afternoon of the 31st, would you not expect it to come out on the June list? What hardship is done there?

Mr. HINDS: Mr. Speaker, the Minister has brought me to a very good point. On polling day, we have lines of demarcation for polling areas; the poll is closing at 6 o'clock and some Presiding Officers will only allow those people who get inside the building by 6 o'clock to cast their votes. I wonder if the Minister is going to have it laid down now once for all times that if a person gets within the mark, the line of demarcation of the polling station, that the Presiding Officer must allow him to cast his vote and not only if he had been inside the building by 6 o'clock, because there might be some areas where there might be a possibility of taking the vote in a place where you do not have an enclosed building, so what is the true position? I know lots of people who last election ought to have taken the Presiding Officers of some of the polling stations before the Courts, and I would not like to see that people are denied the opportunity to cast their votes.

Hon. N. W. BOXILL: On a point of order, Mr. Speaker, we know that all sorts of disrespect can be carried on in here, but how can you allow the Leader of the Opposition to sit down with his back to the Chair? What kind of respect could this be? (Mr. ST. JOHN: I am looking at you.) To your congenital dishonour.

SUSPENSION OF SITTING

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this sitting be now suspended for three quarters of an hour.

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

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

7.00 p.m.

On resumption:

Hon. C. E. TALMA: Mr. Speaker, I am asking that the bell be rung.

Mr. SPEAKER: Thank you. Let the bell be rung.

The bell was rung and a quorum was obtained.

REPRESENTATION OF THE PEOPLE ACT, 1971

Mr. SPEAKER: When the sitting was suspended, the hon. junior member for St. Peter was addressing the Chair, and he may now resume.

Mr. HINDS: Mr. Speaker, I think we must give some consideration to the fact that there is not yet forthcoming from the other side a satisfactory explanation that in the new turn around of things, there is not going to be a very considerable number of persons - well over 20,000 to 30,000 - who will not be disfranchised between now and, let us say, if the elections were called by August, or September.

Hon. J. C. TUDOR: Mr. Speaker, just before we went out, the hon. member raised the point about peo-

ple not being allowed to vote at polling stations after 6 p.m. Well, the time for holding the poll is, of course, stated in Rule 12, and that is from 6 a.m. to 6 p.m. In this Bill, for the first time, a polling station is defined in the definition Clause, and it includes such area outside the actual building as the returning officer may determine. What we think we can do is to give a direction that persons within this given area at 6 p.m. be permitted to vote. I think this would meet the situation. If the area is defined and persons are within that given area at 6 p.m. and are waiting to vote, then we should give a direction that such persons within that area be entitled to vote. If I say "permitted" it would look as if I were doing them a favour.

Mr. HINDS: Mr. Speaker, this is something that we do not want passed on merely to the Presiding Officer. We want it spelt out in the simplest terms that every elector will know his rights. We do not want any kind of interpretation by the Presiding Officer, because whatever the Presiding Officer interprets as law on that particular day, might very well be taken and upheld in other places as being the law, and, whatever the Presiding Officer did, might be taken as having been done in the interest of justice and so on, and at the same time, denying someone of his democratic rights. These are the things that we want to get rid of. As I have said, so many people have suffered as a result of all of this in the 1966 Elections that something should be done to put things right. I am very glad to hear that the matter is being put clearly once and for all.

Mr. Speaker, it is a well-known fact that our people, having been brought up to be law-abiding, peace-loving and so on, often give away their rights under such circumstances. They do not want to appear to be trifling with the law, or, as some people would say, to be flying in the face of the law. I am very happy to hear that the people will now know where they stand in a matter of this sort.

On the point regarding the number of persons likely to be disfranchised, I understand that instructions have been given that all of those persons who have been photographed by the 30th April should have their identification cards in their possession by the 15th June or thereabouts. I am wondering if the Government is in a position to state now, in view of the fact that we have a Bill of such importance before us, if this is now going to be practical. With the slow progress which has been witnessed during the past months, is it not too much to expect that, with the large number of photographs and identification cards that have not yet been issued, it would be physically possible for the Registering Officer to have all of those things in the hands of people by the 15th June?

If it is not possible, will there be any possibility of an extension of the time from the 15th June to, perhaps, a later date? In trying to bring the work up to date so as to keep this June date line, what is going to be the position of those who get registered during the interim? We have been told that the register is open and registration is still in progress. The Leader of the House has hinted that it will be made known and everybody will be told in no uncertain terms that the possibility is there for registration to be brought up to date and to be spread over a wider field.

Mr. Speaker, we want to know where we are going to stand at the end of June, July, or for that matter as the Prime Minister and the Leader of the House have made us understand, up to a period approximately five weeks immediately preceding the General Elections.
8.05 p.m.

Now I have heard it said, Mr. Speaker, that if the Register and the photographing centre are to remain operative, there should be nothing to prevent a person from becoming registered up to the day before election or the day of election. A person should not be prevented from getting registered on election day.

Hon. J. C. TUDOR: If the hon. member would give way, if a person wants to be registered on election day, it would not be in respect of that election which was being held because the supplementary list of the month before wherever the cut off point was, whether four, five or six weeks before that date, all those, who have been registered up to that point, would be voting in that election. So persons being registered, if there was time to do it, although I do not think there would be, on election day would not be registering in respect of that election. It would be for the monthly supplementary list of that month.

Mr. HINDS: I quite see the Minister's point. Perhaps then, the Minister would tell us to what period we would go roughly to expect to have our electors registered, so that they could know they would be able to cast their vote at this election.

Hon. J. C. TUDOR: I do not know the date of the election, and I beleive that is the purpose of the question. There is a monthly list being compiled all the time. Whenever the dissolution comes, presumably it has to be on a day in a particular month. Well then, there will have a supplementary list for the preceding month. It would be that supplementary list with the list which precedes that, which would together make up the register. I do not know if I have assisted you, but that is the best I can do.

Mr. HINDS: You have assisted me to the point that you have not disclosed, if you know, when is election day. I know you would not be in it; so I am not worried about that. Those remarks were addressed to you, Mr. Speaker.

Mr. SPEAKER: One can never be too sure.

Mr. HINDS: Now from all that has gone on during the course of this debate on this Bill, we are now abundantly clear on the point that there was hardly any suggestion about the logical, geographical demarcations and population distribution in truth and in fact, because we have heard enumerated the figures relating to the respective polling stations and to the

various constituencies which have been affected by these changes that are envisaged here, and when it has been pointed out by the hon. senior member for St. Thomas that constituencies with large numbers have had additional numbers added thereto, and constituencies or polling areas with small numbers have had reductions taken therefrom, it is clear that there would have to be considerations other than those given in the memorandum to this Bill which would have guided the Government into taking the decision. We believe, Sir, that Government in coming to any decision to change the boundary would be guided by the possibility of its party candidate having some advantage from the change. We have heard the Leader of the House say that from the remarks of other hon. members on this side the Government must accept that it has brought about its own undoing by some of the changes that have been suggested, but I do not think that the Minister is right in that respect. If Government tends to lose in any respect, it is as a result of the political consideration that was given on its own behalf rather than the population distribution or the convenience of the electorate in any particular constituency. There can be no doubt that Government would of necessity have placed its own interest and the interest of its own candidates first, and it is with that in view that we have got to view the Bill as presented before us.

I think, Mr. Speaker, that I have covered those points which I need to make at this stage and I leave the rest of it until we find ourselves in the Committee stage.

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

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on the Bill.

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

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House went into Committee on the Bill Mr. YEARWOOD in the Chair.

Clause 1 was called.

Hon. J. C. TUDOR: Mr. Chairman, before we proceed, I should like just to say that I think perhaps we might work for another hour or so and come again tomorrow morning at 10 o'clock. This seems agreeable as far as I can gather. I want to suggest to hon. members therefore that if we come to a Clause upon which they have strong feelings, to let us postpone it and go to the Clauses that can be passed within the next hour or so.

I beg to move that Clause 1 stand part.

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

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

8.15 p.m.

Clause 2 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 2 stand part.

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

Mr. HINDS: Mr. Chairman, for the purposes of this Act "Candidate" in relation to an election, means a person who is -

(a) elected to serve in the House of Assembly at the election; or

(b) nominated as a candidate at the election or is declared by himself or by others to be a candidate,

on or after the day of the publication of the notice of election in accordance with the election rules for the election or after the dissolution or vacancy in consequence of which the writ for the election was issued.

Mr. ELLIOTT MOTTLEY: On a point of order, may I draw your attention to the fact that the Mace is still in its place?

Mr. CHAIRMAN: I am grateful to the hon. member; let the Mace be removed.

The Mace was removed from the table.

Mr. CHAIRMAN: Let the junior member for St. Peter proceed.

Mr. HINDS: The point I want to make Mr. Chairman, is this.

Hon. N. W. BOXILL: On a point of order, we passed Clause 1 with the Mace in its place and I think we had better recommit Clause 1 to save any trouble.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that further consideration of Clause 2 be now postponed.

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

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

On the separate motions of Hon. J. C. TUDOR seconded Hon. C. E. TALMA, Clause 1 was recommitted and passed.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 2 stand part.

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

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

Mr. HINDS: Mr. Chairman, the point I was making is this, that this Clause gives a person an opportunity to do everything that is illegal. I would say (a) a person who has not been elected in the House of Assembly or a person who has not yet been nominated at (b), but it affords a person an opportunity to go into a constituency, declare to the electorate or have others declare to the electorate that he or she will be a candidate, corrupt the electorate, and according to this interpretation here... *(Asides)* What I am saying is that a person can go into any constituency,

announce his candidature, corrupt the electorate and then quit, and to my mind this interpretation does not go far enough.

Hon. J. C. TUDOR: If the hon. member would give way, this definition - I am advised, and the hon. member can check this for himself - is the one which is in the 1957 Act and which has been put back here without any change. As I understand it, you are never a candidate until you are actually nominated, not in law anyhow.

Mr. HINDS: Mr. Chairman, I understand what the Leader of the House has said, that according to the interpretation here one is not a candidate until one has been nominated, but what I am saying is that this interpretation leave it open for a person to go and corrupt the electorate before nomination day.

The question that Clause 2 stand part was put and resolved in the affirmative without division.

Clause 3 was called and passed.

8.25 p.m.

Mr. Chairman, this is a controversial Clause, and you should leave it until tomorrow.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that further consideration of Clause 3 be postponed.

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

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

Clauses 4 to 5 inclusive were called and passed.

Clause 6 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 6 stand part of the Bill.

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

Mr. St. JOHN: Mr. Chairman, I cannot deal with Clause 6 without dealing with Clauses 7 and 8 and the duties of the Registering Officer under Clause 13, because they must all be dealt with together. This is a matter of principle, and I want to hear the arguments of members on the other side and how they propose to put certain things to the draftsmen. The point I am raising is this: If a person is qualified to be an elector and to be registered, and you cast a duty upon the Chief Registering Officer to register the person, and you say it is your policy that a person must have a photograph to be registered, then you must state that a part of the qualifications for registration is having a photograph. When you look at these Sections they do not carry out that idea. You are telling the Chief Registering Officer that he shall by Section 13 do certain things. Section 13(1) reads as follows:

> "The Chief Registering Officer shall cause to be prepared and shall publish not later than the appointed day in 1971 and not later than the 31st January in every succeeding year a register of electors for each constituency and a register of foreign service electors entitled to vote at any election.

Now, if you set out the qualifications for registration; you set out who are electors, and if I am a person who has the qualifications to be an elector, I am suggesting that the Chief Registering Officer has to register me under this Bill. If he does not register me, then I will sue him. If he is sued the same thing that happened to the Chief Registering Officer in Jamaica not so long ago, will happen to him. It is that if a person who is entitled to be put on the register, according to the qualifications, is not put there when the Statute sets out a duty of the Chief Registering Officer to put him on the register once he has the qualifications, then the person is entitled to damages. Let the Home Affairs Ministry check the judgement given in Jamaica.

Now, in Section 7 you say that a person is qualified to be registered if he is a citizen of Barbados; or is a Commonwealth citizen; he was here over two years, and he has resided in the constituency. If you do not state that he has to be something else, that is, to have his photograph taken.....

Hon. J. C. TUDOR: What does Section 25 say?

Mr. St. JOHN: Let us see what Section 25 says, and whether it can assist us. Mr. Chairman, this deals with identification cards and not with qualifications. Only electors who are qualified to be put on the register can be put on the electors list. If you state that it is not a disqualification or is not a pre-condition of qualification, you must put me on the register. It says:

> "Subject to the provisions of this Act, a person is entitled to vote as an elector in a constituency if on polling day he is qualified to be an elector for that constituency and is on that day registered."

I do not like that either, but you can see the reason for that.

You are saying:-

> Subject to this Act and any enactment imposing any disqualification for registration as an elector, a person is qualified to be registered as an elector for a constituency if, on the qualifying date, he -
>
> (a) is a citizen of Barbados; or
>
> (b) is a Commonwealth citizen ....
>
> (c) is 18 years of age or over; and
>
> (d) has resided in that constituency ....."

Let your draftsmen look at these things again. Does this sound right to you?

Now, you cast a duty on the Officer to prepare a register of people who are qualified; you set out the conditions of qualification, and you do not say that photographing is one. What will happen in that case? An identification card is not a qualification. Clause 25 says that the Chief Registering Officer must issue the identification card, but Clause 13 says that he must compile the register. There is a distinction between being on the register and being able to vote. Where is the duty cast upon me?I want to hear the Minister on that.

Mr. Chairman, you will have to look at the whole concept of the scheme. I maintain that if you say that these are my qualifications for registration that is all with which I have to comply. If I satisfy the terms and conditions of registration, I do not come within the terms of disqualification and you will have to put me on the register under Section 13. If you do not put me on the register, I will be able to sue you because you have deprived me of a valuable right.

Hon. C. E. TALMA: Mr. Chairman, the hon. member is placing a rigid interpretation on the prerequisites of becoming a duly registered elector. He is suggesting that the identification card seems to form an essential element as far as pre-requirements are concerned. Clause 25 makes mention of the issuing of the identification card, and it should form part and parcel of Section 7 which sets out the qualification for being entitled to be a duly qualified elector. 8.35 p.m.

Now as I see it, Mr. Chairman, the qualification to be an elector is such and the various prerequisites are set out in Section 7 (1)(a). In the first place you have to be of sound mind, must be a citizen of Barbados or a Commonwealth citizen and you must be eighteen years old, and must have resided in that constituency for a specific period of time. Those are the prerequisites which give you the entitlement to be registered, and the I.D.card is just an additional precautionary measure in order that you can be easily identified, and for the purpose of facilitating the election. The hon. member is making the point that the identification cards containing the prescribed matters do not form an integral part of the pre-requirements and prerequisities in Clause 7(1). There is a point there, but in my view the I.D. card can only be issued after, not before. An elector cannot take in an I.D. card; it is issued to him by the Registering Officer; so it cannot form a prerequisite. Where would I go to get my I.D. card to take to the Registering Officer? I think you have fallen down there.

Mr. St. JOHN: Mr. Chairman, what I am saying is that if I cannot get my I.D. card, the Chief Registering Officer must put me on the list, and according to this, you say I cannot be put on the list because my registration is incomplete.

Hon. J. C. TUDOR: I wonder, Mr. Chairman, if perhaps we may not be splitting hairs. Surely it is possible for a person to be qualified and still not to observe the procedures for registration. I would invite in this connection hon. members' attention to Section 11 which reads as follows:

> "The registration of an elector shall not be complete until he has complied with the provisions of this Act and the regulations relating to the registration of electors."

Now it would seem to me, therefore, that we should look at Clauses 6, 7 and 8 read them in conjunction with Clause 11 because it is this Clause which states that there is to be process of completing registration, and that this process is far from complete if you do not comply with certain other provisions of the Act and with the Regulations, which Regulations also included I. D. cards.

Mr. St. JOHN: Therefore, it is a disqualifiction, because it is either a qualification or disqualification, and if you tell me it is a disqualification say so; but it cannot be a valid disqualification because the Constitution does not allow you to do it and that is why you cannot put it that way. This is a back-door method of trying to prescribe a qualification and a disqualification which is prohibited by the Constitution.

Hon. J. C. TUDOR: I wonder if the hon. member would let us hear a little more argument on that. I am really interested in it and I may not have followed his reasoning.

Mr. St. JOHN: There is another section, which I am looking for, which talks about the obligation of the Registering Officer. It is section 10. It reads as follows:-

> "Every person who is qualified to be registered as an elector for constituency shall, unless registered in the register of electors for that constituency, within 30 days of the relevant date, apply to the registering officer for that constituency to have his name entered in the monthly list of electors prepared for that constituency under section 15."

Now, Sir, the rest of the section deals with the duty of other people. Now, Mr. Chairman, if I apply, he has to put me on the monthly list because I am not disqualified and therefore I am qualified under section 7.

Hon. J. C. TUDOR: If the hon. member would give way, it is at this point that I cannot follow his argument. Does he appreciate that although qualified, a person may not have completed the registration procedures? What is the situation then?

Mr. St. JOHN: If you are saying that that is an obligation on me, state that it is part of the qualification, but has complied with the procedures for qualification. Why don't you state that? The Registering Officer in any constituency must put my name on the monthly list because I am qualified. Let us assume that the hon. member is right on this and that the procedures for registration may be different from quali-

fication. I accept that argument, but I say that having presented myself and I am a person who is qualified and not disqualified, I must be put on the monthly list because the duty and the obligation of the Registering Officer is to put qualified people on the register. Look at section 10 and see that it says "Every person qualified to be registered as an elector for a constituency shall, ..." - it does not say "may" - "unless registered in the register of electors for that constituency, within 30 days of the relevant date, apply to the registering officer....."

Now what happens when I apply? Once I am qualified he has to put me on the list. To be registered you must have certain qualifications, and you only prescribe certain things as qualifications. You have prescribed a, b and c as qualifications. If I comply with a, b, and c as qualifications, the officer has to do what the law says, he must put me on the register, because the criteria for being on the register is the qualification which is set out in section 7. Section 11 does not form part of your qualification. In other words, they do not hang together.
8.45 p.m.

You cannot on the Statute say that a person has a duty to do something and then you lay down the conditions under which the duty arises, you must make anything that is to be done in the execution of his duties part of the conditions; it must be done, otherwise the two things do not hang together. If a person wants to get on the register and he is qualified, he can vote; let us look at Clause 8 and see the disqualifications.

Hon. J. C. TUDOR: I will have to consult the draftsmen on this. Actually I should really move that further consideration of Clause 6 be postponed.

Mr. St. JOHN: Before you move that, let us look at another point in Part 11 which is very important. A person who is qualified, under section 13 which deals with the register of electors, "a person who is qualified to be registered as an elector for a constituency but whose name does not appear in the preliminary register of electors or a preliminary register of foreign service electors for that constituency shall be entitled to be registered, upon making application as prescribed." There is no doubt about it, I am qualified, because by Clause 7 I am qualified; my name does not appear on the list and I apply you have to put me on, because it says "shall be entitled to be registered". I am qualified because I complied with the conditions for qualification. I refused to take the photograph but I am qualified, and I make my application and you send out a preliminary list and I am not on it but it said I shall be entitled to be registered. Let them look at it, they do not hang together. If you look at certain sections of the 1957 laws, which were drafted not against the background of photographing, certain clauses have been re-inserted but since the provisions about the photograph is not made either a matter of qualification or disqualification the duties to put people on the register do not tie in because you have no right to refuse.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that further consideration of Clauses 6 to 29 - the whole of Part 11 - be now postponed.

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

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

Clauses 30 to 38 inclusive were called and passed.

Clause 39 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 39 stand part.

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

Mr. ELLIOTT MOTTLEY: This cannot be done because it relates to Part 11 which has been postponed.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 39 be postponed.

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

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

Clause 40 was called and passed.
8.55 p.m.

Clauses 41 to 58 inclusive were called and passed.

Clause 59 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 59 stand part of the Bill.

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

Mr. HINDS: Mr. Chairman, Clause 59 states:

> "The Supervisor of Elections shall, within 14 days after he receives from the election agent a return as to election expenses, publish a summary of the return in not less than 2 newspapers circulating in Barbados,....."

I wonder what was operating in the mind of the draftsman when he mentioned 2 newspapers.

Hon. J. C. TUDOR: Mr. Chairman, we think that this was copied from the old Act, and we are trying to verify it. Now, Section 46 of the 1957 Act - I do not know whether this has been amended - states:

> "The Supervisor of Elections shall, within 14 days .... publish a summary of the return in not less than 2 newspapers circulating in the Island."

It seems as if it was copied from here into the Bill before us. This means in 2 newspapers: a daily and a

weekly or two dailies if we had them. It says, "not less than 2."

Mr. St. JOHN: Is the argument that one must be a daily newspaper?

Hon. J. C. TUDOR: I have not yet appreciated what the difficulty is about this. What is the defect in the Clause?

The question that Clause 59 stand part of the Bill was put and resolved in the affirmative without division.

9.05 p.m.

Clause 60 was called and passed.

Clause 61 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 61 stand part.

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

Mr. ELLIOTT MOTTLEY: Mr. Chairman, the only thing that worries me about section 61, although it gives a candidate the right to use a primary school which is situated within the constituency for which he is a candidate, is whether the candidate will be given sufficient time between his application for the school and the granting of permission to use it in order to arrange any meeting whatsoever. We have known in the past that we have applied for permission to hold various meetings at various schools and we found that about two or three hours from the scheduled time of the meeting we still did not know if we had permission. (Hon. J. C. TUDOR: That has been our experience too.) Since the Leader of the House agrees with me that this has been his experience, would it not be wiser here to put in the Act at least twenty-four hours before the time at which the meeting is to be held that permission should be granted as is done under the Public Order Act? This is to ensure that when you apply for a school somebody in the Ministry of Education does not wait until half an hour before the time you are supposed to hold the meeting and phone you and say you have permission to use the school or that you cannot get it. You must have it under this head.

Mr. BOLDEN: Mr. Chairman, this is a section which I think needs serious redrafting because everybody knows the experience which we go through in seeking to have the use of a school. One is hamstrung by dual applications. You have to apply to the Headmaster and then you have to confirm it with the Ministry of Education, and I can envisage that the same thing is going to happen under this section as happened in the election in booking sites, even in the police stations. I know that there is no proper record set up to say how you must book or where you must book, and then you will hear that John X had booked the school before for that particular hour, and you will be running around in circles. The headmaster will tell you that you may have it, but you have to write to the Ministry, or he can say he cannot do it until he hears from the Ministry. While you have an open form of application or the right to use a school, there are no provisions governing the procedure for occupying the school which in effect nullifies the very provision which is given to you in the same paragraph.

Mr. Chairman, if you look at section 61 (3), it brings in the Manager of the school. Now this is where the problem is going to come. In my view you would have to lay down, as you have done under the Chief Registering Officer, certain rules and provisions by which he can be governed. If you are going to give a candidate the right to use a school, there should be some method by which he can know whether he has been given a fair break or not. I would suggest that this section be looked at more carefully. There must be at least some sort of regulation governing the use of the school. If you look back further under the issue of the writs, you have between 14 and 21 days, and it would mean that under this section, by the time you get down to use the school your 14 days might have passed.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that further consideration of Clause 61 be now postponed.

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

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

Clauses 62 and 63 were called and passed.

Clause 64 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that consideration of Clause 64 be postponed.

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

Mr. BOLDEN: Before the postponement of Clause 64, this looks like bringing into the election process the conduct of the House, which means that after you have been elected and have taken the oath and are in the House of Assembly, you are still subject to election rules. You have got the Standing Orders of the House, but you are still governed by the election law which I submit should not be so. *(Asides)*

Hon. J. C. TUDOR: This does not set aside the Standing Orders. It merely says that if a member of the House of Assembly persistently refuses to conform with the Standing Orders of the House, the majority of members then present may in accordance with Standing Orders expel such member from the House and the seat of such member shall be declared vacant." That is the law and I understand this comes from the Act of 1901.

Mr. BOLDEN: If you look at the 1901 Act you would have to look back at the rules governing the House and the conduct of the House in 1901. This is a copy of something long past. We are dealing with the

Representation of the People Act which deals with election and what not. There is nothing else as far as I can see at the moment which deals with the conduct after you have been elected in here, because once you are in here, you have the Standing Orders which regulate your conduct and behaviour; so why put it in something, even before you get here, when you have already made provision for it?

Hon. J. C. TUDOR: We could postpone this and we could agree to differ on it. Anyway, I think we should stop now really. May I just say this? This clause, as I understand it, does not set aside the Standing Orders of the House. It merely says that if according to these Standing Orders, a member of the House refuses to conform with the same Standing Orders a majority then present may in accordance with the same Standing Orders, whatever they are, expel him from the House. I think I do remember seeing it in the 1957 Act. It is section 91. As a matter of fact, what we have done in this Bill is to tidy up the phrasing, because the 1957 Act says that "if any member of the House of Assembly so obstinately refuses to yield to obedience and conform himself to the several rules of the House of Assembly, it shall be in the power of the majority of members then present to expel such member from the General Assembly and upon this being done, the seat of such member shall be vacant." There is nothing wrong with it. It does not infringe on the hon. member's right at all.
9.15 p.m.

Mr. BOLDEN: On a point of order, Mr. Chairman, you say you are tidying up; because some draftsman before you did something which was stupid by taking something from somewhere else and putting it somewhere, where it should not necessarily be placed you are copying it and referring me to something which should not have been there at the beginning. That is not tidying up, that is increasing the work load. You are tidying up by removing provisions which should not be there and putting in provisions which should not be present, so because it was in an Act previously, you are putting it in. Your Standing Orders govern the conduct of the House, I do not see why you need the election laws to govern the conduct of the House when you have the Standing Orders to do this, it should be removed. All the draftsmen have been doing is, because it looks nicely, putting it back in here, but that is not tidying up at all.

Hon. J. C. TUDOR: The hon. member may notice that in Clause 67, when he gets to it, the House of Assembly may, in accordance with Standing Orders, elect a Speaker and Deputy Speaker to preside at any sitting of the House. Now I do not think this is here, I really do not.

Mr. BOLDEN: On a point of order, I agree with this because you are now prescribing for a new Parliament, and until you have come in here you have no right outside and therefore you are initiating something as a result of an election; this is true, but having initiated an election of a Speaker and a Deputy Speaker you now fall under the Standing Orders. If you did not make that provision, we would all come in here and there may come a time when you would have to find a Committee even to make Standing Orders, therefore you initiate the process here for a continuation but you do not go on, in my humble opinion, to regularise the conduct of this House by something extraneous.

Hon. C. E. TALMA: If the hon. member would give way, the whole point is merely that on becoming a duly elected member - as it states in Clause 63 that if you make a false declaration of qualifications you will be guilty of an offence under the Perjury Act, 1963 and will be disqualified from sitting as a member of the House and from voting. We have passed that and we have already agreed on Clause 63. We go to Clause 64 which is just a continuation.

Mr. BOLDEN: On a point of order, the Hon. Minister does not understand what I am saying.

Hon. C. E. TALMA: If the hon. member would give way, I merely made this point as a precursory to explain the main point. Clause 64 states that if you persistently refuse to conform with the Standing Orders of the House, you may be expelled. There is nothing wrong with that.

Mr. BOLDEN: Mr. Chairman, the hon. member is looking at it paragraph by paragraph; there is a provision here which says that you cannot take your seat in here until you do certain things, so that 64 would never apply. Clause 63 states that if you make a false statement and find yourself elected you can be disqualified as a member, but this goes back from the beginning of the process of the election.

Hon. J. C. TUDOR: If you are elected under this Act, should you not be expelled under this Act, and should not the House then have authority by law to enforce its own Standing Orders?

Mr. CHAIRMAN: The question is that Clause 64 stand part.

Mr. ELLIOTT MOTTLEY: The motion moved was that further consideration of this Clause be postponed.

Mr. BOLDEN: Mr. Chairman, that is so; I seconded the motion.

The question was put and resolved in the negative, the House dividing as follows:

NOES: Hon'bles C. E. TALMA, K. N. R. HUSBANDS, N. W. BOXILL and G. G. FERGUSSON; Messrs. HOPPIN, CORBIN, WEEKES and LOWE. - 8.

AYES: Hon. J. C. TUDOR, Messrs. HINDS, BOLDEN, ADAMS, St. JOHN, ELLIOTT MOTTLEY.

Hon. K. N. R. HUSBANDS: Mr. Chairman, it has been made known to me that the hon. senior member for St. Thomas was not in his place when the motion was put, therefore I do not think he is entitled to cast his vote.

Mr. CHAIRMAN: The point that has been referred to me is that an hon. member, when the division was called, was not in his place; I will check that with the Clerk-at-the-table.

Mr. ADAMS: Mr. Chairman, would a verbatim recollection of the incident satisfy the hon. senior member for St. Peter? I was so far in my place that I will tell you what happened. You, Sir, put the question that Clause 64 - the very words you used were that "Clause 64" not "this Clause" - stand part. The hon. junior member for St. Joseph said that was not the question, the hon. junior member for the City said that was not the question, then you spoke to the Clerk and you put another question. I was present during all those transactions, and the hon. senior member for St. Peter, I can guarantee, cannot remember one of them.

Mr. CHAIRMAN: Point made.

Hon. K. N. R. HUSBANDS: Mr. Chairman, can I speak now? The description given by the hon. member for St. Thomas could have been given to him had he not been properly in his place; that is no argument for him to say he can recount an incident to prove he was in his place.

Mr. CHAIRMAN: Point made.

Mr. CRAIG'S name was called and he voted AYE.
9.25 p.m.

Mr. CHAIRMAN: All members shall be silent!

Mr. ELLIOTT MOTTLEY: On a point of order, Sir. *(Asides)*

Mr. CHAIRMAN: May I have a little order, please. I am not here to be told by any hon. member what I should do. I will hear the point of order by the hon. member.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, as far as I know, the Leader of the House made a motion, and, when it was suggested to him that he should postpone the matter, he made another motion. I cannot see that there is any Motion before the House now.

Mr. CHAIRMAN: The question was, "That Clause 64 stand part." After discussion on Clause 64, there was the question, "That Clause 64 be postponed." That was defeated, and the only question before the House was, "That Clause 64 stand part" That is the question I am putting now.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, if the Mover of the original Motion moved another Motion, would that be an amendment to the original Motion, or would it be moved in place of the original Motion? If there was a Motion, "That further consideration of the Clause 64 be postponed." *(Asides)* .....

Mr. CHAIRMAN: This sitting has not yet been suspended.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, as I understand it, a Motion was moved, "That further consideration of Clause 64 be postponed." This Motion was defeated and, therefore, as I understand it, we are now entitled to discuss the matter.

Hon. C. E. TALMA: On a point of order, If the hon. member will give way, I will come to his assistance. In order to regularise this entire matter and to save time at this late hour, it maybe that a new Motion, that Clause 64 stand part of the Bill." will bring the whole matter to a close. May I be allowed to move that Motion?

Mr. HINDS: On a point of order, Mr. Chairman. I think the Motion, "That further consideration of the Clause be postponed" was made because discussion on the Clause was not yet completed. That is the crux of the matter. The Motion was put to the vote and resolved in the negative. We did not want to discuss it, but the odds are against us and we will go ahead and discuss it.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Your Honour do now report progress and ask for leave to sit again.

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

The question was put and resolved in the affirmative without division, and Mr. CHAIRMAN reported to Mr. SPEAKER who resumed the Chair and reported accordingly.

SUSPENSION OF SITTING

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this sitting be now suspended until 10 a.m. on the 19th May, 1971.

Mr. ELLIOTT MOTTLEY: Mr. Speaker, we must take exception to this conduct. This Bill was introduced last week; the Government ran away from the House; the Government were aware long before today.....

Hon. N. W. BOXILL: On what is he speaking, Mr. Speaker?

Mr. SPEAKER: I thought it was clear that a Motion was made, "That the sitting be now suspended."

Hon. N. W. BOXILL: Not to me.

Mr. ELLIOTT MOTTLEY: Mr. Speaker, what I am trying to say is that....

Hon. N. W. BOXILL: Mr. Speaker, how can you allow him to speak? *(Asides)*
9.35 p.m.

Mr. SPEAKER: I regard that as elementary.

Mr. ELLIOTT MOTTLEY: Mr. Speaker, as soon as the noise finishes, I will speak. Mr. Speaker, the Government gave notice of this Bill last week and it was aware that obviously they were going to sit every day until this Bill was completed. I think it is only fair to members of the Opposition if this sort of thing is going to happen that some sort of intimation should be given to the Leader of the Opposition as to how Government proposes to sit in the following week. We come here to sit on Tuesdays, and I am surprised to hear on coming here today that we are going to sit tomorrow at 10 o'clock. It cannot be fair to the Opposition. People on this side of the House have to earn a living. We do not sit down in here and beg for anything, and members on this side of the House have their business to do and coming here at 10 0'clock tomorrow morning is most inconvenient. If the Government had any sort of decency about it and if the Leader of the House wanted to act in any decent manner, he could have intimated to the Leader of the Opposition by letter since last week that he proposes to sit on Tuesday, Wednesday and Thursday until this Bill is completed, and members of the Opposition would have been in a position to arrange their business to suit the sitting of the House. Coming here at 10 o'clock tomorrow morning does not take into account the business of Opposition members.

Mr. Speaker, apart from two or three members on the Government side, the majority hold Government positions, so they can afford to come here or go to the Ministerial Building. This is not so with members of the Opposition and it is not fair to them. Let them come at 10 o'clock! Some day the shoe is going to be on the other foot, but nobody wants to act in that sort of way.

I therefore beg to move that the figure "10" be deleted and the figure "12" be inserted.

Mr. HINDS: I beg to second that.

Mr. CRAIG: Mr. Speaker, before you put the question, earlier today....

Mr. SPEAKER: Let me assure the hon. member that I gave him my word which is my bond that before the House adjourns I will allow him to put a Resolution which he intimated to me before the House sat he wanted to put. That will happen unless I die before this sitting is suspended.

Mr. CRAIG: You are suspending the sitting now until tomorrow. Mr. Speaker gave me his word which I know he will keep that I can give notice of a Resolution which I have before the suspension.

Mr. SPEAKER: I said today, so the hon. member can give that, but let us decide on this motion.

There is an amendment to the motion of the Leader of the House from 10 o'clock to 12 noon. We have to vote on that. I gave the assurance to the hon. member earlier today that he might give notice of his Resolution today; I know how the hon. member feels about today, and I will allow him to give notice of this Resolution now.

The question that this sitting be now suspended until 12 o'clock noon was put and resolved in the negative, the dividing as follows:

NOES: Mr. YEARWOOD; Hon. J. C. TUDOR: Hon. C. E. TALMA; Hon. K. N. R. HUSBANDS; Mr. SARGEANT; Hon. G. G. FERGUSSON; Mr. HOPPIN; Mr. WEEKES and Mr. LOWE – 9.

AYES: Mr. BOLDEN; Mr. HINDS; Mr. CRAIG; Mr. ELLIOTT MOTTLEY and Mr. St. JOHN - 5.

The question that this sitting be now suspended until 10 o'clock a.m. on Wednesday, 19th May, was put and resolved in the affirmative without division.

9:45 p.m.

Mr. SPEAKER: Before I suspend the sitting, I gave an undertaking to the hon. senior member for St. James that he would be given leave to give notice of his Resolution; that hon. member may now do so.

Mr. CRAIG: Mr. Speaker;

WHEREAS a statement alleged to have been made on Tuesday 11th May, 1971 by the Honourable and Learned Prime Minister that cheap labour is better than no labour,

AND WHEREAS this House views with alarm and concern the indifference of Government towards the industrial workers of this country;

AND WHEREAS it should be the endeavour of this Government to combat and remove the exploitation of all workers in the industrial sector of this Island;

BE IT RESOLVED that this House condemns the statement alleged to have been made by the Honourable and Learned Prime Minister;

AND BE IT FURTHER RESOLVED that the Government immediately carry out a survey of the wage and salary structures of all categories of workers in the industrial sector of this country and report its findings to this Honourable House;

AND BE IT FURTHER RESOLVED that the Government in conjunction with the Barbados Workers' Union establish a firm policy of wage and salary negotiation for the industrial workers which will eliminate all forms of exploitation and cheap labour in Barbados.

Hon. J. C. TUDOR: Mr. Speaker, on a point of order, inasmuch as the gravamen of the hon. member's resolution appears to rest on an alleged statement, which alleged statement was not made in this

House, I would like Your Honour's ruling as to whether that can properly be the subject of a Resolution of this House, and while Your Honour is preparing Your Honour's ruling, to tell this House whether it may go on to the Order Paper.

Mr. SPEAKER: The matter will receive my further consideration.

Hon. J. C. TUDOR: While receiving further consideration, Mr. Speaker, is it to be put on the Order Paper?

Mr. SPEAKER: It will be receiving my further consideration within the next 48 hours; there will be no Order Paper during that time. I now declare this sitting suspended until 10.00 a.m. on Wednesday, 19th May, 1971.
9.50 p.m.

On resumption --

Mr. Deputy Speaker in the Chair.

Mr. DEPUTY SPEAKER: When the sitting was suspended yesterday afternoon the House was in Committee, and to that it now reverts.

Mr. DEPUTY SPEAKER left the Chair and the House went into Committee Mr. YEARWOOD in the Chair.

REPRESENTATION OF THE PEOPLE ACT, 1971

Mr. CHAIRMAN: When the sitting was suspended the Committee was considering Clause 64.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move "That further consideration of Clause 64 be postponed.

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

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

Clauses 65 to 75 inclusive were called and passed.

First Schedule was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move, "That the First Schedule be postponed."

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

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

The Second, Third and Fourth Schedules respectively were called and passed.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move, "That Clause 3 be recommitted."

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

Hon. N. W. BOXILL: Mr. Chairman, I do not want to be pedantic. Clause 3 has not been passed, and there is no need to recommit it.

Hon. J. C. TUDOR: Mr. Chairman, I beg to withdraw that Motion, and to substitute the Motion, "That Clause 3 stand part of the Bill."

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

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

The First Schedule was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move, "That the First Schedule stand part of the Bill." We are now dealing with the First Schedule, but there are some amendments which have to be made. 10.10 a.m.

Mr. Chairman, what I propose to do is to move the postponement of the Schedule again because there are some corrections to be made and we want to be very accurate in them.

I beg to move that further consideration of the First Schedule be now temporarily postponed. *(Asides)* I know that Clause 3 was postponed, that deals with the First Schedule and we cannot go back to that yet either. I wonder if we could do Clause 64.

Clause 64 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 64 stand part.

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

Mr. BOLDEN: Mr. Chairman, yesterday when we were discussing Clause 64 the Hon. Leader of the House said that it was necessary to have Clause 64 embodied in this Act so that Parliament would have some law to act under, but on further consideration, in my opinion Parliament is a law unto itself and therefore there can be no necessity for creating a law to govern an institution which is a law unto itself. What we are doing here is seeking to create a law whereby some other institution can govern Parliament. You have made it part of the law of the elections, and therefore you are now creating a law outside of Parliament, and I submit that clause 64 should not be included in this Act.

Hon. N. W. BOXILL: Mr. Chairman, if I may say something on this. The hon. member is under a misapprehension. What he has overlooked is that only Parliament can expel somebody from here, not a Court, and you can only be in Parliament after you have been elected here; so no law is being created that supersedes another law. The hon. member must remember that these bits of legislation are done by people with some sort of intelligence; they are not done by laymen as some people seem to think. That may be the hon. member's interpretation, but we do

not have to accept his interpretation as being right, because you have to be first elected into Parliament, and it is after you have been elected here and you disobey the rules of Parliament that you can be expelled. I see nothing wrong with that.

Hon. K. N. R. HUSBANDS: Mr. Chairman, the hon. junior member for St. Joseph yesterday began to speak when we came to consider this clause 64. The hon. member has just said that we are seeking to create a law. That is incorrect. We are not creating a law, that is the law of the land now and put in a much stronger way than it is in the new legislation that we are about to enact.

Now hon. members of this Honourable and ancient Chamber in 1957 saw to it that such a provision was made in the statute law of this Island. In 1957 I was a member of this Honourable House and the Government of the day, the hon. member might say in their folly - but I warn the hon. member of the Government that was in power - made that inclusion. This House had Standing Orders then and what is more in my experience those Standing Orders were more rigidly adhered to and more easily conformed with by members of this Chamber than they are today. I am saying that if in 1957 it was considered necessary to have this bit of legislation inserted into the Representation of the People Act, in 1971 it is much more necessary, and I repeat and want it in *Hansard* that in my considered view and with my 23 years experience in this Place, if it was necessary to have such a provision included in the statute law of this Island under the Representation of the People Act, 1957 it is many more times necessary in 1971 to have such a provision reinserted or retained. What is more, if you read what it is intended to include in this Act as regards this particular section now under review, more respect is paid to the Standing Orders. As a matter of fact, reference is being made to the Standing Orders.

Mr. Chairman, let me tell the Committee this: there is no one of us that is greater than the law. No member of Parliament although we make law is above the law, and I do not see why we should not continue to retain such inclusion under the Representation of the People Act now to be re-enacted in this year of grace 1971. I will reiterate here and everywhere in Barbados that since the Government of the day in 1956 probably enacted it in their folly as the hon. member might say, I am not saying that, we in our sober judgment should see that we fight zealously hard to retain such inclusion for the good name of this ancient and Honourable Assembly, because we have seen and witnessed the watering down of standards in this Place. We cannot put ourselves above the law. Parliament can be called to account by a writ of mandamus. The hon. member is a lawyer and if he does not know it, let him search his own law books and find out. I am a layman, but I have sat in that Honourable Chair for quite a number of years and I have had legal men from both parties surrounding me and have heard them agree and differ, and I used to always tell them that we do not interpret laws in Parliament; laws are interpreted in the High Court. It does not matter what sort of lawyer you are in here, you cannot interpret the law in here. You go before the Chief Justice and interpret the law there if you can, because I am a layman, I do not know the law; I am not supposed to know law. I would seek a good lawyer if I needed one, but there are lawyers and lawyers, and I know that. I say that I would resist to the end of my days.....

Mr. ELLIOTT MOTTLEY: On a point of order, Mr. Chairman.....

Hon. K. N. R. HUSBANDS: Mr. Chairman, I am addressing the Chair, and if the hon. member is attempting to stand on a point of order, let him cite the Standing Order.

Mr. CHAIRMAN: Is the hon. member on a point of order?

Mr. ELLIOTT MOTTLEY: Yes, Mr. Chairman.

Hon. K. N. R. HUSBANDS: Let the hon. member cite the Standing Order. I would ask you, Mr. Chairman, most respectfully to ask the hon. member to cite the Standing Order under which he is speaking.

Mr. CHAIRMAN: I will hear the hon. member's point of order.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, the hon. member is saying that it is for the Courts to interpret the law. Sir, the hon. member should well know that with all his years' experience the Courts cannot look into anything done in this Chamber, and if a person persistently refuses to obey the Chair, whether that person is guilty....

Mr. CHAIRMAN: That in my opinion is not a point of order.
10.20 a.m.

Hon. K. N. R. HUSBANDS: Mr. Chairman, I will tell the hon. member this, a Bill contains a thing called a preamble which sets out the intention of those hon. members who are about to enact legislation, but His Lordship the Chief Justice is not concerned with the aims and objects of a Bill.

Mr. CHAIRMAN: We are now discussing Clause 64, and I will ask the hon. member to confine his remarks to Clause 64.

Hon. K. N. R. HUSBANDS: Yes, Sir, but most respectfully pursuing my point, I must make certain references. I should not think I should be restricted and circumscribed and left without the ordinary, reasonable possibility of making certain references. The hon. member who has just sat down was trying to impress this Committee that a point I made was futile, but I think I should be allowed to tell this Committee.....

Mr. CHAIRMAN: I said that was no point of order.

Hon. K. N. R. HUSBANDS: Thank you, Sir. Continuing. The old section 91 states that if any member of the General Assembly shall obstinately refuse to yield due obedience and conform himself to the several rules of the House of Assembly it shall be in the power of the majority of members then present to expel such member from the General Assembly and upon this being done the seat of such member shall be vacant. Section 64 of the proposed Act reads as follows: "If any member of the House of Assembly persistently refuses to conform with the Standing Orders of the House, the majority of members then present may in accordance with the Standing Orders....." I wonder if the hon. junior member for St. Joesph read that.

Mr. BOLDEN: On a point of order, Mr. Chairman, I wonder if the hon. member would read Clause 72 before he starts to talk.

Hon. K. N. R. HUSBANDS: Clause 64 is the one we are dealing with now.

Mr. BOLDEN: Mr. Chairman, on a point of order, I thought the hon. member said just now.....

Hon. K. N. R. HUSBANDS: Nobody in here is concerned with your thoughts, who is concerned with your thinking?

Mr. BOLDEN: On a point of order, Mr. Chairman,....

Mr. CHAIRMAN: I am asking both hon. members to sit.

Hon. K. N. R. HUSBANDS: Mr. Chairman, Sir, Clause 64 which we are now trying to bring into law..

Mr. BOLDEN: Mr. Chairman, on a point of order.

Mr. CHAIRMAN: The hon. junior member for St. Joseph is on a point of order.

Mr. BOLDEN: Mr. Chairman, the hon. member said earlier that we were not trying to create any new law when I referred to creating a law to govern Parliament, now he refers to the same statement by saying "we are now trying to bring into law".

Mr. CHAIRMAN: That is no point of order.

Hon. K. N. R. HUSBANDS: Yes, Mr. Chairman, "if any member of the House of Assembly persistently refuses to conform with the Standing Orders of the House, the majority of members then present may in accordance with the Standing Orders expel such member from the House and the seat of such member shall be declared vacant". Let me reiterate those words, the majority of members then present will be able to proceed in accordance with the Standing Orders. How can you object to that? With all reason, who is faithful? If I were as young as the hon. junior member for St. Joseph I would not be in any fear because I know this, it doesn't matter what Standing Orders we have here in this Chamber, I impose decency, self-respect, decorum and balance on myself. So what does the hon. member have to fear? I repeat this, none of us in this Chamber stand above the law. What is wrong with the statute law telling the House of Assembly that a mojority of members present, if a member refuses to conform with the rules, can expel him? Who is he? If the member wants to put himself above the majority of members present, what sort of working of a democratic institution would that be?

I repeat that if in 1957 the then Government in its folly, as the hon. junior member for St. Joseph might care to say - he knows the reference - if they could do it in 1957 when the decorum of this place was beyond what it is today, it is a billion times more necessary to have this particular Clause inserted in the proposed legislation which we now seek to put into effect, the Representation of the People Act for the year 1971. I do not see what fear any hon. member on that side of the House need have, and if I saw a reasonable cause for fear and alarm, I would listen to the hon. member and perhaps vote according to his words. This is 1971 and the hon. junior member for St. Joseph will be here during this year and beyond but I am going out as honourably as I came in and I can only wish him the same. If members think the dignity of Parliament will be changed because of this I will see fit to reinsert this old section. Mr. Chairman, thank you very much.

Mr. BOLDEN: Mr. Chairman, I am still at a loss to know what the hon. member has said for the past fifteen minutes. The hon. member seeks to justify the inclusion in a new set of rules governing the conduct of elected members something which happened in 1957, but in 1957 he was a young man, today he is a bald, aging man.
10.30 a.m.

Because somebody sought in 1957 to put in a provision, and you say you are dressing up the Representation of the People Act -you referred last night to legislation in 1901, but it does not necessarily mean that the same provisions in 1901 are relevant today in 1971. If it were so, as the hon. member is seeking to justify, because it was in the Act in 1957 it has all right to be here in 1971; it would mean that there is no need for the revision of laws. Time marches on, and as time marches on and a community progresses, so the law must keep pace with the progression of the society. It does not age like the hon. member ages and, certainly, it does not stand still.

Let us assume that the Legislature saw it fit to appoint a Committee to revise the Standing Orders, and that Committee not being cognisant of Section 64 of the Representation of the People Act, Parliament is a law unto itself. What you are now doing here is creating a law by which any member who suffers under Section 64 can go into the Court and say that there are no Standing Orders by which the House could act by virtue of Section 64. You will then be forced to produce the Standing Orders of the House to justify any action which you have taken.

What is happening here, Mr. Chairman, is because the 1901 law or the 1957 law was inadequate something was put into the Representation of the People Act, but that has no justification whatsoever. In my opinion it can have no justification even today. You cannot look back and say that by virtue of Section 64 of the Representation of the People Act, 1971, you have a right to expel me if the voting in the House or the members of the House feel differently. You are then challenging the authority of the House in a Court, and that is what the hon. member does not see. I cannot agree with him that there is a greater need for this in 1971.

I asked him to refer to Section 72, because you are repealing those old Acts and creating a new law. You are re-enacting a law, and I cannot understand what the hon. member is shouting and tirading about. My view is that the Standing Orders of the House govern the procedures of the House, and as such cannot be challenged in any law. I submit that this should not be in the law at this time.

Hon. K. N. R. HUSBANDS: Mr. Chairman, I would not say that the hon. member tirades, because his manner of speech is nothing but a tirade every time he opens his mouth. I think nobody would ascribe the same manner to me who knows me or has heard me speak here, there or anywhere. The hon. member says that the mere fact that something was on the Statute Book in 1957 does not mean that it can hold good in 1971. I agree with him, and there is no argument there. But the hon. member must know that in this bit of legislation he himself has agreed to Sections already that were included in the Representation of the People Act.

Mr. BOLDEN: On a point of order, Mr. Chairman. The hon. member is trying to twist the gist of the argument. Because I have agreed to Section 63, it does not necessarily mean that I have to agree to Section 64. Now, Section 64 in itself is something completely out of line with Sections 62, 63 and other Sections.

Hon. K. N. R. HUSBANDS: Mr. Chairman, I am sorry I did not catch the last part of what the hon. member said. Be that as it may, in 1971 certain hon. members still in this House are of the opinion that all that was enacted in 1957 was not wrong or unworthy. I am one of those, and I hope I am in the majority who maintain that opinion. The hon. member says that we are now opening up an avenue in which the Standing Orders of this House will be challengeable in Court. He has added, *sotto voce,* in his opinion.

The hon. member is a young, clever man. He talks about my being in here as an old man. He is now in here as a young man, and I am still in here as an old man, bald and grey. I am rather proud of it, and I hope that somebody else some day will be able to say the same thing about him. That will depend on how he conforms to the Standing Orders of this House, and how he stands under the Representation of the People Act, which seeks among other things not only to facilitate the electors of this country in forming a new Government, but also to see that members of the House are able, by a majority, to control members of the House in their demeanour and in their behaviour. That is all we are seeking to do, and I would spend all day, a few other days and quite a few nights in maintaining my stand. If in 1957 it was thought meet and right to include this provision in the Act, then in 1971 it is a thousand times more justifiable. That is honest, and I face the country on that - not the House.

Mr. BOLDEN: Mr. Chairman, the hon. member assumes to be the spokesman of other persons who were in this House in 1957. I should like to refer the hon. member to two bits of legislation, dealing with the Harbour, which passed through the House.

Mr. CHAIRMAN: Not at this time; we are now discussing Clause 64.

Mr. BOLDEN: I agree with that, Mr. Chairman, I am saying that because a previous group of members accepted something in 1957, it does not necessarily mean that it is correct. One discovers over and over again things which were done before which were not absolutely correct. You have laws which are in conflict with each other and which have been passed. Now you come to revise them you see the difference, so you legislate to suit. The hon. member is harping on the fact that because it was passed into law in 1957 it should be passed today. I am saying that is not absolutely right.

Now, if you expel a member under Section 64, all he has to do is to ask for a declaration in the Court under the Representation of the People Act, 1971. The Court will then have to adjudicate and say: "You have been expelled by the Standing Orders. What are the Standing Orders?" There is a case now which is *sub judice* in which Cabinet Papers have been forced into Court. The hon. member should know that. If you say here that you can expel members under Standing Orders and you do not say Standing Orders 1, 2, 3, 4 or 5, if you expel a member, all he has to do is to file a declaration in the Court and cite Section 64 of the Representation of the People Act, 1971. You are creating an avenue in which to question your Standing Orders in Court.
10.40 a.m.

My argument is that you are creating an avenue to question your Standing Orders when you yourself are a law unto yourself and nobody can question you.

Hon. K. N. R. HUSBANDS: Mr. Chairman, I began in Committee by telling hon. members that no one of us as an individual member of this House or all of us severally as members of this House do not stand above the law of the land. Right now this is the law of the land. It is section 91 of the 1957 Act; so we are creating absolutely no precedent. The hon. member must understand that Standing Orders are made by the House of Assembly. Standing Orders are purely procedural, but a section of a Bill when that Bill becomes an Act is the law of the land, and what we are doing that we are still saying - and the whole thing is permissive - that a majority of the members

present may in accordance with the Standing Orders expel a member. Now the hon. member is a lawyer and has access to the law and knows where to find the law, but lawyers are trained in the law and also know how to evade the law. I can only speak straightforward as a layman, but the hon. member could not ever hope to convince me that with respect to the difference of the times of 1957 and 1971, the passage into law of this section which we are now considering is not a thousand and more times justifiable than it was in 1957.

Let me add this: Standing Orders can from time to time be amended. Standing Orders are really Orders which generally have their beginning from the Speaker's direction to a Debates Committee, and of course the House accepts them by a majority. I do not remember if it is a simple majority or a two-thirds majority, but some form of a majority, and they become the Standing Orders of this House. But when we make laws, laws supercede all Standing Orders. It is like the provision of a Constitution superceding any statute law. There are lawyers over there and they cannot argue against that unless they want to look foolish... What is the hon. member worried about? What does he have to fear? What does any other hon. member have to fear? This has been the law since 1957, fourteen years ago, and there is not an hon. member present on that side who has been in here fourteen years except the hon. senior member for Bridgetown who is not now in his place. I cannot see what cause hon. members have for worry. If they themselves think they will be the great legislators of tomorrow and want to do their work in peace and in order and with decorum, they should embrace the passing into effect of such a bit of legislation, otherwise they may regret, not me, because as the hon. member said, I am on the way out. I was in for a long time, and those hon. members who intend to come in and remain in should.....

Mr. BOLDEN: Mr. Chairman, do the ins and outs come under section 64?

Hon. K. N. R. HUSBANDS: Does the hon. member want me to give way on something? Apparently the hon. member is not serious. I do not question his seriousness. I know his pertinacity and vivacity, but I am not going to challenge his seriousness, but I say this: if the hon. member is trying to make out a case that our Standing Orders are now challengeable under the law, if the House has to expel a member under section 64 of the Act with the Speaker in the Chair and the House is in order, I do not see how the Court could hope to upset it. If the hon. member wants it to be in such a way that further debates of this House can be carried on and they think that as individual members of this House they are above the law, they are suffering from a serious misconception. None of us is above the law. All of us who are law makers, including me, are under the law. Hon. members are addressed in this Place as Honourable Members. That presupposes and prejudges that members impose the law and honour and decorum on themselves. Is it justifiable? Let us see if this is justifiable if you want to erase the law and then masquerade under the title that is not real and be referred to as Honourable Members when we indeed do not want to impose honour, decorum, justice, equity, fairplay, right and a willing subordination to the law of this country. If that is so, let them vote against it. If it is not so, let them vote with us.

The question that Clause 64 stand part was put and resolved in the affirmative without division.

Clause 61 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 61 stand part.

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

Mr. BOLDEN: Mr. Chairman, last night when we dealt with section 61, I drew to the attention of the Leader of the House the difficulties which might arise under this section in that while giving candidates the right to hold public meetings in a public building, it did not set out any regulations, penalties or anything, and I thought the Leader of the House said that he was in some agreement with this and that this would have been set aside. It would appear as if nothing has been done and the intention is that it should go through as it is. I consider this a very wide open section, but it is in my opinion going to work an injustice on the part of some candidates irrespective of which political party he belongs to or what views he may hold, because a system has not been set out to show what rights a candidate would have or what rights the person in charge of the schools would have or what duties he must follow. I am very disappointed that something could not be done to make the use of these school buildings seem to appear on a more equitable footing than it would appear under the present section.
10.50 a.m.

One knows that at the present moment when you want to have the use of a school room you have to apply in some instances to the parson, then he says, you have to confirm it with the headmaster, then you have also to communicate with the Ministry of Education in respect of the use of the building. Difficulties which one envisages now or what is actually happening is that the priest may say yes, the schoolmaster may say yes or no or he may say he will have to find out, and time elapses before you get the use of the building. In this particular instance one may apply to the headmaster who might frustrate one's action, and if you have not got the approval of the headmaster and you apply to the Ministry it is going to take some time to get back to the headmaster, and you cannot really set a date when you are going to use a building, so I would like to see some sort of rules or regulations governing the use of the schools at the particular time. The famous excuse might be that Mr. X has already been given permission to use it on that date, but on that particular date it is not being used; he can then tell you Mr. X did not turn up so he is not re-

sponsible. These are the difficulties which I see will arise under this, you are given a right but yet still there will be no facilities for exercising that right, there are no penalties for anybody frustrating your actinn in exercising your right under the law.

Hon. C. E. TALMA: Mr. Chairman, I take the point, which is a very valid one, in that the hon. member is merely suggesting that a separate and distinct clause should be inserted to set up the machinery to get the use of the school at the appropriate time without any amount of red tape or a lot of fictitious difficulties, so that if a clause was added, not the rules because the rules may take a long time to be prepared, but if a clause was added stating that application should be made to the Ministry of Education and a copy sent to the headmaster that replies should be given within four or five days, something like that, will seal the matter and throw the onus on the Ministry of Education and the headmaster. In future certain headmasters will not feel they are doing anyone any great favour, but will co-operate in that they will realise it is not a favour as such, but it is a right to which each and every candidate is duly entitled, and in complying with and doing what is set out here, then as long as the authorities look into it and there is no reason for not allowing the use of the school room to be given within the four days or whatever time is stipulated, so that is a very good point.

Mr. BOLDEN: There is one other point, Mr. Chairman, I would like to draw attention to line 4 of the same clause 61 where the term "all reasonable times" is used. This is another phrase which I do not like very much in respect of election compaigns, because one can understand that somebody may want to use the school, not for an afternoon meeting because it may be so that you would not be able to use the school until after 5 o'clock, but if the candidate proposes to use the school from 6.00 till 11.00, here again you may find that the headmaster may say from 6.00 to 11.00 will not be reasonable for him, and this is another point in my opinion where there is a loophole whereby the headmaster can slip out by saying that that time is not satisfactory to him or the janitor, and he will tell you you will have to see if the janitor will come to open and shut up. This is where I fear we are going to have very many frustrations; it will be a piece of legislation which will not be used profitably to any candidate in any particular constituency. I believe that there should be rules and regulations governing this particular section, or part of the Schedule, whereby one can refer to it to see what his rights are in applying for the use of these buildings.

Hon. J. C. TUDOR: Mr. Chairman, I think hon. members on both sides of the House have appreciated the arguments which have arisen on this clause, but it is the kind of problem that you really cannot administrate properly. In the first place, it has to be appreciated, and I think it is within the knowledge of everyone, that school buildings are very rarely used in election campaigns, except of course on polling day and on nomination day, and in cases of very inclement weather. It is possible of course that a public meeting could be held on the school premises, but most public meetings which clash with the inclement weather are usually postponed, so that in actual fact very few political meetings, if any, are held in school buildings. The provision here however is to make sure that if they had to be held they could be used, but here the difficulty arises. There would probably be no problem in the case of those school buildings which are owned outright by the Government; in case of this it would be perfectly easy for any arrangement to be made whereby the Minister or any appropriate authority in the Ministry of Education gives direction that when these buildings are applied for and applications made for them, replies should be made within a reasonable time. It would be easy in cases, I think, where the Government actually owns the schools; unfortunately, however, some school premises are not owned by the Government at all, but by religious denominations of various sorts and even the Government itself has no power to compel the use of such school buildings for purposes other than educational purposes, except by arrangements with the Managers of the schools concerned. I give way to the hon. member.

Mr. BOLDEN: Mr. Chairman, this is where I say the problem is going to arise. The Hon. Leader of the House has said that the Government has no power except by arrangement where the schools are not owned by the Government outright, but if you look at the term "any primary school", this is where you legislate inadvertently to cover any school which is classified as primary whether it is Government owned or not. The term "any" causes a difficulty.
11.00 a.m.

Let us assume that there is a private school which has been classified as a primary school under your educational classification. You have now legislated for that here. The moment you put in the term "any private school", you have legislated for it inadvertently; therefore, it is not now a question of whether or not the manager of the school can refuse to give permission to use it. I merely have to show that an ABC school has been classified as a primary school under the Government system.

Hon. A. DaC. EDWARDS: Mr. Chairman, if the hon. member will look at Section 61(5), he will see that it states:

> "For the purposes of this section primary school means any school owned or occupied by the Crown....."

Mr. BOLDEN: Now, "owned" still covers it. Although the building is owned by a religious body, the moment you have your pupils there you are in occupancy; therefore, you cannot say that although the building is owned by a religious body that the religious body can refuse me.

Hon. A. DaC. EDWARDS: That is the point. The school is owned by some religious corporation; the Government is responsible for the upkeep, the main-

tenance and the operation of the school; therefore, it seems reasonable that any candidate should be allowed to use that school in the same manner as he would use a school owned or operated by the Crown. The religious bodies, as you are aware, do not spend one red half-cent on those buildings. As a matter of fact, most of those buildings are in a better condition now than formerly. The point is that they cannot prevent a candidate from using the school provided that he complies with certain conditions. For this purpose, it falls in the same category as any other Government-owned school.

Mr. BOLDEN: Mr. Chairman, I am trying to point out that where a private body owns the physical structure of the school, we are going to be subjected to the discretion of the head of the school. That is why I say that there must be Regulations dealing with the matter. I can call the names of two or three schools now which you cannot use until the Reverend gives permission. After he gives permission, he usually tells you to write to the Education Department and let them know that he has given you permission to use the school.

Hon. A. DaC. EDWARDS: Mr. Chairman, that is a completely different issue. That is where some private or social organisation is asking for the use of the school. I have had problems, too. About three weeks ago I had to curse the headmaster of Chalky Mount Mixed School. There is a social group at Chalky Mount that wanted to use the school, and he told them that they could not have the use of the school. He then went to the Chairman of the Governing Body and told him that the last time they used the school they did not leave it in a proper and sanitary condition. That was a lie. The whole point is that he cannot get along with anybody - not even his family.

Mr. CHAIRMAN: That has absolutely nothing to do with Clause 64.

Hon. A. DaC. EDWARDS: The point is that he cannot get along with anybody, and he is opposed to the youngsters using the school. You will find a lot of headmasters doing this sort of thing. As I understand this Section, as a layman, even if you met such a headmaster, he could not refuse you. It is the policy of the Government that the primary schools should be made use of, by voluntary organisations, provided that they take care of insurance and so on, but you will still find some headmasters or some of the Chairmen of the Governing Bodies trying to give trouble. In this case they cannot give this type of trouble.

Mr. BOLDEN: I am saying that the stumbling block is going to be the question of "all reasonable times". You do not have any procedure laid down as to how the schools should be used. If you meet an obstinate headmaster, such as the one to which you have just referred, he has avenues to escape from giving you the use of that school by virtue of the open legislation which is here. There are no rules or sanctions governing him. While you have given us the right to obtain the use of the school, there is no method of enforcing that right. You could easily be frustrated. I believe that in a matter as important as this where you are going to create such a facility, then you should have rules with penalties which would govern the use of the building. For instance, you have legislated in respect of damage to the building, cleaning, etc., but you have not legislated for the very thing which is absolutely necessary, that is, the use or the obstruction of the use of the school.

Hon. C. E. TALMA: On a point of order, Mr. Chairman. We are dealing with elections in 1971 and not with elections in 1921. We have had adult suffrage since 1951, and we have thousands of people who have been granted the opportunity of exercising their rights. Any candidate who wants to be successful and who has any trust in himself should not persist in holding meetings in school rooms because there is only limited accommodation in a school room. He should concentrate on holding mass meetings outside, if he wants to win, and he should forget the school room. A school room should be used for the purpose of holding a branch meeting, and so on. He should hold mass meetings regularly to assess whether he stands a chance of winning or of losing his deposit. The question of securing the use of a school room during election time is not really material. I do not even remember that school rooms exist when I am dealing with an election. I have held branch meetings in some of them occasionally, but there is a lot of red-tape involved in getting school rooms in which to hold meetings.

Mr. BOLDEN: Mr. Chairman, I beg to differ, because the hon. member speaks of 1971 as opposed to 1921. If we look at the history of politics in all countries, we will find that the pattern of electioneering, changes as time goes on. For instance, in Great Britain the electioneering, years ago, used to be done on Hyde Park and other Parks as well as at street corners, but today 90% of the electioneering is done in a television studio.

11.10 a.m

People do not worry to come out of their houses. They sit down before what is called the goggle box and listen to the views of the various candidates. Who knows if the pattern might change here. People are beginning to say that they are not going to stand outside in the dew to listen to anybody. Suppose you find that people are more encouraged to come out if they can go and sit down in a nice orderly place and listen to the views of the various candidates. This is why I say that if you are going to legislate that you should legislate in a proper manner, because my grave objection to legislation in Barbados is its piecemeal nature. You legislate and enact today and next month you come back with a supplemental to that and after three or four years, in order to find the law you have to be looking into five or six different pieces of legislation. If you are going to legislate legislate in one form which would cover you for a period of time. I know the Government might be anxious to get it through because we have just passed that this comes into force on 1st June, but this certainly does not mean that some sort of regulation could not have been drafted to fit into the Act.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, my contention last night was that the section did not provide any time within which the manager or the headmaster should give his reply, and I think this is the fundamental thing about this section. Even though you may apply for permission and even if permission is not withheld and is in fact actually given, it may well be, that the permission is not granted until an hour or half an hour before the meeting is to be held, so that it makes it virtually impossible for the meeting to be held properly, and yet the manager or headmaster would still have complied with the Act, because he would have given the permission that is required under this section. I would therefore like to see inserted somewhere in this section a duty placed on the headmaster or the manager that he should give his permission at least eight or twelve hours before the scheduled time of the meeting. I would ask the Government to seriously consider this.

I believe as I said in the House last week that the hnn. member is aware that it does happen from time to time either through negligence or through the deliberate act of somebody who may be opposed to the political party. I am not alleging that it might be any person who is a member of the Democratic Labour Party or of the Barbados Labour Party, but looking at it in its broadest context, a person maybe opposed to the political party that has made the application and would allow the application to remain on his desk for quite some time, and then at the last minute before the time of the scheduled meeting, he sends on the written notice. That would mean that the person is complying with the requirements of the section, but yet it would still create a hardship. He would be complying with the section, by more or less breaking it or as we say, observing it in the breach. So I would ask the Leader of the House to consider whether he would not insert something in the subsection stating that the manager or the person from whom permission is sought, should give that permission at least eight or twelve hours before the time at which the meeting is scheduled to be held. I would like to hear the Government's views on this.

Hon. J. C. TUDOR: I could certainly agree it is desirable that permission should be given at a time early enough for people to carry out their arrangements, but I wonder if this is the kind of thing that you ought to make into a legal sanction. Wouldn't it be better for directions to be given at the beginning of every election period to the managers or whoever it is of all the schools that whenever applications are made in the course of this election period for the use of a school building, such application should be considered and reply made 12, 14, or x hours before the time stated in the application? It would be better, I think, to let this be by direction rather than by a legal sanction, because even if you say the managers shall give an answer, you then have to go to the trouble of prescribing all the penalties you are going to put in the law if they do not reply.

Mr. ELLIOTT MOTTLEY: This is not necessarily so, because under the Public Order Act, a duty is cast upon the Commissioner of Police to give his permission, I do not remember how many hours before the meeting is to be held, but there is no criminal sanction on the Commissioner of Police for failing to do this.

Again, Sir, by analogy under the Magistrates Court Act, Magistrates are required to give the reasons for their decision when an appeal is lodged within 21 days, but there is no sanction for this. I should think that if you are dealing with Civil Servants the remedy would be, once he fails to carry out the law, under the Public Service Regulations. I should think that where money was expended and permission was not granted, the person holding the meeting would have some civil remedy against the man. It is not a question that I want to see any sanctions imposed on him, but I just want to see clearly in the Bill that it creates a duty on the manager that he should give his permission within at least twelve hours before the meeting is held, because these things take time, and if for one reason it is refused and under this Act it is envisaged that the manager can still refuse if he has reasonable cause for doing so, the only way you can get around this is, if you make the manager or person responsible for the school give his permission within a specific time. I am not pressing the question of sanctions on him.

Mr. BOLDEN: Mr. Chairman, if the Hon. Leader of the House has any worries about drafting legislation in respect of sanctions, that could easily be done by giving the Chief Registering Officer the power to issue instructions in respect of the election of candidates. It may mean you would have to look at section 27, not that it would be quite easy to draft something like this: "Any person who knowingly or wilfully fails to carry out any reasonable instruction issued by the Chief Returning Officer, shall be guilty of an election offence and if found guilty on summary conviction shall be liable to a fine of so and so." That would cover any instructions which are lawfully given by the Chief Registering officer, but it would certainly not be that difficult to impose a sanction, and I am sure that once there is a fear of a sanction that we would not have the sort of shifting and beating around the bush that we get nowadays. I really do not see that there is any grave difficulty in that. There could easily be an amendment to say that the Chief Registering Officer shall issue instructions dealing with the conduct of all elections or bye-elections, and that would cover the use of the schools as given in the legislation. This can be specifically mentioned and the sanction that will cover all instructions lawfully given by the Chief Registering Officer.

11.20 a.m.

Hon. J. C. TUDOR: I wonder, Mr. Chairman, whether we may not be legislating for a situation which does not need it. In actual practice nobody uses schools, except of course the Election Officers themselves for nomination, polling stations and that kind of thing, if it rains, you cancel the meeting. I myself have been personally involved in six elections, and I cannot remember a single occasion on which I was tempted to use a school building for the purpose

midst of a very detailed and quite interesting legal argument. If we are to bring our minds to bear on the very important points which he has raised, he will have to give us some time to advise ourselves, and I am suggesting therefore that since what he is raising is involved from 6 to 13, let us leave that to one side and continue, because what follows is straightforward. There cannot be any controversy from 14 thereon.

Mr. BOLDEN: Mr. Chairman, that involves the very registration because one cannot prepare a supplemental monthly list unless the electorate first get past the qualifications to be on the list. You have to be on the list, if you look at 11 which is a very controversial amendment which has just been put in, you have to pass 11 to get on to the list at 14. Further, if you pass 14 you still have even down to 18 and 19 all of which involve the same argument.

Hon. J. C. TUDOR: Do you object to 20?

Mr. BOLDEN: No, 20 deals with corrupt and illegal practices, 21 and 22 are controversial, so is 25 because 25 ranges way down into 68 and down to 27 of one of the Schedules.

Hon. J. C. TUDOR: If the hon. member will give way, it is clear that we will have to agree to differ on these matters. We have gone the limit of studying the problem raised yesterday afternoon, we all said it was an interesting point raised, that we would seek advice, and we have proposed an amendment to 11 which we shall discuss when we get to it. Since there is no question of our giving way on the point of identification cards, but since you have pointed out to us yesterday and got assurances from us that all should be done to facilitate the photographing and registering, and we agreed to do this - the Minister has already started giving instructions this morning on the points raised by the other side -we cannot now discuss whether or not people should have identity cards, because this is the decision of the Government.

Mr. BOLDEN: On a point of order, that is not correct, our whole argument is that the law in itself does not tell you anything which you are saying, and we are trying to show that the draft as put here, is in conflict with itself.

Hon. J. C. TUDOR: I said that we have exhaustively examined that and we do not accept your view on it, but in order to meet some of the objections which you raised and which we think may have some validity, we have prepared an amendment for clause 11 which we shall consider if and when we come to it. We cannot be fairer than this.

Mr. HINDS: Mr. Chairman, the more we hear the Leader of the House on this matter of the identification card the more we have got to argue for the rights of the people who in themselves must become involved in this whole exercise.(Hon. J. C. TUDOR: We will have to differ on that, we cannot agree on everything.) The Minister is telling us we need not argue it because it is a decision of Government, why do you not go and take the identification cards and ram them down the throats of everybody? *(Asides)*

Mr. CHAIRMAN: While a member is speaking, all other members shall be silent.

Mr. HINDS: Mr. Chairman, the noise is coming from the Visitors' Gallery.

Mr. CHAIRMAN: Let the hon. member proceed.

Mr. HINDS: I am proceeding to tell the Chair where the noise is coming from.

Mr. CHAIRMAN: I have ears and I can hear.

Mr. HINDS: But I am drawing it to your attention that there is noise in the Gallery.

Mr. CHAIRMAN: If the hon. member is drawing it to my attention that there is noise in the Gallery I will have no other alternative but to implement the Standing Orders, if that is what the hon. member wants.

Mr. HINDS: That does not matter to me, what we are concerning ourselves with is this, on this question of the identification card, we are becoming more and more suspicious that the Government is definitely up to something. (Hon. J. C. TUDOR: Getting the whole population photographed.)

Mr. CHAIRMAN: While a member is speaking, all other members shall be silent.

Mr. HINDS: If it is true, Mr. Chairman, that the Government intended having the entire population photographed, what we are saying is that the Government's approach to the problem has been very bad indeed.

12.00 noon.

Hon. J. C. TUDOR: Mr. Chairman, assuming that the hon. member agrees that the whole population should be photographed and that this is a desirable thing, if he feels that we are not doing it adequately or well, then he must tell us what more we can do. He cannot have any argument about whether it can be done, because that is the whole policy. *(Asides)*

Mr. HINDS: Mr. Chairman, I agree with the hon. junior member for the City. When the Leader of the House gets on his feet to tell us what we cannot argue about, he seems to believe that he is talking to his own back benchers. *(Asides)*

Mr. CHAIRMAN: While a member is speaking, all other members must be silent. I am not going to say that too many times.

Mr. HINDS: I agree with you, Sir, because the Standing Order says that they should confer in undertones.

Hon. J. C. TUDOR. Mr. Chairman, I was not trying to lecture the hon. member. I was merely say-

ing that the House having passed the second reading of a Bill without division, and having, therefore, accepted the principle of the Bill which includes the very matter we are discussing, how can we now argue that we must do away with this when the House has already accepted it? All that remains for us to do is to see whether we can make the Bill the best kind of Bill there is.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, on a point of order. Although we have accepted the principle of the Bill, it was stated that we do not accept all the provisions in the Bill. This was made quite clear in the second reading speech by the hon. senior member for St. Thomas.

Mr. CHAIRMAN: That is not a point of order.

Hon. C. E. TALMA: Mr. Chairman, the principle of having identification cards has been accepted. In all enlightened countries where elections are held, the use of identification cards has been greatly appreciated in that it is a means of facilitating an election and seeing that a fair election takes place. In cosmopolitan places where you have Chinese, Indians, and so on, they resemble each other so much that it is possible for one person to vote in two or three different areas. The principle of having identification cards is a good one. The Minister of Home Affairs, the Chief Registering Officer and the Government are not preventing anybody from voting. The question of registration is not compulsory. Only those who want to register should register.

Mr. BOLDEN: Mr. Chairman, on a point of order. The Section says "shall" and "shall", as the hon. member knows, is mandatory. "A person who is qualified to be registered as an elector for a constituency shall, unless registered in the register of electors for that constituency, within 30 days of the relevant date....." That is what Section 10 (1) says, and it makes it mandatory that all persons shall be registered.

Mr. CHAIRMAN: We are now dealing with Clause 6.

Mr. BOLDEN: Mr. Chairman, the Hon. Minister said that it was not compulsory for persons to be registered, and I was referring him to Section 10(1) to show him that the statement was not correct.

Hon. C. E. TALMA: Mr. Chairman, the hon. member's interpretation is different from mine. Clause 10 (1) states:

"Every person who is qualified to be registered as an elector for a constituency shall....."

That is, provided he wishes to be registered. It does not mean that he must register. The law does not say that every person shall be registered.

Mr. CHAIRMAN: What Clause is the Minister dealing with? We are dealing with Clause 6, and I want all hon. members to confine their remarks to Clause 6.

Mr. HINDS: Mr. Chairman, it is pertinent to what we are dealing with in Clause 6.

Mr. CHAIRMAN: I want hon. members to deal with Clause 6.

Hon. C. E. TALMA: Speaking on Clause 6, Mr. Chairman, as far as I am aware, the average person in Barbados will not undergo any penalty if he does not become registered. That being the case, it is optional. If a person wants to become registered, he can comply with the various requirements and procedures under the Act, but if he does not care to become registered, there is no penalty for that. He will not have to pay a penalty or go to prison, but it would mean that he had not exercised his civil right and duty to be registered in order to exercise his vote.

Your Honour has ruled out dealing with Clause 10, and I will not deal with that now. Every possible facility has been given by the appropriate Ministry and the Registering Department to encourage, assist, and facilitate people to become registered and to have their identification cards issued to them. The register has been opened over and over again; the register is open again; various assurances have been given by the Leader of the House and the Prime Minister when they spoke on the second reading of the Bill that the booths for registering and for taking photographs will be opened again, and it will be possible to go on until a few weeks or so before the actual election. At the end of each month, a supplemental list is added and so on. If you are going to vote by identification cards, it will affect all of us. It would simply mean that a certain number of people have not opted, have not bothered, and are not interested. You cannot compel them to be interested. Some people are interested in you when you get a seat; they will run you down and ask for all sorts of impossible things although they did not vote for you.

Mr. Chairman, at present there is a certain percentage of people who are not interested in this matter, they could not care less, and we cannot compel them to go and have their photographs taken or to become duly registered in the appropriate way. What can we do about it? This is democracy. This is not a dictatorship where you can compel people to vote and compel them to take photographs and so on. Is that what the members on the other side want? Do you want us to start a dictatorship? Everything possible is being done to help the people, and anybody who is interested can go and have his photograph taken and secure his identification card, and can exercise his right to vote if he wants to vote. When the time comes for voting about 20% of the electorate will remain at home and will not vote. About 20% will not worry to vote whether or not they have the identification cards. A lot of people go to work and go fishing without taking any interest in the election. *(Asides)*

Mr. CHAIRMAN: I should like to point out to all hon. members Standing Order 44:

> "Any Committee to which a Bill is committed shall not discuss the principle of the Bill, but only its details."

I am hearing very much more of the principle of the Bill being discussed under Clause 6.

12.10 p.m.

I certainly would be grateful if hon. members would confine themselves to the details of the Clause.

Hon. C. E. TALMA: Mr. Chairman, I was not explaining the principle of the Bill; I was merely emphasizing the need for the I.D. card.

Mr. HINDS: Mr. Chairman, I have heard a lot of spurious argument about these identification cards and why they are used in places where you have Chinese and people of other nations. That does not apply to us. I have already covered that aspect of it because I have already said that we are a small place and each knows the other, and what we are concerning ourselves with is that we ought not to be asked here today to rule out all other possibilities of a person identifying himself and confining ourselves merely to identification cards. That is the bone of contention here. Our view is that Clause 6 (4) (c) ought to be deleted.

You will recall, Mr. Chairman, that since attempts at taking these photographs people have been allowed to identify themselves by other common and recognisable means such as a passport, Friendly Society card and things of that nature which in our view ought to hold good for life, particularly a passport. Am I to understand that a person's passport at election time would not be having the same value as an identification card? There are other means by which people can identify themselves, and it is our view, Mr. Chairman, that this Bill as it stands at present seeks to take away from people a right which they now enjoy and which is contrary to the Constitution. After all, nobody is saying that the Government should not try to have everybody photographed. We agree with the photographing, but what we are not agreeing with is that the use of your identification card must be the only means.....

Mr. CHAIRMAN: I have been following the hon. member very carefully and I have discovered that there are no new points being raised by the hon. member for the last fifteen minutes. The hon. member must observe Standing Order 36. Let the hon. member proceed to deal with new points.

Mr. HINDS: Mr. Chairman, what I am saying is that it is beastly unfair.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, under section 6 (4) (c) which requires that at an election no person shall be allowed to vote unless that person first produces an identification card, from the figures of the number of persons registered to vote at this stage, if the Bill is passed like this it would have the effect of disfranchising a number of persons, because two years ago when we debated section 6 of the Representation of the People (Amendment) Bill, the Government did not make it a requirement to be able to vote, the holding of an identification card. At that stage it was thought that this should be done and the Opposition objected to it, and it was set out that other means of identification were acceptable. It is only two years that the Government accepted the principle that the identification card could be used and that other means of identification would also be acceptable. It seems strange that two years later the Government is now rejecting the same principle. The Government is not insisting that you can only vote if you have an identification card. This indeed seems strange because a few weeks ago during the Estimates the hon. senior member for St. John stated categorically that people would be able to vote without the use of an identification card, but that he did not want this noised abroad because he wanted everybody to take a photograph.
12.20 p.m.

We in the Opposition accept the idea of having an identification card; we think it is a good idea, but we cannot accept that you must have an identification card as a prerequisite for exercising your democratic right of voting, because it is in a way putting hindrances in people's way, and it is an attempt to disfranchise people who for one reason or another have not been able to have their photographs taken. It seems strange that if it was the intention of the Government all along to state that you could not vote without having an identification card, there can be no justifiable reason why the Government would therefore close the photograph centres in March, because if you are going to make it a prerequisite that in order to vote you must have an identification card, then one would have expected you would have kept the centres open even between 15th March and 9th May, so that we on this side cannot accept that it is necessary to have an identification card as a prerequisite for voting. We think that identification cards are useful, we feel that all electors should have identification cards, but what we cannot and will not accept is that you must have an identification card as a prerequisite for voting.

I say this because under the Representation of the People Act, 1969 the Government then accepted the principle that you could use certain other means of identification, and the means accepted then were a passport, a driver's licence, a national insurance and social security card and the old age pension card. We feel that an elector should have some means of identification, and what we do feel is that it should be set out as it was done previously in the rules for the conduct of House of Assembly elections, whereby when a person went to the poll to register a vote, the Presiding Officer put certain questions to the elector in order to ascertain his identification. As a means of identification, the person could produce his identification card, his passport, his driver's licence, his national insurance and social security registration card or his old age pension card, and I think this is a stand we in the Opposition still adopt today, that there should be other means of identification for electors, but that we cannot accept that it must be a prerequisite that a person exercising his democratic right should first have an identification card. In fact, when we come to deal with one of the later sections you are going to see that even before that person can become an elector he must have an identification card, and I think this is an attempt by the Government to disfranchise certain people, and we cannot agree to this.

Mr. BOLDEN: Mr. Chairman, before I begin, I would like to find out from the Leader of the House if the undertaking given last night has been changed, because at that time I thought it was agreed that we would discuss several of these clauses together, since they all hinge on each other and the interpretation of this part of the proposed legislation, but I notice that you have confined the discussion to clause 6, and my real contribution to this will not be based specifically on one clause, and I feel that I can only do justice if I can make reference to other clauses since, in my opinion, they all hinge together.

Mr. CHAIRMAN: I did not give that undertaking.

Mr. BOLDEN: On a point of order, I said the Leader of the House last night agreed that we would discuss these clauses together rather than individual clauses. I notice that you have restricted our discussion to clause 6.

Hon. J. C. TUDOR: That is a matter for the Chair.

Mr. CHAIRMAN: I have already ruled that we are discussing clause 6 and I intend to listen to hon. members on clause 6.

Mr. BOLDEN: Without reference to the other clauses?

Mr. CHAIRMAN: When we get to the other clauses we will discuss them.

Mr. BOLDEN: Mr. Chairman, clause 6 deals with the most pertinent part of the identification card, but if one looks at clause 6 carefully, under clause 6 (c) one would still have to refer to clause 25 which is in the same Part, because one cannot really go into the meat of this matter by looking at clause 6 alone. Clause 25 is mentioned in clause 6, and unless we can refer to clause 25 it is really hampering debate on clause 6. The term "identification card" has not been set out under the previous clause that has been passed, I think clause 2 is the definition clause and the identification card has not been set out under clause 2, so when in truth and in fact we are confined to discussion under clause 6 we are really being limited in our arguments to show why this term or this element of the whole procedure becomes ambiguous.

I believe that identification cards, or what I may think is meant by identification cards under this particular section may be very relevant and important in countries where the population bears similar features or where there is a large population and the Supervisor or any election officer would not be expected to know the people who present themselves to cast their votes at any given period. To say that one cannot vote without this identification card - and I presume that this is so because it has been said in here that unless you have had your photograph taken and this card issued - you cannot vote. This in my opinion, places a burden upon a lot of people who normally would be able to vote.

12.30 p.m.

Mr. Chairman, the question of impersonation, as far as I know, has never arisen in any election in this country. The identification card is only to prevent impersonation by persons seeking to vote. I agree that it serves a useful purpose for citizens to hold identification cards. Banks require identification. On several occasions persons who may not be generally known, present themselves to Institutions or to Government Departments and they can be identified if they are carrying such a document. When it comes to the casting of a vote, the constitutional right which has been secured for each and everyone of us in the community - *(Asides)*

Mr. Chairman, I believe that unless there was an adequate proof that something had been done, or plans were afoot which would frustrate the wishes of the electorate, I do not see the reason for the undertaking, or the statement which was made not only in this House, but in other places that persons would not be prevented from casting their votes by virtue of the fact that they do not hold identification cards.

Hon. J. C. TUDOR: Mr. Chairman, I should like the hon. member to look at page 15 of the Rules. It starts at page 7 of the Second Schedule. It says here: "A ballot paper shall be issued to any person whose name appears on the register or a supplementary register....."

Mr. CHAIRMAN: To what are you referring?

Hon. J. C. TUDOR: To page 15 of the Second Schedule.

Mr. CHAIRMAN: The Second Schedule has already been passed.

Hon. J. C. TUDOR: I am drawing something to the hon. member's attention, because this may assist him in the debate, Mr. Chairman. It says:

> "A ballot paper shall be issued to any person whose name appears on the register or a supplementary register in use for that election and who is unable to produce an identification card, if he satisfies the presiding officer -
>
> (a) that he has not been issued with an identification card; or
>
> (b) that he has been issued with an identification card which is lost or destroyed."

I have listened very carefully to the points made by the other side; I have consulted with the Minister, and we think that the difficulties raised or pointed out by hon. members may be met if we could introduce an amendment which includes this provision in the Rules of the Clause which we are discussing.

Mr. BOLDEN: Mr. Chairman, I am very glad that the Leader of the House has seen this. That is why I tried to point out earlier that it would be necessary to look at other Sections while dealing with this matter. If Mr. Chairman will bear with me for one

minute I will show the Leader of the House what I am getting at, but we can only do it by moving from Section to Section some of which have already been passed and some have not yet been passed. If the Minister will look at (5) on page 15 he will see:

> "For the purposes of this rule "identification card" means an identification card issued under Section 25 of the Act."

If you turn back to Section 25 of the Act with which we are dealing, that sends you somewhere else. It says:

> "The Chief Registering Officer shall cause identification cards containing the prescribed matters to be issued in accordance with the Regulation."

But there are no Regulations at the moment. We move from Clause 25 and go back to Section 7 (1), which deals with qualifications. Section 8 deals with disqualifications, and the new amended Section 11 which you have handed us this morning - *(Asides)* This is an attempt to clarify Section 7. You will find that Section 7 sets out the qualifications. A man must be qualified by being (a) a citizen of Barbados; (b) a commonwealth citizen - other than a citizen of Barbados - who has resided in Barbados for a period of at least 3 years immediately before the qualifying date. Now, you are 18 years of age and you have lived in your constituency for 3 years. You are qualified under Clause 7, but under Clause 11 you are not qualified. When it comes to the rule of interpretation, one part of an enactment comes in conflict with another enactment, and the one most applicable will have to be applied. My view is that under Clause 7 you should add a new sub-clause (e) and set out what you want.

Mr. CHAIRMAN: I cannot follow the hon. member who is skipping from Clause to Clause. I am not going to allow that. I would like Clause 6 disposed of first. When we come to Clause 7, we will deal with Clause 7.

Mr. BOLDEN: Mr. Chairman, what I am trying to say is that Clause 6 hinges on the others, and if we dispose of Clause 6 we cannot go back to it. I will go slowly and point out what I have to say. I am not now dealing with the principle of photographing people. I agree that photographs and identification cards can become very relevant on various occasions. I am just showing where the legislation as it is, is not put together so as to enforce this qualification to get on the electoral list to vote.

If you refer to the Schedule, you will find that the Leader of the House pointed out that Part II of the Schedule hinges on other Clauses. Mr. Chairman, let us look at Clause 6 (2). It says that you are not entitled to vote as an elector in a constituency unless you are registered.

12.40 p.m.

With those words there, you now begin to have your problem as to how you are going to become registered, and in order to become registered you must have a qualification for registration. The qualifications are not set out in Clause 6 (1), so we have to look elsewhere in the Act to see whether a person who is entitled to be registered meets the requirements to fall under clause 6 (2).

Mr. CHAIRMAN: In my opinion when you come to qualifications under clause 7, that is ample time to deal with the qualifications. All that clause 6 says is that you are not entitled to do so and so unless you are qualified.

Mr. BOLDEN: Mr. Chairman, I beg to move that Your Honour do now report progress and ask for leave to sit again.

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

The question was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

SUSPENSION OF SITTING

Hon. J. C. TUDOR: Mr. Deputy Speaker, I beg to move that this sitting be now suspended for one hour.

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

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

On Resumption:

Mr. DEPUTY SPEAKER: When the sitting was suspended, the House was in Committee. To that it now reverts.

Mr. DEPUTY SPEAKER left the Chair and the House resumed Committee on the Bill. Mr. YEARWOOD in the Chair.

Mr. CHAIRMAN: When the sitting was suspended the hon. junior member for St. Joseph was addressing the Chair on Clause 6.

Mr. BOLDEN: Mr. Chairman, previous to the resumption, I was handed what purports to be an amendment to some section of the Bill or an addition to it, but it does not say whether it relates to clause 6 with which we are dealing or clause 7.

Mr. CHAIRMAN: I understand this amendment would replace Clause 6 (4) (c).

Mr. BOLDEN: Since this is the new Clause 6 (4) (c), let me compare it with the original one.

Hon. J. C. TUDOR: If the hon. member would give way, as I said before we went out on the suspension, we would be re-introducing.....

Mr. SMITH: On a point of order, Mr. Chairman, I understand this is an amendment with which

you are dealing. The hon. senior member for Bridgetown has one and I do not have one. Is he a pope?

Hon. J. C. TUDOR: I think the hon. member would recall that before we went out on the suspension, I told him that we were preparing an amendment which would amplify Clause 6 (4) (c), and if he reads the amendment with the original draft, he will see that we are now saying that at any election he may not vote without first producing the identification card issued to him under section 25 unless he proves to the satisfaction of the presiding officer. If you stop there, the two drafts are identical. The draft Bill, however, goes on to say "that he has been issued with an identification card and that such card has been lost or destroyed". What in fact we are doing is to make it certain that a person who has in fact been photographed but who for very good reasons had not on the day of election received his card or had lost it on the same day or for any such good reason would not be disqualified. (Mr. CRAIG: How are you going to satisfy him that they are good reasons?) You ask how you will satisfy him that they are good reasons.

Mr. CRAIG: If the hon. member would give way, if you say for such good reasons, by whom are these reasons to be determined?

Hon. J. C. TUDOR: You have to satisfy the presiding officer.

Mr. CRAIG: Let us presume the presiding officer is not satisfied that these are good reasons when in truth and in fact they are honest good reasons, what is the position there? This is possible.

Mr. ERNEST MOTTLEY: I do not quite understand this. (Hon. J. C. TUDOR: You have to ask them.) I am not asking them. This amendment says "at an election he may not vote without first producing the identification card issued to him under section 25 unless he proves to the satisfaction of the presiding officer that he has not been issued with an identification card or that he has been issued with an identification card and that such card has been lost or destroyed".
1.55 p.m.

I have had a lot of experience in dealing with Presiding Officers at various polling stations, and I think you have, too, Sir. The Leader of the House and hon. members here, even the persons responsible for drafting this, might well say why we feel that a reasonable person would interpret this in a reasonable way, but surely, Sir, you have the experience, Mr. Chairman, and so has the Leader of the House, of how over zealous Presiding Officers can be to observe what they call the letter of the law and forget that they are dealing with human beings, and I cannot quite appreciate this as it stands. What is he to do if somebody says his card has been lost or destroyed? Make a note of this, take it on oath or something of the sort? It cuts both ways, you find Presiding Officers so zealous about their jobs that when a man says he lost his card they are going to ask him all sorts of questions. Some sort of amendment is necessary here; perhaps you had better go on further and keep this till a little later when the legal draftsmen can see what is best to put in.

Hon. J. C. TUDOR: If the hon. member will give way, this amendment is before us precisely because we have heard a lot of argument, all of it very interesting, from the other side. We are trying to summarise in this amendment all the possible objections which have been raised about the interpretation of sub-clause (c) of clause 6 (4). What we have done therefore is to tie 4 (c) in with the provisions which already exist in the rules, and I may say the House has already approved the rules, so that what appears here amplifies the provision and makes it abundantly clear that a person who has had an identification card and has lost it or who may have had his photograph taken and has not yet been issued with a card, shall not by reason of either of those two so-called disabilities be prevented from exercising his right to vote. I thought that was what the hon. members opposite were trying to put to us.

Mr. CRAIG: If the Leader of the House would give way, you know I like to come straight to the point, Sir. If a citizen goes into a booth to cast his vote, he has no identification card, the whole argument hinges on a form of identification, and the form of identification as going to be established by Government is to have an identification card. I hate calling names, but let us assume that you run into a man like Banfield and you tell him you have lost your identification card, he will tell you not to vote because he is satisfied that you cannot vote, that is why I have contended in this whole Bill that even if you have not got a card there should be some other means of identification, whether it be a passport, driver s licence, and not only the identification card, because if I lose my identification card the same morning on my way to the polls and you are the officer in charge and I say I have just lost it and you ask if I have reported it and I say I have not, you will tell me I cannot vote, and this would be to the satisfaction of the officer in the booth at the time. Right there and then the man is denied his right to vote.

Hon. J. C. TUDOR: If the hon. member will give way,.....

Mr. CRAIG: All I am concerned with, Mr. Chairman, is that when I go to vote and I have not got my identification card the registering officer must be satisfied that I am the person who should vote and some other form of identification should be used and not merely the identification card until the people in the country get used to a system of this nature, but to press for an identification card and it is left to the Returning Officer to determine to his satisfaction, then the Returning Officers like the Banfields could say they are not satisfied and turn you away, because a lot of these officers are

canvassers, and I would humbly suggest to the hon. member who is seeing after the Bill as it is right now that some other form of identification should be inserted, whether it be a passport, driver's licence or other means of identification. This is my simple view.

Hon. J. C. TUDOR: If the hon. member would give way, you may not like Mr. Banfield.....

Mr. CRAIG: I would like to have Mr. Banfield's name removed from the record and say.....

Mr. CHAIRMAN: We are not now discussing any Mr. Banfield.

Mr. CRAIG: I will sit down before the two of us become one, because you have not spoken yet and you want to speak now.

Hon. J. C. TUDOR: Let us try and see if we can throw some commonsense into this matter. A man has been photographed, has been issued with an identification card and by polling day he has lost it or it has been destroyed, but anyhow he has not got it; he goes in to the poll and says "my number is 1234567 but my card has been lost," the Presiding Officer has all the duplicate photographs of all the people who are entitled to vote in that polling district and he looks up and finds John Robinson, No. so and so, he glances at the card and the face and he says yes, this is John Robinson, how can you say then that a man who has lost a card with which he has been issued is in jeopardy of not being able to vote?

Mr. CRAIG: Thank you, in the same breath, if he can look at the photograph on the master registration list or whatever it is called and say it looks like you, in the same breath he can say it does not resemble you at all.
2.05 p.m.

This is to the satisfaction of the Officer. If it is not to his satisfaction, where are we?

Hon. J. C. TUDOR: Your photograph or your passport may not look like you.

Mr. ERNEST MOTTLEY: Mr. Chairman, some of these people have been photographed at 15 plus. This is what is causing the difficulty. A girl at school is photographed at 15 plus. For how long is that picture to last? *(Asides)* An hon. member says 10 years. Are you going to tell me that the girl who had her photograph taken at 15 plus will look the same way when she reaches 25 years of age?

Mr. Chairman, what is worrying me is that Barbados has been the one country in the West Indies that never had to vote by symbols. Jamaica, Trinidad, Guyana and every other Island voted by symbols. (Hon. J. C. TUDOR: A photograph is not a symbol.) I am not saying that it is a symbol. You have never had people voting fraudulently here. We do not have a lot of Indians and Chinese here. In every constituency in this Island you will find people knowing each other, and if anybody goes up to vote twice you will know what will happen. Are you going to tell me that a Registering Officer will recognise a girl 25 years of age from a picture which was taken at the age of 15? It is different from a passport.

Mr. LOWE: Mr. Chairman, if you obtain a passport at the age of 15, by the time you reach 25 they will change it.

Mr. BOLDEN: On a point of order, Mr. Chairman. A passport is only due for 5 years.

Mr. LOWE: A passport is renewable in 5 years, but after 10 years the picture is changed.

Hon. C. E. TALMA: Mr. Chairman, the contention of the Opposition is that there should be other means of identification apart from the identification card, and that should be set out in the body of the Bill, in order to clarify everything and not to leave it to the whims and caprices of a Presiding Officer. Owing to the assurances and guarantees given regarding registration and supplemental registration, etc., what is done here will cover people who have had their photographs taken but have not yet received their identification cards. They, at the discretion of the Presiding Officer, may be allowed to vote. The Hon. Leader of the House has said that the identification cards should be in the possession of the Presiding Officer at the time. The question as to whether or not a reasonable discretion will be exercised and the people allowed to vote is another matter. It will be a discretionary power which the Presiding Officer will have to exercise at the appropriate time. This is what the Opposition is doubtful about, and the view is that it should be set out clearly and explicitly what would be the *modus operandi* in exercising this discretion. What factors should the Presiding Officer consider? Should it be a driver's licence, a marriage certificate, a passport or what? That is the contention of the Opposition. At present it is left to the discretion of the Presiding Officer who may exercise it one way and not another, and such discretion may vary from centre to centre elsewhere.

Mr. ERNEST MOTTLEY: Mr. Chairman, the hon. member has made a very important point. I do not want to accuse Presiding Officers. Presiding and Election Officers are appointed by Government, and in 90 cases out of 100 they feel that they owe a duty to the Government who appointed them. That is a fact. They have to be appointed by somebody. I am not accusing all of them of dishonesty, but they feel that they owe a duty to the people who appoint them. I am not satisfied to leave it like this. As the hon. junior member for Christ Church has said, something further could be added, and we should not leave it merely to the discretion of the Presiding Officer. Nothing can be done unless you can prove something to his satisfaction. If you were unable to find your identification card you may not be able to prove that to his satisfaction, but if you were allowed to show him your driver's licence you

could say that provision was made for that in the Act. That would be a form of identification.

Mr. BOLDEN: Mr. Chairman, the hon. junior member for Christ Church raised a very valid point when he mentioned that there was some fear about the Presiding Officer exercising his discretion in respect of proof where an identification card has been lost or destroyed. I would not go so far as to say that the Presiding Officer feels he owes a duty to the person who appoints him, but from the example which I can speak about, the Presiding Officer may interpret this Section of the Act in a manner which is detrimental to the person seeking to cast his vote. There is a typical example of this, Mr. Chairman.

Mr. CHAIRMAN: There is too much noise.

Hon. A. DaC. EDWARDS: Mr. Chairman, will the hon. members tell us exactly what they want? 2.15 p.m..
As I understand it, they are just talking around and saying what ought to be in the section.

Mr. CRAIG: Mr. Chairman, I do not know if the Leader of the House would accept words to this effect: "that such card has been lost or destroyed, to the satisfaction of the Presiding Officer either baptismal certificate, driver's licence, passport or any other form of identification to the satisfaction of the Returning Officer". I think this would save the entire debate on this particular clause, because what we on the Opposition side are saying, is that in the hands of the Officer, is controlling power. Let us not deny this, and no matter whom you appoint as an officer on that day, you have appointed him giving the impression that he should be impartial, but you know only too well that this is not likely to happen, because you are inclined to appoint your people, and this goes for both sides; so if to the satisfaction of the officer you have not got an identification card, some other form of identification, be it passport, driver's licence, birth certificate or marriage certificate should be possible.

Hon. J. C. TUDOR: Mr. Chairman, I think we had better.....

Mr. CHAIRMAN: While a member is speaking, all other members shall be silent. I can hear too many voices.

Hon. J. C. TUDOR: Mr. Chairman, we cannot expect to agree on everything. There are certain things upon which we must agree to differ. It is true that in the two bye-elections which we have had in this session, we have included provisions which allowed for various forms of identification - driver's licence, national insurance card, hawker's licence, passports and others; but for the general election and for the purpose of this Bill, the means of identification must be the identify card. Now you can certainly argue that you do not like that provision and therefore we will disagree on that, but since we are not in a position to modify that point of view, all I would suggest to the Committee to do is to see how best we can make the Bill work by providing the most positive guarantees that people will not be prevented from exercising their vote under the system which we are now enacting.

Now let us put it this way: there is going to be continuous registration; the camera centres will never be closed. Therefore if by the time the general election comes and there are persons who have not been photographed, it will be because they do not wish to be, because we are putting no hindrance in their way of getting identity cards. All the suggestions for the improvement of the system which we have had from the other side, and they are good suggestions, we are implementing to make sure that no person in this Island who wants to be photographed and who wants to be issued with an identity card should be prevented from voting because he has not had an opportunity to have his identity card.

Now it seems to me that in this or any other country there will always be people who do not choose to vote because they are not interested in the constitutional processes. If you have, say, a Jehovah Witness whose religion tells him that he must not take part in politics or must not vote, and he does not go and get his photograph taken, but whose name may nevertheless be on the register from 1965 or from 1970 because he has been enumerated, if he chooses then to go merely because he hears his name is on the register and he changes his mind and wants to vote and is not photographed and has not got his identity card because at the time when he could have got it he did not choose to, naturally he could not have complied with the law and certainly would not be able to vote; but if he has taken his picture and has not received his card, or has received his card or it has been destroyed or he has lost it, he cannot be prevented from voting because each presiding officer will have a duplicate of his picture to identify him. I do not know that a driver's licence or a hawker's licence or a national insurance card is as good a means of identifying anybody as one of these cards. I grant you that you may have had your photograph taken say, in 1968, and you may have as in the case of some ladies adopted a different hair style which alters perhaps the whole cast of your countenance. I may say in parenthesis that part of the difficulty with this photographing business is that the people at "Verona" have been saying that a lot of people have had their photographs taken twice because when they took them the Afro hair styles were not in fashion, and a lot of people, particularly young people have come back to get the new photographs with the Afro hair styles or something else as the case may be. I can quite see that in a case where the duplicate shows a different hair style from the style prevailing at the time of the election the Presiding Officer may have to use extraordinary discretion in reconciling what he sees standing in front of him with a photo-

graph which may have been taken a year or eighteen months before, but he will have to use his his discretion, and I cannot take the point of hon. members that because elections have necessarily to be organised by a Government they are necessarily to be more unfair than if they were not so organised. The Government of the day in any country must manage and organise the elections, and I myself have experienced elections under the former Government and have experienced elections under this Government, and I have nothing to complain about in the management of either. When we were in Opposition some of us used to say that particular presiding officers were not in favour of us, but this was our opinion. Some of us may have had good grounds for saying so, but that did not prevent us from participating in the election process, and it certainly did not make us try to throw doubts in people's minds on the propriety and decency of the whole electoral process.

As I say, Mr. Chairman, there is no point in asking whether alternative means of identification should be found because the Government is not giving way on this point. But I also say that since we are as anxious as you are to make all the things we are providing and all the facilities available to everybody, any suggestion for improving what we have in mind will be more than welcome, but we cannot accept suggestions for changing or providing alternatives to what we have here.

Again, Mr. Chairman, some hon. members opposite have said that just as we used other means of identification in two bye-elections, why can't we use them now.

2.25 p.m.

I can equally say that the two bye-elections were held under the double member system and we are holding this under the single member system. This does not mean of course that we could not have any means of identification but we have chosen this one, and unless you want to make nonsense of the whole idea of Government and want to say that a Government in office may not do what it wishes and therefore seek legal sanctions for doing it, unless you want to say then that no Government may have its own distinct ideas as to how elections are to be run, I cannot see you not agreeing with us, so we cannot accept any amendments which want to change our basic point of view. We are certainly willing to accept all suggestions which tell us how to do better or more efficiently whatever we want to do.

Mr. ELLIOTT MOTTLEY: Mr. Chairman, I do not know the whole purpose of this amendment, but certainly by now saying that unless he proves to the satisfaction of the presiding officer that he has not been issued with an identification card, it means that you are going to allow people to vote without some means of identification; therefore I would suggest - and perhaps I will speak to the Leader of the House - that it should include "unless he proves to the satisfaction of the presiding officer that he has been photographed but has not yet been issued with an identification card".

Hon. J. C. TUDOR: Let us put it this way. I will tell you what is negotiable and what is not; identification cards are in, so we are not negotiating that, but I will tell you what I think we could do, if the hon. members opposite will bear with me for a few minutes. As I understand it, the gravamen of their fear, Mr. Chairman, is that presiding officers may have a narrow view of satisfying themselves as to the person's right to vote, and you would like them to exercise the fairest and widest discretion. Suppose a person who had been photographed and who did not have his identification card were to take into a polling station with him a short letter or a memo from the Chief Registering Officer to the effect that "X" had been photographed but his card was not available, what is wrong with that? A certified document from the Chief Registering Officer that "X" had been photographed and had not been able to vote but "X's" name appears on the supplementary list. You have to understand this.

Mr. BOLDEN: Mr. Chairman, before the name appears on the supplemental list, according to this you must go through the process of being photographed, etc., so I do not see how you can have the name appearing on the supplemental list, because this is why when we come to the amended clause 11, it gives this effect. The question of getting a letter from the Chief Registering Officer seems to me a rather cumbersome way of getting to exercise your right to vote.

Mr. HINDS: Mr. Chairman, I think that at the time of photographing a slip is given to each person who is photographed; the photographer takes one copy of the slip and the person is given another copy. What you are suggesting is not going to help at all, what we want is that you provide other means whereby people can be identified other than by the identification card.

Hon. J. C. TUDOR: We have to agree to differ on that. We would be on common ground, Mr. Chairman, if we were to agree that you cannot vote unless you have been photographed. Where we would have to argue would be the best means of allowing a person to prove whether he had in fact been photographed but had not been issued with his card; I am saying that if this is still the difficulty it could be possible to issue each such elector with an official document from the Chief Registering Officer which he could present to the presiding officer that he had in fact been photographed but that the photograph had not been issued and that it is through no fault of his own that he does not have his identification card.

Mr. CRAIG: Mr. Chairman, I agree with what the Minister is saying, but it also states in (c) ".....and that such card has been lost or destroyed." Let us assume that the same letter which you get from the Chief Registering Officer is lost as well, what is the position then? All I am concerned with is that on polling day if there is no identification card the officer must be satisfied by some other form of identification that this is John

Citizen, because if the Minister is saying that the photograph has been taken but the card has not been issued to him, therefore he receives a letter from the Chief Registering Officer, in the same breath you are killing this 6 (c), because it goes on to say ".....issued with an identification card and that such card had been lost or destroyed", so the letter which you are getting from the Chief Registering Officer is taking the place of the photograph.

Hon. J. C. TUDOR: If the hon. member will give way, if you have been issued with an identity card and it has been lost or destroyed, or by blowing away at the time you go to vote, you really have no problem once you have been issued with it because the Presiding Officer has his duplicates there and he can check this. He cannot check it to your satisfaction, he has to check it to his because he is the Presiding Officer.

Mr. CRAIG: Mr. Chairman, let us assume that I am the Presiding Officer; John X cannot find his card and I do not like John X, in no uncertain terms I simply say you have not got your card, I look at you and I do not recognise you, therefore you cannot vote. This can happen.

Hon. J. C. TUDOR: Now we are not writing our autobiographies, Mr. Chairman, we are merely discussing this Bill. I do not know what the hon. member's view on fair-mindedness and impartiality is, but I am saying that a Presiding Officer, even if it was true that he dislikes someone - and there is no reason to suppose that this will be so - but even if it were true that he dislikes someone, he would have to think 100 times in discharging official duties in an election before he allows any temptation to partiality to get the better of him.
2.35 p.m.
I do not think that can happen.

Mr. SMITH: Mr. Chairman, it seems as if we are going to stay here all afternoon. This is the position: A goes up to the polling booth without his identification card; he gives his name; the Officer looks for the name and finds it with a number and that proves that he is registered. If he cannot produce his identification card, I feel that a declaration could be made out along these lines: "I do solemnly swear and declare....." You will put him on his oath; let him sign it and so on. One of the Officers in the room may be a Justice of the Peace. In that case I do not think anybody would take a chance to do something wrong. You would also have a witness proving that the person making the declaration is the correct person.

Hon. J. C. TUDOR: Mr. Chairman, the only declaration he could swear to would be that he had been photographed. That is the whole point at issue. If he swears to anything else he is not legally entitled to vote. If you tell me that he would swear to a declaration that he had been photographed on such and such a date but had not received his identification card, then I would be inclined to accept that but nothing else. Mr. Chairman, we will never agree on this. As I said yesterday, I believe that there are some people in this Island who object to the whole electoral process and, therefore, may not wish to be photographed, and there is nothing we can do about them. We should not compel them to be photographed. They ought to know that if they do not wish to be photographed and do not wish to have identification cards, then they will not be able to vote.

I also believe that there are a larger number of people who want to be photographed, but they do not want to be photographed like ordinary folk and who, if some special provision could be made to photograph them, would have no objection at all in principle or in practice to it. Well, I am afraid that this Government cannot accommodate such persons. They must come out and get photographed. I invite the Opposition to join with all of us on this side and appeal to able-bodied persons who can go to the camera centres and be photographed to do so. You already know what we are doing about those who cannot come out. We are sending the cameras to them. Outside of that category the only ones who could be left out would be those who do not wish to take part in the electoral process. There is no law to make a man vote or to qualify himself for voting, if he is not interested in the electoral process. Such persons would be a small minority. Everybody else will be photographed and have his or her identification card. If an election comes and you have been photographed but you do not have your identification card, I believe that every means of identifying yourself by being able to swear or to prove that you have been photographed should be accepted. I would agree to accept this. You must be able to show that you have been photographed.

Mr. CRAIG: Mr. Chairman, I think we are coming to the end of it. The Minister said just now that you only have to prove that you have been photographed. According to the Minister there is a mastersheet with a picture there; therefore, all a person has to say is: "I am John Citizen, and my number is 21678." That would be enough proof.

Hon. J. C. TUDOR: Only in the case that he has had his card and has either lost it or had it destroyed. If he has not yet got it, of course, the duplicate may still be there although he may not have received it. I do not know the mechanics of that. Let us separate the two issues. The man who has already had a card in his possession but cannot produce it on polling day will have his duplicate there. The man who has been photographed but has not received his card, I am with hon. members opposite that every safeguard ought to be given to him to be able to vote once he has been photographed. I think we are *ad idem* on that point. If you are going outside of that argument to say that there should be an alternative to this being photographed, then of course the breach between us is widened. Once you agree that every body who goes into a polling station should have been photographed for purposes of registration, then we can work out how to consolidate his entitlement to vote.

Hon. C. E. TALMA: Mr. Chairman, the whole question hinges on producing satisfactory evidence to the Presiding Officer that you have been photographed whether you have lost your identification card or have not yet received it. The idea is not to leave it to the whims and fancies of the Presiding Officers, and there should be some procedure or machinery, or some means of putting the onus on the elector. The onus being put on the elector he can go and get a memorandum or a short declaration that he had his photograph taken. There could be a form with about two or three lines indicating that he has lost it; he had not received it and so on. The irrelevant parts could be scratched out; he could sign it, and the Registering Officer could stamp it. If he is in a position to satisfy the Presiding Officer, then the Presiding Officer must allow him to vote.

Mr. Chairman, if he really intends to vote, he can go a day or two before the elections and get a slip of paper to show that he had been photographed. As long as he has evidence that he has been photographed, then the Presiding Officer must allow him to vote. The only difficulty is how to satisfy the Presiding Officer. The way to satisfy him is by getting this slip of paper to show that you have been photographed. Whether you have received it or lost it, that little slip of paper will finalise matters as far as being entitled to vote is concerned.

Mr. HINDS: Mr. Chairman, when a person exercises his right to vote, does he do so as an elector? That is a point I would like to have cleared up by the Leader of the House.

Hon. J. C. TUDOR: Mr. Chairman, let us say for argument's sake, that the hon. member who has just given way to me is a Presiding Officer in a polling station. I am entitled to vote in that particular area, and I go to him on the morning of an election day to exercise my vote. Now, when I tell him my number if I know it - I need not tell him my number, I can tell him my name. When he looks at the register of electors entitled to vote at that station, he knows that the fact that my name appears on that register is proof to him that I have been photographed, because I cannot have my name on that register unless I have been photographed.
2.30 p.m.

I hope the hon. member is following me. This is the point. Once he sees my name on that register, he knows that I have been photographed because I cannot be on the register unless I have been photographed. Let us go further. He asks me for my identity card. Now he is not going to have any problem with me at all. I tell him I had it yesterday but as I was lighting some trash to burn, it fell out of my pocket and got burnt. He says "all right, Mr. Jones, no problem!" He looks and in some cases he may see an immediate resemblance; but in perhaps the odd case he may not see an immediate resemblance between how I look now and what I looked like when the photograph was taken, and he says to me, still using his discretion "may I have your signature, please, on a slip of paper", and he gets my signature and he looks again and sees that even although my face is a bit twisted now from what it was 2 1/2 years ago, yet my signature is reconcilable as being identical with the one which he has on the master card. This is how it will be. Once my name is on his register, he knows I have been photographed. I would not have to beat around the bush with him because he knows that the law under which he will be presiding over that election makes provision for all that. You cannot be on the register unless you have been photographed; so there is no question of anybody going to a polling station and being told he cannot vote although he is registered because to be registered he has to be photographed. I cannot put it any better.

Mr. HINDS: Mr. Chairman, I appreciate what the Minister is trying to say, but he has not grasped my point. My point is, can a person vote at a general election other than as an elector?

Hon. J. C. TUDOR: Even if he is a candidate and he votes in his own constituency, when he is voting in the constituency in which he resides, he is voting as an elector.

Mr. HINDS: Let us look then at Clause 6 (4).

"No person may -

(a) at a general election, vote as an elector in more than one constituency;

When you come to sub-clause (c) it says you may not vote as an elector without having your identification card and the like. That is my reason for asking whether you can be expected to vote other than as an elector. What were the draftsmen thinking when they drafted it this way?

Now I heard much said, Mr. Chairman, about registration and photographing, but electors must first be registered. I heard the Leader of the House say that your name cannot get on the register unless you have been photographed, but that is not the case at present, because the names of many people happen to be on the register who have not been photographed. I would like some clarification on that point, and how the names got there. I would like the Minister to tell us something on this point.

Hon. J. C. TUDOR: Quite simply. These people have been enumerated and their particulars were given in and there were 143,000 such people of whom 96,000 have got their photographs. You have therefore to understand that in the coming weeks, the other 40,000 or whatever the number will get their photographs until the 143,000 or all but a couple of thousands of them, all who want to have a vote anyhow will have had their photographs, and then nobody will have any problems.

Mr. HINDS: You are dealing with the issuing of identification cards. I am dealing with the point that their names were on the register before they were photographed. My contention all along is that

these names according to what the Hon. Minister has just said would have to be removed from the register.

Hon. J. C. TUDOR: When this is the law. Let me see if I can find a simple form to illustrate what I mean. Suppose the number of persons enumerated were not, say, 143,000 but 91,000, and suppose further that 91,000 had all, as is now the case, been issued with their identity cards or had been photographed, then that 91,000 having been photographed would of course comprise the register of electors. So all the hon. member is asking can be answered this way. Photographing will continue; the issuing of identity cards will continue until all of the 143,000 or all but those, who do not wish to be photographed at all, are in fact so photographed, and then the register will be complete. I do not know if there is anything else.

I was referring to the master registration card a few minutes ago, and I believe one has been passed around. By the way, while I am on my feet, Mr. Chairman, may I repeat the invitation which was issued to hon. members on both sides of the House subject to their telling me what day would be convenient for all of us as a group to visit "Verona" and the data processing unit in a group as members of Parliament to have all these procedures explained to us. I say this in parenthesis because obviously if you see for yourself and can ask questions and get replies, you are more satisfied than listening to a Minister, and I hope before this debate is concluded hon. members will indicate to me when they can go.

Mr. HINDS: There can hardly be any demonstration given to hon. members as to the discretion of a presiding officer. (Hon. J. C. TUDOR: This is true.) That is what is worrying us.

Hon. J. C. TUDOR: Do not let it worry you. Once you devise the best possible system give or take a little foolishness here or there, you can leave it to your presiding officers not to break the law.

Mr. BOLDEN: Mr. Chairman, I understand how the Hon. Leader of the House feels about this, that having devised a system you can leave it to your presiding officer, but as I said before, it is the method in which the presiding officer is going to interpret the system which has been given to him. We have got a practical example of a presiding officer saying to me personally that he has stopped all cars with electors coming to vote coming within the 100 yards line to the booth. I asked him on what grounds, and he said that the law said you are not to congregate within 100 yards of the booth and he interprets four people in a car as a congregation.
2.55 p.m.

This was said to me personally. What I am showing is the method of interpretation of the particular law, and what we are dealing with here now is a discretion which you are going to place in his hands, in which he is the sole judge at the given time, because I cannot take out an injunction between 6.00 in the morning and 6.00 in the afternoon and have my case heard and go and vote.

Hon. J. C. TUDOR: If the hon. member will give way, has he not been always the sole judge?

Mr. BOLDEN: He has, but what we are saying here is that on this particular aspect of it, you have said an identification card and nothing more, I know you have said that you are not giving way on this point at all, but I am saying that is not the way it should be done. We are asking on reasonable grounds that you should write into the Act something more than a plain discretion if you have not got a card; you yourself have suggested a letter from the Chief Registering Officer, which means that you are convinced that there must be something else other than the card so that a man may be able to cast his vote.

Hon. J. C. TUDOR: This only means that once I can secure from the other side the understanding that nobody will vote unless he has been photographed, I am prepared to cast about the means of proving that a man has been photographed, that is all, because I thought that this was the difficulty. I thought that hon. members opposite were asking what would happen in the case of a man who had been photographed but did not have proof that he had, and then I said in that case perhaps we can devise some authorative system which would enable the man to prove that he did in fact have the photograph taken, but you do not want this, you want alternative means; you want driver's licences, bus tickets, mango skins.

Mr. BOLDEN: On a point of order, Mr. Chairman, the Hon. Leader of the House seems to be making a joke of this debate. I agree with the hon. junior member for St. Peter in this, because on the registered list at the moment there are going to be a number of persons who are now on the list but have not been photographed and it means that as soon as this comes into operation those people will automatically be taken off the list.

Hon. J. C. TUDOR: The whole point is this. When we pass this Bill and it goes to the Other Place and becomes law, immediately then the Minister has to prepare his register - well, not he personally, but the register has to be prepared - and the 91,000, 96,000 or 102,000 as it might be then who have been photographed will be put on the list, and from then on each month a supplemental list will be prepared and those who have been photographed will be added and added until when the time comes all but a few of the 143,000 will find themselves having completed their registration, and the register of electors will be complete.

I cannot tell you that all of them will, because there will be some who do not want to stand in a queue and get photographed although they are not ill, and there will be some whose religion tells them that they should not vote or should not take part in the electoral process, and I cannot help for that, but the vast overwhelming majority of that

these names according to what the Hon. Minister has just said would have to be removed from the register.

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This was said to me personally. What I am showing is the method of interpretation of the particular law, and what we are dealing with here now is a discretion which you are going to place in his hands, in which he is the sole judge at the given time, because I cannot take out an injunction between 6.00 in the morning and 6.00 in the afternoon and have my case heard and go and vote.

Hon. J. C. TUDOR: If the hon. member will give way, has he not been always the sole judge?

Mr. BOLDEN: He has, but what we are saying here is that on this particular aspect of it, you have said an identification card and nothing more, I know you have said that you are not giving way on this point at all, but I am saying that is not the way it should be done. We are asking on reasonable grounds that you should write into the Act something more than a plain discretion if you have not got a card; you yourself have suggested a letter from the Chief Registering Officer, which means that you are convinced that there must be something else other than the card so that a man may be able to cast his vote.

Hon. J. C. TUDOR: This only means that once I can secure from the other side the understanding that nobody will vote unless he has been photographed, I am prepared to cast about the means of proving that a man has been photographed, that is all, because I thought that this was the difficulty. I thought that hon. members opposite were asking what would happen in the case of a man who had been photographed but did not have proof that he had, and then I said in that case perhaps we can devise some authorative system which would enable the man to prove that he did in fact have the photograph taken, but you do not want this, you want alternative means; you want driver's licences, bus tickets, mango skins.

Mr. BOLDEN: On a point of order, Mr. Chairman, the Hon. Leader of the House seems to be making a joke of this debate. I agree with the hon. junior member for St. Peter in this, because on the registered list at the moment there are going to be a number of persons who are now on the list but have not been photographed and it means that as soon as this comes into operation those people will automatically be taken off the list.

Hon. J. C. TUDOR: The whole point is this. When we pass this Bill and it goes to the Other Place and becomes law, immediately then the Minister has to prepare his register - well, not he personally, but the register has to be prepared - and the 91,000, 96,000 or 102,000 as it might be then who have been photographed will be put on the list, and from then on each month a supplemental list will be prepared and those who have been photographed will be added and added until when the time comes all but a few of the 143,000 will find themselves having completed their registration, and the register of electors will be complete.

I cannot tell you that all of them will, because there will be some who do not want to stand in a queue and get photographed although they are not ill, and there will be some whose religion tells them that they should not vote or should not take part in the electoral process, and I cannot help for that, but the vast overwhelming majority of that

143,000 will by then have been photographed and their names will be put on. If on the day of voting each or any one of them has not got his identity card to show at a polling station, there will be proof enough that he has in fact been photographed, and if you want to make that proof stronger we are willing to consider any means of making that proof stronger that he has been photographed. What we are not willing to do is to cast about with you to find alternatives to his having been photographed.

Mr. BOLDEN: Mr. Chairman, would the Leader of the House say in plain, unequivocal terms that as from the time this Bill passes the other Chamber some 40,000 people will be automatically disfranchised? I mean that if at that precise moment an election has been called, that there are some 40,000 people whose names now appear on the register of voters and who are capable of voting today would not then be able to vote by virtue of that. All the talk we have heard, points clearly to that particular point of view, that as from the time this Bill passes the other Chamber and it becomes law, the Chief Registering Officer must immediately prepare his list. I cannot go further because I am restricted to clause 6 (1), but that list then will not contain some 40,000 names that are now on the present list, and it means that those 40,000, if an election is called within four, five or six days of that Bill being passed, cannot vote. The Hon. Leader of the House has said it would be no use their going to the polls because they will not be entertained. *(Asides)* .

Mr. CHAIRMAN: Members sitting please observe the relevant Standing Orders.

Mr. BOLDEN: Mr. Chairman, it is all right for us to talk and argue, but if we remember what has been said in this debate we will reach some conclusion, because it was asked specifically last night how long the camera centres will remain open and it was said that they will be closed approximately five weeks before the particular time.

Hon. J. C. TUDOR: If you were to have a general election, let us say, on the 1st January, there has to be a point at which you have to start preparing for it, so that obviously from the time you issue your Writ or at any time like this, your register that you are going to use has to be ready; that does not prevent you from taking people's photographs up to the day before the election or on election day if you like, it is very possible anybody whose photograph is taken on election day may not be entitled to vote at that election, but then you must always remember this, hon, members opposite must not talk as if we are not providing facilities for people to be photographed, I want to emphasise that there are facilities for people to be photographed, because the camera centres are not going to be closed. Photographing is continuing now and it will continue even after the election; it is a continuous process, and may I just say this, that the moment this Bill is passed the present register of electors no longer operates. I said this just now, and they will have to start compiling a register.

3.05 p.m.

As photographs continue to be taken, and as identification cards continue to be issued in the coming weeks, more and more people will find themselves on the register of electors. When the election comes, except for those who are out of the country, those who have died, or those who for some reason were on the old so-called register but do not wish to be on the new register because they were not photographed or did not choose to be photographed - except for those categories, all who want to be registered to vote and have complied and completed the registration process will be on the electoral register. I cannot put it any fairer than this.

Mr. BOLDEN: Up to what time, prior to polling day, will the Minister say that these cameras will operate?

Hon. J. C. TUDOR: How can I answer this? You know that there will be a supplementary list. If an election were held on New Year's Day and there had been a list, say, prepared in November which had been published and the people whose names appeared on that list had been photographed for October, September and right back, then the cut-off point would be there. It would be the register at the point where it includes the November revised list. You could not sensibly expect that the December list would be used, because some people may have given in their particulars in December and they may not have been checked. It would be 4 weeks and a few days before the election.

Mr. BOLDEN: Mr. Chairman, it is quite clear that if I am entitled under the constitution to be able to cast my vote at 18, and I become 18 on the 1st December, I am being deprived of my constitutional right simply because of a cut-off point which satisfied a particular Government. I am not saying the Democratic Labour Party Government. Suppose the Minister in charge decides to cut-off three months before, then my name would not be on the list; my documents would not have been processed; I am available to have my name processed and so on. I pointed out this morning that it would be very difficult to deal with this Bill Section after Section. Now, after the list has been published I have a certain amount of time to make my objection to the list, and the Chief Registering Officer has a certain amount of time to hear my arguments for having my name put on the list. In this very Act you can call an election not less than 21 days. When you call your election, I will be qualified constitutionally, but by some administrative action I will be deprived of my voting rights.

Hon. J. C. TUDOR: Mr. Chairman, the hon. member is talking as if in previous General Elections you could walk into a polling station and vote without having been registered! You could never do that. You had to be registered in any election, and there was always a period when the register was closed before a General Election. You had to do that, otherwise you would have people on the very day of the election getting registered and running to the polling station. You cannot do things that way. *(Asides)*

Mr. Chairman, if you had your photograph taken but you were not on any supplementary register, do you still think you could vote? It is quite competent for a person to sit down and have his photograph taken and never say or write down anywhere "I James Smith, Barber,....."

Mr. BOLDEN: On a point of order, Mr. Chairman. That is not correct, because before you can get to sit down in the chair your name has to be checked on the register. You actually have to give up the last portion of the slip before you can get into the chair. Unless you are going to change the system to tell me that I can be photographed and give my particulars afterwards.....*(Asides)* You have to show the slip at the door before you can reach the photographer's chair. When the photographer takes your photograph he copies the number off the slip of paper and puts it on a board.....

Hon. J. C. TUDOR: Mr. Chairman, I think at this stage I had better move the amendment. I beg to move the deletion of Clause 6(4) (c) and the substitution of a new (c) to read as follows:

"at any election vote without first producing the identification card issued to him under section 25 unless he proves to the satisfaction of the presiding officer that he has not been issued with an identification card or that he has been issued with an identification card and that such card has been lost or destroyed."

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

Mr. HINDS: Mr. Chairman, I think we have reached the point where we must consider if we now have a register of electors and what will be our position immediately after the passing of this Bill.

Hon. J. C. TUDOR: Mr. Chairman, when this Bill is passed you would not have one.

Mr. CHAIRMAN: Is the hon. member now speaking on the amendment?

Mr. HINDS: Yes, Sir. All the words pertaining to the amendment could not be in the amendment, Sir. We have reached the point where we should enquire from the Minister exactly how many people in each constituency have been registered and photographed, and how many people will be disfranchised after the passing of this Bill.

Mr. CHAIRMAN: In my opinion the hon. member is not now speaking on the amendment. The amendment reads:

"No person may -

(c) at any election vote without first producing the identification card issued to him under section 25 unless he proves to the satisfaction of the presiding officer that he has not been issued with an identification card or that he had been issued with an identification card and that such card has been lost or destroyed."

That happens to be the amendment which now stands before this Committee.

Mr. HINDS: Perfectly correct, Sir. That is why I am asking, in view of the fact that you have to be photographed to get your identification card, how many people have been photographed in each constitutency?
3.15 p.m.

I am sure the Leader of the House will not say that anybody is asking too much of him under this. After all, Sir, even the amendment refers hon. members to section 25 of the Bill. I wonder if at this stage in an amendment which refers hon. members to section 25 the Chairman is going to confine hon. members to clause 6, because the amendment is part of clause 6 and they cannot refer to section 25 to which the same amendment directs their attention. I would certainly like to have the Chairman's guidance on this, because we are now dealing with the amendment which specifically refers to section 25. Exactly what is a member's position who must address the Chair on this?

Mr. CHAIRMAN: Section 25 specifically talks about the issuing of I. D. cards.

Mr. HINDS: So what, Sir? You cannot refer to it!

Mr. CHAIRMAN: Reference has been made repeatedly in this Committee to section 25.

Mr. HINDS: Then I am quite in order. Mr. Chairman, I quite appreciate the fact that you would like to see the Bill passed, and I appreciate that perhaps you would like to add my name to those people whom you have asked to leave the Chamber, but what we are concerning ourselves with is that this amendment only tries to place an added responsibility on a person who wants to cast his vote. *(Asides)*

Mr. CHAIRMAN: Hon. members not addressing the Chair, please observe the relevant Standing Order.

Mr. HINDS: It does not in any way seek to lighten the burden of an elector, and I do not think that ought to be the purpose of legislation, to increase the burden on the electorate in exercising their civic rights. Clause 6 (4) (c) says that one has to prove to the satisfaction of the presiding officer that he had been issued with an identification card and that it had been lost or destroyed, but in the amendment, in the first place he has to prove he has not been issued with it or that if he had been issued with it that it had been lost or destroyed. I can hear the Minister trying to heckle, but the Minister very well knows it is not what we would like him to do, but what his conscience should at this stage be beckoning him to do, justice to the electorate and those people who will have to cast their vote in the coming election or at any time following. That is not asking too much and we are sure that whilst it might be agreed that all persons over eighteen years of age

should be issued with identification cards, we have still reached the stage where the chief registering officer is not compelled to put this into effect.

Mr. CHAIRMAN: This talk about eighteen year olds is not relevant to the amendment. All that is relevant to the amendment now is that one will have to prove to the presiding officer that he has been issued with an identification card or that he has not been issued with one. That is the simple amendment before this Committee.

Mr. HINDS: I agree. The simple amendment covers all those who have attained the age of eighteen years. In framing an amendment like this you cannot spell out everything. Whenever the amendment refers to any person, it means any person who has attained the age of eighteen, and I am speaking of the persons from that age onwards. If it is that Government does not intend doing something more, it does not mean, Mr. Chairman, that Government accepts that what it is doing is right. I am sure the Leader of the House will accept that.

The Leader of the House says he cannot do more, but that does not mean that he is advocating that what the Government has done is all that is right, fair and just. It still leaves much more to be done in the interest of justice, and I would urge upon Government to re-examine not only the amendment in this particular clause, but all matters relating to this entire Bill.

Mr. BOLDEN: Mr. Chairman, I wonder if the Leader of the House could help us since we are dealing with the question of the right to vote by producing an identity card. I wonder if the Leader of the House could tell us at this point, and this may allay half of the fears which have been existing on all sides, how many persons are on the register as of now under the re-aligned constituencies and how many people..

Mr. CHAIRMAN: That in my opinion is not relevant to the amendment.

Mr. BOLDEN: Mr. Chairman, I would beg gracefully to differ on that point. I am not objecting to your ruling, but what I am saying is that we are dealing here with something which says.....

Hon. A. DaC. EDWARDS: Mr. Chairman, on a point of order, you have made a ruling that the hon. member was not in order. I do not think the hon. member can question your ruling.

The question that the words proposed to be deleted stand part was put and resolved in the negative without division.

The question that the words proposed to be inserted stand part was put and resolved in the affirmative without division.

The question that Clause 6 as amended stand part, was put and resolved in the affirmative without division.

3.25 p.m.

Clauses 7 to 9 inclusive were called and passed.

Clause 10 was called.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Clause 10 stand part.

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

Mr. BOLDEN: Mr. Chairman, from the second line, it would appear that every person who satisfies the qualification for being registered must be registered. I would like to hear the Minister on this point, the word "shall" in clause 10(1) is mandatory and it means that every person on attaining 18 years of age shall do certain things within a given period.

Hon. J. C. TUDOR: If the hon. member will give way, perhaps he can tell me now what the problem is on this particular clause.

Mr. BOLDEN: Earlier in the debate, Mr. Chairman, the Leader of the House was saying that there were some persons who did not care to be registered under the new provisions because they did not care to come out and have their photographs taken, but this means that if a person does not want to be a registered voter he can afford not to be, but under this clause, the moment you use the word "shall" it is mandatory that a person must do something within a given period, which means that he must be registered as soon as he reaches the age of 18.

Hon. J. C. TUDOR: The hon. member has put me in some difficulty because I really do not think that we need to worry very much about this. The point here is that we are trying to provide a continuous register; to do this, there must be some provision which requires people to go and, as we say, give in their particulars. Here again I would like to refer to a point often made by members on the other side, you spoke about partiality and the lack of fair-mindedness on the part of presiding officers, but we have also had complaints about enumerators. People have told us that enumerators did not like them for some reason or another, by-passed their houses and consequently their names did not get on the register, but what we have done here in this clause is to rescue people, so to speak, from the clutches of partial enumerators by abolishing enumerators and making it easy, if you like, for persons to go and give in their particulars as soon as they come of age or as soon as they are otherwise qualified. When we say "shall" - and I am speaking merely from a layman's point of view - we do not mean to imply that a penalty is attached, but purely that the law now allows you to do this.

Mr. BOLDEN: Mr. Chairman, that is not what this interpretation is, if the Leader of the House is saying that you are rescuing people from the enumerators who have been accused of being partial, this does not mean that at all, what this says is "every person who is qualified to be registered as an elector for a constituency shall, unless registered in the register of electors for that constituency, within 30 days of the relevant date, apply to the registering officer for that constituency....." This does not rescue him from anybody, this is making it compulsory on him that as soon as he becomes qualified

he must go and apply. This has nothing to do with the enumerators at all, this is a compulsory obligation on any person to go and apply to have your name put down. That is what it means.

Hon. K. N. R. HUSBANDS: Mr. Chairman, I do not think there is anything funny in making it obligatory upon a man to claim his own civic rights, the point is this, there is no penalty clause, there is no punitive section, he will not be fined, but it is tantamount to tell a would-be elector that it is his fault if he does not make it possible for him to become registered. You put it obligatory on him only, there is nobody else to blame if he does not do it and there are no penalties attached. What more can you ask? If he is a sloth, if he is indifferent, it is his business, as far as the law is concerned, if you get there within 30 days or whatever time is prescribed in the clause, he makes himself eligible to his full, civic, democratic rights as a would-be elector.
3.35 p.m.

You do not lock him up; you do not fine him. When it comes to saying that "shall" is mandatory, there is nothing wrong with that. If the sort of mandate involved something punitive it would be a different matter, but there is nothing to worry about. You are telling this man and this woman that it is your fault if you do not make yourself a duly qualified elector by making yourself available to be registered. If you fail to do that, it is your fault. As far as the law of the land is concerned, you can blame nobody but yourself.

Mr. BOLDEN: Mr. Chairman, I do not believe that the hon. member has been following the whole Act carefully, because he says that it is mandatory but there is no penalty. I should like the hon. member to reflect upon the Clause which casts a duty on the Minister to make certain Regulations under the Act. Once he has a mandatory Clause here, he can under the Regulations create penalties for breaches of the main Act. It is different from the Road Traffic Act which is passed *en bloc*. The Minister can make Rules and Regulations under the Road Traffic Act and a penalty is applied.

If you say that a person shall do so and so within a specific time, although you have not set out a penalty in the very Act, you will find that the Minister has the power to make Regulations governing the compilation of the register of electors. In those Regulations he can create a penalty if he so desires. You will then have a compulsory section here with a penalty appearing in Regulations which have not yet been shown to us.

Hon. K. N. R. HUSBANDS: Mr. Chairman, I do not believe that the hon. member will get up again, but he might do so. The Minister is a politician. I do not know about politicians on that side of the Chair, but as far as this side of the Chair is concerned we are dealing with human beings. Does the hon. member envisage or anticipate that there are going to be punitive Sections brought down in Regulations to put somebody in prison or to fine him. It is quite possible that the hon. junior member for St. Joseph can imagine this; it is quite conceivable, but I do not believe he will rise again. He got up in fury; he thought he had a great, wonderful point in this "shall" business, and when it was pointed out to him that the "shall" was tantamount to saying that the entire onus would be on the elector, the tirade was not so strong. Now, he would like members to think he imagines that some Minister is thinking of bringing down punitive Sections embodied in Regulations to fine or confine a would-be elector if he does not show up within 30 days and claim his own civil rights. Well that is left to the hon. member's imagination and I cannot help that. I am sorry for that.

The question that Clause 10 stand part of the Bill was put and resolved in the affirmative without division.

Clause 11 was called.

Hon. J. C. TUDOR: Mr. Chairman, we are now dealing with Clause 11, and I am offering a new version which will read as follows:

"Notwithstanding section 7, a person shall not be qualified to be registered as an elector until he has complied with the provisions of this Act and the regulations relating to the registration of electors." I believe the hon. junior member for St. Joseph has already given his opinion on this to the Committee. Part of the difficulty, I believe, was that since the Committee has not yet had the benefit of seeing the Regulations, he feels some doubt as to how wide or how narrow this amendment can be interpreted in the future. Of course, you could not have the Regulations before the House, because it is this Bill which empowers the Minister to make them. I think the hon. member realises this. I hope he will tell me what the second point was.

Mr. BOLDEN: Mr. Chairman, the Bill refers to certain Regulations. At this point it is difficult to debate this Section now, because Sections 6 and 7 dealt with what made a person qualified and so on. I am saying that we have not yet seen these Regulations, and we are at a loss on this particular Section, as far as I am concerned.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that this amendment stand part of the Bill.

Hon. N. W. BOXILL: I beg to second that.

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

Hon. J. C. TUDOR: Mr. Chairman, we may, perhaps, have technically made a mistake. We are substituting one Clause for another, and I should therefore move the deletion of one of them. I beg to withdraw the former Motion, and I now formally move the deletion of Clause 11 and the substitution therefor of the following words to constitute the new Clause 11:

"Notwithstanding section 7, a person shall not be qualified to be registered as an elector until he

has complied with the provisions of this Act and the regulations relating to the registration of electors."

Hon. N. W. BOXILL: I beg to second that.

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

Clauses 12 to 16 inclusive were called and passed.

3.45 p.m.

Clauses 17 to 29 inclusive were called and passed.

Clause 39 was called and passed.

The First Schedule was called and passed.

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that Your Honour do now report the passing of one Bill in Committee with amendments.

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

Hon. J. C. TUDOR: Mr. Chairman, I am asking leave to withdraw the motion for reporting the passing of the Bill in Committee.

Mr. CHAIRMAN: The Hon. Leader of the House is asking leave to withdraw the motion for reporting the passing of the Bill, and if there is no objection, leave will be granted.

There being no objection, leave is granted the Hon. Leader of the House.

FIRST SCHEDULE RECOMMITTED

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that the First Schedule be recommitted.

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

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

Hon. J. C. TUDOR: Mr. Chairman, if hon. members will look at the First Schedule on page 15 dealing with the constituency of St. Philip North, in line 14 where it says "Ragged Point Lighthouse Road to (but excluding)...." I want to take out the words "(but excluding)" and substitute the words "(and including)".

I beg to move that the words "(but excluding)" be deleted and the words "(and including)" be substituted therefor.

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

The question that the words proposed to be deleted stand part, was put and resolved in the negative without division.

The question that the words proposed to be inserted stand part, was put and resolved in the affirmative without division.

Hon. J. C. TUDOR: I beg to move that the First Schedule as amended stand part.

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

The question 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 with amendments in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, the Bill as amended was read a third time and passed and its title read and agreed to.

3.55 p.m.

ADJOURNMENT

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this House do now adjourn until Tuesday next at 12 noon. In doing this I want to reiterate what I told the Leader of the Opposition yesterday that on a day to be determined next week, if he will indicate whether it is Tuesday or Wednesday, and whichever day it is, we will continue the debate on the Barbados Marketing Corporation.

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

The question that this House do now adjourn was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

4.00 p.m.