

THE
House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1971 - 76

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FIRST SESSION OF 1971-76
HOUSE OF ASSEMBLY

Tuesday, 9th July, 1974.

Pursuant to the adjournment, the House of Assembly met at 12.05 p.m. o'clock.

PRESENT

His Honour N. G. A. MAXWELL, LL.B., (Speaker); Hon. C E. TALMA, C. B. E., (Deputy Prime Minister and Leader of the House); Hon. G. G. FERGUSON; Hon. R. St.C. WEEKES, J.P.; Mr. W. R. LOWE, J.P., (Chairman of Committees); Hon. P. G. MORGAN, C. B. E., (Minister of Tourism, Information and Public Relations); Hon. P. M. GREAVES, B.A., (Minister of Housing, Lands, Labour and , National Insurance); Hon. A. MORRISON, (Minister of Agriculture, Science and Technology); and Hon. L. E. SANDIFORD, B.A., M.A., (Econ.), (Minister of Education, Youth Affairs, Community Development and Sport).

Prayers were read.

Mr. H. deB. FORDE entered the Chamber and took his seat.

ANNOUNCEMENT BY MR SPEAKER

MATTER OF PRIVILEGE LETTER OF APOLOGY FROM "THE NATION"

Mr. SPEAKER:

Hon. Members may recall that at a previous Sitting of this Honourable Chamber, an article in "The Nation" was referred to the Committee of Privileges. The Committee of Privileges duly met and decided that the particular article in "The Nation" entitled "Change of Heart" constituted a breach of privilege. They were duly written and in reply to our letter, we have received this letter from "The Nation" dated 2nd July, 1974.

"Dear Sir,

Further to our letter to you of 17th June, 1974, we submit the following Apology which we propose publishing in our next issue. It is our sincere wish that the said Apology would be accepted by Honourable Members of the House of Assembly:

APOLOGY

It has been drawn to our attention by the Clerk of the Committee of Privileges of Parliament that a news item appearing on Page 9 of the issue of this news paper for 14th April, 1974 and entitled "Change of Heart" was inaccurate.

The Editor and all concerned with this publication wish to apologise to the Honourable Members of the House of Assembly for the said inaccuracy and wish to state that the same was not in any way deliberate or intended to be in contempt of the privileges of the Members of the Honourable House.

Yours respectfully,

CARL MOORE Editor."

PAPERS PRESENTED

Hon. C. E. TALMA:

Mr. Speaker, on behalf of the Prime Minister, I am commanded to lay the National Housing Corporation (Pensionable Offices) Order, 1974.

GOVERNMENT NOTICES

Hon. C. E. TALMA:

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

The Resolution to grant the sum of \$25, 878 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1974-75 Part I -Current, as shown in the Supplementary Estimates 1974-75 No. 5, which form the Schedule to the Resolution.

Also, I beg to give notice of a Bill to amend the Constitution of Barbados.

FIRST READING OF BILLS

Hon. C. E. TALMA:

Mr. Speaker, I beg to move that a Bill to amend the Constitution of Barbados be now read a first time.

Hon. G. G. FERGUSON:

I beg to second that.

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

ORAL REPLIES TO QUESTIONS

Hon. A. MORRISON:

Mr. Speaker, I beg to inform you that Oral Reply to Parliamentary Question No. 237 asked by the hon. Member for St. Joseph, is ready.

Hon. P. M. GREAVES:

Mr. Speaker, there are other Parliamentary Questions of which previous notice has been given at a previous Sitting. These are 153 and 260 which are also ready.

Hon. L. E. SANDIFORD:

May I also inform you, Mr. Speaker, that the Reply to Parliamentary Question No. 226 of which notice was given at the last Sitting of this House, is ready.

Mr. SPEAKER:

I think the House will be apprised of the fact that these Replies are ready.

SUSPENSION OF STANDING ORDERS

Hon. C. E. TALMA :

Mr. Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42, 43 and 44 be suspended for the remainder of today's Sitting.

Hon. G. G. PERCUSSION:

I beg to second that.

Mr. FORDE:

Mr. Speaker, I am sure that the Leader of the House is giving the usual undertaking concerning Private Members' Business.

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

GOVERNMENT BUSINESS

Hon. C. E. TALMA:

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

Hon. G. G. FERGUSON:

I beg to second that.

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

RESOLUTION RE THE PORT DEPARTMENT

Hon. C E. TALMA:

Mr. Speaker, Order No. 1 stands in the name of the Minister of Finance and Planning, and it is a Resolution to approve the expenditure of \$4, 405 to supplement the Estimates 1974-75, Part II - Capital, of the Port Department, The appropriate Minister is here and he will proceed with that. This will be dealt with in the House, and then I will move that the House go into Committee of Supply.

Hon. G. G. FERGUSON:

Mr. Speaker, it is quite clearly set out in the Addendum the reason for the provision of \$4, 405 to supplement the 1974-75 Capital Estimates of the Port Department.

By Resolution No. 58/1973, passed on 7th August, 1973, Parliament approved the provision of a sum of \$4, 200 under Part II -Capital — Annexed Estimates — Port

Department, Item 6(New), Alterations to Offices, to meet the cost of improving the offices of the Board of Tourism at the Port, including the provision of grilles to the counter on the ground floor and the tiling of the floor area.

It was not possible to complete the work by 31st March, 1974, because the roller shutter doors were not available. Only \$425 of the provision was expended. The doors are now available and the work has been re-estimated to cost. \$4, 830.

It is therefore necessary to seek Supplementary Provision of \$4, 405 as no provision is included in the 1974-75 Estimates for the Port Department to meet this expenditure.

I beg to move that that Resolution do now pass.

Hon. C. E. TALMA:

I beg to second that,

Mr. FORDE:

Mr. Speaker, the Opposition will not be voting against the passing of the Resolution. On the other hand it would have been inappropriate if we did not take this opportunity to notice either the promotion or demotion, depending on how one looks at it, of the Hon. Minister who is now without portfolio, but having almost sole responsibility for the port.

Speaking from this side of the House, we are not sure whether this is a sign that this House would be treated on matters relating to the Port with the confidence which it deserves. Certainly we understand that there have been reports made to the Government concerning the extension of the Port and the full implementation of the principle of containerisation at the Port, but the information which has come through to Members of this House, certainly to Members of the Opposition, has been along the hearsay

route rather than by the direct route. I have always contended, Mr. Speaker, and I respectfully submit on good grounds, that this House, and therefore this country, is entitled to a full disclosure of all matters concerning the development of the country, particularly on such an important aspect of its affairs as the extension or the development of the communications system in Barbados. 12.15p.m.

It seems to me that in dealing with an Item of this nature, although it is on the face of the paper restricted to the alterations to the offices at the port, it is appropriate to ask the Government what are its long term plans in relation to alterations of the facilities at the port as a whole. I will invite the Minister to perhaps let us have some form of proposals, even if they are only tentative, available to Members. I understand that members of the Chamber of Commerce and other interested parties have been taken into the Government's confidence, and there should be no fear for the people's representatives to be treated with the same respect.

In relation to specific alterations now proposed to be implemented, we have no quarrel with any step which will improve the offices of the Tourist Board. I still like to call it the Tourist Board and I still contend that until appropriate changes are made, it should be the Tourist Board until we can see the proper legislation enacted. One must recognise that it is not only at the airport that there is need for proper services and facilities, but this is as pressing as well at the Bridgetown Port. Perhaps these are again only in themselves temporary alterations; perhaps the Government has more long term plans on this matter, and if so I will invite the Minister as one of his first functions in his new Portfolio to give attention to letting us know what are the long term projections. We understand for instance, that the projections for the development of the airport go up to 1990 and we would like to know what projections there are for the seaport until this time. I understand the Bridgetown Port will be renamed the Grantley Herbert Adams Port and that is of tremendous significance to the party to which I have the honour to belong, since it was through the foresight and planning of the Barbados Labour Party, and Sir Grantley Adams in particular, that this particular project was implemented, and if we speak about it in this way it is inviting the Government to recognise the contribution we have made.

The hon. substantive Minister of Communications is not in his place, but speaking for myself, may I say that in the very short time that he had responsibility for this department, he has tried and tried very hard. I have had the privilege of witnessing an incident at the port where facilities were provided for the workers, alterations took place to certain canteen facilities there, and I would like to go on record as congratulating him for effecting those particular alterations and taking care of the workers' interest at the port. We must make them feel that they are part and parcel of a vital, thriving and commodious structure and organisation. I think it is fitting that whatever reason there is for the limitation of his portfolio that his contribution should be recognised.

Hon. G. G. FERGUSON:

Mr. Speaker, I would like to assure the hon. Member that this House will receive all the necessary information in due course.

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

COMMITTEE OF SUPPLY

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

SUPPLEMENTARY ESTIMATES 1974-75 No. 3

The Resolution for the sum of \$45, 720 was called.

Hon. C. E. TALMA:

There are two Items we are dealing with. First, Part I - Current, Head 6 - Ministry of Legal Affairs in the sum of \$27, 720. The note sets out what it is all about; that \$10, 000 was voted and is insufficient to carry on the work of the Law Reform Committee during the financial year, and that a further amount of \$27, 720 is required.

The position is that a certain amount of work has been done on the laws. There was a Committee which was functioning since 1968 but which has since ceased to function. It was under the Chairmanship of Mr. Erskine Ward, a former Judge and a man of high standing in the legal profession, but be that as it may, that committee does not now function and as a result a sub-committee of Cabinet was set up to carry on that work. The composition of that committee is as follows: The Prime Minister, the Attorney-General and Minister of Legal Affairs, the Minister of Communications and Works, the Minister of Lands, Labour, Housing and National Insurance and any other person or persons the sub-committee may choose to co-opt. That Committee sat recently, and in order to carry out certain functions this committee has been set up —

- (a) to keep under review the statute law of the land;
- (b) to ensure that the statute law and common law keep pace with the changing conditions of the island;
- (c) to give consideration to proposals for any new laws and amendments to existing laws referred to it by the Attorney General and/or emanating from the legal profession; and
- (d) to make recommendations for law reform in the form of draft legislation and reports as may be necessary in the light of (a), (b) and (c) above.

This sum of money is necessary to engage the services of an experienced Attorney-at-Law. It is considered that counsel engaged by the Minister of Legal Affairs would receive remuneration at the rate of \$15, 720 per annum. The expenses which will be met from Head 6, Item 9 — Law Reform Committee will have to be supplemented for remuneration for the Attorney-at-Law, Counsel to the Committee, expenses of special research and other assignments, \$7, 200 per annum, incidental expenses for clerical and typing assistance and stationery, \$4, 800 per annum, making a total of \$27, 720.

Rt. Hon. E. W. BARROW entered the Committee and took his seat. 12.25 p.m.

This money is necessary to meet the expenses of the Law Reform Committee, and I beg to move that Head 6 stand part.

Hon. G. G. FERGUSSON:

I beg to second that.

Mr. FORDE:

Mr. Chairman, the Opposition, both its principal spokesman, and several other Members, have spoken on this item on numerous occasions. Certainly for the past three years during my time in Parliament, we have continually been urging on the Government the necessity of treating the review of both the Common Law and the Statute Law of Barbados as one of great urgency.

The hon. Member has said that there was a tentative start made in this respect when the Hon. Erskine Ward, as he then was, when he was Minister without Portfolio used part of his ministerial time himself to draft certain Bills, some of which have been passed by this Hon. Chamber. I speak particularly of the Act dealing with Occupiers Liability and the reform of the Statute of Fraud.

That has been only a tentative start. Our experience in this field of Law Reform has been a sad one. I am not satisfied that the Government is going about the question of Law Reform in the manner in which it should be done, our laws having been based by and large on model statutes from the Colonial Office. I am not one of those who believe that because a thing came from the Colonial Office, it was necessarily bad for this country. Indeed, in many instances we do have legislation that has stood the test of time; but like most imported stuff, there are areas of the Laws of Barbados that are based on principles and circumstances which are no longer tenable in the 20th Century in Barbados today.

If I may take an instance of an aspect of the law which cries out for reform, I would look at the field of industrial designs. There is on the Statute Book of Barbados only one Act dealing with industrial designs, and that is an Act which gives priority of protection in this country to cotton designs and designs dealing with textiles in the United Kingdom, and there is a section in the Merchandise Marks Act of 1895 which deals with the matter.

Since 1923 we have not had any substantive reform of the law in this respect. Today we find, as we become more and more industrialised, that the country is not keeping pace with the necessity for model legislation in this field.

Industrial designs is only one aspect of the matter. The whole field of trades mark legislation leaves a lot to be desired. If we may speak of things in the realm of consumer affairs, this country lacks legislation to update the protection that is given to consumers.

Why do we stress these points? It is because we believe that the question of law reform must be a task for permanent staff, and not simply for a sub committee of Cabinet assisted by a lawyer who may be part time.

In neighbouring Trinidad, you will find that Trinidad has set up a Law Commission charged with the task of looking at their laws which call for urgent reform and they have adequate and sufficient staff which can look at these laws and draft substantive legislation dealing with reform. Why cannot we move in a similar way? In the U.K. there is a Law Reform Commission headed by three distinguished lawyers of great experience, one of whom is a Professor of Law. We have seen that they have managed under the terms of their appointment to review both aspects of the laws of the country so that today England is in

the forefront of those countries who frequently review their laws.

The rights of citizens in the context of the 20th Century are not being adequately protected or adequately recognised; and any Law Reform Committee must advert to those laws which hamper the proper exercise of the rights of the citizen.

If I may give you an instance, the Constitution of Barbados in the Chapter dealing with fundamental rights has a provision which is geared to existing laws and any amendments to the same regardless of whether these existing laws were contrary to fundamental rights; and there has been no review of any of those laws despite the fact that Barbados has been independent since 1966 — now some eight years; and indeed no one has made any attempt to look at the area of law reform in so far as existing laws may hamper the proper exercise of fundamental rights under the Constitution.

When one looks at the field of family law, you find that there is massive discrimination against women; and the Government should be treating this as another aspect which calls for urgent attention. If you look at the field of criminal law and the need for law reform in this respect, you will find that the type of treatment that we are meting out to some of our young persons who may have been alienated from the path of rectitude is punishment contained in the law of the 18th and 19th Centuries. Nothing has been done to look at the new thinking in the field of penal reform.

As I have said, to do these things we need adequate staff. A busy Cabinet sub-committee composed of the Prime Minister, the Attorney General and the Minister of Lands can hardly be a body which is geared to deal with these problems.

I hope that the Government will look at this aspect of the matter and see the necessity for permanent staff, staff with legal draftsmen with a proper background for research who will look at the matter continually and keep the laws under constant review.

Our experience of the revision of the Laws of Barbados has not been a favourable one. Were it not for the work put in by Mr. Wilfred Fergusson, we would not be any nearer to getting the laws reformed in this country. I hope that in due course he will be duly compensated; and if there is any worthwhile job going around in this respect, that with his knowledge, expertise, and legal training, he will be considered the right person for this job of helping the Law Reform Committee.

We would have hoped from this side of the House that the Government would have had some long term plans for this Committee. I cannot hope today that we would be getting much action for a long time in the field of law reform unless the Government provides much more staff. 12.35 p.m.

I have heard it voiced in this House from time to time, and indeed by some of my colleagues on this side as well, that the Attorney General's Chamber is overstaffed. I for one, speaking for myself personally, do not subscribe to that view at all. We must recognise that with the independence of Barbados, the amount of work, the volume of subjects which the people in the Attorney General's Department are requested to deal with, many are increasing, and the workload is heavy. Our Solicitor General can be drawn off to a conference for something like three to four weeks and not be available for any work in his department; and therefore I do not expect that this Committee can rely on the permanent staff of the Attorney General's Chambers for much assistance. I think it must be able to stand on its own

feet and it can only stand on its own feet, if it is properly staffed. This Resolution does not lead me to believe that it will be as properly staffed as it ought to be, and I hope that in the Estimates for next year, the Government should be in a position to review this matter and treat Law Reform as a matter of urgency.

Mr. Chairman, I myself am sometimes amazed at the fact that some of the legislation which we may pass in haste in this House has not always taken cognizance of the development in the whole field of the law. I look forward to some work from the Committee and I trust that in due course Government will see fit to improve this Committee and strengthen it so it will have some statutory basis and not be a mere adhoc committee as if forecast by this Resolution.

The question that Head 6 — Ministry of Legal Affairs — Item 9 — Law Reform Committee - for the sum of \$27, 720 stand part was put and resolved in the affirmative without division.

Head 11 — Pensions — was called.

Hon. C E. TALMA:

Mr. Chairman, I beg to move that Head 11 — Pensions — stand part of the Schedule, and in so doing, I will mention that this is merely an attempt to bring the gardeners and such people who worked there, like the Constables, in line with pensions which they normally would have got under the Local Government set up after ten years of service.

I beg to move that Head 11 — Pensions — stand part of the Schedule.

Hon. G. G. FERGUSON:

I beg to second that.

Mr. FORDE:

Mr. Chairman, if there is one Statutory Commission set up by successive Governments that functions and functions properly, it is the Parks and Beaches Commission. I believe it has been said in this House that this is one of the Commissions which has on it, people from both sides of the political spectrum. I have never tried to define the political philosophy of the members of that Commission but what I would like to say is that it has done outstanding work in the community and is doing outstanding work in the community. It can only be recognised on this side that it could only have done this with the loyalty and support of the staff of the Parks and Beaches Commission, and although the congratulations usually go to the members of the Commission directly and to the Minister concerned eventually. I would like to pay tribute to the people who work for the Commission for the laborious task they have put in — the people who have the laborious and difficult task of keeping the areas now under the jurisdiction of the Commission, beautified and clean for the benefit of this country, and I should like to appeal to the members of the public to support them in the outstanding work which they are doing.

This Resolution concerns their pensions, and I would hope that the Government would in due course be in a position to adhere to the advice, I believe, offered by the hon. Member for St. Michael West when he said that he was looking forward to the day when pensions are geared to the particular post and the existing salaries being drawn by the particular post at the time, and not geared to the salary which the pensioner was drawing at the time when he retired from the service. I would hope that this not only

regularises their position but is a forerunner of a change in Government's policy in this respect, when the economy of the country can afford us moving along this line. We welcome this Resolution and will not be voting against it.

The question that Head 11 — Pensions — for the sum of \$18, 000 stand part was put and resolved in the affirmative without division.

Hon. C. E. TALMA:

Mr. Chairman, I beg to move that this Resolution for the sum of \$45, 720 do now pass.

Hon. G. G. FERGUSON:

I beg to second that.

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

SUPPLEMENTARY ESTIMATES 1974-75. NO. 4

The Resolution for the sum of \$142, 000 was called.

Dr. the Hon. R. B. CADDLE:

Mr. Chairman, I beg to move that this Resolution for the sum of \$142, 000 do now pass.

Hon. G. G. FERGUSON:

I beg to second that.

Mr. FORDE:

Mr. Chairman, I believe that the hon. Members on the other side believe that with the presence of only one Member on this side of the Opposition, they may only need to say a few words in introducing a Resolution like this; that Mr. Chairman, should not be so.

Mr. Chairman, we should like in dealing with the Physiotherapy Department, to know whether the Minister is himself now satisfied that this Department will be properly staffed from among our nationals; whether there are sufficient Barbadians who are qualified to manage the department when it is established in the manner which is set out in this Resolution, and when the construction of the building is completed. I would like to know whether there are sufficient nationals in training, how many Barbadians are qualified in this field, what national development scholarships have been given in this field, and whether the Minister can assure us that the \$175, 000 is not being put up there to be a white elephant.

Dr. the Hon. R. B. CADDLE:

Mr. Chairman, I would like to give the hon. Member that assurance. I would also like to point out that there are plans for the construction of nurses' quarters and also a chapel. These should have been started since last year but unfortunately the plans were not drawn up and some delay was encountered. Due to that delay we find that there has been inflation, and the cost of material and labour has caught up with us.

Plans have already been drawn, have been approved by the Cabinet and the work has gone out for tender. We anticipate that with the passing of this Resolution, we will be able to start this project as soon as possible, because any delay can only mean further increase and having to come back to the Chamber to ask for additional money. 12.45 p.m.

As regards the staff, I should like to point out that, at the moment, there are Barbadians working in the Physiotherapy Department. All of the officers who work there are not Barbadians, but the Ministry is making every effort to ensure that, when this project is completed, we will have an adequate number of Barbadians to fill the vacant posts efficiently, and at the level required and appreciated by the Barbadian public.

The Question that the Resolution in the sum of \$142, 000 do now pass was put and resolved in the affirmative without division.

Hon. C. E. TALMA:

Mr. Chairman, I beg to move that Your Honour do now report the passing of two Money Resolutions in Committee of Supply.

Hon. G. G. FERGUSON:

I beg to second that.

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

Hon. C. E. TALMA:

Mr. Speaker, I beg to move that these Money Resolutions be now read a first time.

Hon. G. G. FERGUSON:

I beg to second that.

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

Hon. C. E. TALMA:

Mr. Speaker, I beg to move that these Money Resolutions be now read a second time.

Hon. G. G. FERGUSON:

I beg to second that.

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

Hon. C. E. TALMA:

Mr. Speaker, I beg to move that these Money Resolutions be now agreed to.

Hon. G. G. FERGUSON:

I beg to second that.

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

**RESOLUTION TO APPROVE THE ORDER ENTITLED THE CIVIL ESTABLISHMENT
(GENERAL) (AMENDMENT) (No.2) ORDER, 1974**

Hon. C. E. TALMA:

Mr. Speaker, the next Order of the Day is Order No.2 which stands in the name of the Prime Minister, and it is to move the passing of the Resolution to approve the Order entitled the Civil Establishment (General) (Amendment)(No.2) Order, 1974.

Rt. Hon. E. W. BARROW:

Mr. Speaker, this is a fairly comprehensive Civil Establishment Order, which has to be the subject of an affirmative Resolution in this House. I do not intend to go through the various adjustments of staff, which have been made by the Order. There are very extensive, they cover the Ministry of Legal Affairs, the Prime Minister's Office in the Civil Aviation Division, the Cabinet Office,

the Ministry of Communications and Works, the

Ministry of Health, Maternity Hospitals, and the Ministry of Housing. The main change which has been brought about by the Order is the deletion from the Civil Establishment (General) Order, 1973, of a large number of posts which were under the Ministry of Home Affairs.

As Your Honour is probably aware, during the recess there was a re-organisation of the Ministries and most of the functions formerly performed by the Ministry of Home Affairs have now been transferred either to my Ministry or to the Ministry of Legal Affairs. This has required a certain readjustment of the staff. The Chief Town Planner's Office now comes under my jurisdiction, whereas all the other matters like the Police, Fire Services, Immigration, Citizenship, and so on have been transferred to the Ministry of Legal Affairs.

With regard to the Ministry of Civil Aviation, we are in the process of introducing a new Air Navigation Act. Throughout the Caribbean we have been working under the Old Colonial Navigation Act of 1948. The Barbados Navigation Act will shortly come into effect, and there will be some further permanent posts established in the Civil Aviation Department of my Ministry to service the re-organised Air Transport Licensing Board and certain things that a properly organised Ministry of Civil Aviation Department should look after.

I beg to move that this Resolution do now pass.

Hon. G. G. FERGUSON:

I beg to second that.

Mr. FORDE:

Mr. Speaker, it would be impossible for me, in the time allotted for me, to say everything I would like to say on the amendments envisaged by this Resolution. I propose, therefore, to direct my comments to

the Ministry of Legal Affairs, the Ministry of Home Affairs, and the Ministry of External Affairs. In the Ministry of Legal Affairs, it is noted that the Government is now in a position, after several years, to have the new revised edition of the Laws and amendments thereto available for sale and distribution to the country. Speaking for myself, I do not believe that the accounting and other staff which is now asked for by this Resolution will forever be needed for this specific purpose. To be charitable, we must believe that they will, finally, be in that Ministry for some time helping to improve its efficiency.

Mr. Speaker, a little earlier on today, I made the point that this Ministry had a good workload in the legal field before it, and any additional supporting staff which it may get would be very welcome. Having made those comments, I am a bit sceptical — although we do not have any power or influence in this respect - about the transfer to this Ministry of such wide fields as Immigration, Police, plus all electoral matters. The Minister concerned is young and vigorous, but at the same time one must recognise that to burden one particular individual with so many subjects can not only lead to a bottleneck in his Department, but it might also impair his efficiency, and his own standing.

One of the things that we will counsel the Government to keep under constant review is whether or not there should not be a more adequate distribution of some of these subjects among other Departments. We realise that the Minister is always willing to take on some additional load. He has just taken on Town Planning. Obviously, if he does not look after his own health - although he wishes no advice from me - he may have to go abroad again to have his batteries re-charged. It would be a pity if all of his batteries ran out before the good Lord is ready for him. I would be very loath to put such weighty subjects upon the shoulders of one Minister, no matter how competent and how efficient he has been. The re-organisation we suggest should be constantly looked at. 12.55 p.m.

Although he may have a top-notch Permanent Secretary in the form of the Solicitor General, yet there is a limit to the supervisory capabilities and powers which that officer himself would have, to see that his whole department is functioning properly, and we would counsel the Government to look for a more equitable distribution of the work load in this respect.

Mr. Speaker, if one talks about the field of Civil Aviation, there is very little dissatisfaction with the functioning of that department. Whatever criticisms there have been, have been day to day matters which have occurred and which have been attended to rather promptly, and I for one welcome our own Civil Aviation legislation which has been long in coming. Indeed if we have our own Civil Aviation Act, we will be the first Commonwealth Caribbean country so to do. The Act under which we at present operate is the U.K. Act of 1949 and implemented in relation to Barbados by various U.K. Orders in Council which took in most of the dependent and non-self-governing Commonwealth countries, and obviously the proper running of aviation will call for additional supporting staff, and indeed it is a field that is becoming more and more recognised as a specialist area. It is a pity that within the department itself it probably still will not be possible to provide sufficient promotion prospects for the specialists who will from time to time be required in that department.

With respect to the Ministry of Home Affairs, I have already expressed the fears that we have concerning the redistribution of the various subjects in this portfolio. In the field, if I may comment specifically, of electoral matters, we believe that the election machinery calls for regular and constant scrutiny, and it calls for operation in such a way that it is manifestly fair, and there can be no wrong practices or even the appearance of any wrong practices in this department. I am not sure whether

placing Electoral affairs, immigration, police and the various departments under the Ministry of Legal Affairs is a right decision, but in addition to the work-load, I would very much counsel that an early review of this matter should take place.

In External Affairs, Mr. Speaker, some of the steps that the Government is taking now still leave us at a loss to understand why the Government is not laying more emphasis on the structural arrangements for its Caribbean external affairs. We have emphasised in this House both on substantive debates in the Estimates and on supplementary debates that we see the Caribbean as the prime area for our external relations, and that we believe that the Ministry should have much more mobility and much more force in the field of Caribbean affairs to deal particularly with the important aspect of the economic interest of Barbados in the external field. I notice that the Government now proposes to make into a substantive post the temporary post of the person who dealt with the Caribbean desk, but this is not in our view still adequate. We would like to see much more emphasis on a true Caribbean desk. I can imagine the Government is having some problems in deciding where it should assign any one of High Commissioner status or just under in the Caribbean. In fact, looking at this diplomatic personnel, I see that one of our Commonwealth countries has resident in its country its High Commissioner to other Caribbean countries. I do not want to comment on the propriety or otherwise of such a decision, but I think that just as Jamaica in particular is launching out and using its High Commissioner in Trinidad as the off-shore training and launching pad for its impact into CARICOM, that we must be conscious of the necessity for doing likewise in relation to the Caribbean and the surrounding Latin American areas, and I would like to see the Government place some emphasis on this aspect of staffing rather than trying to throw its net too thinly as it has been doing in some respects.

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

RESOLUTION RE THE CIVIL ESTABLISHMENT (PAYMENT OF PASSAGES) ORDER, 1974

Hon. C. E. TALMA:

Mr. Speaker, the next Order is Item No. 3 which stands in the name of the Prime Minister. It is to move the passing of a Resolution to approve the Civil Establishment (Payment of Passages) Order, 1974.

Mr. SPEAKER:

Item No.3 is the instant Order of the Day.

Rt. Hon. E. W . BARROW:

Mr. Speaker, this Order was made under the Civil Establishment Act, 1949-5. It is a very simple Order, Mr. Speaker. It merely seeks to increase the baggage allowance payable to officers on appointment or transfer to the Island, to determine the time in which repatriation expenses may be claimed, and to update some of the regulations which do not relate to this country's present constitutional position.

The history of this matter is that when we were a non-independent country, there were certain officers

who were recruited from overseas. They used to be transferred from one country to another under the direction of the Secretary of State for the Colonies or Commonwealth Relations, as the case may be, and in those days when there frequent transfers of this nature, the baggage allowance was fixed at \$960. There was a certain limitation on the amount of baggage which one was allowed to transfer at the expense of the Government, and this was 480 cubic feet. What the Order has done is to increase the amount allowed to \$1, 200, and there are certain consequential amendments which I mentioned before which we think it is necessary to introduce at this stage/The first one is that an officer recruited from overseas for a tour of service who resigns his appointment before the completion of that tour should not be eligible for free repatriation expenses. Secondly, that an officer recruited from overseas to a permanent pensionable appointment who resigns after less than one year of service should not be eligible for similar expenses, and thirdly that an officer recruited from overseas who subsequently retires from the public service should be eligible for payment of repatriation expenses within a period of not more than one year after such retirement. These are matters of course which relate exclusively to the public service of this Island.

The Order was made by me on the 20th June, 1974, in accordance with the provisions of the Civil Establishment Act, 1949 and it is necessary that there should be an affirmative Resolution although the Order is already in force.

I therefore beg to move that this Resolution do now pass.

Hon. C. E. TALMA:

I beg to second that.

The Question was put and resolved in the affirmative without division. 1.05p.m.

Hon. C. E. TALNMA:

Mr. Speaker, I beg to move that Order No. 9 on the Order Paper which stands in the name of the Prime Minister be the next Order of the Day. It is to move the Second Reading of a Bill to amend the Land Valuation Act, 1969.

Hon. G. G. FERGUSON:

I beg to second that.

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

THE LAND VALUATION (AMENDMENT) BILL, 1974

Rt. Hon. E. W. BARROW:

Mr. Speaker, the Land Valuation Act was brought into effect about three years ago, and since the implementation of the Land Valuation Act, we have had appeals filed in accordance with the provisions of the Act but no regulations have been made in respect of the payment or remuneration in the case of witnesses who have been summoned, and no regulations have been made as to the amount which should be deposited as security in the prosecution of an appeal. The Land Valuation Fees Regulations of 1974, Part 1, make provision for the quantum of the fees, and provision is made under section 28(4) for fees to

be paid when the Commissioner of Valuations has been requested to make a valuation of land by the owners. These are set out in Part II of the Schedule attached to the Regulations of 1974.

It is a fairly straightforward matter, Sir, just doing those things which are consequential on the establishment of this new system of land valuation. I should like to mention parenthetically at this stage that I am just about to begin a new exercise on modified site value which would entertain the value of corporeal hereditaments on the land rather than the land itself. This should bring about a much larger tax base for next year (1975-76) and a consequential reduction in the amount which some people who have undeveloped land will now have to pay. I just mentioned that at this stage, because the Act makes provision for a new valuation to be made every third year and we are now in the process of getting it off the ground, so I thought I would pass on that information to honourable Members.

I might also mention for those who do not fully understand the nature of the rate which is laid, that it is based on the amount of money which the transfer services now cost the central Government. I do not regard the rate which is laid on property owners as a means of raising revenue, but we assumed the functions which were formerly carried out by the three Local Government Authorities some six or seven years ago as far as I remember — I cannot remember precisely when it was — about 1969. Under the old Vestry System or Local Government System, the Local Government Authority would decide how much money they needed in order to pay for all the services which the law required them to perform, then they would take the amount which was calculated to be raised or likely to be raised by the trade tax, they would do a simple arithmetic exercise of subtracting the trade tax from their proposed expenditure and then they would make a rate on the annual rental value of property which would afford them the arithmetic sum which would equate with the difference between the expenditure and the money raised by way of trade tax. We have expanded the services, we have paid better salaries, we have given the former Local Government employees new dignity and security in their jobs and we can assess from the expenditure of such authorities like the Sanitation and Cemeteries Board and other Boards which formerly fell under the Local Government Authority — not the Parks and Beaches Commission, that was never any part of the Local Government system — but the health services which were transferred to the General Board of Health and so on, the precise amount of money it would be costing the Local Government Authorities to carry on these services.

The rate I propose to lay will not be a revenue rate, it will be a rate to cover this amount, of which I have a fairly good idea right now, all other things being equal, to efficiently perform the functions of the Local Government Authorities, the amount of money should be calculated, then it is for the people to do their jobs, I cannot really legislate for the indifference of people working for the Sanitation and Cemeteries Board. We can only provide the money to service the vehicles, to pay for the vehicles, and to pay the salaries and wages of the people who are employed, I want to make that clear, but the main point of my dilating a bit, Sir, is to emphasise that in case anyone did not understand the system of rating and valuation, the sum which will be raised will be a sum which will only cover the transfer services after deducting trade tax, which is still at 19.95% as far as I can remember. Therefore, if we do a new valuation, as I have indicated that I am in the process of doing, for next year's rate based on modified site value instead of the site value, this is, based on the site value plus the improved site value — improvements being corporeal hereditaments mainly on the land, that is, buildings and so on — it stands to reason that the tax base will increase because there are lots of buildings in Barbados. I made a rough calculation about ten days ago by myself on the total value of buildings in this island. Right now the total value of unimproved land is half a billion dollars, \$500 million, and I think that the value of

buildings in Barbados and the improved site value should work out to \$1.5 billion. This would give you a multiplier of three to one. No one has done any exercise, in Government or outside of Government or in the IMF or in any of the international institutions, on the value of what Barbados is worth, I am the only person who has done it and I calculate it at approximately \$1.5 billion, possibly \$2 billion. The British Government does this every year, they know the full value of the land and property, but we have never had a valuation done. This is only an estimate and I do not say it is a perfect estimate but I have every reason to believe that the property of this island is worth between \$1.5 billion and \$2 billion. If you wanted to buy Barbados as a country, as a piece of real estate, you could not get it for under \$2 billion in my opinion. 1.15 p.m.

If you have a tax base of \$1.5 billion, that will give you a multiplier on the present and improved site value of 3. Therefore, theoretically — I wish to emphasise this — theoretically if the total amount of services, transfer services, are going to remain at \$5 million, I should be able to lay a rate of one third of one per cent; but I do not promise to lay a rate of one third of one per cent because the cost of services will be increasing and have increased; and I have not done a calculation for next year of what the cost of the transfer services will be in 1975-76.

All I would say at this stage is that I see no reason why people with unimproved land should not next year be paying half of the amount of tax that they had to pay this year; because I cannot at this juncture envisage that with a tax base of a minimum of \$1.5 billion that we will need to lay a rate of more than half of one per cent whereas the existing rate is one per cent on the same site value.

So it means that the people who have built new houses will pay more. They are not paying their fair share now. People who have land which is not developed, although we would like to see it developed, will pay less, but they will not have their valuation reduced. So that if a property was valued at a site value of 10, 000 square feet of land at \$10, 000, next year it is going to be reduced to \$5, 000. That valuation will remain.

If there is an improvement to the tune of \$35, 000 it will not be valued at \$45, 000, but what will happen is that next year on the unimproved site value the \$10, 000 rate will only be half- not will, I should say should. I have to be very careful because this is all subject to my calculations, and it has got to be less anyhow; but whether it is half of what it is today, or one third or two fifths, I am not in a position obviously at this stage to say.

I just thought that I would mention this to allay the fears of some people who feel that the rating system is a revenue raising device. It is not. It is a device to cover the cost of the services which have been transferred from Local Government.

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

Hon. C. E. TALMA:

I beg to second that.

Mr. BOLDEN:

Mr. Speaker, this Bill reminds me very much of the Landlord and Tenant Bill which was introduced into Parliament for a considerable time and only at the last moment were regulations made.

I heard the Honourable Minister speak of regulations under this Bill. I have not had the privilege of seeing these regulations and I hope that he will tell the Honourable Chamber when the regulations were made and passed. There are certain regulations which should have been made under this Act which have not been made. Instead, he went on to speak about new taxation.

In other words, he was warning the country as a whole, just as the Minister of Communications and Works told us that water was going up by 100 per cent, but we have to drink it. So the Minister of Finance is warning us now about new land taxation. I am saying that one should look at the Act in its entirety in respect of the various land patterns which exist in Barbados and devise a system which will be equitable for all and sundry.

The Minister of Finance is seeking to amend the Act in a way which will not bring justice in many areas. I think that Barbados will find itself like the Bahamas when Barbadians will not and cannot own land or houses in Barbados. They will find themselves ousted of their right to build houses and pay taxes.

When one increases the tax base, where will the money come from? Many people are paying today who thought some years ago that they would never have owned a house in the new developments; but they will have to pay more.

The Minister spoke about the taxation base on the use of land; but if you are going to levy tax in the way in which it has been done in the last few years it will not be fair as far as the majority of Barbadians are concerned.

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

Hon. C. E. TALMA:

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

Hon. G. G. FERGUSON:

I beg to second that.

The Question was put and resolved in the affirmative without division. Mr. Speaker left the Chair and the House went into Committee on the Bill Mr. LOWE took the Chair.

Clauses 1 and 2 were called and passed.

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

On separate motions of Hon. C. E. TALMA, seconded by Hon. G. G. FERGUSON, the Bill was read a third time, passed, and cited as the Land Valuation (Amendment) Act, 1974. 1.25 p.m.

RESOLUTION RE THE COMPULSORY ACQUISITION OF LAND AT WORKMAN'S ST. GEORGE

Hon. C. E. TALMA:

Mr. Speaker, the next Order is Order No. 4 which stands in the name of the Minister of Housing, Lands, Labour and National Insurance, and it is to move the passing of a Resolution to approve of the compulsory acquisition of land at Workman's, St. George, for development into a children's park. The Hon. Minister will proceed, Mr. Speaker.

Hon. P. M. GREAVES:

Mr. Speaker, about three years ago some persons living in Workman's in the parish of St. George approached my Ministry and asked for some assistance in establishing a park in that part of Barbados. We made investigations in the area and we discovered that these persons were given permission by some presumed owners of the particular piece of land to use a small area for the purpose of putting in a few park accessories. We thought it was very noble initiative shown by these young people and we felt that they should be encouraged. We propose at this time to acquire one acre of land and further develop it into a park where the people of Workman's and others, and particularly the kids, can find relaxation and enjoy themselves.

Sir, I beg to move that this Resolution do now pass.

Hon. G. G. FERGUSSON:

I beg to second that.

Mr. FORDE:

Mr. Speaker, the provision of any facilities for the use of the leisure time of the people of this country is an important aspect of the life of these people. We have frequently emphasised the necessity for the Government to have an overall plan in this field because as we move into the five-day week, the forty hour week, the thirty-three hour week, it becomes more and more important that the people should be educated in how to use leisure time, not only productively in the economic sense but productively in the sense of betterment of the total human personality, and I am glad to hear the Minister say that the initiative for this action has come from the people themselves rather than from a particular parliamentary representative, whether of the parish, or Government, or somebody of the sort. It shows that the people themselves are very concerned about the use of their leisure time.

I have not known the Government to tell us of any plans it has for similar parks in other areas of the country, although I invited them to look at the area of Christ Church West, Mr. Speaker, in the Bennetts—Britton's Hill area which have children who are so concerned about their livelihood that they would welcome the Minister taking some action on the report which is now in the Government's hands, for the need for facilities in that area. Speaking for myself as a member of the public and not of this House, I would welcome it likewise because it would give me a greater opportunity of sharing some of my leisure time with the people at large.

Mr. Speaker, I would like to draw to the Minister's attention that very near, in the same St. George

area — St. George South to be specific — around St. George's Church, the Anglican Church has a large area of land which I am sure it would make available to the Government for a park — a substantial park — at probably a peppercorn rent, in that area, and the Government should use its initiative in improving facilities around the area of the St. George Church and the school. It is a densely populated area and its woodland is very much taken up with vegetation, and I am sure that the hon. Member representing this part of St. George would be the first to welcome such initiative by the Government. They should not allow the fact that it has been voiced perhaps for the first time in the House by myself, to be a deterrent in this respect. I believe the hon. Member who represents St. George South has adverted to this in conversation before with me and certainly other people, about the development of this type of area in the St. George parish.

I counsel the Minister to use these facilities as soon as possible and bring to the House some overall scheme to assist the leisure time of young people.

Why do I relate this, you may ask, Mr. Speaker, — a Resolution such as this — to the leisure time of young people? It is simply because we have to recognise that the young people of Barbados are exposed very rapidly to all the circumstances of the outside world. They have television right at their doorsteps and they see both developments which we welcome, some of which we do not welcome because they are harmful to their moral fibre and character; and it therefore places on us, their seniors, a greater responsibility to make sure that they have adequate facilities with which to use their leisure time, not in pursuits that would destroy their character, their standing, their fibre as citizens, but pursuits that would uplift them and improve their contribution to the national wellbeing.

For this reason therefore we welcome any such Resolutions, but we must tell the Minister that his Ministry must not wait for the adhoc approach, but we must have an overall plan, he must have an overall scheme for the improvement and the provision of such facilities; and although private organisations like the Barbados Workers' Union are now moving into the field of recreation — I am glad to see them in the recreation field sometimes providing their own facilities — yet we would like to see the Government recognise its role in this respect.

We regret the waste that is occurring at community centres. Truthfully the community centre should be so organised that it has children's parks and every facility available; but that is not happening. This particular Minister is well placed also as Minister of Lands and Surveys to liaise with the department of the Prime Minister which now deals with Town and Planning, to ensure that future large developments should set aside a part of the development to the provision of this type of facility.

I regret sometimes to see that in a place like Ealing Park, there are no real and true park facilities. Rows and rows of concrete, and no thought taken of the aesthetic value of the people who are going to live there or who live there; no consideration is given to the provision of this type of facility for future development, and surely the developers in the country must be aware that they have an obligation to the future Barbados to allow such a facility to exist. If necessary, I believe the Minister must use his powers — not only his legal powers but his persuasive powers — to impress always on developers the necessity to be conscious of their civic responsibility.

Mr. LOWE:

Mr. Speaker, I just rise on a small point, to correct the hon. Member for Christ Church West. He

stated just now that the Member for St. George South has discussed the matter with me relative to the land around St. George Church. It has never happened where the Member for St. George South is concerned. I am the Member for St. George South. So the park he is speaking about is not in the north of St. George. It is in the north. I did not interrupt him while he was making his speech, but I just waited so that I could put Hansard right, that it is north and not south.

Mr. FORDE:

On a point of explanation, Mr. Speaker, If the hon. Member had told me I had said 'South' at the time, the correction would have been made for him. I am sorry that he does not take the plaudits that he does not deserve, but I am sure he is honest enough to state so, Sir.

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

RESOLUTION TO APPROVE LEASE OF LAND AT QUEEN'S PARK TO SPARTAN CLUB

Hon. P. M. GREAVES:

Mr. Speaker, this Order deals with the lease of just over half an acre of land to Spartan Club. This land is situated in Queen's Park. It is well known that for several years the Spartan Club has been operating in Queen's Park and has Queen's Park as its home. 1.35 p.m.

They have recently approached my Ministry for a lease of land on which to improve their club house. They have asked for a long lease, and the Ministry has agreed to recommend a lease for a period of twenty-five years under the conditions set out in the Addendum to this Resolution. The conditions, of course, are—

- (1) that the design of the building must be approved by the Parks and Beaches Commission;
- (2) that the building and its immediate environs must be maintained by the Club in a manner satisfactory to the Parks and Beaches Commission;
- (3) that no dances must be held in the building without the specific approval of the Parks and Beaches Commission; and
- (4) that the Spartan Club will have no exclusive right to the use of the playing field.

I merely want to add that this is not a lease of the playing field. Formerly, the playing field was used by the Police Club and Spartan Club, but the Police Club now has its own playing field. It is not intended to lease the playing field to the Spartan Club or to allow them to have the exclusive use of it. This is well understood and acceptable to the Club. We are now asked to lease a small area of land to enable Spartan Club to erect a club house in the same manner as we rented a piece of land to the Rugby Club on which was erected a club house at the Garrison. It was not intended that the Rugby Club should have exclusive use of the grounds at the Garrison and, similarly, it is not intended that the Spartan Club should have exclusive use of the playing field at Queen's Park.

I beg to move that this Resolution do now pass.

Hon. L. E. SANDIFORD:

I beg to second that.

Mr. BOLDEN:

Mr. Speaker, I have nothing against the Spartan Club, but I cannot say that I am happy over what is happening at Queen's Park. I cannot say from time immemorial, but I can say that, from the time I knew myself, the public of Barbados have had the right and privilege to enjoy the facilities at Queen's Park. It has been noticed quite recently that the general public have been gradually excluded from the use of Queen's Park.

Mr. SPEAKER:

This Resolution is not dealing with Queen's Park generally. Some latitude will be given, but do not lay the burden of your remarks on Queen's Park generally.

Mr. BOLDEN:

Mr. Speaker, we are dealing with Queen's Park. It is intended to lease an area of land at Queen's Park to somebody to erect a club house. I cannot understand how it can be said that we are not dealing with Queen's Park generally. I am saying that the public are being prevented from using Queen's Park. You cannot give a lease to somebody for a portion of the land at Queen's Park, and then expect that person to allow the general public to do what they want.

Mr. Speaker, we used to have Agricultural Exhibitions at Queen's Park for several years, but the Parks and Beaches Commission have just stopped that. The Hon. Minister of Agriculture has said that he is searching for a site on which to hold an exhibition in Queen's Park. This is a conflict with what Queen's Park stands for. You cannot give a man a lease and then tell him that he cannot have exclusive use of the playing field. Now, it is known that Spartan Club is a cricket club and it will have to prepare a cricket pitch, and so on. If you look at the terms and conditions under which this portion of land will be leased to Spartan Club, then you will realise that we will end up with a lot of quarrels before we are finished. I feel that the public should be made aware of what is happening at Queen's Park.

Mr. Speaker, look at the Stadium! We cannot get the terms of any lease, and we cannot see the plans to know what is happening. Government gave a lease to the Barbados Lumber Company, and then discovered that the land was not in their possession. Up to now this Government has not told this House what is the true position of this matter. You cannot give away what you do not have. I take a serious view of this matter. If the Parks and Beaches Commission says that we cannot hold Exhibitions at Queen's Park, then let them tell the public for what Queen's Park will be used. You do not permit people to drive through Queen's Park and so on.

Mr. Speaker, when I was a little boy, on Christmas mornings, Queen's Park used to be filled to capacity with people strolling all over the place. If you give Spartan Club the exclusive right to a portion of Queen's Park, then the people will be told that they can no longer go on the pasture. They will only be able to go to Queen's Park when the Police Band can find time to play in the Band Stand.

Now, the Garrison is an entirely different matter. We have never had general functions there. We have

had horse racing and Billy Graham up there. The Jaycees spent a lot of money installing toilets in Queen's Park in order to accommodate the public, and now you are telling the public that they cannot go there.

Mr. WALCOTT:

Mr. Speaker, in certain respects what the hon. Member for St. Joseph has said has some sense, but in other respects I do not think he understands what is happening at Queen's Park. Now, Queen's Park is in town. It is far away from St. John and St. Philip, and it will take a little time for a boy from the country to come to town. Queen's Park and Spartan Club were there a long time ago, and on Christmas mornings the general public were still allowed to go there. There is no conflict between Queen's Park and Spartan Club.

Mr. Speaker, I am not a member of Spartan Club, and I do not agree with certain practices in certain clubs. I do not like granting leases to any club that can black-ball a person and admit whomsoever they want. I did not agree to the lease of the land to the Aquatic Club or to the Barbados Turf Club. 1.45 p.m.

What the hon. Member said about the use of Queen's Park is not true. The lease is for 12, 000 square feet of land and this is the area on which they will probably put a pavilion, but you cannot expect that the whole of Queen's Park will be 12, 000 square feet.

Mr. BOLDEN:

On a point of order, Mr. Speaker, it just shows the information which is given to the House in general. The hon. Member talks about 12, 000 square feet, but as I said, we do not get plans or see a proper release.

Mr. SPEAKER:

That is not a point of order; you are making a second speech. You must know by now that you cannot rise on a point of order and make a speech. That is what you are doing. If the hon. Member is misrepresenting you, you rise on a point of elucidation. I am not denying the hon. Member's rights. Let the hon. Member continue.

Mr. WALCOTT:

Mr. Speaker, the Schedule sets out that the land is 12, 000 square feet. The whole of Queen's Park is more than 12, 000 square feet; so it is no point in saying that you cannot give them a lease of 12, 000 square feet because they would have the right to stop people from going all over the grounds, because that is nonsense. I do not like the hon. Member's method. The hon. Member said it is different with the Garrison. How does it become different from the Garrison? How is Government land at the Garrison different from Government land at Queen's Park? Is it different because of the people to whom they give the lease?

Mr. Speaker, I am very serious about this. Is the hon. Member suggesting that it is all right for those persons who can get a lease to have the Garrison?

Mr. BOLDEN:

On a point of elucidation, Mr. Speaker, I said the case of the Garrison was different because it has always been used for horse racing and Billy Graham. In the case of Queen's Park it has been used for the

Exhibition etc. and by the general public at large. If the hon. Member cannot understand, let him try to understand.

Mr. WALCOTT:

Mr. Speaker, do you expect an hon. Member to come in Parliament and talk that utter rot and try to justify that nonsense by saying that it is different from the Garrison? (laughter)

Mr. SPEAKER:

Visitors in the Gallery must behave themselves with decorum at all times. You are here on sufferance.

Mr. WALCOTT:

Mr. Speaker, you are not to take notice of the Gallery. Let me draw it to your attention.

It is utter nonsense for a Member to talk about the Garrison being different. The Garrison is Government land, and as soon as you have instituted a principle where Government land can be given on lease, you have already set a principle. All that has happened is that the Garrison has been leased to people in the past with whom the hon. Member was associated and he believes that they have a right to have Government leases of land.

Mr. BOLDEN:

Mr. Speaker, on a point of elucidation, I have never said that the land was leased to people at the Garrison with whom I have ever had the privilege to associate. If the hon. Member sees me up there, it must be my shadow because I do not go there. If he associates with them that is his business,

Mr. WALCOTT:

Mr. Speaker, why do you allow him to interrupt me all the time? I am making my speech. I have not said that he said so; I am saying so about him.

Mr. SPEAKER:

You must know that you are not supposed to give way on a point of elucidation.

Mr. WALCOTT:

I am saying that he associates the lease of land with the people at the Garrison and that is why he made that statement. Maybe the people at Spartan are different kinds of people, but I do not think you can make any stupid statement and say that the Garrison is a different kettle of fish from Queen's Park. The Garrison is public land owned by the people of Barbados and the same principle will have to apply. If you can give a lease to anyone at the Garrison, you can give a lease to someone in Queen's Park on certain conditions. As I said, you lease to the people at the Garrison for running horse races because it is a sport and the people who do it feel it is not easy to acquire their own land. In Jamaica they have stopped this and told the people to get their own race-course. The Government can decide that at any time. There is no inherent right that the Government must lease the Garrison to the Barbados Turf Club, but the Barbados Turf Club has a lot of land on lease at the Garrison, more than what Spartan would have in Queen's Park. I will say in relation to the two organisations that Spartan will have made its contribution to sport in no less a manner than the Barbados Turf Club will have done in racing, and the cricketers and footballers would keep the grounds in reasonably good condition. I would go further and say that it is owned by the Government, but maybe the Government could decide to run it and pay for

the upkeep, but it would cost Government more to keep the grounds than if Spartan was keeping the grounds. It is true the hon. Member had to travel from far so he would not have had the privilege of going to the Park as often as I have; but I went to the Park when I was a boy. There is a difference between when you are living in town and when you are living in the country, but that is not our fault; it is purely a matter of geography. Queen's Park was there before Spartan was there and I ran about Queen's Park playing, and nobody prevented me from going there. The Government gave them the lease and I think this is to be expected.

I would say this about the people who play cricket for Spartan: if they had the self-respect that they should have, they should have been able to own 100 acres or 1, 000 acres of land by now, from the time they were playing cricket, and the hon. Member would not have been able to make the speech he has made today in asking Government not to lease them any land. It is typical of these so-called middle-class people. They like to have a facade and a front in that they like to live in big houses whether or not they can pay for them rather than living in a small one for which they can pay, and it is symptomatic of our social society. If Spartan did not want to show that they have the big Queen's Park, they would get a small ground like Empire and play there. Maybe they do not want to go in some back alley and play, so they want to play at Queen's Park which is near to Queen's College and Harrison College. When I was a boy I thought that Queen's Park belonged to Spartan. The members used to dress up and you would never know that they were renting the land.

The Rt. Hon. Prime Minister has left, but the only thing that is worrying me is that my organisation has to pay a lot of land tax for putting up houses for the people, and a cricket club is going to get Government land free. It is a waste. I do not know what is the value of Queen's Park land within the total economy of Barbados, but if it was worth \$2 million, I wonder what this would value in the context of transfer arrangements, maintaining the service and what not. We are making a substantial gift to them. There is a big canal running behind the Park, and many of us who watched cricket as boys tried to jump over there to get a free look, but instead of jumping over, you ended up in the canal and paying to have your clothes cleaned. 1.55 p.m.

I feel that it is necessary that if the Government agrees to this I am easy; if the Government had decided they would not give it, I would be easy too, because I feel the same way that certain organisations have been forced to look for their own grounds, and Spartan has been playing there for fifty years, they should look for their own grounds. Too many people can get freenesses off the Government, and they are people who work for salaries and would be able to do it for themselves, but I do not agree with the hon. Member that it is any different from the Garrison, because the same way you can give the Barbados Turf Club a lease at the Garrison you can give Spartan a lease at Queen's Park.

Mr. FORDE:

Mr. Speaker, the rules of debate of this Chamber of course prevent the hon. Member for St. Joseph from clarifying adequately the points which he made, and I may begin by voicing some of his sentiments. The first sentiment he made, and which I think is well founded, was that there is liable to be a contradiction in this Resolution so far as the use of Queen's Park will be involved, since it might lead to incompatible use. That is not too difficult for anybody to understand, and I think that one of the assurances he wanted from the Government, and certainly which we want on this side, is that the permanent arrangement now being entered into between the Government and Spartan Cricket Club will not shut out the revival of the agricultural exhibition, a festival which I think had a lot to do with the

cultural and agricultural aspects of this country's history. I think also that what we are seeking to get, is an assurance that this permanent arrangement will not also exclude the large numbers of our people who looked at Christmas morning in Queen's Park as an event of some significance and importance. If the hon. Member did not make himself quite clear I should like to clarify that position for him.

May I say, Mr. Speaker, that had this Resolution been presented to this House forty years ago, constituted as it is and with the colour of the faces in it, this Resolution would not be passed, because the history of clubs in Barbados has been a history of colour, and we must face the fact that Spartan went through a period in its early history where it had not only a middle class or Harrison College boy tint but it also had a light colour tint, and it is only in recent years with the levelling of the society and the impact of Gary Sobers on this community that we have found that cricket has now reduced the colour issue to the point of being almost irrelevant. I am glad to see that nowadays they are no longer looking to see whether you are fair skinned or black skinned, but at one time if you were black skinned you went to Empire, if you were fair skinned you went to Spartan and if you were white skinned you went to Pickwick, and that was the test in years gone by. As I said before, with the complexion of this House today if this Resolution had come forty years ago we would have asked for an assurance that the standard of admission to this club must be a little different.

I would like to say that we are not voting against the Resolution, we have no criticisms of Spartan Club as it is at present constituted since it now permits mobility in the social sector and it no longer has as its test the colour of anybody's skin. As far as we know, it is being properly run and provides entertainment for the country as a whole, and also helps young people to advance in the sphere of athletics and games. The hon. Member for St. Joseph certainly does not wish to be wrongly represented as saying that he is opposing the Spartan Club, he is asking for a certain assurance that other uses will continue in this area.

On the question of the Garrison, the Garrison is only leased for specific events, I am not going to speak on the Garrison, I am only going to say that in leasing to institutions such as Spartan or another association which got a lease the other day from the Garrison, I think we must be mindful of the fact that no exclusive terms are given to anybody, that the cricket field will not be exclusively used by the Club. I trust that this club will be policed enough to make sure that this is not done. I too regret that this club is not in a position to have its own club house, I think a club that has a history such as this and has been in existence for such a long time and has made such an outstanding contribution to cricket should be able to stand on its own feet financially, but that is not a reason why we should vote against the Resolution. I trust that the Minister of Lands will speak to his counterpart next to him, the Minister of Agriculture, and give us some assurance that the present use of Queen's Park will not exclude other events such as the agricultural exhibition and that it would be possible to accommodate this type of use without any detriment to the lease to the Spartan Cricket Club.

Hon. P. M. GREAVES:

Mr. Speaker, I can assure the hon. Members on the other side that entering into a formal agreement with Spartan is only formalising what has been going on for years and years, long before any of us were born. I presume that they must know it. One of the problems I find is that when people get emotional about an issue, they lose the substance of the matter and I presume that is what has happened today in relation to this Resolution. It must be generally known by people who follow sport in Barbados that Spartan had a pavilion for years; it must be known that Police had a pavilion for years also in Queen's

Park, and there is also a trash house used by people who play soft ball. It must be known too that both Police and Spartan could have used Queen's Park; it must also be known that Police no longer use Queen's Park, so why must it be presumed now that we are entering into a formal agreement as regards what had been taking place in the past that in fact people would be precluded from using the facilities at Queen's Park? I want to give this assurance, that the arrangement with Spartan had nothing to do with it, Cabinet long ago took a decision that no more industrial exhibitions should take place in Queen's Park. That is known to the Agricultural Society, and I believe the hon. Member for St. Joseph is possibly a shining light in the Agricultural Society, or perhaps some kind of adviser to the Agricultural Society, therefore it must be known to him because it is known to the Agricultural Society that industrial exhibitions will no longer be permitted to take place in Queen's Park and that Queen's Park will be used for what it was created, that is, a park for the leisure of the people who want to use Queen's Park as a place where they can go and find relaxation. 2.05 p.m.

A lot has been said in an earlier Resolution about recreation and leisure. This is leisure for people who want to use Queen's Park to find a place where they can go and find relaxation; not as a place where you have two days of exhibition and destroy all the work that has been put in for a whole year and then you find that you have to come back and start all over again, replanting trees, replanting shrubs and repairing buildings.

It has cost a lot of money to bring Queen's Park House to the standard at which it is today. That must be generally known; and we have no intentions of allowing the money we have spent to go down the drain by two nights of entertainment. We have nothing against the Agricultural Exhibition. As a matter of fact we believe that it is a very useful thing that should be encouraged. We are merely saying that they must find another venue for the Agricultural Exhibition. That is the assurance that I am prepared to give.

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

SUSPENSION OF SITTING

On the motion of Hon. C. E. TALMA, seconded by Hon. P. M. GREAVES the Sitting was suspended until 3 o'clock p.m. that day.

On resumption:

QUESTION TIME Mr. SPEAKER:

It is now Question Time.

REPLIES LAID

Hon. C. E. Talma with leave laid the reply to Question No. 172 standing in the name of the hon. Member for St. Thomas, Question No. 180 asked by the hon. Member for St. Lucy and Question No. 263 asked by the hon. Member for the City. The Members were not in their places.

Mr. SPEAKER:

The Reply to Question No. 201 asked by the hon. Member for St. Joseph.

Mr. BOLDEN:

To enquire of the appropriate Minister (a) Would the Minister state how much capital has the Government of Barbados paid up to date the Central Bank of Barbados? (b) How much did they originally undertake to pay into the said bank? If there is a difference between the amount paid up and that originally pledged, will the Minister state when the Government intends to pay the remainder?

Hon. C. E. TALMA:

Mr. Speaker, the Reply is as follows-

"On the 5th December 1973 the Government of Barbados paid to the Central Bank an amount of \$2, 000, 000 in accordance with Section 7(2) of the Central Bank of Barbados Act 1972-6 which provides that:-

There shall be paid up by the Government in respect of the authorised capital of the Bank, upon the establishment of the Bank an amount of \$2, 000, 000 and such further amounts thereafter as may be proposed by the Board and approved by the Minister".

Mr. SPEAKER:

The Question No. 265 asked by the hon. Member for the City of Bridgetown.

Hon. P. M. Greaves with leave laid the Reply to Question No. 265, the hon. Member was not in his place.

Mr. SPEAKER:

The Question No. 251 asked by the Member for St. Joseph.

Mr. BOLDEN:

Mr. Speaker, to enquire of the appropriate Minister In view of the fact that the Belleplaine, St. Andrew Bridge how being referred to as Dr. Smythe Bridge, which was washed away in 1970 is being repaired in 1974, would the Minister state how soon Government intends to carry out repairs to the bridge in St. Sylvan's Village in St. Joseph which has been washed away since 1958 and has had no work done to it since that date? Is the Minister aware that the non-availability of the use of this bridge has caused great strain and inconvenience to the residents of the St. Sylvan's Village and surrounding areas?

Hon. R. StC. WEEKES:

Mr. Speaker, the Reply is as follows-

No damage has been done to any bridge in St. Sylvan's Village since 1958.

No. 2 does not arise.

Mr. SPEAKER:

Question No. 237 asked by the Member for St. Joseph.

Mr. BOLDEN:

Mr. Speaker, to enquire of the appropriate Minister Is the Minister aware that

(1) Farmers in this country have been unable to obtain soil tests, feed analysis and seed treatment and such services from the Ministry of Agriculture;

(2) That the Extractor fan in the room at the Ministry of Agriculture, Crumpton Street, has been broken for some time and this has been blamed for the cessation of the seed treating operations; Will the Minister state what steps will be taken to bring our Ministry of Agriculture, Science and Technology up to reasonable standards for the improvement of agriculture in this country?

Hon. A. MORRISON:

Mr. Speaker, the Reply is as follows-

1. No, Sir.

2. The treatment of seed was never stopped. However, the drying of treated seed was temporarily discontinued due to the breakdown of the extractor fan which has been replaced.

Mr. BOLDEN:

Will the Minister repeat the first part of his answer for me please.

Hon. A. MORRISON:

The first part of the answer is "No Sir".

Mr. BOLDEN:

Mr. Speaker, I am seeking clarification.

Mr. SPEAKER:

A Supplementary Question, please.

Mr. BOLDEN:

Will the Minister state when last a feed analysis has been carried out by the Ministry of Agriculture in this country ?

Hon. A. MORRISON:

Mr. Speaker, there were four feed analyses carried out in 1973.

Mr. BOLDEN:

What were the results of each of the analyses carried out?

Hon. A. MORRISON:

Mr. Speaker, I do not have that information available as to the results of the analyses.

Mr. SPEAKER:

Question Time is now ended.

RESUMPTION OF GOVERNMENT BUSINESS

Hon. C. E. TALMA:

Mr. Speaker, at this stage I beg to move that Government Business be now resumed.

Hon. G. G. FERGUSON:

I beg to second that.

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

RESOLUTION TO APPROVE COMPULSORY ACQUISITION OF LAND AT MAXWELL HILL, CHRIST CHURCH

Hon. C. E. TALMA:

Mr. Speaker, the next Item is Item No. 6 standing in the name of the Hon. Minister of Housing, Lands etc. It is to move the passing of a Resolution to approve the Compulsory Acquisition of Land at Maxwell Hill, Christ Church. The Hon. Minister may proceed. 2.15 p.m.

Hon. P. M. GREAVES:

Mr. Speaker, this matter relates to about three acres of land at Maxwell Hill, Christ Church. It has come before this Honourable Chamber on a proposal from a private citizen who is the owner of this land. He is a Mr. Miller. Sir, there is a road shown on the plan, which traverses this land which Mr. Miller proposes to develop, and it in effect, immobilizes a considerable portion, perhaps more than one-third of the land area of Mr. Miller. This road that traverses this land almost in a U shape is shown on the plan as a road and it is in fact a right of way that exists in favour of an unknown class of persons.

Mr. Miller proposes to dedicate a new road on the western — on looking at the plan it would appear to be on the north western end of this plan, 14 feet wide — a made-up road; and in fact, Mr. Miller has already begun the road, and that part that Mr. Miller has established as a new road is already in use by pedestrians — people using that area as a walk-way, connecting up Maxwell Hill — that part of Maxwell Hill — with perhaps Fairholme Gardens or perhaps even Highway 7.

It is the desire of the developer to have the right of way extinguished. Therefore that accounts for this Resolution being before this Chamber today. It extinguishes this right of way; the developer therefore intends to dedicate to the general public, another area to be used as a road. As a matter of fact, Sir, the road that the developer now intends to dedicate, in fact, aligns the existing road from Fairholme Gardens in a way that one approaches Maxwell Hill now directly rather than going around as shown on the present plan.

The Town Planner is very much in favour of the new proposal, but the Town Planner imposes a

restriction on the roads, and will not permit the new road to be used as a vehicular access. In fact the old road is not so used at this moment. It is overgrown with bush and there is still some kind of made up road which was used apparently years ago when Maxwell Hill was a plantation. There was a factory working there, I understand. So the fact is that none of the residents of the area, or no one else as a matter of fact, will lose by the new proposals, and in fact what the developer covenants to do with the Government is to put in a road in a much better state than in fact the old road is in at this moment; and I should add that the Town Planner is requiring that two bollards be placed at the top of the road to prevent any vehicular access at all on to Highway 7.

The land involved is about 5, 670 square feet. It is not involving the Government in any expenditure whatsoever; I want to make that point; and whatever expenditure is involved, the Government would be reimbursed — that expenditure will be the responsibility of the developer.

I do not think there is much more, Mr. Speaker, that I can say about this Resolution, and I beg to move that the Resolution do now pass.

Hon. A. MORRISON:

I beg to second that.

Mr. ADAMS:

Mr. Speaker, this Resolution has caused me considerable doubt, not least, because I am aware of the goodwill and general public spirit of the gentleman Mr. Miller whom it is proposed to help; but this Resolution has caused me disquiet for these reasons. First of all, the Land Acquisition Act exists to acquire land for public purposes. If we were in any doubt, the speech of the Minister has just made it clear that on this occasion the Land Acquisition Act is being used to acquire land for a private purpose, namely, to allow a private developer to close a road over his land.

No matter how much you may respect the person concerned, I have little doubt as an Attorney-at-Law, that were this matter adjudicated in the courts, the courts would hold that this is not a public purpose; and I believe that we in the House of Assembly should tread extremely carefully before we use the provisions of the Land Acquisition Act contrary to the wording of the Act itself. It is obvious that this is not a public purpose. The land is being acquired by the Government, from a man, to give back to the man, after having conferred a benefit on the man. This is not a public purpose.

The second point which I would make is this. It is to my knowledge that this road was never a public road at all. It is to my certain knowledge that this road was laid out well over one hundred years ago as a roadway leading from Maxwell Plantation yard to Maxwell Great House on Maxwell Hill. It is to my certain knowledge that up to the 1940's this road used to be stopped every year by Mr. Ward who was the then owner of the plantation; he bought it in 1924, and it used to be stopped upon January 1 every year, and this road existed as a private right of way over lands formerly and exclusively of Maxwell plantation but lands which subsequently were sold. I think I might even be able to recite the names of the first few purchasers although perhaps in latter times I cannot be so exact; but I can myself remember as a little boy, staying in Maxwell House and observing that this road was a private road which went up the hill, even though it was not then in the best of condition.

Now the corollary that arises from this is that the Minister must surely be wrong when he says that

none of the residents are prejudiced, because the present owner of Maxwell House — supposed to be Maxwell Great House — clearly has the use of the road as his private right of way. It originally was conceived as his private right of way. The two houses have come into different ownership, but that is no reason why the road is not continued as a right of way. The heirs of Mr. Albert St. John who was the first purchaser are also, I believe, still residents and still claim the right to use the road as their private right of way to Maxwell Hill; and it is within my knowledge that legal claims have been or are being filed on behalf, at least, of the owner of Maxwell House and I believe also the St. John properties, claiming compensation if the Government extinguishes their right of way. I am quite convinced that it is a private road.

There have been, again to my knowledge, negotiations between Mr. Miller and some of these owners. He sought to have the road extinguished privately, as I think could have been done, but that is only my casual opinion, Sir. But I gather that negotiations broke down because the various owners could not agree on which road would be made up in future as an access road. Some owners complained that the new road referred to at the north western end of the ground will be steeper than Oistin Hill and therefore would be unsuitable even for the purposes for which the present road is now used. 3.20 p.m.

I am sure that, with the best will in the world, the Government have got into a dispute between private persons, and I think it is a mistake for the Government. I am sorry the hon. Member for Christ Church West is not in his seat, but I believe he is retained on behalf of one of the parties. Legal proceedings are pending in connection with this matter, and I believe that the matter should be adjourned so that the Government can determine the questions of compensation, title, and where to rights and wrong of the entire situation lie. I am not, altogether, happy with the explanation I have been given about the Town Planner and the questions of access to Highway 7 to Maxwell Hill.

Mr. Speaker, I am not accusing the Government of any lack of goodwill or frankness, but I did not quite understand what the Minister was saying. If the Government would say that this was to be part of a scheme by which Highway 7 would be connected with Maxwell Hill under Government auspices, then I would be more inclined to give the matter favourable consideration. Despite strong beliefs in the bona fides of all parties concerned, I do not believe, and I cannot accept that the Government is doing the right thing in using their powers under the Land Acquisition Act to settle private disputes. It can be carried to all sorts of lengths that, I am sure, do not need underlining to the hon. Minister, especially at a time when no accusation is being made of any corrupt motive. I wish to make it clear beyond any peradventure that I am not making any such accusation. An action may be improper without the motivations being corrupt, and I am suggesting that this is an improper action.

Mr. Speaker, the Highways Act speaks of various public matters in relation to highways, and it gave the then Vestries in 1900 certain powers regarding the laying out of roads, and so on, which have now been inherited by the Minister of Communications and Works. I would hope that all the powers which the Government have under the Highways Act have been explored before this particular step has been taken. I would also hope that the Government has taken proper counsel as to whether the extinguishment of a private right of way can properly be construed as a public purpose and, if not, what would be the legal consequences. When the injunctions start to rain from the courts — they will not rain on the Minister, because he may be protected — they will rain on the private citizens, perhaps, to restrain them from doing what the Government said they are prepared to do on their behalf. An injunction can still stand against a private citizen to stop him from taking a benefit from the Government which would be in

breach of equity. The Minister knows that, and I do not believe the Minister is going to be prepared to bring an Act to this House to set aside any judgments of the Courts of Barbados because they have disagreed with Government's policy.

I am asking the Government seriously and sincerely to reconsider this matter and consult not only with the person to whom they thought they could confer a benefit, but with counsel and persons who are otherwise involved in the matter of this road. This is a public right of way that runs from one road right into an old plantation yard. The Government is acquiring a part of it to close it down. That in itself is an act injurious to the remaining owners, because they will still be suffering from a right of way going over their land, while Mr. Miller will have got rid of their right of way going over his. He, in fact, will still have a right of way over theirs. He will still have a right of way to go into Maxwell Yard if he wants to, because rights of way are appurtenant to land. As the brow-owner, he will still be able to drive into Maxwell Yard, or over the road which remain between the other owners, but they will no longer be able to use their right of way over his. That is what the Government is doing by proceeding in this manner. I feel so very strongly about this matter, without political passion, that I will divide the House at every stage at which it is possible so to do.

I, therefore, beg to move that further consideration of this Resolution be postponed.

Mr. BOLDEN:

Mr. Speaker, in seconding the motion, I do not want to get involved with the personalities in this matter. What worries me particularly is the question of Government intervening by using the powers they have in order to save a private citizen from legal negotiations. I understand that there are very serious legal negotiations going on between Mr. Miller and other parties who are involved in this right of way.

Mr. Speaker, Barbados has a network of roads which the ex-Minister of Home Affairs once called "Bango-string" roads, and they need to be straightened put. If we are going to straighten this road in order to give pedestrians and motorists a straight road on which to travel, then I will agree to that. However, if there are legal negotiations involved in the matter, I think the Government should allow the parties to settle their dispute before becoming involved in the matter.

As the hon. Member for St. Thomas has said, is doubtful whether you should use the Land Acquisition Act in order to benefit a private citizen. As I understand it, the Land Acquisition Act permits the Government to acquire land for public use. This matter should be done by way of negotiations. I know of an instance where land was conveyed to a man. Another person bought the entire property after it was conveyed to the man, as a single piece of land. A house was erected on the land, and it was later discovered that a right of way goes through the middle of the man's house. Certain people are now thinking of ways and means in which to put this matter right. The man knew nothing about the matter until he was told one night that his house was in the middle of the right of way,

Mr. Speaker, I believe that the parties should be allowed to settle their dispute before the Government becomes involved in the matter, I believe that the Government should find some alternative method to deal with this matter. If the Government proceeds with this Resolution and the principle is laid down, then later on somebody will say in 1974 that the House did so and so and he is also entitled to do the same thing. 3.30 pan.

Hon. P. M. GREAVES:

Mr. Speaker, if I may speak on this motion, in the first place, the Government is not aware that there is any dispute on this land, and Mr. Miller wrote the Ministry since April 1973, and in fact it was sometime during this year that the notices required by law to be published in the Official Gazette and newspapers were published, and it is only in the last day or two that I understand one or two persons, seeing the notice in the newspaper, raised the question of the right of way. I had presumed that at the time they did not know that in fact another road was being dedicated for their use, and they would not have been deprived of their rights at all, and those rights they would have been deprived of would be amply restored by the dedication of an additional area of land for that purpose which would be dedicated to the public. What hon. Members have said on the other side has considerable merit, and I think you yourself would be well aware that the things that were said have some merit. For that reason I think that we on this side would in fact support the postponement, but I merely want to make this point. Perhaps in my presentation I did not put it as lucidly as I should have done, but the whole reason for this is to provide an access on to Maxwell Hill for the pedestrians who use this road. As I understand it, it is a private road. We have researched very carefully the Highways Act and it was not in the Highways Act because it was a private road, and a road in favour of a restricted class of persons who had been using it over the years, so we could not use the Highways Act to extinguish what was not a public road.

I agree with the hon. Member on the other points, and I merely want to repeat that the intention was to provide a better road for the present users. In fact, that road is hardly used at all; it was used by pedestrians or cycles before this other bit of land that Mr. Miller does intend to dedicate had been put in. It is that part of the road that is now used more so than the other road that traverses the property. However, I am prepared now that I have heard a bit more of the history of this and that disputes are involved which I had not known before, to support the motion of the Leader of the Opposition that further consideration of this matter be postponed.

The Question that further consideration of the Resolution be now postponed, was put and resolved in the affirmative without division.

**THE RESOLUTION TO AMEND THE NOTE
TO ITEM 25 OF HEAD 30 - QUEEN
ELIZABETH HOSPITAL OF THE
APPROVED ESTIMATES**

1974-75

Hon. C. E. TALMA:

Mr. Speaker, Item 7 is the next Order of the Day, and this stands in the name of the Hon. Minister of Health and Welfare.

Dr. the Hon. R. B. CADDLE:

Mr. Speaker, I beg to move that the Resolution to amend the note to Item 25 of Head 30 — Queen Elizabeth Hospital in Part I — Current, of the Approved Estimates 1974-75, do now pass.

Hon. C. E. TALMA:

I beg to second that.

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

**RESOLUTION RE THE MOTOR VEHICLES
AND ROAD TRAFFIC (AMENDMENT)
REGULATIONS, 1974**

Hon. C E. TALMA:

Mr. Speaker, Item No. 8 stands in the name of the Hon. Minister of Communications and Works. It is to move the passing of a Resolution to approve the Motor Vehicles and Road Traffic (Amendment) Regulations, 1974.

Hon. R. St.C. WEEKES:

Mr. Speaker, the Regulations entitled the "Motor Vehicles and Road Traffic (Amendment) Regulations, 1974" have been laid in Parliament. This Resolution is as a result of the Budgetary Proposals. It increases the fees of a learner's permit from \$2 to \$4, the renewal of a learner's permit from \$1.00 to \$2.00 and driving licences and conductor's licence from \$5 to \$10.

I beg to move that this Resolution do now pass.

Hon. A. MORRISON:

I beg to second that.

Mr. BOLDEN:

Mr. Speaker, we know that this is part of the Budgetary Proposals, but what worries me continually is that year after year, we come down with piecemeal amendments to the Motor Vehicles and Road Traffic Act and various

Regulations thereunder. Nothing is being done to facilitate the general public when it comes to licensing. I have had to speak to the substantive Minister of Communications and Works on several occasions. Let us look at Learners' Permits. They are given for a specific period. At the end of that period, you have to renew them, but one needs a Learner's Permit in order to be on the road when he is learning to drive. After a lot of badgering from this side we have got Certain concessions in respect of learners that they can now drive up to 8 o'clock at night, but you still have the two-part system. You take a Regulation Test before you can drive late, and even if you pass that, you have to wait a minimum of four months to get a driver's test. So even if you can drive as good as an expert driver who has been driving for fifteen years, you have to get another Learner's Permit so that you can drive until you take the full Driver's Licence. 3.40 p.m.

Take the full Driver's Licence now. Every other country in the world has adopted the five year issue of a Driver's Licence and it runs from the time of issue till the day before its fifth anniversary. In Barbados the first of June is a magical date that vehicles in this country should be registered and Drivers' Licences should be renewed. It was only after I spoke to the Minister of Communications and Works that they extended the examination of vehicles to February, and if you look at the law, that is wrong because the law only permits you to have an examination of your vehicle within four weeks of the first of June.

There are only four inspectors at Communications and Works, and if there is a serious traffic accident in Barbados one has to go so he is taken off from inspections; one is required to do testing in the day and the other two have to do administrative work. If after they have worked from eight in the morning till four in the evening and there is an accident in Belleplaine at midnight and you do not want the Police to test your vehicle you have to get one of them out of bed to test the vehicle, and if while he is there, there is another accident in Christ Church and the other officers have their telephones off the hook, he has to go to Christ Church as well and the next morning he has to do examinations at the Ministry. On the inspection document, although it gives the authority for licensing your vehicle when you have passed the test, because of the political manoeuvring, you still have to get another permit from another department at MCW to go and license your vehicle, and all of this must take place from the first of June every year.

Last year I had to point out to the Minister of Communications and Works that the Police were reporting people for not licensing their vehicles when those persons could not get it done at MGW. Even if you do not want to adopt the five year system, what is wrong that you cannot say that persons whose names begin with the letters "A" to "C" may renew their driver's or vehicle's licences between the months of June and July, August to September for another lot of persons, and you would not have the whole population of Barbados crowding around every police station. It is a simple operation, but year after year, we come in here and ask the Minister of Communications and Works to do this, even if you do not use the five year issue, do it for a period of three years and everybody will not have to congregate at the same time. I go into the Police Station and ask somebody in there to renew my licence and call back for it at a later date, but if you do not know anybody in there, you cannot do that, everybody must come into Bridgetown for driving tests and the like; why can tests not be carried out in places other than Bank Hall Hill and Central Police Station? Barbados is not too small for regional tests. If we have to look at the number of accidents with police vehicles that is a sad example of the capabilities of certain policemen to drive, but I would ask the Hon. Minister now to seriously consider and put into operation the question of the variation of the times for people to register their motor cars, their Driver's Licences, Bus Licences and all these things. I believe it will relieve the tension. Even now the latest introduction of filling out your own form does not remove the pressure to any extent, there are 20, 000 vehicles in St. Michael, nearly 8, 000 in Christ Church, and persons should be able to go and renew their Licences at varying times. If you do not want to have five year licences, you can have a three year licence. If the Magistrate wants to suspend it he can still do this, but at least it helps the Government and the population as well. The only reason we believe the Government keeps this June to May issue is simply because they do not know from year to year what they are going to increase the licence fee to. I heard the Prime Minister say today that he has casually worked out what Barbados is worth, let us casually work out what it will cost to have the vehicles run on the road. If you say taxis are registered in October, hired cars in November, private cars in December, you would not have everybody crowding the place, the Ministry of Communications and Works would be able to give you a better schedule. They are giving dates now way down in August and people want to get their vehicles licensed. If they are to be on the road and there is an accident, the insurance company will say you are not driving under the Laws of Barbados and they are not honouring an insurance policy, so you have to put down the vehicle and suffer, not being able to earn a dollar simply because of an antiquated policy which this so-called modern Government keeps following every year.

Hon. R. St.C. WEEKES:

Mr. Speaker, in dealing with the suggestion made by the hon. Member for St. Joseph concerning three to five years for licences, I think the hon. Member has only considered himself and those in his category.

He has not taken into consideration the poor artisan who has to pay his car licence and also has to pay for a Driver's Licence at the same time. There are certain labourers who are owners of vehicles and who will feel the pinch of the shoe. Only a few days ago I heard a passenger who travelled on a bus commenting on the remarks of the driver and the conductor on that bus because they had to pay an increased amount for their licences. Imagine we have increased the licence fee from 5% to \$10, and if we were to accept the suggestion put forward by the hon. Member, you will find out that those people will be very disgruntled, dissatisfied and perhaps would find themselves not in a position to pay. If they are dissatisfied at paying \$10, imagine how they would feel having to pay \$50; therefore I do not think that the suggestion made by the hon. Member for St. Joseph is workable, it will not put more pressure on the man at the bottom of the ladder.

Concerning the point that he made about piecemeal legislation, I would like him to know that in a week or two the Government intends to bring down comprehensive legislation dealing with all aspects of that Act, and I can assure him that it will not be necessary to deal with any more piecemeal legislation.

The Member took the opportunity to speak about piecemeal legislation today, but this legislation has come about as a result of the Budgetary Proposals for 1974—75 and consequently you cannot call this piecemeal legislation. I can assure him that the Government is doing all in its power to bring down a comprehensive Bill which deals with the Act.

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

Hon. C. E. TALMA:

Mr. Speaker, this concludes Government Business for today's Sitting. Unless the Leader of the Opposition has other matters to deal with I would move the adjournment of the House.

MATTERS OF PRIVILEGE RE OFFICIAL REPORT OF THE HOUSE OF ASSEMBLY

Mr. ADAMS:

Mr. Speaker, Sir, on a small matter of privilege. Laid before hon. Members — I presume, laid today because I got it when I came into the House — is what purports to be the Official Report of the debates of last Tuesday. It is not often that hon. Members get an opportunity to object to errors in the Official Report, but this is not in my submission a true report of what happened last Tuesday.

I can find examples in it of misreporting my speech. For example, on Page 7, about line 18, the words "was very recently" are ascribed to me. What I actually said was "might very reasonably be".

Again on Page 7 there is an omission of one of the examples which I drew of an act committed by a Presiding Officer. I was drawing fanciful examples, Sir, which have no application to reality especially in this House. I drew an example about shooting, about a Presiding Officer ordering the Marshal to shoot somebody. That is entirely omitted. I paid tribute to the hon. Member for St. Michael West, to the logical attractiveness of his speech, or some such expression. What I see here is — well they omitted the tribute Sir, and all that they put in was the criticism which I offered of the hon. Member's speech. The

tribute preceded the criticism and I respectfully submit that if the tape recorder is listened to or the reporters' note books are checked, it will be seen that this official report is littered with mistakes.

I can only speak for my own speech, but as it happens, I remember what I said. What I said is not all here and some of what is here is not what I said. I would respectfully ask that it be referred again to the Clerk of Parliament for checking against the recording equipment. I am sure beyond any doubt that they will realise that they misheard the business about "was very recently".

That whole passage is misreported, Sir. It does not make any sense as it appears. I submit that it is an infringement upon the Privileges of Members not to have their speeches properly recorded in the Official Record of the House.

Mr. SPEAKER:

On this occasion the Reporters of the House were making their own notes without the assistance of the tapes. This is part of the test that the Debates Committee, as the hon. Member well knows, has carried out; and so, without the assistance of the tapes, it does sometimes happen that a Reporter has difficulty in hearing what goes on at some points of the discussion and debate; and so this very well might have happened on this occasion.

So, if there was an infringement, I can assure the hon. Member that it was not deliberate misreporting. This debate was transcribed without the assistance of the tapes on this occasion, and this was done deliberately.

Mr. ADAMS:

Thank you, Sir. I never thought that it was deliberate misreporting.

**MATTER OF PRIVILEGE RE THE
CARIBBEAN BROADCASTING
CORPORATION**

There is another Matter of Privilege which I want to raise quite separately. Last Tuesday the Caribbean Broadcasting Corporation sent a letter to Your Honour in respect of an inaccurate report which they made of circumstances which concerned me.

In the ordinary course of business, when a media, the Press or a broadcasting organisation is given an opportunity to apologise, whether it be a libel matter or a privilege matter, it is my understanding that it normally gives the matter the same publicity which the original misreport received.

The Caribbean Broadcasting Corporation declined to give this matter any publicity. I know of this also through speaking to the person in charge of the news who happened to be there in the day — a Mr. Simpson — who informed me that he was not prepared to broadcast any of it although a matter which has not yet been a matter of privilege was given large headlines, namely the matter concerning the hon. Member for St. James.

I am submitting to you, Sir, that this is in the nature of a further Breach of Privilege and I am asking for Your Honour's guidance as to whether I should write Your Honour a letter of complaint at CBC or

whether the matter can be dealt with upon my rising in the House and referring it to Your Honour.

It is no use sending a private Letter of Apology to Your Honour where you have misreported or dealt with an inaccuracy in breach of the Rules of the House or of the Law and then refuse to publicise it. The person, Mr. Simpson — Sir I was not asking him to publish it but he informed me in terms that he was not prepared to publish any such thing — I would suggest is trespassing upon the privileges of the House. I did not ask him to publish it. I asked if somebody different spoke to him and he informed me that it had not been published and he would not be publishing it.

I am suggesting that that in itself could amount to a Breach of Privilege. I would like to know if rising upon this matter is sufficient at this stage or if Your Honour would like me to write a letter complaining about it to the Committee.

Mr. SPEAKER:

I do not see where a privilege of this House has been breached. The privilege that was breached by them has been sufficiently dealt with by their writing a Letter of Apology to the House in pursuance of the decision of the Committee of Privileges. I would say that it would be in good taste, as a matter of fact, if since the Caribbean Broadcasting Corporation gave publicity to the wrong information, they in turn gave publicity to their apology; but I do not see first of all that we have the power to make any one of the news media publish the apologies that they make to the House. In good taste they should, but certainly there has been no Breach of Privilege of the House that the news media did not carry, as it should, an apology which it has made for the sake of posterity.

Hansard has the apology which the media has made to the House. The privilege is that of the House and not that of the individual Member although it might be that of the individual Member incidentally, it is a very interesting point and I would suggest that perhaps it would be interesting to have the Committee of Privileges deliberate on this matter.

Mr. ADAMS:

What I think, Sir, is that the House cannot compel a newspaper to apologise. You can ask a newspaper or a broadcasting organisation to apologise. That is a concession that you give to avoid taking a more severe step. You can send the News Editor or the reporter to prison but you cannot compel him to apologise. You give him an opportunity to apologise rather than to go to prison. That is how I understand that the Committee acts.

What I intend to write, since Your Honour has been kind enough to suggest that I write, is to ask the Committee of Privileges in future when it gives newspapers — because there are a number of other complaints pending, as is known — or the Caribbean Broadcasting Corporation the opportunity of apologising, or the concession of apologising, to ask that they also publish the apologies. This is what I would suggest that the Committee of Privileges do.

I agree entirely with Your Honour in fact that it does not amount to a Breach of Privileges because there is no rule saying that they must apologise, and it is not like the Libel Act, 1906. We do not have a rule in respect of privileges; but I will write to the Committee of Privileges to ask them that in future they will take that step especially when dealing with the other Matters of Privilege.

Hon. C. E. TALMA:

Mr. Speaker, I think that this is a matter which could be more appropriately dealt with by the Committee of Privileges where they lay down certain procedures. I agree with the Hon. Leader of the Opposition that some measure of publicity should have been given to the Letter of Apology because it is not a matter just for the House as such, but it is a matter which was reported on and some measure of publicity should have been given. I think that it would be more fittingly dealt with by the Committee of Privileges when it next sits, and I would like, with Your Honour's approval, to have the matter set down.

That brings us, Sir.....

Mr. BOLDEN:

Mr. Speaker, before the Leader of the House closes the proceedings, I want to comment about this copy of Hansard which has been left on the Table of the House today and the statement of Your Honour the Speaker as to the creation of this version of Hansard.

As far as I know, Hansard is supposed to be an accurate record of the proceedings of the House in any of its various stages, whether it be of the House in full or in Committee. Now I was most surprised when I came in and saw this on the Table, to find Hansard was produced within one week despite the fact that there are copies of Hansard outstanding for two years that have not come to light, and when I went through my speech I said that Hansard has now been reduced to the expertise of the precis writers, because they have summarised what took place on that memorable day — because the day should be a very memorable day — and to see that these few pages were the results of a session which lasted from 12.05 to 1.45 the evening gave me some sort of doubt. I was not here when Parliament started therefore I do not know whether the Minutes were duly confirmed dealing with this particular issue of Hansard.

But then again, I want to speak on the question of the Reporters producing Hansard from their own notes as against their collaboration with the mechanical device. Now it means that something is drastically wrong. Either (a) our Reporters are falling back in their speed writing or (b) there are not enough Reporters servicing the House, or (c) there is negligence in the transcription from the Shorthand notes to the longhand script; but certainly to produce Hansard, and bearing in mind, Mr. Speaker, this issue of Hansard was prepared for a specific reason — to give a Member who was absent a knowledge of what went on during his absence in order for him to answer a case, and one of the things we know is that you must produce accurate proceedings of the day in order for that Member to know what was said, because, otherwise he would be handicapped.

I was most surprised as I said before, about the method of precis writing adopted by the Reporters. I think that this copy of Hansard should be withdrawn. I would like very much to know that this copy of Hansard be withdrawn. This is not an accurate record; and Hansard, I believe, is an accurate record of the proceedings of the House for posterity and if we are going to publish a precis which is inaccurate, even if there was a system of checking the Shorthand Reporters against the mechanical device, that should have been done before this copy was put out because the people in general who do not know that there is a check on the Shorthand writers and they would take this to be a true and accurate copy of the proceedings of the day; and I thought that that would have been done, and having arrived at what the Shorthand writers have produced as against what is on the tape, those in authority should have said 'this is not a true recording of What happened that day and therefore it should not be printed, ' and I would humbly beg that Your Honour, Mr. Speaker, consider the withdrawal of this version of Hansard because

it is not correct.

We just cannot go ahead moving amendments to this when it is supposed to be

published as an official report. It is in truth and in fact not an Official Report of what took place on that day, and should be withdrawn from circulation, I do not know if it has been circulated to the general public or if copies were prepared for the Members of Parliament because of the circumstances under which we operated last Tuesday, but whatever the circumstances are, I would humbly beg that this copy of Hansard be withdrawn, and withdrawn forthwith, until we can get an accurate copy and an accurate report of what happened that day.

Mr. SPEAKER:

The matter will be considered.

ADJOURNMENT

Hon. C. E. TALMA:

Mr. Speaker, I beg to move that this House do now adjourn until Tuesday, the 23rd July at 12 o'clock noon.

Hon. A. MORRISON:

I beg to second that.

The Question was put and resolved in the affirmative without division. Mr. SPEAKER adjourned the House accordingly. 4.00 p.m.