

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1971 - 76

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(OFFICIAL REPORT) FIRST SESSION OF 1971-76 HOUSE OF ASSEMBLY

Tuesday 26th March, 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. G. G. FERGUSON, (Acting Leader of the House and Minister of Home Affairs); Mr. R. St.C. WEEKES, J.P.; Mr. W. R. LOWE, J.P., (Chairman of Committees); His Honour C. A. E. HOPPIN, (Deputy Speaker); Hon. F. G. SMITH, Q.C., S.C., B.A., (Minister of Communications and Works); Hon. P. G. MORGAN, C.B.E., (Minister of Tourism, Information and Public Relations); Mrs. G. L. EASTMOND; Dr. the Hon. R. B. CADDLE, (Minister of Health and Welfare); Hon. A. MORRISON, (Minister of Agriculture, Science and Technology); Hon. L. E. SANDIFORD, B.A., M.A. (Econ.), (Minister of Education, Youth Affairs, Community Development and Sport).

Prayers were read.

Mr. E. D. MOTTLEY entered the Chamber and took his seat.

MATTER OF BREACH OF PRIVILEGE REFERRED TO COMMITTEE

Hon. G. G. FERGUSON:

Mr. Speaker, before the Business of the House commences, I would like to draw to your attention what I consider a gross breach of privilege of this House and I would like to draw to your attention, Sir, an article written in Sunday's Advocate-News, grossly misquoting the business of the last Sitting under the Ministry of Home Affairs for which I am responsible. Mr. Speaker, the article twisted and misconstrued everything that was said, and all the references made that were asked by hon. Members with reference to the Belle Plantation, and I would like to quote, Mr. Speaker, verbatim what I said with

reference to that article, and I am prepared to submit this document as a document of the House.....

Mr. SPEAKER:

I will prefer you to begin by referring us to the page of the Advocate-News.

Hon. G. G. FERGUSON:

It is in the Editorial, Mr. Speaker, on page 3 under the heading "Don't squander farm lands". Mr. Speaker, in the Editorial it states "Minister of Home Affairs, Captain George Fergusson confirmed that the Belle Plantation was up for sale and that it and Waterford Plantation would be developed for agriculture, horse breeding, manufacturing and warehousing." Then further down it goes on to state, Mr. Speaker, "Yet there is the assurance from Ministerial level that two large areas of Pine Agricultural, land will be developed for other things beside farming."

Mr. Speaker, in the debate I made it quite clear, and as I said, I would read back verbatim.....

Mr. SPEAKER:

Once you give us the assurance that you have read that document when the debates were taking place, then this will be on the record of Hansard, and will let you put your case.

Mr. MOTTLEY:

Is the newspaper the hon. Member read from being made a document of the House? If he reads from the document, then it could be made a document of the House in this particular case.

Mr. SPEAKER:

I remember the case in point, and there was also another reference on the facing page of the Editorial to the alleged pronouncement of the Minister to the effect that the Belle and Waterford Plantations will be cut up.

I am satisfied that a prima facie case of a breach of privileges has been made out, and this matter is hereby referred to the Committee of Privileges for their action.

ACCOUNTS AND STATEMENT PRESENTED

Mr. SPEAKER:

I have the honour to present to this Honourable House the Accounts and Statement for the months of October, 1972 and November, 1972 prepared by the Accountant General.

DOCUMENTS LAID

Hon. G. G. FERGUSON:

Mr. Speaker, on behalf of the Minister of Finance and Planning I am commanded to lay the Statement showing the Net Customs and Excise Receipts for eleven months ended 28th February, 1974.

GOVERNMENT NOTICE

Hon. G. G. FERGUSSON:

Mr. Speaker, on behalf of the Prime Minister and Minister of Finance I beg to give notice of a Bill to amend the Land Development Duty Act, 1962.

BILL READ A FIRST TIME

Hon. G. G. FERGUSSON:

Mr. Speaker, I beg to move that a Bill to amend the Land Development Duty Act, 1962 be now read a first time.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

REPLY TO PARLIAMENTARY QUESTION NO. 227

Hon. F. G. SMITH:

Mr. Speaker, I beg to inform you that the Reply to Parliamentary Question No. 227 asked by the hon. Member for St. Peter is now ready.

GOVERNMENT BUSINESS

Hon. G. G. FERGUSSON:

Mr. Speaker, I beg to move that Order No. 1 under Government Business be the first Order of the Day.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

Mr. SPEAKER:

The first Order of the Day stands in the name of the Hon. Minister of Communications and Works and it is to move the Second Reading of a Bill to amend the Motor Vehicles and Road Traffic Act, 1937.

BILL TO AMEND MOTOR VEHICLES AND -i ROAD TRAFFIC ACT, 1937

Hon. F. G. SMITH:

Mr. Speaker, this Bill is non-controversial. It is just an attempt to replace the definition of diplomat and include the new definition "head of mission". As Your Honour well knows, we have now decided

that Heads of Missions and Diplomats in Barbados should have a special number plate on their cars. It happens in every other country and this piece of legislation is just geared to extend the definition of "diplomat" not only to include the head of a mission which is present obtaining, but also any member of the staff of a head of mission certified by the Collector of Taxes by or on behalf of the Minister responsible for External Affairs to be a diplomat for these purposes.

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

Hon. L. E. SANDIFORD:

I beg to second that.

Mr. MOTTLEY:

Mr. Speaker, I have no objection to this Bill but I am very concerned about the treatment that is being meted out to some of the Barbados diplomats overseas, particularly in Great Britain where the police seem not to recognise the existence of the diplomatic privilege that is accorded here in Barbados.

I know some time ago that some members of a mission were subjected to very harsh treatment by the police, and quite recently again, I believe a member of the Mission was subjected to bad treatment at the hands of the police. The police seem to ignore the Barbados diplomats — there seem to be no reciprocity; put it that way, Sir. And if we are passing legislation, here to give the diplomats in Barbados certain privileges, we expect that Great Britain would take greater care to ensure that from the smaller countries like Barbados, the diplomats are properly protected and are not harassed as they are at the moment by the police in Great Britain.

Mr. WEEKES:

Mr. Speaker, now we are dealing with this matter of number plates for diplomats, I think the time has come when all Members of Parliament should have some sort of identification. On numerous occasions, Sir, the policemen have approached Members of Parliament not being aware of their functions, and if we are to uphold the tradition and dignity of this Honourable House, I feel that all Members of Parliament should be able to let the public know by some means that they are Members of Parliament. 12.15 p.m.

Some people may criticise it by stating that there is no difference between a Member of Parliament and a member of the public, but I have no apologies to make when I say that those of us who have been elected here have to seek assistance from the people and we are here to represent them well. Those of us who have been given an opportunity to enter this Ancient and Honourable House know the sacrifice and the various difficulties you have to face when you are offering your services to the public. Consequently, I see no reason why we should consider Foreign Diplomats and not Members of this House. I am not saying that we should not have to pay for our licences as others do, but the Police Department should know all Members of Parliament.

Mr. Speaker, you would be surprised to know that approximately 99% of the young policemen do not know the Members of Parliament. It is not that I attach any value to it, but I think it is something which we have merited, which we deserved, and I am appealing to the appropriate authority to go into all aspects of this matter and do something to impress upon the public that we are their representatives. I remember not long ago and on previous occasions policemen have approached me and, I have, at all times, tried in a very decent way to explain to them who I am and they, in reply, said: "I did not know

you were a Member of Parliament." Therefore, something should be done in the matter. It is not that I am thinking about prestige for Members of Parliament because we deserve it. I feel that even when we have to go to the Airport, or to visit certain Public buildings, the police should know who we are.

Mr. Speaker, it is my fervent hope that those in authority will do their utmost to let all members of the public know who are their representatives in this Honourable and Ancient House.

His Honour C. A. E. HOPPIN:

Mr. Speaker, I also join in what the hon. Member said. I support what he has said because I happened to be in Britain some time last year, and I was told while I was driving in a car, of the difficulties the chauffeur had with the police. I think that charity begins at home. I also support the hon. Member who has just sat down. I am not claiming, as he has suggested, that a lot of things should be done. I think it is essential that we should be known. I think it is the duty of the Commissioner of Police to make sure that all policemen are able to recognise all Members of this Honourable House, especially when they are on duty.

We have had the case where the Rt. Hon. Prime Minister was coming to this House. The vehicle in which he was travelling was stopped outside of the gate, and the policeman who was directing traffic refused to look back when the horn was blown to attract his attention. A report was made to the Commissioner of Police, and I understand that the policeman said that he did not know it was the Prime Minister in the vehicle. I feel that, when hon. Members are travelling on occasions such as this, they should have something affixed to their cars to indicate that they are Members of Parliament. Whatever system is used for affixing some form of identification on cars could be removed after Members have served their term of office in the House of Assembly and the Senate. I think the term of office is approximately five years.

Mr. Speaker, we have had trouble even in the Public Buildings. Quite recently I drove my car in the Public Buildings and parked behind Your Honour's car in the space allotted to me as Deputy Speaker. A Sergeant waved his hands at me and said: "Get away from there!" I sat and waited to hear what he had to say. I pointed out that I had parked my car in the spot which was allotted for me as Deputy Speaker. Apparently, the Sergeant did not know that I was the Deputy Speaker. When the hon. Member speaks about young policemen, he must remember that you are not promoted to be a Sergeant overnight.

Mr. Speaker, one day I was behind the hon. member for St. Joseph who asked a member of the Police Force to assist him in getting a spot in which to park his car. The policeman walked away. After he was told that it was a Member of Parliament who had made the request, he looked around and assisted the hon. Member in parking his car. One day I saw the boss of the Union refuse to move his car because of the same attitude. At the Airport and so on, the Police should be able to identify who is approaching. The Police should know that an hon. Member is travelling on business. We are doing the people's business, and we should be recognised.

Mr. BOLDEN:

Mr. Speaker, I think that hon. Members on the other side should appreciate that Barbadians do not recognise this class of legislation, and that all the preaching they are doing is not going to do much good. As many of the older Members of the House will tell you, in years gone by, when we had the Challenors, the Piles, and all of those people who occupied a high rank as a legislator, the olive branch

was handed to them, the red carpet was thrown out to them, and they enjoyed a sacred position as rulers in this country. 12.25 p.m.

Today I am going to adopt the words of the Minister of Communications and Works: it is the Smiths from down in Belleplaine, it is the Weekes' from Gemswick, and it is the other fellows from Carrington Village. You must not elevate these persons; you must not make them believe that they have yet arrived, so therefore they must be kept humiliated to the level they find themselves despite all the good they are trying to do for their fellowmen in this country. We speak so much about recognition of our parliamentarians at home, but it struck me pretty hard in October last year when I went to Canada with the Member for St. Andrew, the then Minister of Agriculture and members of the Stock Breeders Association where we were buying cattle under the Canadian Dairy Improvement Scheme. First of all, when we arrived in Canada we were treated as if we were ordinary passengers going there. One Customs Officer asked why it was that other Governments give a diplomatic passport or some recognition to Members of the Legislature and we arrived without having this. That was the first thing that made me realise how Barbadians are treated. The second most important thing that happened, Mr. Speaker, is that I travelled from Canada to the United States and on that trip there was one other coloured man and woman. I was very well protected because we were accompanied by several members of the F.B.I., which I did not want at the time. My bag was subjected to the greatest scrutiny which one could think would happen. When I arrived at La Guardia Airport and got off the aircraft, there was a gentleman who was sitting next to me trying to form conversation throughout the trip, but having spent 21/2 weeks going over Canada I was only fit for a sleep. We got off the aircraft, both of them jostled me into a corner and asked me to identify myself, and when I pulled out the Barbados passport, by chance I had a little piece of blue paper which came out from the Prime Minister's office to say I was exempt from paying the Akport Tax at Seawell and it dropped on the floor. The man took it up and said to me "you are a Member of the Barbados Legislature, apologise, but you should have had a different passport." I was so glad to escape the hands of the F.B.I., that I have not seen the blue paper since, and I do not care for it. But it goes to show, Mr. Speaker, what the people outside recognise, but not in this very country. I dare anyone on that bench to challenge me about this. A certain ftfggh-ranking officer in Government or an Association which has an office in Barbados took two half-hake women right on the tarmac of the airport at Seawell and when challenged by a Customs Officer he said, "I am Mr. So-and-So from Such and Such office and a diplomat; I am protected. But the Linday Bolden go to Seawell with his wife and they will tell her she cannot pass through the Custom door with me. If the hon. Member for St. Joseph goes to Seawell and they do not recognise him, Mr. Speaker, they will tell him he cannot go into the Customs area, he has to wait outside the barrier, because he has nothing to identify himself in this country. That is the soft of behaviour.

Mr. Speaker, the Hon. Minister of Tourism walks all through Seawell Airport with his friends and nobody asks him a word because he was present once when I, an M.P. was walking behind him and they put me out of the Airport at Seawell. Ask him if that is not true. That shows you the sort of recognition my Government gives to my people, and I say it works in more than one way. We seek to elevate those who come from outside, we seek to give them all the pretty number plates, and they will park from Broad Street to Timbucktu and every policeman who passes will knock his feet together and salute; but if you take even a Member from the Other Place or as the hon. Member for St. George North has said, how many times many of us in here have driven into this place and tried to park to get into the Chamber to make the laws and pass the money that pays the policemen, and meet with discourtesy.

Mr. Speaker, last Week Tuesday I had to lecture at a Government institution at 11.30 a.m. and I came in and told the young policeman I was parking but try not to block my car in because I had to leave at 11.15 a.m. to lecture at 11.30 a.m. He looked at me as if I was asking him to wash my car because it is a crime to ask anybody to do that nowadays. When I went back out, there was a car parked across the back of my car. Fortunately I knew the public officer, Mr. Harcourt Lewis, who was in here and he ran down and removed his car; but I had made my position clear before I came in and to notice was taken of me. You will however see the reverse. You will see a diplomat and all these people parking and they will not say a word. They will get out slam the door, walk, and go ahead. I will come back to a situation which I spoke about in here already. You have white servicemen come here on ships, and there was a case of two of them walking over the Bridge, knocked off a street lamp and I think they threw something at Barnes glass case, and when a policeman carried them to Central Police Station he had to write a report as to why he had arrested and brought them in. I am not saying you should not give them certain privileges in another country because I believe and I would hope that we have the same privileges abroad for our diplomats and Heads of Mission, but what I am saying is that the time has come for the Government to decide whether they will recognise the legislature as such. I am not asking for any special privileges because as I said before, I can fight my battles at all times, I am not asking to be recognised because if you do not do sufficient for the people, as the Minister of Communications and Works will say, if you do not listen to their cries and fight their battles and you are riot recognised, that is your fault. But for those others who do not know how to fight their own battles, I believe the Government should do something about it.

When I travel abroad, I travel as a normal citizen. It is simply that I have on two or three occasions met with people who decry my Government for the way we travel as Members of the Legislature. I heard a Canadian Parliamentarian who was in here last week commenting about that in the lurich ro6m. He was commenting on an incident that happened at Seawell. He said that in Canada this would not have happened, because once you were a legislator they would have to extend certain courtesies to you. So it just shows when we look at this particular amendment that Government should think carefully what they are going to do. 12.35 p.m.

I see quite clearly that this country is fast becoming like the Bahamas. The Barbadians will live in Barbados but they will have no authority or power, they will be third class citizens in their own country. I go further, Mr. Speaker, I raised a question in here last week to show that this society is sick and is killing itself. Something is radically wrong. When I heard last week that the Caribbean Development Bank, a bank set up to help the people in the Caribbean, can now discriminate against legislators I was surprised but that will tell you how sick the society is today. This society is so sick that they voted over \$2 million to put up a building to house the Caribbean Development Bank, and part of its rules is that no legislator or any company where a legislator has connections can borrow money from the Caribbean Development Bank. Is it not a sick society then? When the Piles and Mannings were legislators in this country they had the red carpet thrown out to them and enjoyed privileges as legislators, but today because you have a certain person as a legislator those privileges are not longer extended. Do you know what they said? They said they could not go out on platforms and keep noise till 12 o'clock at night, but in those days when they were legislators the people like us used to do their shouting for them. Now we have reached the position where we shout for ourselves, we are so sick that we cannot appreciate what is happening to us, and I would like the Government to look at this and let it be the medicine to heal the sick minds and ask whether or not we are doing enough for ourselves. Then the society will begin to revive as if from medicine administered by a doctor.

Hon. F. G. SMITH:

Mr. Speaker, I shall not be very long. I have taken note of what the hon. Member for the City has said. I think the policy of the Government of Barbados is that reciprocity should obtain in the treatment meted out to our diplomats abroad and such concessions as we give to diplomats here. I agree that there are certain privileges for diplomats that cannot be withdrawn, but it is accepted in all the nations of the world that diplomatic detente should continue indefinitely.

The hon. Member for St. Joseph has made some very good points. I think that for too long we have sold ourselves as legislators too cheaply, and we are to blame because when you pay legislators you hear for political reasons that they get too much money and that they are raiding the country. When you give yourself anything according to your status which any citizen in Barbados can have if he can get the people to vote for him you get political capital being made out of simple issues which tend to lower us in the eyes of the public. In a democratic country any citizen who can persuade enough persons to vote for him has a right to get into Parliament. We are not here indefinitely, we are here until the people no longer want us here. We tend in matters of this nature to make a political capital instead of trying to maintain the importance of the position of legislators. I do not blame one side or the other, I think we ourselves by our debate and conduct - and I do not exclude myself, I am to blame too - make the public think less of us. The way we argue about food and whether we should get paid or whether some people are getting free food, all these little things when publicised tend to lower us in the eyes of the public, and so any privileges we legitimately claim for ourselves are thought to be privileges for a special breed of persons or for persons who do not deserve them.

I shall bear in mind the request which was made by the hon. Member for St. Philip South as well as that made by the hon. Member for St. Joseph. I do not know when the new road traffic law will be finished, but I just had to decide to put an officer on special duty to get it done. In the new road traffic law and in the new regulations all the points raised by the hon. Members for St. George South, for St. Joseph and for St. Philip South will be considered. We still have to pay our licences though, it is just that we will have some designation. It happens in Jamaica, and I know there was a big argument between the late Sir Grantley Adams and Dr. Eric Williams to whose motor car should be M-1 or P-1 and things of this nature. We will look into that matter when the new traffic regulations are being drawn up.

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

On the motion of Hon. G. G. FERGUSON, seconded by Dr. the Hon. R. B. CADDIE, Mr. SPEAKER left the Chair and the House went into Committee on the Bill Mr LOWE took the Chair.

Clause 1 was called and passed. Clause 2 was called.

Hon. F. G. SMITH:

Mr. Chairman, I beg to move that Clause 2 stand part.

Mrs. EASTMOND:

I beg to second that.

Mr. MOTTLEY:

Mr. Chairman, when I spoke earlier about the accredited representatives of Barbados, it is within the very protocol that exists between Governments which is not going to be respected by the Police in Great Britain. At least on two or three occasions members of the diplomatic staff attached to the Barbados High Commission in England were attacked, and when they showed their diplomatic identification to the Police, this was ignored by the Police and they went as far as assaulting these people. This happened about two or three years ago, and quite recently again, and this is what the Government of Barbados must see is brought to an end because if this continues I think it is only fair that reciprocity should be carried through. If the Police in Britain care absolutely nothing for the diplomats of Barbados that they will continue to harass and beat them, I think reciprocity will have to be extended right through.

Hon. F. G. SMITH:

I think you will appreciate, Mr. Chairman, that no Government can be responsible for the ignorance or lack of courtesy of staff and such incidents will get some, very strong protests from our Government. I suppose diplomatic protests are almost an everyday occurrence in international relations. If a policeman takes advantage of a diplomat, quite naturally his Government will protest in the strongest terms. It is also true that this whole question of the attitude of people towards diplomats within the last few years has been undergoing a change. 12.45 p.m.

In England, for instance, they are claiming that foreign diplomats are parking cars all over the place and not paying fines, although I have seen that some thousands of pounds were paid. This is a problem that the Barbados Government will keep a close watch on, and in any case that our representatives are badly treated you can be assured that a strong diplomatic protest will remove towards the country in question.

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

Hon. G. G. FERGUSON:

Mr. Chairman, I beg to move that Your Honour do now report the passing of one Bill in Committee.

Hon. P. M. GREAVES:

I beg to second that.

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

Mr. CHAIRMAN reported the passing of the Bill in Committee. Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. F. G. SMITH, seconded by Mrs. EASTMOND the Bill was read a third time and passed. Its title was agreed to.

A BILL TO AMEND THE PARKS AND BEACHES COMMISSION ACT, 1970

Hon. G. G. FERGUSON:

Mr. Speaker, I beg to move that Order No. 2 be the next Order of the Day. It stands in the name of the

Hon. Minister of Housing, Lands, Labour and National Insurance, and it is to move the Second Reading of a Bill to amend the Parks and Beaches Commission Act, 1970.

Hon. P. M. GREAVES:

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

Hon. A. MORRISON:

I beg to second that.

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

Hon. P. M. GREAVES:

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

Hon. A. MORRISON:

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.

Hon. G. G. FERGUSON:

I beg to move that Your Honour do now report the passing of one Bill in Committee.

Hon. A. MORRISON:

I beg to second that.

The Question was: put and resolved in the affirmative without division. Mr. CHAIRMAN reported the passing of one Bill in Committee. Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. P. M. GREAVES, seconded by Hon. A. MORRISON, the Bill was read a third time and passed. Its title was agreed to.

RESOLUTION TO APPROVE THE WIRELESS TELEGRAPHY (SHIP STATION) (AMENDMENT) REGULATIONS, 1974

Hon. G. G. FERGUSON:

I beg to move that Order No. 4 be the next Order of the Day. It stands in the name of the Hon. Minister for Communications and Works.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

Hon. F. G. SMITH:

Mr. Speaker, this is one of the series of Resolutions under which by law Regulations are required to be laid and which must receive Parliamentary Approval by affirmative Resolution.

I would like to assure Members on the Other Side that this Government will not be left behind in the advance of modern technology. In this modern age, telecommunications and wireless telegraphy are assuming more and more important proportions in the sphere of everyday life, in business and in communications generally.

With that in view the Government has established a tele-communications unit in the Ministry of Communications and Works. I am pleased to say that we have a Bardian who worked in Scotland and is now a telecommunications engineer here.

The House last week passed money for the establishment of this unit and in addition to that, there is at the present moment an expert from the International Telecommunications Organisation on loan to us who is to look in aspects of wireless telegraphy and communications. Now that he is here, I want to let the House know that a new Bill is being drafted and vetted and should soon come before the Cabinet, and all the Regulations are being brought up to date in the light of the new system existing. We are amending the Act of 1940.

Only tonight we will be having an example of modern telecommunications when we see the Frazier-Norton fight. We have got to get with it and bring not only our legislation up to date, but make sure that all of our laws in this respect are up to date, because in these days of the need for national security and international affairs, it is

vital for us to be able to communicate.

I do not think that I need to stress any further the importance of having modern and up to date legislation in keeping with the year 1974, And so, with great respect, I beg to move that this Resolution do now pass.

Hon. A. MORRISON:

I beg to second that.

Mr. BOLDEN:

Mr. Speaker, I am glad to hear that the Government has expert help in this field. In the debate on the Estimates I spoke on the question of fishing boats. I hope that the hon. Minister will refer to his expert the question of the establishment of a proper beacon at one of the highest points in this island which will help fishing boats which are sometimes lost.

I also note that C.B.C. used to advertise A.M. and P.M. They seem to have dropped P.M. and I hope that it can be used to put out periodical signals. We have also raised on this side the question of exemptions for fishermen. The honourable Minister of Home Affairs has spoken a lot about the low catches which Barbados has been experiencing.

I hope, Sir, that the Government will look into the Fishing Industry. If we are in the technological age, we should create the necessary facilities. It would not be very expensive to establish a central beacon which i would guide fishing boats and- I would like the Minister of Home Affairs who knows about this sort of thing to look into the matter. 12.55 p.m.

Hon. G. G. FERGUSON:

Mr. Speaker, for the hon. Member's information I would like to tell him that at present fishing boats are using even small radios for direction finding equipment and we can only ascertain a line of position on one station. Unless you have two stations where you could get affixed the intersection of two lines by which there should be an angle (Aside) you have an angle not less than about 35 degrees and not more than one hundred and fifty. It should not be too acute nor too obtuse. At present there is a radio station which you can tune into and get reception but then it is a matter of knowing on which side you are. It gives you a line but you have no indication as to whether you are on the eastward side of the line or on the westward side of the line. Then there is a radio station — a beacon at Seawell Airport for aeroplanes, with call letters, and all day and night you can get a code on and you can get a bearing on that equally as well. It is really set up for small pocket radios but there are still cheap direction finding equipment which is a type of radio with a marine band for that particular purpose, but the hon. Member is far behind time, because a lot of our present day fishing boats are at present using them. In the month of May, which I would say is our worst month for visibility.....

Mr. BOLDBN:

Mr. Speaker, on a point of order.....

Mr. SPEAKER:

What point of order is this now?

Mr. BOLDEN:

All right, I can deal with it otherwise..

Hon. G. G. PIRGUSSON:

The month of May which is supposed to be our worst month for visibility - visibility in May sometimes is reduced to less than five miles; it is pretty foggy and obscure, and I happen to know that most of the fishermen today carry out small pocket radios particularly for that purpose, and if they know that they are on the south side of the Island, well then they know— because of the effects they get — you can swing it. Even driving in your car, Mr. Speaker, you will realize that in certain positions your tone will go down Completely and if you are on a straight line on your station, then it will cut out completely and you will know that the station is on that particular line, but then you will require a second station to give you — in other words, if you call your first line AB line, then you will require a CD line and then you would have to be at the intersection of the AB, CD lines, and let us call it X for a true position.

Hon. F. G. SMITH:

Mr. Speaker, I would like to assure the hon. Member that anything which inures to make it easy for fishermen, I would ask my expert to have a look at it and if any exemptions are necessary, I am sure that my colleague, the Minister of Agriculture, and the Government generally will do anything to relieve any burden that the fishermen may suffer as a result of these regulations.

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

**RESOLUTION TO APPROVE THE WIRELESS TELEGRAPHY (AMATEUR
TRANSMITTER)
(AMENDMENT) REGULATIONS, 1974**

Hon. G. G. FERGUSON:

Mr. Speaker, I beg to move that Order No. 5 be the next Order of the Day.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

Hon. F. G. SMITH:

Mr. Speaker, as you would appreciate, this is just one of a series, and I beg to move that the Resolution to approve the Wireless Telegraphy (Amateur Transmitter) (Amendment) Regulations, 1974, do now pass.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

**RESOLUTION TO APPROVE THE WIRELESS
TELEGRAPHY (MODEL AEROPLANES,
MODEL RACING CARS AND MODEL
TRAINS) REGULATIONS, 1974**

Hon. G. G. FERGUSON:

Mr. Speaker, I beg to move that Item No. 6 be the next Order of the Day.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

Hon. F. G. SMITH:

Mr. Speaker, I beg to move that the Resolution to approve the Wireless Telegraphy (Model Aeroplanes, Model Racing Cars and Model Trains) Regulations, 1974, do now pass.

Mrs. EASTMOND:

I beg to second that.

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

**RESOLUTION TO APPROVE THE WIRELESS
TELEGRAPHY (LAND MOBILE AND FIXED
RADIO TELEPHONE SERVICES)
REGULATIONS, 1974**

Hon. G. G. FERGUSON:

Mr. Speaker, I beg to move that Order No. 7 be the next Order of the Day.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

Hon. F. G. SMITH:

Mr. Speaker, I beg to move that a Resolution to approve the Wireless Telegraphy (Land Mobile and Fixed Radio Telephone Services) Regulations, 1974, do now pass.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

**RESOLUTION TO APPROVE THE WIRELESS TELEGRAPHY (AMENDMENT)
REGULATIONS, 1974**

Hon. G. G. FERGUSON:

Mr. Speaker, I beg to move that Order No. 8 be the next Order of the Day.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

Hon. F. G. SMITH:

Mr. Speaker, I beg to move that a Resolution to approve the Wireless Telegraphy (Amendment) Regulations, 1974, do now pass.

Mrs. EASTMOND:

I beg to second that.

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

THE ESCHEAT (AMENDMENT) BILL, 1974

Hon. G. G. FERGUSSON:

Mr. Speaker, I beg to move that Order No. 3 be the next Order of the Day.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

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

Hon. G. G. FERGUSSON:

Mr. Speaker, I beg to move that the Bill to amend the Escheat Act, 1899 be now read a second time.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

Mr. MOTTLEY:

Mr. Speaker, I would have thought that rather than doing this piecemeal amending, to adopt the words of the former Attorney General, that a proper amendment would have been brought. One of the antiquated things that exist in Barbados still is a Court of Escheat. I do not think it sits very often but it is very antiquated. I think however that one of the areas in which the Government of this Country can be severely criticised is on the question of failure to bring in Land Reform Legislation — legislation reforming the Land Law in this country.

Sir, I am not one of those who have a very exclusive practice in land law but I know from the little contact that I had with it that it is greatly in need of reform and I am told that the need to reform the Real Property Act, the Inheritance Legislation and other aspects of it — Administration and Trust and various things like these — are all in need of being brought up to date.

I do hope that the Government will give urgent priority to this- It is not a question of revision this time but it is a question of law reform, and as I had advocated in here on numerous occasions, one of the Judges of the Supreme Court could be taken from doing — I will not call any names, Sir, but one who has had experience in drafting should be given this work — the task of reforming the laws and bringing them up to date. He could be paid an honorarium for the work done. It is no easy task involved. We recognise that it is a very difficult job; it is going to take some time and the sooner it starts the better. It is this field of land law that is really in need of immediate reform. I do hope that the Government would give their attention to this.

Hon. G. G. FERGUSSON:

Mr. Speaker, the main purpose of the amendment to this Bill is to transfer the rights from the Ministry.....

Mr. BOLDEN:

Mr. Speaker, before the Minister goes on, could he now explain the reason for the Bill?

Mr. SPEAKER:

That is out of order. He is entitled to reply and his Reply can take whatever form he chooses.

Mr. BOLDEN:

But, Mr. Speaker, ...

Mr. SPEAKER:

You are out of order.

Hon. G. G. FERGUSON:

Mr. Speaker, I have listened very carefully to the hon. Member for the City and I wanted to draw to his attention that the main object in the amendment to this Bill is to transfer it to a more appropriate Ministry. The Ministry of Legal Affairs is a Ministry that is more suitable for dealing with this. It is a legal question. It is a question of law and rescinding the rights of a Crown to certain things, and the Ministry of Legal Affairs will be more suitable than the Ministry of Home Affairs for carrying out these duties. Therefore, this amendment is merely to transfer it from the Ministry of Home Affairs to the Ministry of Legal Affairs.

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

Hon. G. G. FERGUSON:

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

Dr. the Hon. R. B. CADDLE:

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. W. R. LOWE took the Chair. 1.05 p.m.

Clause 1 was called.

Hon. G. G. FERGUSON:

Mr. Chairman, I beg to move that Clause 1 stand part.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

Mr. BOLDEN:

Mr. Chairman, the question of Escheat in this country has worked a certain amount of injustice on some people. Escheat is a very old English division of law whereby when a person who owns realty dies without leaving certain immediate relatives falling in a particular line, the land will go to the Crown. The amendment to this Act, in my opinion, merely perpetuates a system which should have been abolished a long time ago. The Family Provisions Inheritance Act indicates that you have to beg the Crown not to take away the land and allow it to fall into the hands of certain relatives. The law could be abolished and simple amendments could be made to the Family Provisions Inheritance Act which would

solve all of these problems.

Let us assume, Mr. Chairman, that you did not have a wife and your father died while in possession of certain lands. A cousin or a step-son whom you had raised from infancy could not claim your land. He would have to get an attorney-at-law to draw up papers, and the matter would have to be sent to the Minister of Home Affairs. (Asides) I believe that the hon. Member for St. Michael South West worries himself sufficiently to understand what is going on. I repeat that you have to go to the Minister of Home Affairs. I believe to Hon. Minister of Home Affairs must have signed some of these papers up to last week. People are literally begging the Government not to take away the land.

Mr. Chairman, the Government has amended certain Acts in this country which have given recognition to certain relationships in our community. There is a Bill under which you have now recognised illegitimate sons and daughters as well as common law wives. You can make amendments to the Family Provisions Inheritance Act and abolish the Escheat Act. Certain laws have been copied word for word from the English laws. The Prime Minister is always saying that he is nothing to do with the people up there, and I see nothing wrong in amending the Family Provisions Inheritance Act.

Mr. Chairman, this Bill does not affect any reasonably educated person. It affects the man in the street. It affects the man in the street who has a 14 x 9 house in the Orleans and dies without leaving a will. It affects the person in St. Joseph who is not prepared to pay \$10.00 for making a will, and he does not care who gets his property. It does not affect the middle class man and the top people who make their wills before they get anything at all. This is merely to rob people out of a little bit more of the estate.

Mr. Chairman, when a person dies suddenly and he has property, somebody may go to a man like Dick Sealy and say: "I want a nice Canadian casket, 7 advertisements over C.B.C. and Rediffusion and two family cars." When he is told that it will cost \$1, 000, he will say that the person who died was good to him. Hon. Members with experience in this matter will tell you that despite all the tears at the grave side, and despite the fact that the undertaker will warn the person about the high cost of the funeral, his advice will not be heeded. 1.15p.m.

They will tell you to let down the handles and all, because in the back of their minds they have the little piece of land in New Orleans lined up. A few weeks later you will see another cousin step in and say that cousin Mary had always said the piece of land was for her and the fight starts. Somebody has got to take out Letters of Administration. If there was a will, they would not get into this problem. They come up to James Street like when a certain friend of mine was practising next to Austin's and another friend of mine was in the same Chambers, and you had the two messengers at the bottom of the steps fighting, because Mr. X did not do land law and Mr. Y is the best lawyer; so you get one tout downstairs saying you should go to "Sleepy" and the other saying you should go to "Dipper". (Hon. P. M. GREAVES: Why didn't you say "Tom"?) "Tom" was not in those days.

Mr. CHAIRMAN:

I would like all hon. Members to observe Standing Order No. 26.

Mr. BOLDEN:

Mr. Chairman, when the fight is over, the woman who has just buried her relative goes up stairs in the Chamber and sits back.

Mr. CHAIRMAN:

I would like the hon. Member to deal specifically with Clause 1. There is nothing about dead people or fights in Clause 1.

Mr. BOLDEN:

Mr. Chairman, I do not argue with you, but the Escheat Act only applies to the dead. It can only come into operation with the dead, but the living is involved. When they get before the lawyer, they are told that it is not a simple matter, they have to fill out affidavits and have to go to the Crown Law Office and preach and beg, and it takes 18 months before the Crown decides that they can take the piece of land. The lawyer however has to be paid — he is an employee like a carpenter or scavenger — out of the 3,000 square feet in the Orleans that the old lady must have given 5 for out of the Provost Marshal's Office and cannot be worth anything today, because once you are from the Orleans, Town and Country Planning will not give you permission to build on it, because if you want to build, you have to go back 15 feet from the centre of the road and 16 feet from the other side of the road and you end up on a stamp in the middle, and if you can build on the stamp, you are lucky; so the poor person has now paid out \$120 or \$140 and after 18 months the Crown will suddenly decide that she can have it.

Mr. Chairman, I have dealt with several of these cases and know what I am talking about. Sometimes the people would say that if they knew it was going to be so much trouble they would not have worried to spend their money to bury the relatives. My legal colleagues may get angry with me, but I am asking the Government to look at the whole Escheat Act, amend the Family Provisions Inheritance Act and scrap the Escheat Act. I have preached in here time and time again that the Ministry of Education should make it part of the teachers' training to talk to the "children in schools about their families making wills. Too many people in Barbados today are still dying without making wills. I think school children should be told to ask their parents if they have made a will, because nothing breaks up Barbadian families more than a few square feet of land. The amount of money spent over a quarter of an acre of land could buy the Belle Estate, but because of vindictiveness between the parties, neither party wants the other to get it and the fight over the estate starts. If a will was made, the Escheat Act would not come into operation and families would be a lot better off. As the hon. Member has said, you cannot tell a person to make a will, but at least if the Government abolishes the Escheat Act, it will at least be working in the right direction.

Hon. P. M. GREAVES:

Mr. Chairman, the , Escheat Act will always be necessary because you will always find people who will not make will. Chances are, too, that you will find people who have no children or relatives. When you find people who have no relatives, the property has to go some place and it usually goes to the Crown. The Escheat Act could be a hardship on some person who could probably otherwise have had the property. I can say now that about four years ago, the Cabinet agreed to certain amendments to the Family Provisions Inheritance Laws that would in effect limit the scope considerably of this Escheat Act and would in fact allow illegitimate children, or perhaps I should say children born out of wedlock to inherit the property. This has been in our manifesto and has been at the Attorney General's Chambers for the past three or four, years. I understood a representative of that Chamber to say not so long ago that he had now completed his exercise; and this has been publicised even since. When this becomes law, this will have the effect of doing exactly what the hon. Member has been advocating.

Mr. MOTTLEY:

Mr. Chairman, the hon. Member made an interesting point on the question of amending the Family Provisions Inheritance Act to allow illegitimate children to inherit, but I believe that in dealing with illegitimate children the time has come when the Government must look at the whole structure of illegitimate children in Barbados not only relating to inheritance but to every aspect of illegitimacy. I think the time has come when the distinction between legitimate and illegitimate children should be removed because there is no sociological reason for maintaining it in Barbados. Whatever reason there is for having it in England, certainly this is a society which is completely different. When will we get legislation to this effect to completely abolish the distinction?

The Question that Clause 1 stand part, was put and resolved in the affirmative without division.

Clause 2 was called.

Hon. G. G. FERGUSSON:

Mr. Chairman, I beg to move that Clause 2 stand part.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

Mr. BOLDEN:

Mr. Chairman, following up on what the Minister of Lands has said, that there are certain amendments to this Act, I remember calling some time ago for the question of illegitimacy to be dampened in this society. The Government has seen fit and I believe rightly in the Workmen's Compensation Act that an illegitimate child can also claim. 1.25 p.m.

I think that I asked in 1971 that we create the shortened form of a Birth Certificate, which means you have a two-part Birth Certificate, a shortened form and the long form. The shortened form would give the pertinent information and would not declare whether the person is legitimate or illegitimate, and if he wants to get his long Birth Certificate he can specially request it. When the Minister is saying that the Government is working towards a certain line, I would hope this is the immediate step they would take.

Another matter has to be raised, the matter of Re-registration of Births. If two people were living together for a long time and then get married, they swear an Affidavit to the effect that the children born out of wedlock were theirs and they get a new certificate, but the prefix "Re-" still connotes a stigma in a society like ours. I would hope that Government would look at this whole question and perhaps do as the English have done. The English have got around the question of illegitimacy. You can say "a child of the family" and this would cover all these things the Hon. Minister is speaking about. A new Birth Certificate could just be issued and not a Re-registration of Birth Certificate. It does not take a brain-child or legal luminary to tell the Government how to remove this, this can be done with a stroke of the pen.

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

On the motion of Hon. G. G. FERGUSSON, seconded by Dr. the Hon. R. B. CADDLE, Mr. CHAIRMAN reported the passing of one Bill in Committee. Mr. SPEAKER resumed the Chair and

reported accordingly.

On the separate motions of Hon. G. G. FERGUSSON, seconded by Dr. the Hon. R. B. CADDLE, the Bill was read a third time and passed. Its title was agreed to.

ADJOURNMENT

Hon. G. G. FERGUSSON:

Mr. Speaker, this concludes Government. Business for today's Sitting. I beg to move that this House do now adjourn till Tuesday, the 9th April, 1974 at 6.00 p.m.

Dr. the Hon. R. B. CADDLE:

I beg to second that.

Mr. MOTTLEY:

Mr. Speaker, I think that we are entitled to find out why we are meeting at that time of the day. Can the Acting Leader of the House indicate the reasons for coming at that time, Sir? I thought the understanding was that we normally adjourn until 12 o'clock of the day, but now we are hearing 6.00 p.m., and I think it is a matter of courtesy that we should be told why we are meeting at this time.

Mr. SPEAKER:

If the Member is making a speech, he can make a speech but he cannot ask a question. It is within the prerogative of the Acting Leader of the House to make a motion to adjourn the House to a date and time he wishes.

Mr. BOLDEN:

Mr. Speaker, I would very much hope that when we come here on Tuesday, 9th April, 1974 at 6.00 p.m. I do not see any television cameras set up in here, because if the Government wants to play hanky-panky, they must play hanky-panky all the time and take what is coming. We talk about cooperation between the Government and the Opposition but this does not include a situation where we hear that we are going to adjourn until 6.00 p.m. and no mention is made as to the reason for this. (Dr. the Hon. R. B. CADDLE When the Order Paper comes out, you will see.) The Hon. Acting Deputy Leader or the Acting Leader has said when the Order Paper comes out we will know. The Order Paper for Today's Meeting came into my office at 9.30 this morning and I would hope that the next Order Paper will not come in my hand at 3 o'clock on that afternoon. This shows the discourtesy which is extended to the Opposition. We must come in and sit down like fools and agree to what is happening. The Minister of Communications and Works said that the Budget is coming next week, but you can say that Budget Day is Tuesday, 9th April, you do not have to hide it, everybody knows. If you want me to tell you all the provisions which are in the Budget I will tell you now too, so it is no secret as far as I am concerned.

Mr. SPEAKER:

Strangers in the Gallery must behave themselves with due decorum.

Mr. BOLDEN:

Mr. Speaker, I am still asking the Acting Leader of the House to tell us the reason why there are now

adjourning until 6.00 p.m. That is nightfall. Probably the Union has a march scheduled for Broad Street on that afternoon, but if that is so, I will tell them the route it should follow.

Hon. F. G. SMITH:

Mr. Speaker, I just want to say in fairness to the staff of the House — I think hon. Members will appreciate that last week they were stretched out in some cases till very late at night, and I think we will agree with this and exonerate the staff for the late arrival of papers for Today's Sitting because they had to prepare the debates and Minutes and documents and everything for the five days of a strenuous Sitting — and I think that in fairness to them we will.....

Mr. BOLDEN:

Mr. Speaker, on a point of elucidation, I do not want the Hon. Minister to go on as if I am quarrelling with the staff about papers. I said that I hope I do not have to wait, because the Minister said that when we get the Order Paper we will know, but I hope I do not have to wait till 3.30 in the afternoon to know what will happen at 6.00 p.m. That has nothing to do with the Order Paper, do not make the staff believe that I am quarrelling about the Order Paper.

Hon. F. G. SMITH:

Mr. Speaker, I am just going on record, since reference was made to the late arrival of papers, as saying that this Hon. House appreciates the circumstances under which the Order Paper was printed and why it was late on this particular occasion. It was perfectly excusable and understandable. We worked until late on Friday night and the Order Paper for the next Meeting had to be prepared by Monday for delivery. 1.35 p.m.

Dr. the Hon. R. B. CADDLE:

The honourable Member seems to be querying why the next meeting of the House should be at 6 p.m.....

Mr. MOTTLEY:

Unless they give notice of certain things today, they cannot be put on the Order Paper for the next Sitting. Nothing can be put on the Order Paper of which notice has not been given. I would object to it.

Mr. SPEAKER:

There was one Question which was held over until the next Sitting of the House.

The Question that the House do now adjourn until Tuesday, 9th April, at 6 p.m. was put and resolved in the affirmative without division. Mr. SPEAKER adjourned the House accordingly. 1.38 p.m.