

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1971 - 76

HOUSE OF ASSEMBLY

Friday, 10th May, 1974.

Pursuant to the adjournment, the House of Assembly met at 10.30 a.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, (Minister of Home Affairs); Mr. R. St.C. WEEKES, J.P. ; Mr. W. R. LOWE, J.P., (Chairman of Commutes); Mr. W, C. B. HINDS; His Honour C. A. E. HOPPIN, (Deputy Speaker); Mr. J. B. SPRINGER; Mr. J. M. G. M. ADAMS, M.A., (Leader of the Opposition); 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) and Hon. L. E. SANDIFORD, B.A., M.A.(Econ.), (Minister of Education, Youth Affairs, Community Development and Sport).

Prayers were read.

MESSAGE NO. 1/1974 FROM HIS

EXCELLENCY THE GOVERNOR GENERAL

Hon. C. E..TALMA: Mr. Speaker, Sir, I am commanded to lay the following Message-

"MESSAGE NO. 1/1974 HIS EXCELLENCY THE GOVERNOR-GENERAL TO THE HON. THE HOUSE OF ASSEMBLY

His Excellency the Governor-General has the honour to inform the Honourable the House of Assembly that, accompanied by Her Excellency Lady Scott, he will be proceeding on vacation leave abroad from the 17th of May to the 30th of June, 1974. Their Excellencies will spend this leave in

Athens and London.

2. Under the provisions of section 29(1) (a) of the Constitution, the Honourable Hilton Augustus Vaughan, O.B.E., Q.C., has been designated by Her Majesty The Queen to perform the functions of the office of Governor-General during His Excellency's absence from Barbados.

A. WINSTON SCOTT Governor-General.

GOVERNMENT HOUSE BARBADOS

9 May, 1974."

Hon. C. E. TALMA: Mr. Speaker, on behalf of the Prime Minister I have read the Message No. 1/1974 from His Excellency the Governor-General.

GOVERNMENT NOTICES

Hon. C. E. TALMA: Mr. Speaker, on behalf of the Minister of Housing, Lands, Labour and National Insurance, I beg to give notice of a Bill to amend the Tenancies (Control and Development) Act, 1965.

FIRST READING OF BILL

Hon. C. E. TALMA: Mr. Speaker, I beg to move that a Bill to amend the Tenancies (Control and Development) Act 1965, 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 REPLY TO QUESTION

Hon. C. E. TALMA: Mr. Speaker, on behalf of the Hon. Minister of Education I beg to inform you that the Oral Reply to Parliamentary Question No. 189 asked by the honourable Member for St. Peter is now 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 the day's Sitting.

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

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.

Mr. E. E. GREAVES entered the Chamber and took his seat.

THE RESOLUTION TO APPROVE THE LEASE OF LANDS AT SEAWELL AIRPORT TO FORBES INTERNATIONAL MOVING AND STORAGE CO. LTD

Hon. C. E. TALMA: Mr. Speaker, I beg to move that Order No. 2 on the Order Paper under Government Business, to move the passing of a Resolution to approve the lease of certain lands at Seawell Airport to Forbes International Moving and Storage Co. Ltd. be the first Order of the Day.

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, this Resolution seeks to approve the lease to Forbes International Moving and Storage Company of certain lands at Seawell Airport which are set out in the Schedule.

The parcel of land, which it is intended to lease to this company which is registered in Barbados, is all that certain piece or parcel of land situate at Seawell Airport in the parish of Christ Church in this Island containing by estimation 68, 553 square feet or thereabouts Abutting and Bounding on all sides on other lands of the Government being other lands of Seawell Airport or however else the same may Abut and Bound.

The lease will be for a period of 15 years at a rental of 10 cents per square foot per annum with an option to renew at the end of the 15 year period on terms to be renegotiated.

The Addendum sets out, Sir, that Forbes International Moving and Storage Company Limited, a Barbados-downed concern, has requested the lease of the area of land described in the Schedule to provide air cargo facilities at Seawell Airport. That will be an improvement, because of the development of the airport. Added facilities for air cargo transport will be a great improvement.

As the Addendum goes on to say, it is intended to lease the land to Forbes International on the terms described in the Schedule.

In accordance with the provision of section 5 of the Executive Committee (Vesting of Property and Transfer of Functions) Act, 1964, (Act 1964-12) as amended, the approval of Parliament is sought for the lease of the said parcel of land for the period ending 30th April, 1989 at the rate of 10 cents per square foot per annum.

This is another step in the further development of Seawell International Airport. As I have said, this company is owned and registered in Barbados, and I think that we should assist local companies which are trying to improve the country.

The rate of the rental is identical to that charged on numerous occasions in the past — 10 cents per square foot per annum. I have a copy of the plan which, in case any Member wants to see the plan of the land that we intend to lease for 15 years, I would be glad to circulate it.

I beg to move that the Resolution do now pass.

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

Mr. HINDS: Mr. Speaker, we on this side have absolutely no objection to the lease of lands to Forbes International or any other company on specified terms; but on this particular Resolution, the point I want to make is that we must accept that the runway at Seawell Airport is one of the land marks of this country. 10.40 a.m.

In such a case we feel that the Schedule in itself ought to set out whether or not the land to be leased is on the North, East or West as the case would be of the runway at Seawell Airport and in view of the fact that an airport is a matter in itself of such complexities, I think that this should be stated.

The second point I want to make is, that the lease is for a period of fifteen years, Mr. Speaker. Sir, we have absolutely no objection whatsoever to the rental at ten cents per square foot per annum, but we believe that in the light of changing land values, it is but fair if the Government were to give consideration to having the rental price per square foot reviewed at the end of each five-year period; in other words there should be two reviews, one at the end of the first and one at the end of the second period. In saying so it does not meant that the price will go up or would be increased, but it should be stated that a review be given at the end of each five-year period because at the end of five years it would be reasonable time for us to review the price. These are the only two points we want to make but we have no objection whatsoever to leasing the land to Forbes International.

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

THE RESOLUTION TO APPROVE THE LEASE OF LAND TO MR. STEPHEN FIELDS

Hon. C. E. TALMA: Mr. Speaker, the next Resolution also 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 the lease of certain lands at Bay Street, St. Michael, to Mr. Stephen Fields. This Resolution is to approve the lease to Mr. Stephen Fields of lands situated at Bay Street, St. Michael for the purpose

described more particularly in the Schedule. As is stated in the Schedule, it is all that parcel of land situate at Bay Street in the parish of St. Michael in this Island containing by admeasurement 5, 387 square feet or thereabouts Abutting and Bounding on the North, East and South on lands of Stephen Fields and on the West on the Public Road or however else the same may Abut and Bound.

As the Addendum sets out, Mr. Speaker, it is proposed, subject to the approval of Parliament, to lease the parcel of land described in the Schedule to Mr. Stephen Fields for a period of fifteen years with an option to renew and subject to the following conditions :-

- (i) that the rental be at the rate of 10 cents a square foot;
- (ii) that the rental be revised every five years;
- (iii) that no permanent structure be erected on the land;
- (iv) that the area be kept in a clean and tidy condition.

Now this application has been made by a firm of Solicitors on behalf of their client Mr. Fields who is seeking to have the land for a particular purpose, that is to say, the applicant proposes to purchase land at the back of the Government owned land to construct a restaurant, and access to that building would be along a driveway between the land requested to be leased and the site on which the offices of the Government Information Service are located. The applicant has stated that the restaurant would be air-conditioned and soundproofed to minimize noise and disturbance to residents, and of course, planning permission for this purpose depends on everything being satisfactory.

Tins land is at the back, adjoining the building in which the Government Information Service operates. I think there was a snackette there some years ago when this Government went into office. The snackette was know as Betty's. The purpose of this is to enable the owner of that place to function more efficiently. All the red tape has been gone through and all consultations which were necessary have been completed, and the plan is here. All Members of the Opposition or other Members who desire to have a look at the plan may do so and be satisfied in their own mind that everything is quite in order.

Mr. HINDS: Mr. Speaker, I believe that the Leader of the House would be willing to explain why the Government found it necessary in this particular instance to stipulate that the lease would be revised every five years. I wonder why is it that the question of review was not mentioned in the other Resolution.....

Hon. C. E. TALMA: if the hon. Member would give way, Mr. Speaker, I will explain that this is prime development land and centrally located, and it would lend itself to business or any venture of that sort, being three quarters of a mile from town, in the City area, as distinct from the other one which is far out and for which certain areas at Seawell Airport have been designated already for the specific purpose. 10.50 a.m.

It seems to me that this is a good answer. It is what occurs to my mind as being the rationale of what has been done.

Mr. HINDS: Mr. Speaker, I am trying to follow what the Leader of the House is trying to say. In the case of Seawell Airport, the land must be considered as prime land. In the particular case which we have before our mind, when one requires a warehouse at Seawell Airport it cannot be placed in any other part of the Island. The Air Cargo Warehouse must be placed at a convenient point at Seawell Airport. In the case of Mr. Fields, it is very well known that this type of business can be established anywhere. We have no objection to the lease of land to Mr. Fields, but there must be some reason which is not as simple as the Minister wants us to understand.

Mr. Speaker, the Minister says that the Government has decided to review Mr. Fields' rental every five years, because the site is 3/4 of a mile from Bridgetown and it is prime land. When one takes into consideration the type of business that compels the applicant to place a warehouse on the particular site he has requested, that in itself makes it superprime in this particular case. We cannot follow the argument of the Leader of the House in this particular case.

However, we come to the point where Mr. Fields will be required to keep the area in a clean and tidy condition. I believe the Leader of the House knows the present condition of the area. I know how anxious Mr. Fields would be to sign the lease, but I hope that Government is giving consideration to clearing the area before handing it over to Mr. Fields. The Government should hand over the area in a clean and tidy condition and ask Mr. Fields to maintain it in the like manner. I hope that Mr. Fields does not find himself signing the lease and then having to put the area in a proper condition. Since Mr. Fields will be required to keep the area in a clean and tidy condition, then the Government should hand it over to him in a clean and tidy condition.

Mr. ADAMS: Mr. Speaker, I would like to say this. We are not opposing this lease in any way, but I would like to say that it is disgraceful that the Government should have allowed its prime land, 3/4 of a mile from Bridgetown, to get into the condition which users of Barbados' busiest highway are accustomed to seeing every day, and that they should now be speaking in terms of waiting for a stranger to come along with his own venture and then putting upon the stranger the burden of making the place look clean, tidy, sanitary and otherwise. That little corner of Bay Street is one of the most disgraceful areas of land on the whole of Highway 7 in the commercial parts, Mr. Speaker, and I think this is very unreasonable of the Government. I predict that if they make Mr. Fields clear the site, then in five years' time, when they come to renew the lease, the Crown Solicitor is going to say "Look what a clean, tidy, site it is. If you were prepared to pay 10 cents a foot for it when it was disgusting, now that it is clean, perhaps, you should pay 20 cents." That would not be at all out of line with what we have seen happen in landlord and tenant relationships of this sort in Barbados and, indeed, in other countries.

Now, I myself must confess some lack of understanding of which land there, actually belongs to the Government, and which does not. I would like the Government to give some consideration, and I hope that the hon. Member for St. Michael South has borne this in mind upon his peregrinations around his constituency, to clearing the little gap which is to the south, I imagine, of this line that leads up to the two avenues in Beckles Hill and at present has access on to Beckles Road but no proper vehicular access on to Bay Street. It is in the interest of all Barbadians to have major highways such as Bay Street and the approaches to Highway 7 kept in a good, orderly and clean condition. The fact that it is 3/4 of a mile from Bridgetown should not occur to the Leader of the House only in terms of what burdens should be put on a person leasing it. He should also be looking to say that it is only 3/4 of a mile from

Bridgetown and adjoining the Government Headquarters compound and, therefore, it should be kept as clean and tidy as we would like visitors to the Island and Barbadians to see and be proud of. I would hope that this lease would be the beginning of a general improvement of the area between Chelsea Road and Government Headquarters.

Now, there is another very small aspect marginally related to the lease, Sir, which I would ask — unfortunately he is not in his seat now — the Minister of Communications and Works to bear in mind. He is in someone else's seat at the moment; he is with the backbenchers temporarily, but it is something which relates to the flow of traffic in front of this particular area of land. I would not detain the House long on this. Sufficient to say that for some reason traffic going up and down Beckles Road is given priority by Police traffic controllers.....

Mr. SPEAKER: What has that got to do with the lease?

Mr. ADAMS: It will be so short, Sir, I thought I would take the opportunity of saying it. It will be very short if Your Honour will bear with me in the absence of objection, Sir. So far as what it has to do with the area is concerned, by reason of the traffic control at the foot of Beckles Road, every single morning traffic is packed up at this particular area and cars have to stop; and, therefore, have a long time looking at the unclean and untidy condition of it. I would ask the Minister to undertake a traffic control survey of the area when this lease and all of the other matters are being considered. I can give the Minister my personal assurance that, from personal examination carefully noted over the entire part of this year, once you have a traffic line in Bay Street it is shorter to turn up Chelsea Road, go across Curwerfs Avenue and come down Beckles Road than to continue down Bay Street, even though the difference is a mile longer. It is quicker to go that way because of the nature of the traffic control that at present exists.

Mr. SPEAKER: You have made your point.

Mr. ADAMS: I would not have known the area of land so well, Sir, if I did not have to wait in my car opposite to it so often on mornings..

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

THE RESOLUTION RE THE LEASE OF LAND TO THE BARBADOS MUSEUM AND HISTORICAL SOCIETY

Hon. C. E. TALMA: Mr. Speaker, Order No. 4 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 the lease of certain lands at the Garrison, St. Michael, to the Barbados Museum and Historical Society.

Mr. SPEAKER: Order No. 4 is the next Order of the Day.

Hon. C. E. TALMA: Mr. Speaker, this Resolution is to approve the lease to the Barbados Museum and Historical Society of all that certain piece or parcel of land together with the building thereon

situate at the Garrison in the Parish of Saint Michael in the Island containing by admeasurement 14, 720 square feet or thereabouts Abutting and Bounding to the North and to the East on lands of the Government of Barbados being lands leased to the Barbados Museum and Historical Society and to the South and to the West on other lands of the Government of Barbados or however else the same may Abut and Bound together with the building thereon known as Letting No. 11.

Hon. P. M. GREAVES and Mr. L. S. CRAIG entered the Chamber and took their seats. 11.00a.m.

The position is that it is proposed, subject to the approval of Parliament, to lease this parcel of land together with the building thereon which is described in the Schedule to the Barbados Museum and Historical Society for a period of 62 years at a peppercorn rental of twenty-five cents per year with permission to the Society to erect a building on the said premises to accommodate a National Art Gallery.

Now this is a very commendable effort from what I gather. From their own resources this project is going to be constructed, and it comes at a time when it can be established as a memorial to the late Mr. Neville Connell who was curator in charge of the Museum for many years.

To give you more information on this, the Barbados Museum and Historical Society is asking for a lease of letting No. 11 at the Garrison and for permission to erect a building 41 feet by 20 feet to be used as a National Art Gallery. The old military prison together with the land on which it stands and the area adjoining its western boundary, about 16 feet wide by 20 feet long, were leased to the society from 1st November, 1933 for a period of 99 years at a rental of one shilling per year for the purpose of establishing a museum and further purposes in harmony with the objects of the Society. Additional areas had been leased to the Society in 1934, 1948 and 1953 for periods which coincided with the unexpired term of the original lease and at a similar rental; so there have been other leases which came after at the same rental value and automatically expire the same time. Letting No. 11 at the Garrison was allocated to the Barbados Museum and Historical Society on 10th November, 1970, at a peppercorn rental for the term of years equivalent to the unexpired portion of the lease of the Society's headquarters, that is 62 years. The Society has requested that this arrangement be formalised by way of a lease in the case of all Government property in possession of the Society. The Society also seeks approval to make an addition to the existing building to provide accommodation for the National Art Gallery. The dimensions of the proposed extension are 41 feet by 20 feet and it will be situate to the South of the Cunard Gallery and to the east of the proposed Art Gallery.

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

The addition will be in the nature of a memorial to the late Mr. Neville ConneU in consideration of the very valuable work done by him during his term of office as Director. The cost will be borne by public subscriptions. This is for cultural and historical purposes and already there are existing leases of certain properties and lands to the Barbados Museum and Historical Society at a peppercorn rent. So this is to provide additional accommodation for a period of 62 years, the unexpired portion of 99 years granted in the first instance.

I beg to move that this Resolution do now pass.

Dr. the Hon. R. B. CADDLE: I beg to second that.

Mr. ADAMS: This is another case, Mr. Speaker, where the Government has allowed the situation to go so far by default that others have had to step in to do what was the Government's duty towards its people to do. We in the Barbados Labour Party have long advocated the policy that there should be a National Theatre, a National Art Gallery and other national institutions to foster the cultural and artistic expressions of the people. In this case the Barbados Museum and Historical Society of which certain Members of this House admittedly are Members, no doubt some on the other side including yourself.....

Hon. C. E. TALMA: On a point of order, /! was under the impression that this Resolution had been passed.

Mr. SPEAKER: The question was not fully put when the hon. Member rose to speak.

Mr. ADAMS: The best thing to say in favour of it is that I have every confidence that the Barbados Museum and Historical Society will do the job of establishing and running the National Art Gallery a good deal better than those administratively responsible at the present time in Government in carrying into effect the cultural aspirations of our people.

Hon. L. E. SANDIFORD: Mr. Speaker, I would not like it to be thought that this Government is not aware of the importance of cultural institutions in this country. This Government during the years that it has assumed responsibility for managing the affairs of this country has placed due emphasis on cultural matters. As far as the Barbados Museum and

Historical Society is concerned, we have facilitated the growth and development of that institution both in terms of intensifying the consultations which take place between the appropriate Government Departments or Ministry and the authorities of that Museum and Historical Society. Over the years too, the subvention to the Society has been increased on a number of occasions, and indeed in the current financial year there was another increase in the subvention. Currently, consideration is being given to an examination of the whole nature and scope of the institution to facilitate its development into an institution which would be even more national in character. 11.10a.m.

I am currently awaiting the provision of staff for the Cukural Affairs Division which would be responsible for relating to the Barbados Museum and Historical Society. I am confident that when that staff is provided, we will see even further developments in the work and scope of the Barbados Museum and Historical Society.

I would like to emphasise again that this Government is aware of its responsibility as far as cultural matters are concerned and that this is evidenced by the fact that we have taken steps to establish a Division of Cultural Affairs within the Ministry of Education, Youth Affairs, Community Development and Sport; that we have been considering the question of the establishment of a national auditorium and cultural centre; that a committee was established to look into this whole matter; that they have reported and that the recommendations of that particular committee are being studied, and that there is ongoing consultation with certain members of that particular committee. I would not like anything standing on the record to give the impression that the Opposition in or out of Parliament is more concerned about

the development of cultural matters in this country than the Government which as the responsibility for managing the national affairs of this country. The amount of assistance, advice, consultation and facilitation that has been provided by this Government far outweighs and outstrips the consultation, advice and any other assistance which might have been given by that Government when it was in power.

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

THE INTERPRETATION (AMENDMENT) BILL, 1974

Hon. C. E. TALMA: Mr. Speaker, Order No. 5 is the next Order of the Day, and it is to move the Second Reading of a Bill to amend the Interpretation Act, 1966. As the Objects and Reasons set out, the Bill would amend the Interpretation Act, 1966 (Act 1966-10) in order to provide that publication of a statutory instrument, statutory document or advertisement in the Official Gazette shall for all purposes, be sufficient publication of that instrument, document or advertisement.

It is well known that for a number of years, whether or not it was necessary under the Statute Law as such, lawyers and solicitors engaged in the practice to have publications for Foreclosure Suits, Probate Matters, matters of Title and numerous other things appeared in the Official Gazette and in the local newspaper at least twice, but in many cases it was not necessary for it to appear in the newspaper. As long as it is published in the Official Gazette, that is official notice and to comply with the law, the object of this Bill is to regularise all outstanding matters as from now, so that publication in the Official Gazette, which is easily available today, is all that is necessary. The Gazette can be easily accessible to the public, and they are more aware today of what is going on, so to say that a publication in the Official Gazette is not widespread is not quite true today, because it is available at the kiosk in Independence Square and at the Government Printery for a small sum.

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

Hon. A. MORRISON: I beg to second that.

Mr. ADAMS: Sir, I am suffering under some misapprehension on this Bill. Nothing will be more retrograde in the land law of Barbados than allowing Foreclosure Suits to be published only in the Official Gazette. I give this as a deliberate warning and I would like the Prime Minister who has experience of this and of other persons who have practised at the Bar to give serious consideration to this matter. I am not worried about Statutory Instruments and Statutory Documents, I daresay that some element of this may be a result of the "Carmen Bailey Case" in which a point was taken that Carmen Bailey's Expulsion Order had not been gazetted and therefore it might not have been in force. As it happens, the decision of the Court was against that submission and therefore to that extent, this Act may be redundant. I have formed the impression that this may be one of the reasons for this, but anybody, who practises at the Bar, knows that the Chancery Act of Barbados is a very formidable weapon in dealing with land, especially old people's land, in this country.

I am really giving this warning very seriously, Sir. The Chancery Act allows a person to foreclose

land which may or may not be his to give a fictitious mortgage on land and foreclose it for the purpose of obtaining a title. In many cases, this land is not the property or not in the possession of the person giving way to fictitious mortgage and seeking foreclosure, but the whole procedure is there to allow a law suit to take place to determine who the true owner is. It is within my experience, and I do assure Members of the House that this is a matter of almost monthly experience, that persons read in the newspaper for the first time that the land on which they are living is being put through the Court by someone else. I have a letter here in my hand written by an hon. Member of this House and handed to me this morning on behalf of one of his constituents against whom I appear in Court in exactly similar circumstances. This particular person, to clear a question of title and dispute under her will, gave a fictitious mortgage, put the land through the Court, and my clients in the United States of America and in Barbados read for the first time in the Advocate-News that this was being done. This is something which is so much within the experience of Attorneys, and as it happens, I have the letter in my hand. I do not believe the Official Gazette is circulated in the United States and indeed in parts of St. Lucy, St. Andrew, St. Joseph, St. Philip or even St. Thomas. 11.20 a.m.

If the statutory advertisements required by the Chancery Act may be sufficiently published in the Official Gazette, we will have created the most potent instrument for fraud — and I use the word deliberately — because there is still what is known as land thieves in Barbados — that this House has ever created, not expecting the Chancery Act itself.

I have heard the Prime Minister talk about these things in here. Not one of the Puisne Judges, I dare say, has over the last three or four years tried a foreclosure suit without saying that he is not satisfied that the people concerned are getting enough notice.

We are being called on to pass a Bill by which we will be giving less notice than before. The Official Gazette is available, but that does not mean that it has a wide circulation. It can be bought, but how do you know to go and look in the Official Gazette?

The most popular thing that happens is that a Marshal of the Supreme Court goes and visits a piece of land and puts up a notice on a tree. The people who want to conceal this from those who own the land take the notice from off the tree.

Now, Sir, this has been repeatedly complained of by the judges. Far from saying that the people concerned are getting enough notice, the judges are saying that they would like to see a rule that no solicitor can introduce a foreclosure suit unless he himself has visited the land, ascertains who lives on it, and ascertained that they have had notice.

I can just mention that in the course of my practice, Sir, I have given my articulated clerk instructions, and have myself made it a practice that with every foreclosure suit that comes to me, to drive to the land in question, knock on any house door, interview who is there and swear to an affidavit that I have seen the land and interviewed those present on it, because I know that this is the preferred way of going about this business by the Supreme Court.

Sir, I have never seen a statutory measure come into this House more inimical to the good government of this island than this, if it is going to be sufficient in the future to publish a foreclosure notice in the Official Gazette.

There are other statutory notices that have to be published. Land Acquisition notices, for example, and notices relating to Air Traffic Licences — I cannot remember all of them. Are we to assume that citizens are now going to have to buy the Official Gazette to see that these matters in which they are interested are published?

Will the Public Utilities Board say that it is sufficient to publish in the Official Gazette the necessary advertisements relating to the raising of rates by the Telephone Company or the Electric Company or the Transport Board?

I think that an error has been made in the drafting of this Bill. I do not believe that we are assuming that when enactments providing for the giving of notice in the daily newspaper exist, that the Government is casually now going to say that none of these things has to be done by that means anymore.

If the Government is going to persist in this, and I am sure that it will prove unworkable eventually, I am going to move an amendment in Committee to delete the words "or advertisement". The mischief must surely be aimed at a case in which you may want to do something in a hurry. You may need to confirm a new control price, or you may need to publish an expulsion order so that somebody who is really dangerous to the peace and order and good government of Barbados — which would exclude poor Carmen Bailey, Sir, — can be expelled, without the possibility of taking the point that the notice appeared or whatever the case may be; that the Gazette did not appear or whatever points may be taken.

I would not like to tell you what to do with the Chancery Act; because the day that you do not have to advertise a land title suit in the Advocate-News, you license every bailiff and every person who has ever tried to obtain land, that was not his through the Court, so to obtain it. You will produce a number of fraud suits which I have no doubt the judges will be forced

to uphold because they will see that these matters are fraudulent but no notice has been given to the persons concerned.

You may as well repeal the provisions of the Land Acquisition Act that relate to public objections or those that relate to air transport licences; because you are striking a deep and fundamental blow against the popular participation in the governmental process such as we have had in the matters that I have mentioned, matters relating to air transport and public utilities.

You are striking another deep and fundamental blow at the sanctity of the ownership of land in this island. There is no requirement to constrict the description of land. You find some funny description published in the Official Gazette, and then you actually file a plan with your mortgage which shows the land that you are really trying to carry away; and you will end up with a plan, a plot and a court title to somebody else's land.

I can think of a few things that have frightened me more than this Bill and the explanation given by the Leader of the Government. I appeal to the Prime Minister to take this matter back to the Cabinet for further consideration of this aspect of it.

Hon. C. E. TALMA: Mr. Speaker, I was listening to the Leader of the Opposition. He sounded very convincing. I have a fairly, good working knowledge and long experience of these particular matters, probably much more than the hon. Member has had. When he talked about a notice appearing in the Official Gazette not being enough....

Mr. HINDS: Mr. Speaker, is the Leader of the House replying for the Government?

Mr. SPEAKER: I so take it.

Mr. HINDS: Mr. Speaker, I have not had an opportunity to speak at all. In my hearing, Sir, the Prime Minister of this Honourable House has expressed his deep concern from time to time over what this amendment is asking us to do today, so that I find myself forced to say something on the matter.

I have heard the Prime Minister say time and again how the High Court was used by people to obtain fraudulent titles to land — the same view that has been expressed by the Leader of the Opposition.

This, Sir, brings to me another point — the question of publication in the Official Gazette. I have heard it said by an honourable Member on that side that an Official Gazette which should have appeared on a particular date did not appear on that date. It may appear 10, 12 or 20 days after. The Official Gazette perhaps should have appeared on the 2nd of the month notifying a person that his land was to be sold out, but the Gazette for some unknown reason — we know that there are difficulties at the Government Printery — but if the Gazette when it appeared bore the date the 2nd of the month, the date when it should have appeared, you will find that people who have interest in the notices appearing in the Gazette may be in difficulty.

In the course of my duty I have drawn it to the attention of the House time and again that the Official Gazette was not printed on the date that it bore. 11.36 a.m.

These are things, Mr. Speaker, that we are asking the Government to bear in mind because this is a very serious matter which has come before us — amending a Bill to permit more of what has been complained of, to be perpetuated in the courts of this country. We are appealing to the Government to sound property owners through what the Prime Minister has told us that he has experienced that people fraudulently take away other people's lands. Remember, Mr. Speaker, that this has been complained of by the Prime Minister. If we are now removing the necessity to place a notice even in the daily newspaper, is it not a case of taking away everything that is right from the land owners in this country and confining it so to speak in many cases on non-existent, never-read, hardly every seen something called an Official Gazette? Let us ask ourselves how many people in this country ever read the Official Gazette. The Official Gazette is not something obtainable at street corners. I am telling you that there are some Government Departments that receive an Official Gazette and they never open it. They receive Official Gazettes and they remain in the rubbish heap week after week until they are thrown away. I heard the Leader of the House say this morning that you can get them at Government Departments, but the fact is that they are kept in these departments month after month and week after week until they are bundled up and thrown outside....

Hon. C. E. TALMA: On a point of order, Mr. Speaker, I want to be properly quoted. I said, the Government Printery or the kiosk. That is what I said. I did not say anything about Government

Departments.

Mr. SPEAKER: That is a point of elucidation.

Mr. HINDS: If the Reporter's notes are checked, I am sure that the Leader of the House did say 'Government Departments'. Be that as it may, Mr. Speaker, we think the matter is of much importance; we on this side of the House have tried in every way possible to bring it to the Government's attention that by its action that is sought in this amendment, it is denying property owners in Barbados a right which is theirs, an opportunity which is now available to them, and, as the Leader of the Opposition has said, Sir, there are people overseas who, will never see nor hear of an Official Gazette? We have no guarantee — the Government can give us no guarantee that an Official Gazette is going to appear on the dates on which it should appear. They can give us no such guarantee.

It would be interesting to hear the circulation figures of the Official Gazette and compare them with that of a daily newspaper or a weekly newspaper in this country to see exactly what we are trying to deny the land owners of in this country. I believe enough has been said to bring the Government to its senses in this matter and particularly to let the Prime Minister for once demonstrate that what he comes in here and says has been causing him some very considerable concern, let him demonstrate for once that he really meant and still means today what he has been laying in this particular respect.

Rt. Hon. E. W. BARROW: Mr. Speaker, since the Members on the Opposition side have had to invoke my name at several points in their speeches in order to give authenticity to their statements, I think I should make the position clear, The whole procedure of foreclosure, the old legal fiction that we know, has been handed down from the John Doe business of acquiring title. It is an unsatisfactory procedure, and I say so; and the question as to whether you advertise in a newspaper or the Gazette is irrelevant to the unsatisfactory nature of the procedure. This is the point I have always made.

Furthermore, there must have been some misunderstanding in this respect years ago by members of the legal profession and the others involved, because I discovered at one time when I checked, that there were over 500 foreclosure actions which had been advertised and although they were advertised, no hearings had taken place, no titles had been perfected through the procedure of the law courts, no claims had been heard and very few claims had been filed.

My quarrel with the whole procedure — if you may call it a quarrel — is with the whole administration of the then part of the Chancery Act. It has been used by very eminent persons in this Island — a President of the Court of Appeal and the Master in Chancery, the same person, and the President of the Legislative Council, the same person, to acquire vast land holdings in this Island; and then they talk about the Separation of Powers. Here you had one officer who was a Member of the Judiciary, a Member of the Legislature, and an Administrator of this Chancery Act, — and I do not want to be invidious about it — historically this has been an unsatisfactory bit of legislation.

What we are concerned about here is the question of litigation, that is having to incur further expenses of not only placing advertisement in the Official Gazette, which is the proper place for matters of this kind to be ventilated and displayed, but also boosting the expatriate newspaper in Barbados. Nobody reads that page of the paper anyhow. I certainly do not, and certainly the unwitting public or the person who may have some kind of claim — that is the point — that the person who may have some kind of

claim to the land is not the kind of person who is waking up every morning to see if somebody is passing his land through the court, so even when we put it in the Official Gazette and we deliver the Official Gazette to them, it does not make the procedure satisfactory, and I will continue to say that the whole thing needs to be looked at.

Now let me give you an example of the kind of thing that has been happening. Sometime ago, even before I assumed office, I was a Member of Parliament, the Government decided quite rightly to do its own printing. 11.40 a.m.

The Government set up a printery, bought machinery and so on. Last year you will remember that I came in here with a Resolution for a sum of money to upgrade the Government Printery, taking all of this into account. It was a Resolution for \$380, 000 on Capital Account. At that time 15 years later, or 17 years later — I cannot remember how long it is — but certainly more than 15 years later, the total cost of running the Government Printery, including stationery, had not reached \$300, 000. The volume of Government Business had increased considerably, the number of laws and debates taking place had increased, and this gives you an idea of the kind of robbery with violence which had been going on.

Now, if you examine a lot of these laws that we have here, you will find that the function of saying that you must publish certain things in the newspaper was only to boost the revenues of people who were Members of the House at that time, and it was not to inform the public about anything. I really see no need for it. What I do see a need for, and I think the hon. Member for St. Peter has made some recommendations, is that the Official Gazette will have to be upgraded and it will be upgraded. The Official Gazette will not be published and bear a date other than the date on which it actually appears. I give that undertaking. The Official Gazette, including the Debates of this Chamber, should be on the road within 24 hours or 48 hours of the Debates taking place in this Chamber, and it should be made a publication which people would want to buy. Therefore, not only members of the legal profession, but members of the general public would now be aware that everything pertaining to legal matters, advertisements for jobs and so on would be appearing in the Official Gazette. The Official Gazette would be made a little more attractive than the dreary kind of publication which it now presents to the general public. I am sure that the reservations which hon. Members would have, would no longer have any application.

I must emphasise that I am still not satisfied that this foreclosure action is a good thing. There should be some machinery for perfecting titles but the way in which the Act is worked, and the procedures which are outlined there are not satisfactory for preventing persons from being deprived of, at least, filing liens and so on against property to which they are entitled. That is the point I wish to make. It has nothing to do with the advertisement at all. One of the major defects of it, of course, is the very thing the hon. Member for St. Thomas has pointed out. You can describe land, you can read the advertisement in all of the newspapers. You can describe the land in the advertisement, and you can sit down in your house over your breakfast coffee, read that advertisement, and would never know that it relates to your land. The advertisement can say land in St. Philip Abutting and Bounding on the public road and on three sides by Ruby Plantation, and there may be 387 parcels of land answering to that description in the Parish of St. Philip and that is sufficient to deprive you of the land. That is the kind of thing that I am against.

Now until we get the registration not only of land, but the registration of titles which I have been

pressing for for the past God knows how many years — I have now settled with the Chief Valuation Officer a system which will not be based on the Thornhill system, but will be based on what is called the "Enclosure System", having regard to the practicalities of what can be done in Barbados. In other words, the system which I propose we should introduce is one in which you would not use level co-ordinates, latitudes, longitudes or trigonometric stations, but one in which you say there is an enclosure which is incapable within the foreseeable future of being eradicated, and the enclosure consists of Bay Street, from the corner of Beckles Road down to the corner of Jemmott's Lane, up Colly more Rock, across Culloden Road, down Beckles Road and that enclosure constitutes one area for the purpose of land registration. Having those four boundaries, you can then relate all the properties from those four given points, the four corners of those roads. In this way I think we can introduce the registration system very quickly, instead of importing something from Mr. Thornhill in Australia, or from Eastbourne or Hastings, or from any of the places in the United Kingdom where they have these most sophisticated types of registered land. Until we do that, we are going to have trouble with Foreclosure Suits. It has nothing to do with advertisements.

I feel also that you should go and have the hearing on the land. The Court should not sit down somewhere in Coleridge Street and pass somebody's title. You should do what we call 'ring a bell'. We used to send a man out ringing a bell when we were going to levy on somebody's property. If you want to pass somebody's property through the Court, you should ring a bell in the district, and the Court should go to the land on the spot and pass the title there. It is still legally possible in Barbados, although people do not do it, to deliver land by going to the land and taking up a handful of dirt and walk to its boundaries saying: "I deliver this land to you." That is called "Treatment with the liberty of Caesar." This is still possible by common law in Barbados, but nobody does it because it is very difficult to establish and it is not registered. It is legally possible to pass over land in that way. A lot of lawyers have laughed at people when people come into their offices and say "My father handed over this land to me. "How can this man be passing this land through the court and so on? But that is legally possible in Barbados, and I challenge anybody to deny that it is so.

I am saying that the whole procedure is unsatisfactory because, as I pointed out just now, Sir, when I mentioned the constituency which you have the honour to represent, you can describe the person's land with accuracy, pass it over his head, and he may read the advertisement and be unaware that it is his land. That is my objection to it. I think that, until we get our registration system introduced, we should tighten up on the whole procedure. I feel that the Courts are a bit too reckless in the alacrity with which they can dispose of people's property — many people living in the United States and many living right here in Barbados. At the same time I think the Registry and profession are a bit slow in the indolence with which they get the suits brought forward. Frequently, I think, one of the difficulties is that as soon as they think there is going to be trouble, they then go to sleep on the matter and the titles cannot be perfected.

Now, if we had an open hearing on the land itself — this may sound ridiculous, but we have to think of local conditions — then everybody in the district would know and would themselves be able to ring a bell, or raise what people call the "hue and cry" and say: "That is my uncle's land, who is in Panama, and you cannot come up here in your wig and gown saying that you are selling out this land." We have to look at our own situation in Barbados now that we have our own law faculty and devise systems which recognise the inadequacy of the application of the Statute Law of Great Britain to the situations which exist in this country. 11.50 a.m.

Mr. ADAMS: If I may just make a....

Mr. SPEAKER: I am not aware that you have another right to speak. The hon. Member had a chance to speak. You are out of order.

Mr. CRAIG: Mr. Speaker, I beg to move that this Bill be now referred to Select Committee.

Mr. ADAMS: I beg to second that, and would like to speak on it, Sir, I know that the cut and thrust of politics....

Mr. SPEAKER: I am not aware that the Bill can be referred to a Select Committee before the Second Reading has been given to it. The Second Reading must be given then your motion would be in order.

Hon. C. E. TALMA: The Prime Minister has more or less answered on behalf of the Government, but when you consider the number of Acts in which the requirement is merely just for the Official Gazette as compared with what is stated here, that unless it is published in the newspaper it would not be a valid notice, it appears in the appendix which I have here that except in a few cases, the Official Gazette is the appropriate place to publish these notices, and that has been done all through. I admit in the case of the Provost Marshal Act publication both in the local newspaper and in the Official Gazette has been the practice and law, but under the Land Registration Act which the Government is trying to bring into being, all that will be done away with.

I do not think I need to tire the House with the number of Acts which require publication in the Official Gazette. It is all, in fact, and in the case of the newspapers very few really. I do admit that the Official Gazette and the local newspaper are required in the case of the Provost Marshal Act and in the case of foreclosure, sales or title to property.

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. 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.

Mr. ADAMS: I would like to move an amendment to that, to refer the Bill to Select Committee, if the Clerk would be kind enough to draft such amendment as is appropriate in the circumstances. I am sure that the Clerk would advise me on which words should be deleted and which words should be substituted therefor.

Sir, the principle of the Bill confirming the publication of certain documents in the Gazette to be sufficient to validate them is not offensive, but the question of the advertising particularly since the Minister is in possession of sufficient documentation to show what Acts call for advertising in the

newspaper and what do not, is not a matter which we in the Opposition could ever accept — that all advertisements are sufficiently published in the Official Gazette, and I want to urge on hon. Members to consider this matter very carefully indeed. So far as I am aware, neither the Chief Justice nor the Judges nor the Law Society has been asked to say anything about this matter which after all is a matter which comes peculiarly under their province, and it is a matter in which their interest is preventing frauds in the administration of justice in this Island.

Now the Prime Minister is in my opinion correct when he says that the Chancery Act is in itself very unsatisfactory as a means of perfecting a title. It is not in fact by any means an old Act, or part of the Common Law. I do not think he is correct in that. The Common Law of England has never known such a wicked tiling as the Chancery Act. It is taken from Ireland. This is not the Richard Roe and John Doe procedure. The Richard Roe and John Doe procedure is a different procedure altogether. This procedure is taken from the Irish Encumbered Estates Act of 1886 and it has been severely attacked in Ireland that it gave the English landlords an opportunity to recover land which by neglect they had lost by limitation to the Irish tenants who lived on it, and it was destroyed eventually in Ireland as a part of the Irish revolution and contributed substantially to the revolutionary attitude of the Irish peasantry in the last quarter of the 19th Century. In Barbados again, while I am very familiar with what the Prime Minister is saying about the Master in Chancery and so on, I think he misused the Chancery Act in other respects to perpetrate frauds on the English holders of mercantile liens over Barbadian estates, and he destroyed absentee ownership in Barbados all to a few plantations during the tenure of the Mastership in Chancery. That might be argued to be something good in passing, but there it is. He misused the Chancery Act in other directions, but I agree with the Prime Minister wholeheartedly that the Act as it at present stands can be an instrument of fraud, but he will be going further in the direction of fraud to remove the necessity of advertising in the daily newspaper. I can give the House the assurance that people come in with pieces of the daily newspaper in their hand with the advertisements, if they do not read it, somebody else reads it. The hon. Member for St. George South is very familiar with the fact that people read these advertisements in the newspaper. I am sure he can tell you the number of people who have come to him some years ago showing a certain advertisement in the newspaper with which he was associated; so it must not be assumed that people do not read the advertisements.

It is true, and I repeat, you can read the advertisement and not know it is your land. There are more complicated frauds that can be carried out. You can make a conveyance for a temporary purpose to somebody and let that person buy the land through the Court and defeat the Bank mortgage, and this is going to be much easier now, although I do not know why I should be seeking to protect the Banks; but perhaps I will be giving hon. Members an idea. It is possible if you are determined to be fraudulent, to convey your own land through the Court so as to defeat the money you owe to the Bank and these things may be done... .

THE INTERPRETATION (AMENDMENT) BILL 1974 REFERRED TO SELECT COMMITTEE

Hon. C. E. TALMA: if the hon. Member would give way, I think in the interest of doing the very best in this matter, we have decided to let it go to a Select Committee. I will withdraw my motion.

I beg the leave of the House to allow me to withdraw my motion.

Leave was granted.

Mr. ADAMS: I beg to move that this Bill be now referred to Select Committee.

Mr. L. S. CRAIG: I beg to second that.

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

Hon. C. E. TALMA: Mr. Speaker, the composition of the Select Committee is as follows —

The Hon. Minister of Lands and Housing; the Hon. Minister of Communications and Works; the Hon. Minister of Health and Welfare; the Hon. Minister of Agriculture and myself, with Your Honour as Chairman. From the other side, the Hon. Leader of the Opposition, and the hon. Member for St. Peter.

Mr. HINDS: Mr. Speaker, I beg to decline my nomination. I think the Leader of the Opposition has in mind the hon. Member for St. Joseph because he is a Member of the Judicial Advisory Council and I much prefer to stand down and let that hon. Member sit.

Mr. ADAMS: I would nominate the hon. Member for St. Joseph, He is still a member of the Judicial Advisory Council and I will undertake to acquaint him with some of the criticisms made by the Prime Minister because the Judicial Advisory Council has in its hands the means of answering all these criticisms because they can make or change the rules of the Supreme Court as they did in 1965 and direct that the Judge visit the land, that everybody living on the land be given notice, and that the land be cried by a bell ringer on the land. All that can be done in a week if the Judicial Advisory Council would only sit down and listen to some of the criticisms by sensible people who mean well and who have opinions that are valuable based on long experience and perhaps more intellectual, and I am including the Prime Minister among those sensible persons. 12 noon.

Hon. C. E. TALMA: The hon. Member for St. Joseph is nominated.

The Question that those persons comprise the Select Committee was put and resolved in the affirmative without division.

THE FIREARMS (AMENDMENT) BILL, 1974

Hon. C. E. TALMA: Mr. Speaker, Order No. 6 is the next Order, and it is to move the Second Reading of a Bill to amend the Firearms Act, 1896. This Bill would amend the Firearms Act, 1896 (Act 1896-4) to increase the fees payable for licences issued thereunder.

The position is that this is part of the Prime Minister's Financial Statement and Budgetary Proposals 1974—75 which we are now implementing. The existing fee for firearm licences and for testing, selling or repairing and manufacturing firearms is \$10.00 in each case, and the proposal under the Minister's Budgetary Proposals for this year was to make those fees more realistic. Licences to manufacture firearms and for selling and repairing firearms will be increased to \$100 per annum and there will be an

increase in an owner's licence from \$10 to \$20. The estimated increase in revenue from this source is \$32, 000.

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

Mrs. EASTMOND: I beg to second that.

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

On the motion of Hon. C. E. TALMA, seconded by Hon. A. MORRISON, Mr. SPEAKER left the Chair and the House went into Committee on the Bill. Mr. LOWE took the Chair.

The clauses of the Bill were called and passed.

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

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

COMMITTEE OF SUPPLY

Hon. C. E. TALMA: The next Order on the Order Paper consists of two Resolutions which stand in the name of the Minister of Finance. They are two Money Resolutions, and I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

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 of Supply Mr. LOWE took the Chair.

SUPPLEMENTARY ESTIMATES 1974-75 NO. 1

A Resolution for the sum of \$2, 500, 000 was called.

Rt. Hon. E. W. BARROW: This Resolution is a hangover from last year for goods which have been supplied to various Ministries by the Central Purchasing Department. As I indicated earlier this year, the Government Departments have been rather delinquent. I do not know whether the officers themselves deal with their personal business in this way, but we have been trying very hard to get the Government Departments to meet their obligations. What I want to say is that there is a procedure whereby votes are allocated to each Department and each Department has a Vote Book and they put in Requisitions to incur expenditure. They place orders with the Central Purchasing Department and this Department in good faith orders goods on behalf of those Government Departments. You would

normally expect that within 30 days, the Accounting Officers right up to the Permanent Secretary, that is, Accountants and Permanent Secretaries, should put the Central Purchasing Department in funds, so that the Central Purchasing Department can pay the various suppliers, especially the local suppliers, for goods which have been purchased by the Departments.

When the Central Purchasing Department was established, they were given what was the equivalent of a flow of \$2 million and the effect of this was that it put everybody in a sense of false security, because the Central Purchasing Department would pay for goods, say for the Queen Elizabeth Hospital, and would sit down and wait to be reimbursed by the Queen Elizabeth Hospital. 12.10 p.m.

Well, when the Central Purchasing Department had \$2 million that was all right. When the \$2 million was exhausted and they owed the Central Purchasing Department another \$3 million, it meant that the Government Departments were \$5 million in debt to the Central Purchasing Department.

I had a meeting with all the Permanent Secretaries and I asked all of them one simple question — did they have any problems in getting money or getting Requisitions to incur expenditure passed and approved by the Ministry of Finance — and they said no. Then I asked what the problem was, and they said that they had problems in reconciling their statements and problems in the staff changes and all kinds of excuses; and that is one of the reasons why I have introduced a new system with effect from the 1st of April whereby, whether they like it or not, their accounts will just be debited and the money will be paid straight over to the Chief Supplies Officer.

We cannot keep the people in Bridgetown waiting indefinitely. As a matter of fact, any monies which are not expended at the end of the financial year, lapse, and this Supplementary Resolution is really in respect of a lot of lapsed votes which the various Ministries and Departments have not utilised, but for which they have drawn the goods and for which the supplies were voted.

That, in a nutshell, is the situation, and I hope that I will never have to come back to Parliament in future so close to the end of the financial year to ask for Supplementaries to pay for goods which have been delivered to various Departments and Ministries of Government.

I beg to move that the Resolution do now pass.

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

Mr. HINDS: Mr. Chairman, it is particularly interesting to hear the Minister of Finance being as brief as he has been today on a matter as grave as this really is. There has been no explanation whatever as to whether or not this \$2.5 million is recoverable.

Rt. Hon. E. W. BARROW: Mr. Chairman, I do not understand the Member's difficulty. The money was never spent. The money is in the vote for all the various departments. I have a list of all the departments here. The money was never voted out of the department. They had the goods, but they would not pay for them.

The expenditure was approved. They could have submitted the R.I.E's and got the money; but they claimed that they did not have the staff to reconcile their accounts. There is nothing to recover. It will

be recovered from the taxpayers. We are the people who pay all the time.

The money was not spent on something illegal. The money was spent on supplies which were approved and for which the Estimates had already provided; but the money was never paid out; and there was no machinery by which I could wring the money out of their hands because the money is voted to Ministries and Departments. It is not voted to the Central Purchasing Department.

The Central Purchasing Department bought the goods and gave them the goods but could not get the money from them to pay for them. When they had the float, it was all right. Now that the float is exhausted there is nothing by which they can forward the money to the suppliers on behalf of the various Ministries. I thought that I had made that clear.

Mr. HINDS: Mr. Chairman, it is very good to hear the Minister of Finance, but what I want to say is this if the money has been voted, the department must keep a Vote Book; and if they owe the Central Purchasing Department \$ X million, the department must show that they have this money in their Vote Book. What is the difficulty?

Rt. Hon. E. W. BARROW: Mr. Chairman, at the end of the financial year everything comes to an end. You do not have anymore money. If you have received goods and have not paid for them at the end of the financial year, you have to come back for a Supplementary because the money lapses and stays in the Treasury and therefore you have to come and vote it again. I do not know if the honourable Member has been in here long enough to appreciate that. Some Civil Servants do not seem to appreciate it.

Mr. HINDS: I have been here long enough to see departments taking money voted for 1973-74 to pay bills for 1971-72. They have been doing this all along. I have been discussing with the Leader of the Opposition that it just cannot be right.

I understand the Minister of Finance to say that at the end of the financial year you have no more money, but the point is that the money was voted. They acquired certain services. We are told that Government Departments for one reason or another were reluctant to pay the Central Purchasing Department. One Government Department owes Central Purchasing over \$1 million. What kind of business could the Central Purchasing Department be really doing when they allow one Government Department to owe them \$1 million?

What I am concerned about is that the expertise which is absolutely necessary for the efficient and smooth running of the Central Purchasing Department is definitely lacking. You will find that between Government Departments and the Central Purchasing Department there are balances that have been outstanding for years — not one or two years.

There are some Departments that still have unpaid bills long before Central Purchasing came into existence. What is the Minister of Finance doing about these Departments? He said that he called a meeting with the Permanent Secretaries and heard their reasons. How far does he go from there?

We are still here today being asked to vote \$2.5 million. The fact is that the Central Purchasing Department has not been able to keep pace with the business trade of this country. Their Accounting

System leaves much to be desired. It follows a system of sending out statements and many Government Departments receive these statements and laugh at them and put them aside.

What happens is that the Central Purchasing Department will at times place an order with a firm in Bridgetown, and you will find that the firm can only supply half of the order. Invariably it delivers the order to the Government Department for which the Central Purchasing Department has placed the order. 12.20 p.m.

You will find, however, that at the end of a month or whatever time Central Purchasing does its billing, that Central Purchasing is going to bill for the full supply that the Department never received. That is one of the situations. You will find cases again where Central Purchasing — and particularly in the case of drugs — with this bulk purchasing idea to effect a saving, is throwing away taxpayers' money; and in other cases — this is what I would like to hear the Minister denying, — that Central Purchasing through its methods and business dealings is not throwing away money. There are some medicines required from time to time for patients, and even, Mr. Chairman, when you have to make a borrow from Jamaica, the problem which invariably arises, is the question of transportation from Seawell Airport, and all of this, while the patient is on the verge of dying. Every Government Department will tell you, that they have been able to get their requirements quicker from whatever source than through Central Purchasing. There have been cases where Government Departments have had to turn direct to business firms, arrange for the item to be sent to their Department, and inform Central Purchasing of what action has been taken; that is, they select whatever item is required, because the Department itself knows the urgency. In other words, at Central Purchasing as such, apparently there is no question of urgency — no air of urgency by anybody about anything. All of this is lacking. I have told Government already that Jamaica has had a reasonably good Central Purchasing Department functioning for some time, and we could learn something from the way they have been operating. We could learn in what areas they have best been able to succeed and apply it here wherever we find that it suits our needs or conditions, but if we are to go on and on as we have been going, I do not know what will happen.

There has been an area of disgust and the Prime Minister has had to call the Permanent Secretaries, the Accountants and some of everybody who go to make up for the administration of these Departments. He will talk and talk and whenever they turn away from him, it remains just as it was, because I am telling you, no Government Department seems to have any confidence at all in Central Purchasing. As in the case of drugs, Central Purchasing's idea is this; if you buy in large quantities you save money, but, you have dead stock because very often when you get down to using the large quantity that had to be purchased at a particular time to get a particular discount, you find that you have lost more than the discount because the expiry date on medicine has long passed, and it is no good to anybody. The medicine has to be dumped. This is a Department of Government that has been functioning for a few short years.

I will tell the Minister of Finance that if he wants to see Central Purchasing succeed, he will have to have a Department to do a very considerable amount of research so that when the Bridgetown firms quote a price, Central Purchasing ought to be in a position to advise the Bridgetown firms whether or not better could be done, and it should be backed up by their own documentary evidence and research. They are lacking in all of this. The way Central Purchasing has been going on, one cannot hope to see this improvement ever. When the Minister of Finance tells us that he hopes he would not have to come

back to the House on a matter such as this so soon after the Estimates and what not, the Minister of Finance is only putting that across to soften the criticisms of the administration of Central Purchasing and of the various Government Departments as well, because you find that we are told and it was repeated here this morning by the Prime Minister — about the unsuccessful efforts to encourage the Ministries and Departments to honour their outstanding obligations to Central Purchasing.

Mr. Chairman, we heard the Minister of Communications on Tuesday tell us that the technical branch of his Department has been ignoring specific instructions since 1969, and now we hear in here that the Permanent Secretaries and the various Departments are unwilling to cooperate; they are failing. How then, Mr. Chairman, can you have successful administration under such circumstances? It means Mr. Chairman, that the Government must of necessity institute an investigation into the entire system — into the entire service — and investigate every individual who has got to be concerned at some stage or point, in the whole exercise.

It is no foolish matter. We are asked today to vote \$2.5 million to help Central Purchasing under its outstanding obligations to the mercantile community. We are saying that it ought not to have been so at all because the Prime Minister himself has told us that the money was made available to the various Government Departments. They could have honoured the obligations during the last financial year. 12.30 p.m.

We appreciate the fact, Mr. Chairman, that you buy things in March, some things arrive after March and so on. That is the very point I have been making, because you cannot deny the fact that they take money from the 1973-74 vote and pay bills for 1972-73. That is the kind of thing that has been going on, and when you once encourage this, knowing it to be wrong, you will find that they will pay when they like and spend money when they like until you find the very situation which confronts us here today.

Mr. Chairman, we are hoping that, when this money is voted, we will not be hearing the merchants continuing to complain that they cannot get their money. Nine and ten months have passed without some of them getting one dime of what is due to them. You have had some very good officers in the same Central Purchasing Department. There is an officer who has just decided to quit all of this because when he goes to office on mornings, he has to be making a lot of lying excuses to the mercantile community about their money, despite the fact that we hear the various Government Departments have the money to pay the Central Purchasing Department for the goods. I wonder how true is this statement.

Mr. Chairman, we know that they have their Financial Rules and instructions.....

Mr. CHAIRMAN: You have 15 minutes more. You are in Committee of Supply. (Asides.)

Mr. HINDS: If the Chair does not know when things are right, how must we know over here? However, I am winding up, Mr. Chairman. What Central Purchasing, — I repeat, — needs, is expertise. Very often orders are placed, as in the case of stationery; when the orders are delivered, you will find that they have the wrong sheets, the wrong size, the wrong texture of paper and so on. All of this causes a lot of confusion. It involves a lot of Delivery Notes and Credit Notes, and some of the officers in the Central Purchasing Department do not know how to deal with a Credit Note. The whole thing is in a mess.

Mr. Chairman, I am urging upon the Government not to let the District Hospitals with the poor patients suffer. We are particularly concerned with them, Mr. Chairman. They have suffered enough already through Central Purchasing being unable to acquire as quickly as they ought to be able to, certain medicine and things ordered by Doctors. The situation is bad enough; the doctors themselves are fed up; the chemists themselves are fed up. In the case of the Queen Elizabeth Hospital, I do not have to speak about that. At the Queen Elizabeth Hospital, they have not just broken any Financial Rules. After all, the business of the Hospital has to be carried on. You may have Financial Rules, Purchasing Rules and so on, but if you find that going through Central Purchasing in their regular routine will take you three months to get a commodity that is required at emergency pace, what would you have to do? Would you allow the patients to die? Would you allow the institution's work to go un-attended? It is not an institution caring for the healthy and the strong; it is an institution catering to the sick and the weak, and we are asking Government to examine the whole structure. Do not merely take \$2.5 million and put it in the hands of Central Purchasing and tell them to pay bills that are outstanding. The situation needs much more than this. Departments must have confidence in the Central Purchasing Department and they must be willing to co-operate. We are saying that such co-operation does not, in our view, seem to be forthcoming under the present establishment. We are urging upon the Minister of Finance and all concerned to take some interest in this matter.

Mr. CHAIRMAN: The question is that the Resolution for the sum of.....

Rt. Hon. E. W. BARROW: Mr. Chairman, I could not allow the remarks made by the honourable Member to go unchallenged, because the brunt of his attack has been directed against the Central Purchasing Department. I am not surprised, because he appears to have an unregistered army of informers who would have their own motives in giving him wrong information. I think that the reason why people will attack the Central Purchasing Department — I am not referring to the hon. Member; he is a Member of Parliament and he is right, if he thinks he has a valid criticism to make, to do so — is that they do want the Central Purchasing Department because they cannot do as they like. I see that the honourable Member is smiling. The honourable Member is aware that the Department, which he is defending so eagerly, has overspent \$1 million. I have the right to surcharge a Government Officer with \$1 million, but he would have to work for about three thousand years to pay back the Government that money. This is the one Department that was given a licence to order its own supplies, so that the very situation which the honourable Member did not want to arise, would not come about. The Hospital was given the authority to go ahead and order supplies.

Mr. Chairman, I do not care what kind of institution you are running, or how many doctors you have to cope with, if you have been running an institution for six months, I can understand the position, but even the mortality rate in Barbados is known. The rate of tuberculosis in Barbados is known; the incidence of various types of diseases, without specifying the different types of diseases, is available in the form of statistics. With the possible exception of an epidemic, I am saying that it is possible for the Hospital Supplies Officer to predict with a reasonable degree of accuracy the various quantities of medicines that will be required at least six months in advance in any hospital in any part of the world unless you are opening a hospital in a country for the first time and you never had an idea of the incidence of the various types of diseases and what the requirements would be. Therefore, how can a hospital service overspend a vote by \$1 million by October? He is now trying to defend that situation by saying that it is the fault of Central Purchasing. None of them can say that they do not get the

supplies. They get the supplies but they will not pay for them, and that is what this Resolution is for. The Resolution is not for supplies; the Resolution is for money.

Mr. HINDS: Mr. Chairman, on a point of order. I am not defending any situation, as the Prime Minister is trying to make out. I am saying further that in many cases, particularly the District Hospitals, a patient in one of the District Hospitals has been known to die because of the long delay in getting medicine. When they tried to get it from Jamaica, even when it arrived at the Airport here, there was a lot of confusion as to who should sign this and that, and in some cases they did not get the supplies.

Mr. CHAIRMAN: No point of order. 12.40 p.m.

Messrs F. L. Walcott and E. E. Greaves entered the Committee and took their seats.

Mr. HINDS: In some cases they did not get the supplies.

Mr. CHAIRMAN: No point of order.

Rt. Hon. E. W. BARROW: Patients are dying even now. There is a hymn that I sang the other day which said "Part of the hosts have crossed the flood and Part are crossing now." Every minute of the day somebody is crossing to the other side. So the fact that one patient died cannot be a plea for the abolition of the Central Purchasing Department. It is bad English anyhow "Part of the hosts have crossed the flood and part are crossing now." It should be, "part is crossing now." That is happening every minute of the day; somewhere, in some part of the world, somebody is crossing over to the other side, and the honourable Member now will elevate that into an indictment. The fact that some patient died probably from some rare disease and the medicine was not available in Barbados cannot be used as an indictment against the Central Purchasing Department because the people concerned have received the goods. That is what we are saying.

What I want to emphasise is that from the time we set up the Central Purchasing Department and removed the power to order goods from a lot of little Czars inside the various Government Departments where they could collect Christmas hampers and that kind of thing — I like to speak plainly and the honourable Member for St. James knows what I am talking about too because he was in business and he would have to give his customers.....

Mr. CRAIG: My name is not Darnley Greenidge!

Rt. Hon. E. W. BARROW: The honourable Member would have his customers that he would have to send hams to. I do not send hams to anybody; I do not eat them myself; but what I am saying is that as soon as you do that, there would be a full scale attack on the whole idea of a Central Purchasing Department. Nobody accepted the idea that the Government could effect economies by ordering filing cabinets by the dozen or by the score as the case may be, instead of you in your small corner and I in mine ordering one this month, three next month, seven the next month and so on. Now we go out to tender at the beginning of the year and we take the most competitive bid, that is, the lowest prices, and we pool all the orders together and then we draw down on the stocks as we want them. We do not bring 500 filing cabinets to Barbados at one time. We say this year you will supply filing cabinets to the

Government at \$71.80 each. They used to be around that figure at one time, but probably with inflation they have gone a lot higher. This is the whole purpose of the Department; but under our system of accounting, as you are aware, votes are given to Departments. The Legislature does not vote money to the Chief Supply Officer to buy everything for every Government Department. We inspect every Department Head by Head in the Estimates to see what they are spending, so the Accounting Officer, not the Accountant, who is the Permanent Secretary in the Ministry, is responsible for that expenditure to see that it is spent in that way and no other way.

Now I am also aware of the practice, which the honourable Member for St. Peter alluded to, of taking money from this year's vote to pay for things which they had last year. Now this is contrary to the Financial Rules and contrary to the Financial Administration and Audit Act, 1964, but herein lies the problem, Mr. Chairman, which you will appreciate. Let us take the Queen Elizabeth Hospital. They would have ordered \$300, 00 worth of supplies during the month, say, of February or March, and they order another \$300, 000 worth of supplies in May. In the month of May they send a cheque for \$300, 000 to the Supplier, whether it is Central Purchasing Department or some drug firm. It is very difficult to tell whether that \$300, 000 is in respect of the goods which were delivered in May which it should only be for, or the goods which were delivered before the end of the financial year unless you are going to have a voucher against every bottle of medicine and have a Serial Number against \$300, 000 worth of goods, and that has been happening all the time. As long as there is money in the vote for types of supplies, you will get them taking money and spending on last year's supplies, and then two-thirds or three-quarters of the way in the financial year they would say, "Oh we are running out of money". Why are you running out of money? Because that money we spent was for some supplies we received late in February and we had to close off the accounts before we paid for them. How you get around that, I do not know, but as I indicated to the Legislature before and to this House, I have taken certain steps and have issued certain instructions, and I hope that these instructions will go a long way towards obviating the need for me to come back to the House in future with this kind of Resolution.

The directive sent out is that the Ministries and Departments will be required to pay all claims to the Central Purchasing Department and to the Barbados Marketing Corporation within fifteen days of the receipt of such billing. The Director of Finance and Planning will, within a further seven days, notify the Ministries that it is proposed to instruct the Accountant General to debit the Heads of Expenditure stated on the Requisition to the Chief Supply Officer in respect of the item of supplies, and in this way we hope that within 30 days we would clear all the accounts to Suppliers in Bridgetown, because automatically at the end of 22 days, whether they pay or not, whether they can reconcile their Statements or not, they will find that their accounts have been debited and they will have to reduce the amount in their Vote Book by a corresponding amount, and the Chief Supply Officer will then have access to the funds in the Treasury; but under the system which existed before the 1st April this year, this was not possible. So with effect from 1st April, their accounts will be debited and they will be credited to the account of the Chief Supply Officer, and he will then pay within the next week, that is, within the thirty day period, the amount which is owed to them.

It is quite wrong to attribute any blame to the Central Purchasing Department. They are going to continue to attack the Central Purchasing Department because they do not like the idea of the Central Purchasing Department; they do not understand what the Central Purchasing Department was established for. If they understand, they pretend not to understand because it does not suit them, because too many slack practices, and the honourable Member knows what I mean, went on, and when

the practices were not slack on their side, the people on the other side made sure that there was always a little "let" and you were never out to the "bailer" and there was always a 5% of the "twine" that could always be paid out, so that the kite did not go to the end of the "bailer". This is what used to happen, but under a Central Purchasing System there is no — what a former and late honourable Member for St. Andrew would describe as — latitude, and this is what they object to; lack of latitude; We have to tighten up, and I hope that I will not have to return to this Chamber with any Resolution of this nature.

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

SUPPLEMENTARY ESTIMATES 1974-75 No. 2

The Resolution for the sum of \$1, 080 was called.

Dr. the Hon. R. B. CADDLE: Mr. Chairman,

I beg to move that the Resolution for the sum of \$1, 080 do now pass.

Hon. A. MORRISON: I beg to second that.

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

On the motion of Hon. C. E. TALMA, seconded by Hon. A. MORRISON, Mr.

CHAIRMAN reported the passing of two Money Resolutions in Committee of Supply. Mr.

DEPUTY SPEAKER resumed the Chair, and reported accordingly. 12.50 p.m.

On the 'separate motions of Hon. C. E. TALMA, seconded by Hon. A. MORRISON, the

2 Money Resolutions for the sums of \$2, 500, 000 and \$1, 080 were read a first, a second time, and agreed to respectively.

ADJOURNMENT

Hon. C. E. TALMA: Mr. Deputy Speaker, I beg to move that the House do now adjourn till

Tuesday, the 21st May, 1974 at 12.00 o'clock noon.

Dr. the Hon. R. B. CADDLE: I beg to second that.

Mr. CRAIG: Mr. Deputy Speaker, the Speaker of the House had given me the assurance that I could give notice of a Resolution today.

Mr. DEPUTY SPEAKER: When the Leader of the House was moving the adjournment you were not in your seat.

Hon. C. E. TALMA: Your Honour will recall that I did not, on my own, just adjourn the House without proper consultation. I suppose it can be held over, because we have other things which are held over.

The Question that the House do now adjourn until Tuesday, the 21st May, 1974 at 12.00 o'clock was put, and resolved in the affirmative without division. Mr. DEPUTY SPEAKER adjourned the House accordingly. 12.58 p.m.