

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION OF 1966 - 71

Tuesday, 1st July, 1975

Pursuant to the adjournment, the House of Assembly met at 12.10 o'clock.

PRESENT

Hon. C. E. TALMA, C.B.E., (Deputy Prime Minister and Leader of the House); Rt. Hon. E. W. BARROW, B.Sc., (Econ.) LL.D., (Prime Minister); Mr. R. ST.C. WEEKES, J.P.; Mr. W. R. LOWE, J.P., (Chairman of Committees); Mr. W. C. B. HINDS; His Honour C. A. E. HOPPIN, (Deputy Speaker); Mr. J. M. G. M. ADAMS, M.A., (Leader of the Opposition); Mr. E. D. MOTTLEY; 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); Hon. P. M. GREAVES, B.A., (Minister of Housing, Lands, Labour and National Insurance); Dr. the Hon. R. B. CADDLE, (Minister of Health and Welfare); Hon. L. E. SANDIFORD, B.A., M.A. (Econ.), (Minister of Education, Youth Affairs, Community Development and Sport) and Mr. E. E. GREAVES, B.A., Ed.M.

Prayers were read.

CONFIRMATION OF MINUTES

Mr. DEPUTY SPEAKER: I have the honour to inform the House that the Minutes for Tuesday the 10th June, 1975, and the Minutes for Tuesday, the 24th June, 1975, are before you for confirmation, and unless there are any objections or alterations, the Minutes will be confirmed.

There being no objections or alterations, the Minutes are duly confirmed.

ANNOUNCEMENT BY MR. DEPUTY SPEAKER

I have the honour to inform the House that I have received the Accounts and Statements

from the Auditor General for the months of April, May, June and July, 1974.

PAPERS PRESENTED

Hon. C. E. TALMA: Mr. Deputy Speaker, on behalf of the Minister of Finance and Planning, I am commanded to lay the following:-

- (1) The Customs Duties (Barbados) Institute of Management and Productivity) Order, 1975.
- (2) The Report and Financial Statement of Accounts of the Central Bank of Barbados for the year ended 31st December, 1974.

Hon. P. M. GREAVES: Mr. Deputy Speaker, I am commanded to lay the following:-

- (1) The Reports of the Registrar of Trade Unions for the years 1973-74 and 1974-75.
- (2) The Annual Reports of the Sugar Workers' Provident Fund Board for the years 1971, 1972 and 1973.

GOVERNMENT NOTICES

Hon. P. M. GREAVES: Mr. Deputy Speaker, I beg to give notice of the following:-

The Resolution to approve the compulsory acquisition of land at Sion Hill, St. James, for purposes of Housing development.

Hon. C. E. TALMA: Mr. Deputy Speaker, on behalf of the Hon. Minister of Agriculture, Science and Technology, I beg to give notice of the following:-

The Resolution to amend the note to Item 16 of Capital Head 118 — Ministry of Agriculture, Science and Technology.

Rt. Hon. E. W. BARROW: Mr. Deputy Speaker, I beg to give notice of the following:—

A Bill to amend the Customs Act, 1962.

Hon. P. G. MORGAN: Mr. Deputy Speaker, I beg to give notice of the following:—

A Bill to provide for the control, conservation, development and operation of caves in Barbados.

Hon. C. E. TALMA: Mr. Deputy Speaker, I beg to give notice of the following:—

A Bill to amend and consolidate the law relating to succession to the property of deceased persons and, in particular the devolution, administration, testamentary disposition and distribution on intestacy of such property and to provide for related matters.

Hon. L. E. SANDIFORD: Mr. Deputy Speaker, I beg to give notice of the following:—

A Bill to repeal the Education Act 1890, and to provide for a co-ordinated and effective system of public education related to the needs of the people of Barbados, the registration of private schools, the inspection of schools and the registration of teachers and for purposes incidental thereto and connected therewith.

NOTICE OF QUESTION

Mr. ADAMS: Mr. Deputy Speaker, I beg to give notice of the following Questions:—

PRIVATE SECONDARY SCHOOLS — FEDERAL HIGH SCHOOL

To enquire of the Hon. Minister of Education, Youth Affairs, Community Development and Sport:—

1. What is the normal proportion of staff to pupils, and what are the qualifications normally required of staff before Ministry of Education approval is granted to private secondary schools?
2. Will the Minister cause an urgent check to be made on teacher-pupil and on the qualifications of the teaching staff at the Federal High School?

Mr. DEPUTY SPEAKER: The hon. member for St. Lucy has asked that his question be asked later. That question will be asked later.

FIRST READINGS OF BILLS

Rt. Hon. E. W. BARROW: Mr. Deputy Speaker, I beg to move that a Bill to amend the Customs Act, 1962, be now read a first time.

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

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

On the motion of Hon. P. G. MORGAN, seconded by Hon. F. G. SMITH, a Bill to provide for the control, conservation, development and operation of caves in Barbados, was read a first time.

On the motion of Hon. C. E. TALMA, seconded by Dr. the Hon. R. B. CADDLE, a Bill to consolidate the law relating to succession to the property of deceased persons and, in particular the devolution, administration, testamentary disposition and distribution on intestacy of such property and to provide for related matters, was read a first time.

Hon. L. E. SANDIFORD: Mr. Deputy Speaker, I beg to move that a Bill to repeal the Education Act 1890, and to provide for a co-ordinated and effective system of public education related to the needs of the people of Barbados, the registration of private schools, the inspection of schools and the registration of teachers and for purposes incidental thereto and connected therewith, be now read a first time.

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

Mr. J. M. G. M. ADAMS: Mr. Deputy Speaker, from time to time when hon. Members give notices in here, the hon. Member for Bridgetown for example and myself when we introduced certain matters here with respect to the Public Accounts Committee, Your Honour has stated and Your Honour's predecessor has stated that there should be no revelation to the Press of matters of which notice is going to be given in the House of Assembly until such notice has been given, and I think it my duty to draw to Your Honour's attention in respect of this Bill which is now sought to be read a first time that I have read a report in the Press of the Hon. Member who is moving the First Reading outlining aspects of this Bill. I do not know if it is true or not, I am just putting it on all fours

with the Resolution that the hon. member for Bridgetown brought and a letter which I read to you that the Minister of Education has outlined details of this Bill at some opening of a school at St. Margaret's in St. John recently, and I will ask Your Honour to draw to the hon. Member's attention in exactly the same way Mr. Speaker that you yourself have drawn to the attention of the Opposition that it is a breach of parliamentary decency to give notice of matters to an audience other than Parliament in advance of its coming to Parliament. I am sure that you will make no distinction between Government and Opposition in a matter such as this.

Hon. L. E. SANDIFORD: Mr. Deputy Speaker, I categorically deny that I gave any outline of the provisions of this Bill in an address which I made recently at St. Margaret's Mixed School. I categorically deny that.

Mr. J. M. G. M. ADAMS: On a point of order, I have not said that. I said I had read a report in the Press that he had outlined the provisions of the Bill and that he would be introducing a Bill for this purpose. Let him deny that he said that he was introducing a Bill to repeal the Education Act. (A VOICE: What is wrong with that?) What is wrong with the hon. Member informing the Press about a Resolution or my telling the Press that I was writing a letter concerning the Public Accounts Committee?

Hon. F. G. SMITH: On a point of order, do you mean that I as Minister cannot tell the Press that I am going to bring in a new Wireless Bill, new Road Traffic Bill or new Waterworks Bill? What is this country coming to?

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

12.20 p.m.

ORAL REPLY TO QUESTION

Hon. L. E. SANDIFORD: Mr. Deputy Speaker, I beg to inform you that the Oral Reply to Parliamentary Question No. 13 asked by the hon. Member for St. Lucy is ready.

GOVERNMENT BUSINESS

Hon. C. E. TALMA: Mr. Deputy Speaker, I beg to move that Government Business be now taken.

Hon. L. E. SANDIFORD: I beg to second that.

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

Hon. C. E. TALMA: Mr. Deputy Speaker, the first Item which stands in my name is to move the Second Reading of a Bill to provide for the control of the entry of persons into Barbados and for connected purposes. As the Objects and Reasons set out, the Immigration Act, 1952 (Act 1952-26) was intended to be part of a system of complementary legislation throughout the Colonies dealing with the position of British subjects within the British Empire and Commonwealth. In addition, however, the Act deals with the immigration of persons other than British subjects. It permits entry into Barbados of any person who is not a prohibited immigrant and the power of control is restricted to persons who are deemed to be prohibited immigrants.

This Bill would repeal that Act and provide for stricter control over the admission to and residence in Barbados of persons other than citizens.

Mr. Deputy Speaker, as hon. Members will recall, the existing Immigration law consist of the Immigration Act 1952-26 and amended Acts together with the general amendments to legislation by which the Minister replaces the Governor in Executive Committee and the Crown replaces the Government. The Government feels however that this legislation should not be dependent upon other legislation and as a result of this policy, hon. Members will observe that the definitions are full and complete and the powers of the Minister are clearly set out in one place and even at the risk of repetition.

Mr. Deputy Speaker, the Government has been considering this Bill and numerous proposals to the Immigration Act for many years and on the 6th August, 1970 concluded that the Legal Department should be instructed to draft the necessary legislation. The draft Bill as prepared by the Legal Department was further extended to provide for certain matters. These matters included the following: (1) that only citizens, and not residents of Barbados, should have the right to enter and remain in the Island, (2) that the powers of the Minister should be clearly set out in one place and should include the power to control and guard the boundaries of Barbados against illegal entry of persons who are not citizens or nationals of Barbados.

Now (3). Prohibited persons include (1) any person who is not a citizen or national of Barbados (2) who is so disabled as to be unlikely to earn a living (unless he conclusively establishes

that he will not have to earn a living); (3) a person who is a professional beggar, a person who has been convicted of a crime or (4) who seeks to come into Barbados to engage in immoral sexual acts, or (5) who is likely to become a public charge or (6) a stowaway, or (7) who seek to enter Barbados by fraud or (8) who has been convicted of a felony under any law relating to the possession of or trafficking in narcotic drugs or in any connection with such drugs, or (9) who knowingly or for profit encourage or procure any other person who is not a national or citizen of Barbados to enter Barbados in violation of the law.

Those; Sir, are the explanations. Also, Sir, any person who is not a citizen or national of Barbados who is ordered to be excluded or deported.

12.30 p.m.

So far as the Bill itself is concerned, hon. Members will observe that the Bill is divided into six parts. Part I is Preliminary and deals with the Short Title and the Interpretation Clauses. Part II deals with entry into Barbados. In this Part, Clause 3 deals with Immigrants, and Clause 4 deals with the right to enter Barbados.

Clause 4(1) provides that a citizen has the right to enter Barbados, and Clause 4(2) says that a resident shall, so long as he continues to be a resident, be permitted to enter Barbados. Clause 4(3) says that the Minister may prohibit the entry into Barbados of any person other than a citizen or a resident.

Clause 5, as hon. Members will observe, relates to (a) persons who are residents of Barbados and includes a person entitled under the Constitution to be registered as a citizen; (b) a permitted entrant who has resided in Barbados continuously for five years to whom permission has been granted by the Minister under section six of this Bill to become a resident of Barbados; and (c) a person who applies for and is granted permission to become a resident under section 32(1) of this Bill.

Under the same Part II, Sir, provision is made for persons who may be granted the status of resident, and loss of the status of resident is dealt with in Clause 7 and Clause 8 and is set out clearly in the Schedule. Clause 9 deals with passports and related matters.

Part III deals with work permits, and Part IV deals with the removal of persons not permitted to enter Barbados, deportation and detention. Part V deals with Administration.

Under Part V, Clause 25(1) power is vested in the Minister to appoint, remove and exercise disciplinary control over the Chief Immigration Officer and Immigration Officers for the purposes of this Act; and under Sub-section 2 the Minister has the power to decide on the number of Immigration Officers who may be appointed under sub-section 1 and the conditions of the service of such officers and related matters.

Sub-section 3 deals with the functions of the Immigration Officers in accordance with the directions and instructions of the Minister. Clause 26 deals with permits and Clause 27 deals with evidence of administrative matters, such as affidavits. Clause 28 deals with the production of permits.

Part VI of this Bill deals with miscellaneous matters, and in Clause 29 the offences under this Bill are clearly set out from (a) being the master of a vessel arriving in or departing from Barbados refuses to answer or wilfully gives an untrue answer, fails or refuses to furnish an Immigration Officer with a passenger list, right down to (g), with the intention of entering or remaining in Barbados or of assisting any other person to enter or remain in Barbados, fabricates or falsifies any passport, permit or other document.

Clause 30 relates to penalties. It provides that a person who is guilty of an offence under this Act is liable on summary conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or both.

Clause 31 deals with the contravening of regulations and gives the Minister power to make regulations in order that the Act can function effectively. Clause 32 relates to transitory provisions. Clause 32(1) relates to persons ordinarily resident in Barbados for five years or over from the commencement of the Act, and sub-section 3 relates to persons who have been residents for less than five years.

Then, Sir, there are two Schedules. The first Schedule deals with prohibited persons, and this is clearly set out. The Second Schedule deals with permitted entrants for example, diplomatic or consular officers and Part II of the second Schedule relates to intransit passengers, visitors, people entering Barbados for medical purposes and treatment, members of crews of vessels and persons entering such as athletes who come in for purposes of sport or people engaged in drama or other cultural activities.

Those, Sir, are some of the main provisions of the Bill. This Bill which has been requested for

a number of years by many sections of the community which found it difficult to find out what the Immigration Law is, and what the law really is on Immigration matters in Barbados. There were various Acts to go through before you could really find out what the law is.

It is nothing controversial. It is a question of giving the Minister better control over people trying to come in here illegally. There are quite a number of those who come in here and remain; but when the regulations are enforced by the Chief Immigration Officer and the Immigration Officers you will find that you will have better control not only of the traffic in narcotic drugs but also to the extent of limiting offences by numerous people from time to time.

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

Hon. L. E. SANDIFORD: I beg to second that.

Mr. ADAMS: Mr. Deputy Speaker, hon. Members of the House will be aware that I have a long interest in matters of immigration, an interest both political and professional, and I hope that in the remarks I make today no such professional interest will prevail because it is to the political side that I wish to address my remarks.

The new Bill has in it many admirable features of drafting, to wit, the provisions relating to prohibited immigrants in the Act of 1952 has been extended in sensible ways, and a number of anomalies such as the preferential treatment granted by the old Act to Commonwealth immigrants has been abolished. I would certainly welcome any Bill in which citizens of the United States or Venezuela are given the same treatment as the citizens of Great Britain, India or Pakistan as the case may be.

However, although the framework of the Bill and the drafting of the Bill have many admirable qualities, the principle of ministerial responsibility has, in my respectful submission, been approached in the wrong way. I want to be quite strong on this. I feel as a matter of principle that Ministers should not seek in a small country like Barbados to exercise too much power. I am saying that as a positive question of principle it is very easy to abuse power. It is very easy indeed when power is placed in your hands, and the ordinary restraints of action before the courts or indeed of political action of your fellow men are not present, to be tempted to assert yourself

personally in respect of the exercise of that power.

12.40 p.m.

The powers granted to the Minister responsible for immigration in this Bill are of course very much larger than those granted to the United States Secretary of the Interior and the Attorney General combined, much larger than those granted to the Minister of Home Affairs in Britain, much larger than those granted to any Minister of which I am aware, except in a Police State. It is not that Barbados is a Police State, it is that we have an unfortunate colonial heritage where certain people were placed over us to rule over us, and we have adopted this and carried it on.

There are two Hon. Ministers sitting in the House today who were both formerly Ministers of Home Affairs, and I think that both of those Ministers would have to agree that there are few aspects of their administration of any department with which they have been associated where they could not have so much criticism as when they were Ministers of Home Affairs. They have been accused of racial prejudice, of taking bribes, of being spiteful, of favouring one lawyer over another, of favouring a particular immigrant over others, and so on because of politics. They have been accused of every bad motive of which it is possible to accuse a man in the exercise of his duties. I would not believe that any or all of these things are true, but I ask the Ministers to look very closely at the fact that if there was recourse to some tribunal other than the tribunal of public opinion which could correct their decisions that it would not be so. If it had been possible much more generally to appeal to an Immigration Appeals Board, to appeal to the courts, if it had been necessary for the Ministers to give reasons and set out a policy under which they acted they would not have had these suggestions. It would have prevented people parking in the yard of the Hon. Minister of Health on a Sunday afternoon when he wanted to sleep, they would not as in the case of the Hon. Minister of Labour have had accusations of a very sinister sort made against him, they would not as in the case of the present Minister have accused him of being malicious.

Only today I received a telephone call from overseas in respect of a person who is resident in Barbados and has a large investment in Barbados and against whom the Attorney General has brought a case. The gentleman was refused entry into Barbados two days ago, and this is a person with over \$1 million invested in Barbados. It

would appear to some people as if the Attorney General has stopped this man from coming into Barbados so as to stop him from defending the case which he, the Attorney General, has brought against him. These accusations are bad, they are made essentially in cases where the Minister has an unbridled power to exercise his authority over people without the people having any recourse to any other body to exercise a corrective influence. The older I get the more I appreciate the wisdom of the Founding Fathers of the United States of America; experience must be our guide, reason may mislead us. The more I appreciate the idea of checks and balances written into a Constitution and into the public administration of a country so that no one prevails far less any Minister as put forward here.

I have no doubt that President Amin of Uganda who is about to shoot a man for writing in his private room in his own hand that he is a village tyrant would agree with this and can see no wrong with the right given to a President or a Minister to act exactly as he feels like without reference to a higher authority. That is President Amin. There may be some people who are aware of the fact that he was able to persuade two British officers to enter his presence on their knees, although I wonder what would have happened if two of his officers had to do the same thing to Queen Elizabeth, but nevertheless in South Africa the Minister of the interior who also controls immigration is given widespread powers of acting against persons and the persons having no recourse to the courts or to other authorities. In their wisdom, the Minister of larger and more important countries than ours realise that immigration is a problem. I do not think immigration is a serious problem in Barbados but these larger countries in their wisdom chose to give some of the powers, which this Bill puts in the hands of Ministers, to Appeal Boards and Appeal Tribunals and ultimately to the courts, and I am not aware that the great system of Great Britain has broken down because of the Immigration Appeal Panel, what I am aware of is that immigrants in Great Britain include 40,000 or 50,000 Barbadians who feel that they have a better deal now that they can be represented by a lawyer than when they used to be under the authority of the Home Secretary, whose authority was absolute.

I feel that Ministers should very seriously consider whether they will in any way be hampered in the exercise of their duties in respect of immigration, if an Appeals Board were in existence that would review the exercise and the discretion of Ministers in the matter of persons who have acquired rights in this country.

I believe that it is an error of judgement to say that a man who has lived in Barbados for five years still is in the position of not having the right to remain unless there is something known against him. I have heard arguments put forward in here that there are things you can say about the immigrants but that it is kinder to give them no reason for what you do. It is a highly specious argument, it is an argument which should not be put forth in such a straightforward matter. In Great Britain the 40,000 or more Barbadians after a period of residence of 5 years are permitted as of right to stay in Great Britain because the limitation upon that is that they cannot acquire 5 years residence while they are resident there under time conditions. That is the only limit. In the United States the law is very similar. I have had occasion to say this to the House before now, but I will repeat it. It is an absolute paradox that I can stay in an office in Pinfold Street, Bridgetown, 4,000 miles from London and over 2,000 miles from Washington and I can advise Barbadians on whether or not they are entitled to enter the United States. I have a copy, and I try to keep copies of the United States Immigration Act, which is a long Act with hundreds of sections, and it sets out the terms under which a man is entitled to enter the United States. It sets out the guidelines under which he may not enter, how long after an agreement has been reached, and an opinion can be given on the basis of the written law and the interpretations thereof by the American Supreme Court. I may also mention that you can pick up a telephone and bring the American Embassy in Bridgetown and speak to the Consul-General who by the snap of his finger will tell you his decision and the reason for giving that decision.

12.50 p.m.

This is even moreso with the Immigration Officials of the British High Commissioner. They will tell you immediately and serve a document on the emigrant of their reasons in any case for refusing to allow him to remain. Try to get the Permanent Secretary in Barbados to tell you what the basis of the decision is! That much we know, for we are so much more important in these shores than within the shores of the United States and the Shores of Great Britain. Do we know what we are doing? Immigration is of greater importance to Barbados than emigration. It is of greater importance to us to be able to place citizens abroad than to restrict emigrants who come here. Immigration is of greater importance to Great Britain than our own. It is of great importance to us, I am sure, to see that the 40,000 in Great Britain should remain there.

President Amin sent out the Asians. Are we doing this to keep out one or two St. Lucians, English people and so on? (*Asides.*) I cannot talk, Mr. Deputy Speaker, if I am going to be heckled both from the Gallery and the Government Benches. There are some people who want to make speeches and they should get up and make them. I want the hon. Member for St. Michael South Central to get up and make a speech because I know he agrees with what I am saying. It is a matter of immigration, and I hope he does not get up and give any support to things which, in his heart, he knows are insupportable. There is one person under whose general administration I am totally satisfied, and it is the hon. Member for St. Michael South Central. (Hon. F. G. SMITH: "I fear the Greeks when they bring gifts.") The Hon. Minister must not heckle. If he agrees with me, he can tell me so privately. If he disagrees with me, he should get up and say so.

I think that a great opportunity was missed in this Bill by not providing some machinery whereby the nationals and people from the CARICOM countries would be given proper treatment. I am a great believer in that principle, and I hope that the Government will look seriously at the matter. I will also say that I believe that a great opportunity has been missed by not including in this Bill the censorship for persons who have a right to enter Barbados and the husbands of Barbadian women. I do not just mean Section 6, I am thinking of Section 4. I am thinking of the right, subject to such qualifications in relation to validity and so on.

As far as Section 6 is concerned, there is something mentioned about the parents of a citizen of Barbados. I believe that the parents of a Barbadian citizen should also have a moral right to reside here. If you are a parent of a school child in Barbados, you can only remain in Barbados if the school child can support you. I do not expect the Government to give in to our views in these matters because they have rejected them. As far as we on this side are concerned, the policy of the Barbados Labour Party is that the husband of a Barbadian woman should be entitled to enter, although the words "Wife of a citizen" do not appear anywhere in this Act. If this matter was left to the Hon. Minister of Tourism, whose lack of intellectual ability is so often exposed in this House, he would get up and say that this Act does not permit wives to enter.

In addition to that, in my view, there should be the right of a husband to enter Barbados. These are Party matters. We have given a pledge that, when we get into power, we will introduce our policy. I should also like to point

out that the point regarding reciprocity will also form a part of our Immigration Policy, and there will be a more general approach to the parents of citizens of Barbados. The Minister of Home Affairs would also have to give positive evidence why he refuses to give any man who has been resident here for 5 years the right to remain in Barbados. Mr. Deputy Speaker, it is not that we love foreigners; it is that we love ourselves, and we want to take away from the eye of the public any possibility that any Minister of Home Affairs in our Party is going to take bribes, is going to act maliciously, or to do anything improper in the exercise of so important a matter as discretion in respect of people's status.

Mr. Deputy Speaker, hon. Members on this side have spoken at length on the Clauses of this Bill. In finality, I would only like to say that I would like to congratulate the draftsman of the Bill. This is a case where I believe that the draftsmen for five years have laboured and produced succinct and concise forms of words to express the Government's policy, but to those responsible for the policy behind the Bill I have nothing but regret, and nothing but dissatisfaction with some aspects of the Bill. I am sorry that they did not take a great step forward in the protection of freedom, and that they have preferred to go backwards in the direction of greater extravagance and harsher conditions than were present in the former Bill. They can only destroy the character and reputation of our politicians. The Minister of Health, the Minister of Labour, and the present Attorney-General will know what I am talking about.

Mr. FORDE: Mr. Deputy Speaker, I think it is true to say that a Barbadian, like his fellow-West Indian, is essentially an immigrant.
1 p.m.

Not only was he brought here several years ago from parts of Europe, Africa and Asia in many instances against his own will and desire, but through the centuries that he has resided in Barbados like his Caribbean Brother, he has from time to time emigrated to other countries to better himself. I think it is said that even in Jerusalem you can find a Barbadian, somewhere in a rumshop or other business trying to make a living and in the process establishing beyond a doubt some of the virtues for which our country has been recognised. Those of us who accept this concept of a Barbadian must therefore be deeply conscious of the necessity in our laws to reflect the reality of our being an immigrant people, and an immigrant people should be the last to throw up harsh and unnecessary barriers against the entry of other non-nationals entering their

territory. Self-interest demands that this should be so, because by setting an example of harsh immigration laws, we are in turn inviting similar treatment from other countries. But it is not only self interest which demands this, it is also the necessity for any forward-looking people in the twentieth century to recognise that the impact of communication on the world has been such that what was once before a macrocosm is now a microcosm, and our small territory dwindles in significance in the face of mass communication. Indeed we are in the trade of mass communication, always asking people to come to our shores so that we can eke out, through them, an existence by way of tourism. I think that any proper immigration Bill, Mr. Deputy Speaker, must recognise this.

Mr. Deputy Speaker, let me concede that we have of course to safeguard the interest of those who work within our borders by ensuring wherever possible that they get preferential treatment in relation to the jobs that are available; But it would be a tragedy for this Island if in the anxiety to pursue that principle, we shut out all other considerations of justice. I am not one of those, Mr. Deputy Speaker, who is so wedded to the concept of nationalism and national sovereignty as to permit narrow nationalism to tragically divide the human spirit. In the twentieth and twenty-first centuries, I believe that small states such as Barbados should set an example wherever possible in its laws; and whilst promoting patriotism among its people, should seek to remove all of the ugly aspects of sovereignty and nationalism, which history has proved, have led to wars, torture and acts of tyranny.

Now when I look at this Immigration Bill, I set it against these beliefs which I hold most dearly, and I regret to say that there are some respects in which this Bill is sadly wanting. The Leader of the Opposition in his very brilliant but only too brief speech has referred to the opportunity missed by this Bill in instituting the principle of reciprocity and most forward nation treatment for those people who extend to our citizens the hand of friendliness and welcome to their shores. In section 9(2) of the Bill, the Ministers may waive requirements for passports, and so to that extent there may be some reciprocity of treatment in relation to granting persons from outside the right to enter our country without carrying a passport, but I can find nowhere in the Bill a section which allows this country to give reciprocity of treatment on the basis of established principles and guidelines to other countries who are very generous to us in their immigration laws.

Only a couple of weeks ago, Mr. Deputy Speaker, a distinguished Barbadian was being commended in Canada for the years of service that he had rendered to Barbadians in Canada in fighting for the removal not only of racial discrimination but for stiff immigration laws against the Barbadian community in Canada.

Only two years ago, our High Commission received instructions to take up with the other Commonwealth Commissioners the question of the British Immigration Laws and the manner in which they were drafted so as to discriminate against Commonwealth citizens, particularly from the black Commonwealth. They were also instructed to raise the question of limitation of rights of appeal which were offered to such people. I think if we are to put forward, as strongly as we can put forward, a case against aspects of other countries' laws which are harsh and discriminatory against non-nationals, then we must continue to bring before this Parliament a Bill which sets an example and not just a Bill to be passed willy nilly because a majority of members say so. I think that the country must understand that it should with conviction set a lead in international affairs along these lines. I am not recommending that we cut off our noses to spoil our faces, but I am suggesting very strongly that our immigration law can be much more generous in its concept and much freer in the provisions which this Bill embodies. I cannot accept this bogey of challenge to the national security and national interest of Barbados and the crime rate being rife in the area, and that it is necessary to have all these controls. I doubt in many cases whether this is more than a mere figment of the imagination of our political masters. True like any other country we have petty criminals; true like any other country we have been subjected to the movement of drug addicts and those types of people, but I do not think that the rate at which this is taking place in the Caribbean justifies absolute power almost in many cases being given to Ministers without the right of review being vested in the courts.

I am not one of those people like members of the other side who believes that because a man becomes a Minister that he is automatically endowed with all the commonsense that God has given to the totality of mankind. Sometimes I hear the Ministers get up and ask in here who else but they should have the power, but I have seen Governments and I have seen leaders and men make dreadful mistakes despite the high positions which they hold, including judges. But the difference is that there is a right of appeal to a judge, at least one has a tremendous opportunity to go through the gamut of looking

a second time and possibly a third time at a decision, and the chance of the decision being as tyrannical as it is without review is minimised. I want to state this because apparently the present Government believes that anybody who becomes a Minister is automatically endowed with all the commonsense and brilliance to make the right decision all the time. (Hon. F. G. SMITH: We do not feel so.)

Mr. Deputy Speaker, in my view the section of the Act which gives no right of appeal to persons who are entering by way of asking for permission to come into the country is a retrograde step. In the United Kingdom, in Canada, in Sweden and many other countries there is such a right of appeal. Now if we are one of these countries, I want to see what rights of appeal there will be. If the hon. Member doubts this, he can speak to the officers whom the Government has sent to the United Kingdom to study immigration law and immigration procedures in particular, and they will say that they themselves are satisfied that the United Kingdom legislation is now much more generous in its approach to our citizens than we will be to their citizens or to other persons. Clause 13 of the Bill, in my view, is a wrong provision and a retrograde step.

1.10 p.m.

Likewise Clause 7 deprives people of residence if they go outside the country for a year, except they get a certificate of exemption from the Minister. I think that this is a wrong principle. It applies in circumstances where people may be overseas for health purposes, and I do not see why after a person has taken the care to become a resident of Barbados, because he goes outside these shores for any length of time, he is deprived of his status as a resident under those circumstances.

I want to point to another feature of this Bill. This Government really cannot be serious when as the hon. Member for St. Michael North West said at the recent ILO conference, that the Government was second to none in providing equality for all its citizens including its women. He cannot be serious about that if he is going to get into Cabinet and bring in this Bill which continues to discriminate against the women of this country. (*Asides*) The problem about some members of the Democratic Labour Party is that, I am satisfied that they are convinced about their own ignorance.

In 1975, one sees in this Bill the Government ensuring the principle of discrimination against its female citizens, because,

what does this Bill do? In Clause 5, it says that persons who are residents of Barbados and not being citizens, are entitled to be registered as citizens of Barbados. Therefore in one breath it limits Barbadian men by virtue of being married to a non-national woman automatically to confer on her the status of resident or citizen of Barbados. There is no corresponding provision conferring the same status on husbands of Barbadian women. (*Aside.*) The hon. Member for St. Michael North West is speaking *sotto voce*. He is making the point that this is a discrimination against men. If it is a discrimination against men, it is bad also. If the hon. Member would listen, he would see the point I am making, and it is not only in Clause 5 but also in Clause 6(b) that the same discriminatory attitude towards women is continued by this Government. Now in this same Clause 6 it refers to where the immigrant is a child under 18 years whose father resides in Barbados — now it is only if a person happens to be a child born out of wedlock or alternatively its father is dead that this child can obtain resident status. A child of a Barbadian woman, who is born outside of Barbados in circumstances such as this or the child of a woman who is a resident of Barbados and her husband is separated from her — he is not dead — that child cannot obtain resident status in Barbados. This has a lot of implication so far as the education of a child in Barbados is concerned because that child cannot be entitled to go to secondary schools of Barbados unless the parent happens to be in the diplomatic service or working with some similar organization.

Now the last time we spoke in here about women's rights, the hon. Member for St. Michael South Central was at pains to point out that the United Kingdom had a similar provision, but I would like for the benefit of the hon. Member to point out that the Government of Britain has changed those provisions just as the Government of Jamaica has done and I would like the hon. Member to give the under-taking that he will raise the issue of following Britain in Cabinet and make the necessary recommendations to the Government. It is something that can be recommended to this Government. This provision continues on discrimination against women and particularly Barbadian women, and I am surprised that this Government which sends people to represent it at places like Mexico should then in Cabinet sit down and prepare this sort of provision. They say one thing and do another in many instances. The whole field of women's rights is one area in which one finds the Government saying what should be done for women and when we call for their support in legislation for them, they are not giving the

women that support. Women's rights should be given their proper place in the national life of this country. This is our view on this matter.
1.20 p.m.

We give this undertaking too that this Immigration Bill will be reformed in such a way that it is recognised that justice should be the watchword in all aspects of our national affairs, and that it removes forever from politicians, Ministers and junior Civil Servants the temptation of using an Act in such a way that is for their advantage.

I say that I will never sit down in a Cabinet to find a Bill of this nature foisted on a Parliament in circumstances where matters of discrimination against women are being perpetuated.

I want to touch another aspect of the Act that I would like to deal with because it should be clarified. Clause 8 says that there are certain persons set out in the First Schedule who will not be admitted to Barbados. Those persons include people who are weak minded or imbecile. Now we have a school for the Mentally Retarded, and one of the features of our life so far is that it was started by voluntary help and the Government has contributed in a small way to it. We have opened the doors of that school to the children from other Caribbean States, since those countries do not have such institutions.

Although in my view Clause 13(1) Schedule 2 allows certain exemptions for institutions of learning, yet it seems to me that there is a positive difference between the earlier Clause and the later Clause where Clause 8 has an absolute disqualification except in the interest of the treatment and care of persons.

I would ask the Minister to discuss with the legal draftsman whether it is necessary to clarify this because I believe that the earlier Clause will prevail if there is a contradiction between the two Clauses. I am asking the Minister to get a clarification of this because it will be a great tragedy for our institution at the Challenor School if these children from the other Caribbean territories could not enter our borders to get the benefit of some sort of formal training and education which is denied them in their territories. Limited though the facilities here are, yet they are better than none at all.

I also want to look, Mr. Deputy Speaker, at the question of work permits. This is a vexed and sore question. I have heard all sorts of allegations being made, and without wondering whether

these allegations are justified, I believe that the law should be so framed that the opportunities for allegations of the nature of those I have heard will be minimised. I am not sure that this Bill does it. I am not even so sure that this is a happy Bill as compared with similar provisions that one finds in countries such as St. Vincent.

I do not know if the Minister is aware of the fact that in the St. Vincent Bill dealing with work permits there are certain categories of persons who automatically have entry into the State without a work permit because of the nature of their business. It is well known that specialist doctors in the Caribbean are in short supply. If one has a neuro-surgeon like Dr. Ghourilal who has to be flown in at short notice to our country and have to go through the rigmarole of work permit in order to perform a task of this nature, it would seem to be a great deal of waste of administrative time.

The St. Vincent legislation deals with that type of *ad hoc* practice among specialists of that nature. Well, the Government is well known for taking its style from outside. They bring in Sir Lionel Luckhoo from Guyana. I have never known the worthy gentleman to have taken a work permit yet; but under this Clause they may well find themselves with Sir Lionel's appearance before the High Court being challenged because of the fact that he does not have a work permit. It would be a great tragedy if someone of the undoubted brilliance of Sir Lionel Luckhoo was not allowed to come to the shores of Barbados in order to provide a litigant with Counsel of his own choice.

I want to say this because this Clause may well be a clash with the section of the Constitution which says that you should be allowed Counsel of your choice. I myself practise very frequently in the other Caribbean territories. One knows that the movement of politics in the Caribbean is such that within the narrow geographical boundaries pressures are sometimes put on citizens practising in a country not to appear in a case which may have some sort of political significance and one may find that lawyers in a particular territory do not want to appear on a client's behalf.

I can say that the Caribbean Bar Association has fought against measures in Immigration Bills that do not recognise this type of interest within the Caribbean region. We have made serious representations to most Governments on this issue, and let me say that we have had a great deal of consideration in our territories.

I am not suggesting for one moment that lawyers should be given special treatment or that lawyers are a special breed. I am not saying this at all anymore than I am saying that the Trade Unionist who comes to deliver a course of lectures for a couple of days at the Labour College should be put in a special category; but in my view it would be a great tragedy if an outstanding Trade Unionist like Mr. Blackman was held up, if he had to come here, and hold up the hands of the General Secretary of the Barbados Workers' Union if things were going wrong.

The point that I am making is that one must think ahead of the geographical situation which makes it necessary for us to take a wider and broader view of our approach to these matters.

I would like to comment not only on the bright features of the draftsmanship, but to comment on the cloudiness of some features of this Bill and to state that where this Government is concerned, I cannot even say with the French that they retreat all the better to advance forward. I cannot even say so. In recent measures I see that the Government is a Government in retreat, in retreat from the concept of justice and fair play; a Government in retreat which cannot understand that national interest is no longer confined to narrow geographical boundaries.

1.30 p.m.

We must move forward as a people to find our rightful role among humanity and it can only be with a proper concept of social justice and international responsibility.

Hon. P. M. GREAVES: Mr. Deputy Speaker, I wish to make a few brief comments on this Bill, although quite frankly I do not think it is necessary for me or for any Member on this side to speak at length on a matter which the Government has made so well known over a long period of time. It has been my privilege to be the Minister administering the Immigration Bill for a period of about 5 years between 1966 and 1971, and it was during my term of office that I set in motion certain proposals for updating the Immigration Bill. As a matter of fact having administered the old 1952 Act for some time the realisation struck me forcibly that the Act under which we were operating was considerably out of date even though at that time it was no more than 14 years old. What amazed me was how in the year 1952 a Government could have drafted such an Immigration Act to take care of immigration needs of a country such as Barbados. Be

that as it may, the proposals we have before us today represent the thinking of the Government, born out of the experience of administering the immigration laws of this country over the past 13 or 14 years. No hon. Member on that side has had that experience, therefore they do not know what it is to administer such an Act. I know because of my acquaintance with the Act and the regulations, rules and laws governing immigration that the administration of it was fraught with many problems, and that is why as a Minister, I at all times, endeavoured never to see an applicant in relation to a work permit. I maintained that right up to the end. At times I did see the legal representatives of applicants, but never at any time, did I see the applicants themselves. I may have seen persons like firms or companies making application on behalf of persons whom they want to work here, and here again never did I as Minister see such a person alone, I always made sure that in that room the Permanent Secretary or some other officer within that Ministry was present because I was aware of the many problems that could arise.

I have heard some compliments being paid by the Leader of the Opposition to the draftsmen of this Bill, and it would appear that in the view of the Leader of the Opposition the Bill has some admirable features. The Leader of the Opposition laboured on two specific points and advanced that the Bill was inefficient because it made no provisions for tribunals and in particular it made no provision for the giving of reasons why a certain decision had to be made or why a decision has not been made. We have also heard it said, Mr. Deputy Speaker, that these reasons are given in certain countries like the United States of America. In the United States these matters can be appealed against and so on.

Mr. Deputy Speaker, there are several thousand poor Barbadians who can attest to the falsity of this statement. I myself have tried on occasion to assist persons in getting visas to enter the United States of America, without success. There is no appeal, appeal to whom? Let any poor Barbadian go tomorrow to the Embassy of the United States of America and make application either as a student or as a visitor to enter the United States, the person who wants to go and study has to get a student visa but permission is not granted. That is a country

that is held up today by the other side as one we should follow. We have had persons as visitors to spend a holiday, they have gone to the Embassy here and have made out the necessary form — and they all know this, Mr. Deputy Speaker — because you cannot enter the United States of America unless you have a visa, and we all know that if you are in the United States of America or in Canada and are applying for landed status you have to leave the country, so where does this question of appeal come in? If you are arrested then you can appeal, if they hold you and put you behind bars then you can appeal but the administrative decision as to whether you should enter the United States of America is not governed by any appeal. If you are in the United States of America for three years and you are applying for permission to reside there as a landed immigrant, before a decision is given, you have to leave that country, you will not be given permission while you are in that country, and while you are out of that country that decision is given affirmatively or negatively. You have to get your visa and no reasons are given.

We have to face facts. If you want the truth of this statement let us get it as it really is. They all know what I am saying is true, so when we come to hold these things up, what tribunal are you talking about? The operation of an Immigration Act is a political decision. We have to face facts, do not let us bury our heads in the sand, Barbados is one of the few countries in the Western hemisphere which is over-populated. There is no country in the Western hemisphere that is as thickly populated as Barbados. The Leader of the Opposition was right when he said that we are interested in the immigration laws of the United Kingdom, but we are not a migrating country, we are already over-populated and we do not want to add to our population. This is not so in the United States of America or in Canada, both countries are under-populated. Sweden is a big country with about 14 million people and they need people to come in and reside in their country, but we cannot do that, we have to take steps in order to control the people that we have as well as an increase in our population. This is the gist behind our immigration laws, and I want to make this point here.

1.40 p.m.

Mr. Deputy Speaker, I want to make this statement. We do need work permits in this

country in order to protect the interest of our Barbadian people. Barbadians will always be discriminated against, and the positions at the top will always be denied our citizens and nationals unless we have the necessary legislative protection in order to assist these citizens. I know what I am talking about. I have had, from time to time, to insist that certain companies and firms operating in Barbados should give preference to Barbadians. When I came to Barbados....(*Asides.*)

Mr. DEPUTY SPEAKER: I should like to draw to the attention of hon. Members on both sides of the House Standing Order 33(6): "Members not speaking must maintain silence." Both sides of the House must have some order.

Mr. MOTTLEY: On a point of order. When the hon. Member for.....

Mr. DEPUTY SPEAKER: Are you arguing with me?

Mr. MOTTLEY: I am not arguing with you.

Mr. DEPUTY SPEAKER: Will you please take your seat.

Hon. P. M. GREAVES: I was making the point that when I was the Minister of Home Affairs....(*Asides.*) An hon. Member of this House once said that there was no cure for ignorance, and that is so in relation to a lot of people who should know better.

Mr. HINDS: On a point of order, Mr. Deputy Speaker. I think the hon. Member means ignorance of how to get money.

Hon. P. M. GREAVES: I know the hon. Member for St. Peter is not ignorant of that at all, particularly in relation to money matters. When I was the Minister of Home Affairs, a firm like Messrs. Cable & Wireless had people in positions right through the ranks, and, in some cases, not even in senior positions, We could find Englishmen being brought here all the time to hold certain positions. The Commercial Banks were operating in a similar manner and bringing in non-nationals all the time. A host of other firms were operating in a similar manner. There was a long battle, but in due course we won.

Mr. FORDE: Mr. Deputy Speaker, would the Minister let us know....(*Asides.*)

Hon. P. M. GREAVES: That is nonsense and completely irrelevant. The Democratic Labour Party says that the citizens of Barbados must hold these positions. That is what is important.

Here we have on the one hand the hon. Member for Christ Church West asking for a better understanding. We know of the problems that the Third World countries experienced because of nationalism. He thinks that we should be more flexible in our immigration legislation, and now he is raising a matter about a citizen of Barbados because he happens to have been in England.

Mr. FORDE: On a point of explanation. The Minister does not understand. I am showing the Minister that the reason why I made the comment is not because I disagree with the presence of the hon. Member in the Government, but to show the Minister how contradictory he happens to be, in putting forward his policy. But he does not take the point.

Hon. P. M. GREAVES: There is nothing contradictory here and he knows that. He is merely using words when he knows that there is absolutely no contradiction whatsoever. However, we do need to protect the interest of Barbadians. That, as I said before, is a matter which we have come to realise as we administer the laws that we have before us. This is one of the reasons why we have bought a Bill to amend the immigration laws.

I have some sympathy, Mr. Deputy Speaker, with the Leader of the Opposition's submission on the question of reciprocity, except that I am of the view that it need not be embodied in our legislation. I am of the view that this can be handled administratively in consultation with other countries, particularly our Caribbean neighbours. There is no point in our playing Jesus Christ and open our arms to other people in the name of Caricom and at the same time the countries of the other people are doing just the opposite to us. If we are going to operate on a reciprocal basis, then we must operate a genuine reciprocity. If you accept our citizens we will accept yours. This will have to be done on the basis of agreements with the other countries. If one or more countries have agreed that they will not enforce the Immigration Act against the nationals of this country, then we would be able to do things in an administrative way through the person who will be administering the Act. At the same time if, in spite of the agreement, a country with whom we are in agreement, decides to take some action against a Barbadian, we must be free, without being fettered by legislation, to take reciprocal action against the offending country. If they take action against our people, then we will take action against their people. If we give countries an advantage and they give us an advantage, then that is also reciprocity. There is nothing more I can say on the question.

I think there was another question raised by the hon. Member for Christ Church West. I think our views on this matter are extremely well known. It is not that we are discriminating against women. We should not give reasons for our actions because it is important at times. You may sneer at that. It is important at times even for the security of our own country that reasons should be withheld. It is my strong feeling, speaking from my own knowledge, that the granting of work permits is not given capriciously. It is given objectively and always in the interest of the country. (*Asides.*) It is not a matter of not liking X or Y. As far as I can remember, there is not a person during my time whose work permit was withdrawn during the currency of the work permit.

Mr. MOTTLEY: You went to Sandy Lane and took back work permits.

Hon. P. M. GREAVES: As far as I can remember, I did not cancel a permit for any person. I cannot remember if I did that.
1.50 p.m.

If that was done, it was done.....

Mr. MOTTLEY: On a point of order, the Hon. Minister went down to Sandy Lane with his Permanent Secretary to withdraw a work permit issued by his Permanent Secretary.

Hon. P. M. GREAVES: I have never gone to Sandy Lane to take back any work permit from anybody, but if I had done it, it would have been done with good cause and in the interest of the people of Barbados. I deny having gone to any part of Sandy Lane and taken back any work permit from anyone. I want to make this point clear as well: if persons are in fear that their work permits might not be renewed, they must have some good reasons for such fear. I am not afraid that I am going to be arrested when I go downstairs because I have committed no offence. If a person has not committed an offence, there is no reason to fear. Only those persons who commit an offence have any reason to fear. There is no reason for fear from the operation of this Act by this Government. I want to end on this point, that the power to administer this Act is a political power and must remain so for the protection to citizens as well as everybody else.

Hon. F. G. SMITH: Mr. Deputy Speaker, I shall not be long.

Mr. HINDS: On a point of order, there is a point I want to have cleared up. Is the Minister

now replying for the Government? Is he winding up and making the final speech for the Government? I want to speak!

Hon. F. G. SMITH: I did not introduce the Bill, so how can I wind up?

Mr. HINDS: I just want to have it made clear. I do not want the Hon. Minister to make his speech and then.....

Hon. F. G. SMITH: I give way to the hon. Member for St. Peter reserving my right to speak after if that would satisfy him.

Mr. DEPUTY SPEAKER: Does the hon. Member for St. Peter wish to speak? He may do so.

Mr. HINDS: Mr. Deputy Speaker, I want to make just a few brief points arising out of what the Hon. Minister of Labour has had to say. I am very glad that the matter with regard to Barbadian nationals applying for visas to enter the United States was brought into question. I am proud to say that I do have a fairly good working knowledge of matters relating to how they issue visas and proceed to process applications at the United States Embassy in Bridgetown. What the hon. Member or any other hon. Member in this Chamber ought to have been addressing his mind to is this: it is known that when an application for a visa has been refused, the United States Embassy gives reasons in writing for refusing. But what is very repugnant to my mind to the right of a Barbadian citizen or other person is that when a person is refused whether he had been seeking to go as a visitor, as a student or whatever, the time limit that is placed before that person can re-apply is often set at one year. In other words, if a person applies for a visa today and because the person was not properly briefed before he went to the Embassy — he may have gone without carrying a bank statement or without being able to put his case to prove that he is not a person going abroad seeking a job and was sufficiently established in Barbados and had in truth and in fact possessed sufficient ties as to cause him to return to this country, he has to wait a year before he can re-apply for consideration. You will understand then, Mr. Deputy Speaker, that after the person leaves the Embassy and checks his mail, he finds that it is because of a little lack of knowledge that he has been refused, and he has got to stay away from the Embassy for one year when he could turn next door to his or her bank as the case may be and obtain the necessary documentation to support the application made the day before. That is the thing we would like

to know hon. Members of this House are trying to address their minds to with a view to assisting persons who might go to the Embassy and make application and be refused. But the point is that whenever a refusal is issued it is definitely supported by documentation.

One other thing is this, Mr. Deputy Speaker: hon. Members should try to find out why it is that so many Barbadians who in truth and in fact can meet the requirements of the Embassy for entry into the United States, are refused. This dates back to immediately prior to 1966 when we were granted independence and it was trotted out by the Prime Minister to make Barbadians believe that the flood gates would be open for all and sundry to enter the United States if Barbados became independent. We find it quite to the contrary, and what you will find it that Barbadians are refused entry into the United States today, and it is not because they cannot meet the requirements of the Embassy or the Immigration Laws of the United States. I am going to say here and now that people ought to know that the presence of, let us say, somebody looking like the present Ambassador to Barbados of the United States is undoubtedly a tragedy of some dimension. I may tell you now that the purpose in sending the present Ambassador down here is to make black people believe that they are going to get a better deal. Far from it. He is only down here to make people believe they are going to get a better deal from people looking like themselves, and what we have got to do, Mr. Deputy Speaker, is to see what can be done to assist those persons who are refused for frivolous reasons to have their cases reviewed rather than having them stay out in the cold for a period of one year for something that could be remedied in less than twenty-four hours. These are things we want to address our minds to.

Now, Mr. Deputy Speaker, I turn to this matter of work permits.
2.00 p.m.

Work permits carry a history of their own in this country, and the Honourable Minister for Labour who was at one time Minister for Home Affairs and the chief administrator, so to speak, in this respect of work permits, cannot be disassociated from that history whether it is favourable for reading or distasteful to the eye. However there is still, Mr. Deputy Speaker, the unfortunate situation where a husband is employed.....

Hon. P. M. GREAVES: On a point of order, Mr. Deputy Speaker, I want to make this quite clear, that during my time as Minister I always

made sure I did nothing — I did not do anything whatsoever — that would in any way redound to my personal advantage.

Mr. HINDS: I wonder what the Minister got up for. The point, Mr. Deputy Speaker, is this. There are lots of people who come here where the husband is employed — the hotel issued a work permit for the husband to work — but the wife or son or daughter comes along and on the strength of that work permit issued by the hotel, you will find that there are two or three other persons for whom work permits have never been issued, being employed at the same hotels doing something or other that the most stupid Barbadians would be able to do. Of what we know of some of these institutions, there are some of these jobs that are found for some of these people who come to this country that would never be found to accommodate the Barbadians at all.....

SUSPENSION

Mr. DEPUTY SPEAKER: The hour being 2 o'clock this Sitting is now suspended until 2.45 p.m.

On Resumption:

Mr. DEPUTY SPEAKER: This Sitting is now resumed.

Hon. C. E. TALMA: Mr. Deputy Speaker, I beg to move that the Bell be rung.

Mr. DEPUTY SPEAKER: Let the bell be rung.

The bell was rung and a quorum was obtained.

QUESTION TIME

Mr. MOTTLEY: Mr. Deputy Speaker, I would like at this stage to ask certain questions, and I ask that leave be granted.

(A Pause)

Mr. DEPUTY SPEAKER: There being no objection leave is granted.

(1) RE INFANT SCHOOLS

Mr. MOTTLEY: Mr. Deputy Speaker, to enquire of the Minister of Education, Youth Affairs, Community Development and Sport.

1(a) Would the Minister state the number of infant schools in the whole of Barbados?

(b) Would the Minister state the number of children in each in the whole of Barbados as of 31st December, 1974?

(2) RE PRIMARY SCHOOLS

Mr. MOTTLEY: Mr. Deputy Speaker, to enquire of the Minister of Education, Youth Affairs, Community Development and Sport.

Would the Minister state the number of Primary Schools in the whole of Barbados?

(b) Would the Minister state the number of children in each school in the whole of Barbados as of December 31, 1974?

(3) PREPARATORY SCHOOLS

Mr. MOTTLEY: Mr. Deputy Speaker, to enquire of the Minister of Education, Youth Affairs, Community Development and Sport.

Would the Minister state the number of Preparatory Schools in the whole of Barbados?

(b) Would the Minister state the number of children at school in the whole of Barbados in the following categories: (1) under five years; (ii) between 5 — 11 years; (iii) between 11 — 18 years?

Mr. Deputy Speaker, I may intimate that a written reply would be satisfactory.

Mr. DEPUTY SPEAKER: The Question by the hon. Member for St. Lucy.

(1) RE PAROCHIAL MEDICAL OFFICER

Mr. GREAVES: Mr. Deputy Speaker, to enquire of the Minister of Health and Welfare:

Is the Minister aware that the Post of Parochial Medical Officer of St. Lucy has been vacant for a long time?

2. Can the Minister state what steps have been made to recruit a doctor to fill the vacant post?

3. And can the Minister state whether or not there has recently been an applicant for the post?

If the answer to No. 3 is in the affirmative, will the Minister state what problems his Ministry is encountering in getting the post filled?

(2) RE HOLIDAYS WITH PAY ACT

Mr. GREAVES: Mr. Deputy Speaker, to enquire of the Minister of Housing, Lands, Labour and National Insurance.

Is the Minister aware that at present the Holidays with Pay Act stipulates that most workers must work for a minimum of 250 days in a year in order to qualify for leave with pay?

And is the Minister aware that this was applicable before the five-day work week in Barbados became the norm?

Will the Minister take steps to amend the Holidays with Pay Act in order to accommodate this changed situation?

(3) RE CEMENT PLANT AT MAYCOCKS, ST. LUCY

Mr. GREAVES: Mr. Deputy Speaker, to enquire of the appropriate Minister:

Now that a decision has been taken to build a Cement Plant at Maycocks area, St. Lucy, can the Minister state what provisions are being made to compensate those persons in St. Lucy whose properties will be affected by the construction of the Cement Plant?

And can the Minister state precisely what provisions are being made to protect the health of persons living near to the Cement Plant?

ORAL REPLY

Mr. DEPUTY SPEAKER: The Reply to Question No. 13, asked by the Hon. Member for St. Lucy.

SCHOOL MEALS CENTRE

Mr. E. E. GREAVES: To enquire of the Minister of Education, Youth Affairs, Community Development and Sport: Is the Minister aware that the School Meals Centre at St. Clements, St. Lucy is extremely hot and uncomfortable for the workers, particularly when meals are being prepared? Will the Minister take the necessary steps to have this inconvenience removed?

Hon. L. E. SANDIFORD: Mr. Deputy Speaker, the Reply to Parliamentary Question No. 13 is as follows:

"Yes, Sir. The necessary work will be carried out later in the financial year."

Mr. DEPUTY SPEAKER: Question Time is now ended.

PRIVATE MEMBERS' BUSINESS

Mr. ADAMS: Mr. Deputy Speaker, I beg to move that Order No. 5 be the first Item under Private Members' Business.

Mr. MOTTLEY: I beg to second that.

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

Mr. ADAMS: Mr. Deputy Speaker, Order No. 5 stands in my name, and it is to move the passing of a Resolution requesting the Government to introduce legislation providing that all Members of Parliament, Senators, and holders of public offices be compelled to disclose their assets when taking office, or a seat in Parliament and thereafter, periodically until they cease to hold such office or seat in Parliament.

I would like to open the debate to this Resolution with a quotation from someone who is regarded as the father of colonial freedom, that is the late Mahatma Gandhi.
2.55 p.m.

Mahatma Ghandi said this: "Ministers and legislators have to be watchful of their own personal and public conduct. They have to be like Caesar's wife, above suspicion in everything. They may not make private gains either for themselves, or for their relatives or for their friends." And this is the background which I will ask hon. Members to bear in mind in this debate.

Now coupled with the debate embraced under Order No. 5, I would also like hon. Members to take consideration of Order No. 3 because I do not now intend to move Order No. 3 separately. The reasons for this will appear in the course of my speech and those of other hon. Members; but just in brief may I say that in our fellow CARICOM and West Indian territory, Jamaica, when a Commission was appointed by the Government to look into the question of the declaration of assets, a part of the terms of reference of that Commission was also the law relating to modernising old practices relating to the prevention of corruption.

Some persons will say that our present Corruption Act is wide enough to cover Parliament. Others will argue otherwise; but I think that there is only one debate and I will not trouble the House with the whole debate. I will ask that if the concept embraced in the

declaration of assets is accepted, that the Government make it their business also to pay attention to the terms of prevention of corruption legislation. And even if they do not accept the declaration of assets concept, there is nothing to prevent the Government from giving an undertaking to draft the present corruption laws so that for example a Minister who gives out contracts on the basis of getting a drawback of gifts to members of his family living in the same premises as he, will be caught by the terms of the prevention of corruption legislation.

Now, Sir, there is a great temptation on all persons who can make laws for themselves and who are placed in an irresponsible position, irresponsible that is, that no one but themselves at the time of taking action, to act other than in accordance with what has been traditionally regarded in English speaking countries as the highest principles of integrity.

It must be recognised that there is a temptation. There is a temptation on the President of the United States to steal President Nixon stole. There is a temptation for the Prime Minister of Great Britain — so far as I know no Prime Minister has stolen; but from time to time there are Members of Parliament who fall below standards which even the hon. Member for St. Andrew might be inclined to say are acceptable standards of public life. This temptation exists and to my mind it is a measure of the quality of the Government that a country has and of the quality of the legislators whether they are prepared to resist that temptation.

Now all of us in here, the 24 of us in here, Sir, enjoy positions of some pre-eminence. We have inherited all the apparatus of a Colonial Government, and what that means in terms of the exercise of power, and subject only to the alternation of parties which put some of us in here for 10 or 15 years and another set of us in power for 10 or 15 years. We can expect in our life time to be confronted with a situation where we have general power over the fates of our fellow citizens.

I would venture to say that under the regime of the Barbados Labour Party, although accusations were made by the public from time to time, and although I regret to say by politicians then of the Democratic Labour Party from time to time, there is not the same volume of public dissent for the standards of public life which exist today.

We are living in a time when all of us are subject to a great deal of public distrust when it

comes to the question of politicians and their ability to resist the temptation of self interest while in office. I regret to say that parts of the public have been so conditioned that they accept a modicum of what 20 years ago in Barbados would have been considered corruption, and what indeed in the United Kingdom, in Australia, in Jamaica, is still considered corruption. This is unfortunately accepted.

We have to ask what can we do about it. We can stamp it out by our own example, by legislation and by rigid adherence to existing law; but what should we do about it? Should we accept that some measure of self interest should activate and motivate persons placed in ministerial positions and other positions of authority, or should we try to root it out entirely? We can only come to decisions like this by analysing the examples of other people and other countries.

What is the reason first of all for avoiding corruption? The moral reason first of all is that thou shalt not steal. Those of us who believe in that, believe that you should pay Members of the House of Assembly a proper salary, remove the temptation to augment their salaries, motivate them so that the good of the people is their principle aim, and if necessary, punish them very severely when they depart from those standards. That is the first argument, the moral argument.

But, there are other arguments. We cannot govern this country properly if we are looking after ourselves rather than the interest of the people. There are hon. Members of this House whose interest in politics goes above interest in party.

I, for one — and I am not one to give out unnecessary praise — see the Barbados Workers' Union which, to my mind, is an organisation which carries out its business without the atmosphere surrounding it that surrounds the Teamsters Union in the United States which is an instrument of corruption from start to finish and whose leaders are persons that deserve much longer sentences in prison than the General President had to serve before he was pardoned by another criminal like himself, President Nixon. The Barbados Workers' Union stands in our public life as an example as to how temptations can be avoided, and I hope that representatives of the Union who are Members of the House of Assembly will be with me in these matters.

Certainly the General Secretary fought along with the Barbados Labour Party in the days when the party was powerfully motivated by the

instinct of anti-corruption; and I believe, I hope that they will survive his retirement from the ranks of active unionism. Take another example, the Royal Barbados Police Force, and the functioning of justice generally in this country. I believe that the Police, the Magistrates and the Judges of this country are free entirely – as far as I am concerned – from the taint of corruption.

I do not believe that it is generally thought, considered, or certainly not wished for in Barbados that it is possible to bribe a judge, a policeman or magistrate to take certain courses of action favourable to the persons who gave the bribe. Again you have an example in the USA – there are no compadrones in Barbados, politicians of judges who do the bidding of powerful criminal groups or who are available for bribes in order to corrupt the fountain of justice and its administration in this island; and again I do not believe that the public will be willing to accept that.

3.05 p.m.

Again, the Public Service of this Island. We are told that before the Nigerian revolution – and I am hearing since – it was necessary if one went to a Civil Service office in that great African country to obtain things which you can obtain by law but yet you have to walk with your dash in your hand and when you shook the hand of the Civil Servant to whom you were giving an application for a hawker's licence or whatever, that when the Civil Servant took his hand away, he must feel paper in it as an inducement not to put your application away in a drawer for six months and forget about it. I do not – although from time to time one hears rumours of corruption – I do not believe that there is a great deal of corruption in the Public Service of this Island. Now, Sir, I cannot say that people have the same attitude towards politicians in this year of grace 1975. While most of us in the House of Assembly are free from the accusation of corruption, yet there have been events and there are Members of the House, and I say this with great regret, who have come under public suspicion. It is beyond question that there is one Member of the House of Assembly who while presiding over a Ministry awarded, or presided while a contract was awarded, to persons, including his father, without a tender for carrying out substantial works at the public expense.

These are things that are public knowledge and have been canvassed in here

and never denied. It is also beyond doubt – not one of us in here can doubt – that the public has taken a certain view of this transaction. It may be that not a majority of the public believed it, that not a majority of the public is so censorious, but nonetheless a certain view has been taken. These are matters which cannot be contradicted, and we ask ourselves, is it good that there is widespread association of politicians in the public's mind with people who do well for themselves. In the Barbados Labour Party we suffer enormously, Sir, people tell us daily that if we were in power we would steal like the rest. We have taken public opinion polls and we have seen this. It says something about the Government, but also it says something about what the Government has done to public confidence in politicians. There are ways and means of dealing with this. The first method of dealing with it is to set an example. You must set an example of probity and uprightness in public life. I myself always regret when any property belonging to a Member of Parliament burns down, be it the St. Lawrence Hotel or be it Stanmore Terrace, because no one in here would ever believe that any hon. Member, certainly the hon. Members for Christ Church North Central or for St. Andrew, would ever be guilty in any way of condoning the offence of arson, yet in the atmosphere of political life as it has become, we cannot be sure that the public takes that attitude. All of us walk in fear, some misfortune happens out of which an hon. Member acquires insurance monies and people will not be lacking to say that the hon. Member was responsible for the accident which happened. God help me if they ever hear that I am claiming insurance money for some flower pots, a garden hose, a rocking chair and two mats which were carried away from a property which I own. No doubt they will say that I carried them away to get the \$200. It has reached to that stage. We can set an example, Sir, by behaving in a way that nobody can question, behaving in a way that nobody can have suspicions of in our private lives to refute any public thought that hon. Members may be less than totally upright, but we can in my respectful suggestion to the House also take a step which many persons in Parliaments all over the world are taking, and that, we can let the public into our personal confidence by letting them know what our properties, our possessions, our worldly goods, and chattels consist of.

There is one hon. Member of the House who on a ministerial salary of whatever it was, \$2,000 a month and \$800 duty allowance, was able to acquire plantations any one of which costs more than all his emoluments during the time he was a Minister. Plantation after plantation was acquired. The public must ask how can a man on a salary of \$2,000 a month manage to acquire Sanford Plantation, Bagatelle, Norwood and so on. It may be that the acquisition was financed entirely by a series of judicious loans, capital gains and so on, but the public is entitled to question it until they know, and they have a duty, I would suggest, to know. I suggest that it is a part of the public's interest in us that they should know what we have when we come in and what we have when we go out. Hon. Members who are familiar with Latin American History will know that senior Civil Servants under the Spanish administration in Colonial days in Latin America upon retirement from office had to give an account of everything they owned and how they acquired it before they could receive their pensions, and the ones who managed to acquire a little more property than they should, it is on record that one spent six years being examined by a commission, as to the wealth he had amassed while he was a civil servant in office, and this system has persisted in one or two Spanish American countries to this day, that certain senior officials upon retirement are obliged by law to give an account of their assets and the means of acquiring them when they were in office, so that is nothing that I am suggesting that comes *de novo* from nowhere. Long ago in the United States, where people are really rich and where Republican Governments particularly supported by the rich often call upon members of wealthy families to reveal their assets, long ago in the United States it was recognised that there is a duty in a man seeking office to be prepared to expose himself to some public examination of his assets and of his means so that it will be seen that when he is in office his interests do not conflict with those of the people whom he is seeking to represent.

Countries in the Commonwealth — I could not possibly give you the whole list — I think that more attention has been paid to this problem in India than in any other, but right here in the West Indies, in Jamaica, there is legislation of a very severe sort which compels Members of Parliament and

members of the Government to disclose those assets. In India they were dealing with a situation where in the Indian States members were crossing the floor and changing party labels, it was widely alleged for money, large amounts of money were mentioned, by 1971 the Indian Government decided action had to be taken because within one week three State Governments of India collapsed during March 1971, no less than 212 persons changed sides and 15 people over a period of five years had actually become Chief Ministers of a State after changing sides. In a subsequent debate when all this was dwelt upon in one State, it was revealed that sums between 20,000 rupees and 40,000 rupees had been paid in one Indian State, Haryana; in order to buy legislators, as one person said, Members of Parliament were being bought and sold like cows. That was one of the difficulties. In the Indian Parliament itself lobbyists reached a stage where it is believed that there was widespread purchasing of members' votes and interests in the House. The Indian Parliament dealt with the situation. It forbade any Member of Parliament to change sides and accept ministerial office in the new party to which he was affiliated.

3.15 p.m.

It imposed very severe penalties indeed for changing sides. This would have stopped Mr. K. N. R. Husbands from his little exercise in the last Parliament. They introduced legislation dealing with members' declaration of assets; so that if a member, all of a sudden, had managed to acquire a house or a car, it would be recognised by the public the reason why he had changed sides in a particular election. These were particular problems in India, and I mention them to show that we have them in Barbados as well.

The Indian Government has, for a considerable time, adopted this List of Customs and Conventions, of which I will read a few examples, which is supplied in a handbook to every member. This has been done by the authority of the Speaker, sir. Unfortunately, the moral authority of the Speaker of this House is such that I do not believe a member would take a handbook from him on anything except how to borrow money and not pay it back. The present handbook for members in India says that members shall not divulge information given to them in confidence, or by virtue of their being members of Committees to be used directly or indirectly in their professions and, particularly, they must not use them in the columns of newspapers of which they are proprietors, directors, or otherwise. It says that no member

should try to secure business from Government, a firm, company, or organisation with which he is directly, or indirectly, concerned. No member in India is allowed to receive hospitality of any kind for any work he desires, or proposes, to do from a person, or organisation, on whose behalf the work is to be done.

No member shall appear before a Minister, or an Executive Officer, exercising judicial or quasi judicial powers. This is very important, sir. Members in the Indian Parliament are forbidden to write letters of recommendation, or speak to Government Officials, for employment of business contacts for any of their relations, or other persons, in whom they are directly, or indirectly, interested. These are regarded as very slight things. This is only what the Speaker says that members must not do, and if such things are drawn to his attention members can be punished under the Standing Orders. All of those things exist in India, but I do not think that they exist in Barbados. I would just point out, for example, bearing in mind the experiences we have had here, that the Speaker has ruled in India that if a Minister acquires vast wealth for himself, his relatives and friends, by reason, or by abuse, of his official position, there can be no question that the matter is of urgent, public importance. This is relating to the Rules of Debate, Sir.

Those are the experiences of India, Sir. They were the subject of long articles in *The Parliamentary Magazine*, and the whole situation is analysed at length. The only thing that I will do further on this is to adopt some of the words of the Chief Justice of India's Commission. I would, particularly, draw members' attention to these words in connection with the operations of the Housing Authority and the numerous police investigations that have been going on there to examine and find examples of stealing. I am going to quote from the Commission's Report:

"The Minister sets the tone of the Administration. If men at the top lose their integrity, corruption becomes ubiquitous. If, however, men at the top remain honest, though they may not be able to root out corruption altogether at lower levels, they do set an example and can enforce standards with a vigour with which a dishonest person can never do."

That is something I would want every hon. Member in this House to consider when he asks himself, "What is happening in the Housing Authority where these widespread allegations of stealing are at present going on?"

Sir, the Khanna Commission in India argued, to some extent, against this Resolution because the Chief Justice goes on to say:

"Lastly, no codification of rules of conduct or declarations of assets can ensure rectitude among Ministers and other men in public life. What is needed is a climate of strong public opinion wherein none may dare to deviate from the path of rectitude. The ramparts of a clean and healthy administration are in the hearts of people; laws can punish only occasional lapses."

Well, Sir, I put that to the House as an example of how persons who do not see narrow party gains, or narrow party problems, as being the only considerations have reacted when faced with situations of corruption.

A final quotation from the Khanna Commission, Sir:

"....the role of a Minister has got to be that of a pioneer rather than of a priate, of a public sentinel rather than a self-seeker, of one dedicated to the public weal and not one obsessed with the desire of personal gain."

Sir, it is dangerous to have confidence in other people, but I am sure that no hon. Member on this side would ever approach anybody far less one of the Government Benches to say that he is Jessie James, a well-known murderer, and that the James Brothers had to be in the House of Assembly next session. I am sure of that where hon. Members on this side are concerned. For the sake of honest people like the hon. Member for St. Michael's South Central, a man as dedicated to the principle of integrity as anybody else in public life — his faults lie in different directions. I am sure that, in his heart, he wishes he could say the same of all hon. Members on his side. I believe that he wishes he could say the something. That is the situation, Sir.

The Government of Barbados faced with a situation like that, and what does it do? It puts the hon. Member for St. Andrew on the Public Accounts Committee. I am sorry, not the Government; you did that, Sir. I am sure, Sir, that you will tell me how the only qualified Member of the House was the hon. Member for St. Andrew; he was the only one who was willing to serve; he was not a Minister or a Parliamentary Secretary. Reasons, unfortunately, have to be found for everything. I say no more, Sir. I say not more because I cannot go into the evidence, the Agenda, on all of these matters. But is there any hon. Member of this House seeking to find

out who was carrying away his money? The hon. Member for St. Andrew has had allegations made against him, and you put the hon. Member for St. Andrew to examine his personal accounts! If you were a shareholder in a company for which the hon. Member for St. Andrew was the Managing Director, or Director, and you were doubtful about the money, would you put him to examine the money? That is all I ask. What have the persons in other Parliaments done about a similar problem? What have the people in Zambia, Jamaica and India done about this problem?

3.25 p.m.

Declaration of assets is the subject of this immediate Resolution, but before I get to the narrow part, I want to deal with wider examples. The great Republic of Zambia, one of the most progressive countries of Africa, a country which has faced all the African problems, tribalism, a white settler group, the proximity to persons who would destroy Zambia in order to show that Africans are incapable of ruling themselves, the threat of physical force on their southern borders, the reality of anarchy on their western borders, a madman ruling over a country in their northern border and the possibility of disorder to the east, a land-locked country depending on the goodwill of enemies to obtain access to the sea, you would think this is a country where there are all sorts of possibilities of things going wrong. You are surprised that a country placed like that is a well governed country. You are surprised that it is an oasis of sanity in the middle of disorder, but in December 1973 President Kaunda, a great and good man, a christian man, a man I believe as well known to the Prime Minister as he is to myself, promulgated a leadership code which set out behaviour patterns for persons holding certain positions. These positions as specified in the schedule of leadership code include the President of the Republic, the Secretary-General of the ruling party, all officials of the ruling party, which is the United National Independence Party, from the rank of Regional Secretary and above, Ministers, Judges, the Speaker, members and staff of the National Assembly, Civil Servants, members of the Police and Armed Services, Mayors, the Chairman and employees of Local Authorities, full-time trade union officials, officers and employees of Statutory Boards and companies in which the State has interest, academic and administrative staff at the University and other educational institutions. Within three months of assuming office persons in these categories are required to submit to the Secretary-General of the United National Independence Party a declaration of all property, assets and liabilities of himself, his or her spouse

and his or her children under the age of twenty-one. Those persons may receive only the emoluments of the office held by them and shall not engage in any business, trade or profession or receive any other remuneration, gain or profit. This does not extend to the money which you put in a bank, building society or other financial institution, interest on Government of Zambia stock or gain through personal labour on land held in accordance with the code. That means you can go and plant your own cane and cut it yourself, but you must not carry on a plantation, and the President is authorised to permit a person to gain advantage outside of this.

Hon. Members who are in here perhaps may think it is too severe. It would prevent the Minister of Tourism from carrying on tourist apartments receiving benefits under the Hotel Aids Act; it would prevent the Minister of Health from taking part in a medical clinic. Although I do not think I have to say anything about that, I understand that Dr. Haynes and other pundits intend to report the Minister of Health to the local B.M.A. branch on grounds of ethics; but still I am sure he has good lawyers and we will be able to deal with that in the spirit in which it was intended. It will certainly prevent a Minister of Agriculture from owning plantations or from dividing up land for personal gain. It would prevent all these things. We may think it too severe. Too many of us are engaged in these things. Questions of the Opposition do not come in in Zambia, but it is a matter of commonsense that the Members of the Opposition are not paid a living wage and it is most likely that you could persuade any hon. Member on this side to enter into public life upon the basis that he carried on nothing else except membership of the House of Assembly; but of course it is not a full time occupation, and I do not think you can blame us. But it is a severe code; it is a code which people accept, but it is severe.

Now dealing with this it goes without saying that nobody in these positions is allowed any abuse of his officer, and I would not have to go into that. The only land which any of these persons mentioned may own is land on which his residence is situated, and it shall not exceed ten hectares. Those who can translate acres into hectares can tell me, but I would be surprised if that exceeds three acres. That is the only land which the President of Zambia or a Minister in Zambia or a police officer may own in that particular country. In the event of breach of the leadership code in this country there is a tribunal of three persons who sit. One of them is a Judge of the High Court appointed by the Chief Justice of Zambia, the other two are appointed by the

Presiden. and you can appeal from the tribunal to the Supreme Court of Zambia, and if you are convicted, you are expelled from Parliament or lose your office as the case may be; so when we suggest that steps be taken, we are not unique in suggesting it.

We look at the example of nearby Trinidad. What are the recommendations in Trinidad relating to declaration of assets. All members of Parliament, all ambassadors, the Ombudsman of Trinidad, members of the Statutory Authorities of Trinidad and Tobago, Directors of Government-owned companies, the Chairman of the Law Commission, the members of the Industrial Courts Appeal Board, all magistrates, all fire officers above divisional rank, all prison officers and police officers above superintendent, all mayors, aldermen and councillors, all Town Clerks, the Chief Executive Officer of the County Council of Trinidad and all public officers of administrative officer rank and above. They are the people who in Trinidad have to declare assets and otherwise be bound by a leadership code.

In the United Kingdom where again there are a number of very rich persons you may feel in public life and therefore the matter has to be dealt with very delicately if you do not want to destroy the basis of choice for the House of Commons and of course it would probably be impossible without changing the composition of the House of Lords to deal with that upon this basis, they have appointed the Salmon commission which I believe has reported. I am not sure when the report was published, but the Commission's terms of reference were to enquire into standards of conduct in Central and Local Government and other public bodies in the United Kingdom in relation to the problems of conflict of interest and the risk of corruption involving favourable treatment from a public body and to make recommendations as to the further safeguards which may be required to ensure the highest standard of probity in public life.

In Jamaica which has very severe regulations, there has to be a declaration of assets and income made by every member of Parliament within three months of his election or appointment and thereafter by the 31st March every year and for a period of twelve months after he ceases to be a member of Parliament or a Senator. He has to declare the amount or value of gifts, benefits or contributions exceeding \$200 in the year to which the declaration relates. He also has to declare the income of his wife and his children where they are living with them and where he is

aware of the same. In Jamaica they rejected the idea that no Minister of Parliamentary Secretary should be permitted to be in receipt of any salary other than a Parliamentary salary or to own any rented house or real estate, and they came to the conclusion that the Prime Minister of Jamaica should deal with this by direction just as he does in the United Kingdom and New Zealand.

In New Zealand the Prime Minister usually, the labour Prime Minister always, gives instructions that Ministers shall not engage in money making activities which in any way may compromise their positions as members of Parliament. Now in Jamaica the Commission on Integrity specifically reported that public scrutiny should be applied to the circumstances surrounding the award of contracts to members of Parliament, their families or companies in which members of their families had an interest. 3.35 p.m.

There are Members on this side of the House who have received Government contracts for one activity or another, and I am authorized by all of them to say that they will be happy if asked by the Government and if required to lay details of how they obtain the contract, on the table of the House. They have nothing to hide. They did not have to bribe anybody nor use any special influence. They merely had to tender and they were permitted to tender.

I challenge hon. Members on the other side of the House, those with interest in travel agencies, in repairing the Government's houses, in bookshops, in apartments, in hotels, taxi operations and otherwise, I challenge all of them to lay all details and all particulars on the contracts which have been entered into by Government with them, or companies in which they or members of their family have an interest. It would make very powerful reading indeed, I think, Mr. Deputy Speaker. That is the condition into which we are reduced in the House at the present time.

I want to ask hon. Members to look into their hearts. The hon. Member for St. Philip South goes abroad a lot on Commonwealth Parliamentary Association conferences and carries a load of respect, Sir, on this side of the House — let me tell him that — for the value of his contributions upon those occasions, and has occasioned a great deal of favourable comment with persons from Parliament's far flung over this wide earth of ours for the value of his contribution and the quality of his speeches and what he has to

say representing Barbados when he is outside Barbados, and I can afford to ask him as a man with self-respect and who has respect for others, would he like to get up at a Commonwealth Parliamentary Conference and have to defend the fact that a Minister of Housing in this country gave his father and others a contract worth over a million dollars without a tender, for repairing houses?.....

Hon. P. M. GREAVES: On a point of order. I gave my father or nobody else a contract for anything.

Mr. DEPUTY SPEAKER: Your point is taken.

Mr. ADAMS: That is too sanguine. The Minister of Housing wants me to spell out chapter and verse of which Minister of Housing it was. We all know which Minister of Housing it was. We all know what we are talking about. Nobody would accuse the present Minister of Housing of giving his father — presiding over the award to his father of a contract. I am drawing a general analogy.

Would the hon. Member for St. Philip South, not in Barbados where it has to be defended — like to go outside Barbados and smile and say 'yes, we had a Minister of Housing whose father got a contract without a tender, of \$1 million? Would he like to say so? He would hide. I would hide, and I am in the Opposition and I would not say it because I would be ashamed. I would hide, Mr. Deputy Speaker. That is the state we have reached in this country.

The Jamaicans have not been afraid. They have taken a step to — a Select Committee of the Senate suggested that much more than declaration of assets on incomes was needed to meet the problems of integrity, and it recommended — to introduce a sensible measure; it recommended that the Jamaica House of Representatives or its Committee of Privileges should be able to investigate allegations that could bring Parliament in Jamaica into disrepute, and be able also to inflict punishment on persons guilty of spreading false rumours about members of Parliament.

When I hear people tell untruths about this person and the next person who said they would make — I cannot call him by name — the former Minister of Housing look like a Sunday School boy. I would like the people to come and say so and let it be investigated

properly by a Committee so that rumours like those can be stamped out in the early. I would like that; that members of Parliament must not be subjected to the kinds of false rumours which we have to suffer.

However, the whole point is this, Sir. Until we take steps to show the public our probity and until we take steps to show the public that we are determined to be honest, we cannot insist on measures such as these.

Sir, I have heard some things that have frightened me, about the political life in this country. I look at the Constitution and I read that nobody can be deprived of a benefit because of his political beliefs and that you can apply to the High Court for redress if you are, and yet I have heard His Excellency Cameron Tudor get in this House and say that jobs in the School Meals Service were given to members of the Democratic Labour Party because the School Meals Service was particularly the idea of the Democratic Labour Party and they should get the first preference; and I have heard the hon. Member for St. Andrew say that you cannot blame him if he asked people for their passports before they get jobs, that he is a Dem and to whom do we want him to give jobs if he should give the jobs to the other side; and that is forbidden by our Constitution and can be punished through the courts.

I understand that people are looking at the Constitution a little bit more now, that they finally have rules made by the judges for recourse in these Constitutional matters. I understand that one or two lawyers are investigating this; not myself, Sir; but that is in our Constitution, and people still have so little ideas about integrity, so little idea of what is required of persons in public life that they can defend the indefensible. Well, I have no intention of defending the indefensible. I have a responsibility as Leader of a political party, and I am going to say to all and sundry, while I am leader of a political party and things are passing through that party's hand in the way of the expenditure of taxpayers' money or even the party's money, there will be no secret contracts, there will be no favouritism, there will be no occasions where corruption is allowed to arise.

Sir, I want to address something to a slightly wider audience than we have at the moment. I am addressing myself to hon. Members but I want to address myself to the public at large. In the first five years of the Democratic Labour Party's regime I never

heard that the Ministers were stealing. Only one; and he is not now in the House. I seem to remember hearing Mr. LLOYD Smith saying that the berry tree is going to grow in a different yard now, when a certain Minister was moved from the Portfolio that contained the development of industry; but apart from him, you never heard anything; and I do not know how much of that was true. I put that in the category of the false rumours of the sort wickedly spread by people who were in the House of Assembly before 1961 about the then Ministers; the false and wicked and dangerous rumours that should have been prosecuted as slander at the time.

3.45 p.m.

I do not know whether in relation to Mr. Crawford what he was guilty of or anything, but you did not hear of general corruption in public life; but in 1968 and 1969, particularly in 1969 and 1970 a defence was made of the actions of a member of the Other Side of this House by persons who thought that they had to close party ranks behind them, because I do not believe that they were all sincere

His Excellency Cameron Tudor, Let me just tell him this. He may think that the letters that have gone to the Prime Minister and the Minister of External Affairs, because they are locked up in safes, have not been seen and read by certain persons. His Excellency Cameron Tudor's debts have always been known and we in the Opposition now not only know the debts, but we know who knows and what they suspect about them.

I would expect His Excellency Cameron Tudor to defend anything. He defended the infacilities of the Housing Authority and the Prime Minister. Now, sir, if the Prime Minister had kept out of the debate, perhaps the public would not have formed the impression that anything goes, but the Prime Minister took part in the debate.

I have to absolve the hon. Member for St. Michael North West. I would always absolve the hon. Member for St. Michael South Central. The hon. Member for St. Michael South Central would know if it is wrong. He might be mischievous and still repentant although there are certain things that I do not hear him defend. The hon. Member for Christ Church North Central would not know the difference; but I have to absolve most hon. Members whom I see here at present; but you cannot absolve the Prime Minister and the Deputy Prime Minister.

Even the present Leader of the House — I think he had something to say, but he said it in such a way that we knew where his heart lay even if his vote went in another direction. But I date the decline in the standard or public life in this country and a public appreciation of politicians in this country from the Housing Authority corruption debate well aided and abetted by Joe Brome. The Prime Minister talked some foolishness about the wrong place and the wrong time. There is never a wrong place and a wrong time to expose corruption, or a wrong way. The only wrong way is to pretend that you do not see it. That is the only wrong way, and it will be always the wrong way.

Now it is open to us to strike a blow to restore public confidence in ourselves. The hon. Member for Christ Church North Central in America, as reported in the Nation newspaper cannot be expected, if his views there are accurate and persistent to support anything designed to stamp out corruption. As far as he is concerned, the Jamaicans, the English, the New Zealanders the Zambians, the Trinidadians the Tanzanians are all wrong and we in Barbados must go along on the other side. He does not know the difference, so perhaps you cannot blame somebody for not being able to see if the Lord has not given them the wherewithal to see with. I am looking forward to hear him, not only in an aside.

However, his neighbour on his immediate left, the hon. Member for St. Michael South Central, must support us on this Resolution. He must, Sir, I do not want to give him praise. He has been a force for honesty in this respect since he has been in the House and he can quote me on a platform as saying so. I have had to criticise him on all sorts of things, for being bombastic, for not working in his Ministry, for all sorts of things; but I cannot criticise him for this. I cannot. He has been a force for honesty, and he has put many of the matters better indeed than I could put them myself. He particularly should be with me when I say that you do not only need legislation but you need some power in Parliament because I have his actual words that declaration of assets is the only way of eliminating rumor mongering that goes on whenever an uncorrupted public official acquires some property.

The Prime Minister, sir, is not in the House today. He is not here now, so when I came in I wondered who the old gentleman was sitting there because I did not recognised him; but having helped make a quorum, he went along

his business and he avoided giving his opinion at this stage on the matter; but that may be all to the good because I do not like embarrassing people at certain times.

Sir, I am urging that this matter be done. None of us were elected on the basis of the declaration of assets and people should not be subjected to retrospective legislation. So, any legislation along this line I am prepared to see not come into force until the next election. So I am not saying that Members now should have to declare their assets, but they should know, if they wish to run again, that they must declare their assets if the election come at any time.

It would be a little unfair to hon. Members some of whom may not wish to expose themselves — their bank accounts in New York, their bank accounts in Canada, their interests in Birmingham and so on. Some hon. Members may not wish to expose themselves and they should be given the opportunity of not running again if they wish to retire. I am saying let us start with a clean slate. Let a man start with the assets that he has at the beginning of the next election.

As a matter of policy, we may ask how the hon. Member for St. Andrew comes to acquire plantations, apartment houses, pieces of land all over the place when his total salary would not buy one. We may ask that as a matter of policy; but even the hon. Member for St. Andrew, who will not be in the House next time, I am prepared to let him start with whatever he has in 1976. I am prepared to go on that basis, and it is on this basis that I recommend the Resolution to hon. Members.

I am asking that if the principle is accepted of declaration of assets along the Jamaica lines that that would anticipate what the Select Committee of the House would eventually do. I am asking that at the same time the Committee deal with the Prevention of Corruption Act, 1929 in addition to declaration of assets so as to put two weapons in the hands of those who want not only to see standards of integrity established and maintained in the public life of his country, but also want to see those standards recognised, accepted and respected in the fulness of time.

Mr. Deputy Speaker, I beg to move that the Resolution do now pass.

Mr. CRAIG: I beg to second that.

Hon. F. G. SMITH: I have listened, Mr. Deputy Speaker, to the Hon. Leader of the Opposition. I am not seconding the motion. I am speaking on it I want to get that clear. It has been already seconded.
3.55 p.m.

I am heartened by the research which he had done. My only regret is that the Leader of the Opposition before he tabled his resolution could not have done the research with which he has regaled this House, and the research he has given in terms of Uganda, the United Kingdom, India, etc. All I am saying is when you look at the resolution tabled by the Leader of the Opposition you will see that he tabled this resolution in a great hurry and did not incorporate in the resolution the research which he has done, because when you look at the Order Paper it reads as follows:

"To move the passing of the Resolution requesting the Government to introduce legislation providing that all Members of Parliament, Senators and holders of public offices be compelled to disclose their assets when taking office, or a seat in Parliament and thereafter, periodically until they cease to hold such office or seat in Parliament."

In his research he has clearly shown us that if this type of resolution is to get support this resolution is entirely meaningless, because in quoting from the research which he has done he has clearly shown that if this resolution is to mean anything it should include the declaration of my assets, my wife's, my cousin's my aunt's or my son's, my wife's relatives, etc. if not it is entirely futile. My son or my wife can take any bribes which I am alleged to be taking, so while he has dealt with it in his speech he has not in the resolution which we are discussing today really introduced anything which would meet the problem in which he and the public are concerned. He does not in this deal with a civil servant or a public officer who can tell to somebody who is offering a bribe not to put it in his name but in his wife's or son's name, or even a front man, so that as the resolution stands nobody would support it because it is perfectly useless. I can see what he has said in his speech but I am dealing with what the resolution itself said and that is why in due course this resolution will have to go to a committee to carry out what the member intended it to mean. You have done the research, you dealt with the areas of conflict, but if we pass this and do not appoint a committee to make recommendations it does not meet the purpose which the Leader of the Opposition intends.

Mr. CRAIG: If the hon. Member will give way, Mr. Deputy Speaker, from the hon. Member's introduction, it would appear that he is interested in supporting a resolution of this nature, and since he has said that the Leader of the Opposition has omitted something which he thinks should be in, I am calling on the Member to make sure that the resolution gets the votes by moving an amendment.

Hon. F. G. SMITH: I am prepared to support this resolution when a committee is appointed. I am not moving any amendment, I am dealing with it as it stands. I would support the idea of a committee to work out the details which I am sure the Leader of the Opposition intends from his research and his speech should be incorporated.

Let me just deal with another point. I hope the Leader of the Opposition will forgive me, because I am going to read from his Manifesto.

Mr. ADAMS: Before the hon. Member deals with this Manifesto, if the hon. Member heard my whole speech he would have heard that I have asked hon. Members to deal with things that are not in the resolution. There is nothing in the resolution that excludes wives or other persons. The hon. Member can deal with it on that basis, the House has power. This is the Resolution and hon. members are free to add to it.

Hon. F. G. SMITH: I appreciate his point, but I said that his research indicated either that he had tabled the resolution before he had gone into all the legislation he talked about, and therefore, knowing the Leader of the Opposition as I do, had he done his research before the resolution, he would have been more comprehensive and would have brought into play the ideas he made in his speech. I will now read from his Manifesto:

"The party is acutely concerned that one of the gravest dangers facing newly Independence Countries is the lack of confidence in the democratic system of Government arising from abuse of Office for personal gain by Ministers, political appointees on Boards, and civil servants. The Barbados Labour Party has been able, particularly in the last five years of D.L.P. office holding, to expose many instances of this serious offence. The Party is determined to stamp this out and return to the purity of Barbados' political tradition. The Party pledges to take the following steps immediately."

I am going to emphasise that because this is vital to our whole political life.

"1. The appointment of a Commission of Enquiry into all aspects of corruption in the last ten years."

That is out because they did not get into power, so I can concede that they could not institute a Commission of Enquiry because they are not the Government in power.

"2. The laying down of a code of conduct for Ministers, political appointees and civil servants."

Again this is out because the party is not in power and therefore the Prime Minister, as he then might have been, could not do it because he has technically no Ministers.

"3. It will pass legislation providing for its Prime Minister and its Minister disclosing their financial assets and liabilities on assuming office, periodically during office, and on termination. Enforcement machinery will be established to ensure that this is compiled with."

The Barbados Labour Party on this Manifesto in 1971 did not capture the Government, that is a fact, but this Resolution which is before us today, if the Opposition were serious about this type of integrity legislation, this Resolution should have been introduced into this Parliament since 1971, not on the eve of rumoured elections, not on the eve of people saying that elections are around the corner.

Mr. ADAMS: On a point of order, this Resolution was on the Order Paper in the last Session of the House, before the integrity legislation in some other countries was enforced. That is why it could not all be put in at the time. That is the answer to the argument that the research could have been done then.

Hon. F. G. SMITH: I will concede it was on the Order Paper, but I will also say that nearly two years of Parliament had passed before the first Resolution which died, and I want the Leader of the Opposition to say that it could not have been on the Order Paper in October 1973 or in 1974. Parliament met in October 1971, and if the Opposition were really serious about this type of legislation, then I submit, Mr. Deputy Speaker, that this Resolution which we are debating today could have been debated shortly after the

elections in 1971 when there were new members coming in and when, agreeing that they did not capture the Government and so could not carry out one or two of the things in their Manifesto, this Resolution could have been debated.

4.05 p.m.

When are we debating this Resolution? On the eve of a rumoured election, which newspapers have started, and which the public have interpreted is around the corner. If we are serious about an election, and integrity in Parliament — I think the Leader of the Opposition will see this — the debate that we are having today on this Resolution should have taken place in 1971 or, at least 1972.

Mr. Deputy Speaker, let us accept that it is very vital, in a small rumour — mongering society like ours, that the public should have confidence in the integrity of Parliamentarians. I will give you my own experience now. In 1966 I was a Magistrate in Jamaica. I was getting Jamaica \$1,000 per month, a house allowance of Jamaica \$120.00 per month, an allowance of Jamaica \$72.00 per month for the upkeep of a car, and Jamaica 12cents a mile for travelling. My station was 35 miles from Kingston. When I returned to Barbados as Attorney General and Minister without Portfolio on the 17th November, 1966, I, as Minister, was getting E.C.C. \$720.00. (*Asides.*) My salary dropped to \$720.00 from \$1,000, and I lost my car allowance, house allowance and travelling. I am in a position to speak on integrity, because if money mattered to me, I would not have been in Barbados today. I lost and my wife lost hundreds of dollars a month by coming back to serve my country. I am in a position to speak about service. A lot of people do not understand the sacrifice one has to make in politics. If I were concerned with money, I would not have been in Barbados today, but I have come to serve the people. There is no doubt that if you are going to succeed in politics and if people are going to have confidence in politics, integrity, in all of your dealings in political life is vital for the life of the body politic.

Here, the Leader of the Opposition is partly to be blamed not so much as some members of his Party. If you want to talk about integrity in one breath, then you will have to pay Parliamentarians and Ministers salaries to avoid the temptations of which the Hon. Leader of the Opposition speaks. We, in this Parliament, have encouraged the public of Barbados to feel that the people who are paid as Ministers are getting too much money for doing nothing. They look at

personality and not at the office. Now, integrity is bound up with the ability and the salary of a person in private life to live at a reasonable standard without having to engage in other occupations to make two ends meet. We shout on platforms and in this Chamber when salaries are being revised and tell the people that Ministers are getting too much money.

Now, the political system in this country and throughout the world is such that there are certain persons whose occupations in the economic climate of their country would not enable them to earn the salaries they get as Ministers. So far as Ministers are concerned, you should not look at the individuals but at what the post requires. There must be an element of security, and an element to enable them to live at the standard of Ministers in an Independent country. We are to blame because we get the type of respect from the public that we deserve. We come in here whenever there is a salary revision and members, tell the public: "Look how much he is getting." The hon. Member for St. Peter and St. James are exonerated. You want integrity legislation, but do not want to pay a Minister whom you are asking to be like Caesar's wife, above suspicion; to live at a level where he can see other people with whom he deals daily and for whom he has to make decisions living at a level vastly superior to his! If you are asking for integrity legislation, then you have to cast aside you criticism and pay Ministers, Parliamentary Secretaries, and Parliamentarians a reasonable salary which would remove the vaguest possibility of temptation. After all, I have a wife and two children to support. I have to educate my children. I have to live.

Mr. MOTTLEY: On a point of order, Mr. Deputy Speaker. Is the Minister saying that the salaries paid to Minister is such that it does not remove the temptation of accepting bribes?

Mr. DEPUTY SPEAKER: No point of order!

Hon. F. G. SMITH: Mr. Deputy Speaker, I am dealing with the general principle. We create a feeling in this country among the electorate, that the Ministers are being paid too much; they do not deserve it, and they are not worthy of it, without looking at the aspect of integrity which we are demanding from them.

Mr. MOTTLEY: Are you saying that a Minister cannot be honest because of the salary he gets?

Hon. F. G. SMITH: I am saying that you have created in this country the impression that

Ministers are getting too much. If you want my opinion, the salary I now get is not enough for the work, the harassment, the dedication, the application, and the concentration that I have to go through in the interest of the country. I, the Member for St. Michael South Central, am telling you and the whole of the Barbados public that the money I get is not enough to compensate for the interest I show in Barbados. Whether you like it or the public likes it, that is my honest feeling from the bottom of my heart. I work hard, I am dedicated enough that the money I get for doing my job is not enough to compensate for the harassment, the interest, and the endeavour to improve the life of the people in this country.

Mr. Deputy Speaker, I have heard it said on the side of the Opposition that it is no sense offering a cashier at Barclays Bank \$20.00 or \$100.00 a month to collect \$2 million a day. There is no point in giving a cashier at Barbados Shipping And Trading \$40.00 a week to collect \$100,000 a day because the temptation is too strong. We as Parliamentarians and as a body which direct the life of this country must consider certain things. I do not believe that there is any hon. Member in this House who is unconscious of the harassment and the unreasonable request made to Parliamentarians by some unreasonable people throughout the Island. Integrity is bound up with paying Parliamentarians — I am not ashamed of this — a salary not exorbitant or out of proportion to the economic needs of the country, but a salary which anybody in politics who desires to be honest will think is enough to remove the temptation to be dishonest.

Every time I come in here and hear Members saying that we are getting too much money as Ministers and that is why people run to us with unreasonable demands, I get annoyed. They come to us to back loans and so on. It springs from our idea that we have never accepted that integrity is not something *in vacuo*. Integrity in political life is bound up in the case of those who devote themselves full-time to the profession. It is bound up with paying them a salary which, to some extent, removes the baser elements of temptation from them. I support any legislation which is based on the improvement of the public life of Barbados.

4.15 p.m.

There are certain aspects of public life in Barbados which get me terribly frustrated: spite, hatred, fear, whatever it is. I would like us as parliamentarians to feel that Barbados belongs to us whether we are in one political party or another. Our country comes first, and we must

use the best brains in the best positions we must avail ourselves of the talent which can help advance Barbados. That is my code, ambition and my hope, and I am frustrated when I find that in the country that I love dearly and the country for which I came back to sacrifice, you run into these frustrations at one stage or another. Obviously since the Leader of the Opposition is the first member of the Opposition who has ever been elected to the Executive of the C.P.A. he has been reading his back numbers of *The Parliamentarian*. I share with him his anxieties making allowances for a rumour-mongering society like Barbados. I spoke to the girls of St. Michael's Girls' School a few mornings ago and I told them that one of the evils of our society is rumours, and I think that if rumour could be exported we would make the best foreign earnings that we ever made because there is no country I know where rumour is so prevalent. If I walk down Broad Street you hear that I have gone through the eddoes or I have moved to another Ministry. When it is not that type of rumour it is a rumour about somebody's wife and child.

I feel, Mr. Deputy Speaker, that we have got to re-establish in this country public life somehow or another, and a respect among the people for their parliamentary institutions and for parliament. I am going to make a prediction now that this coming election cannot do anything for political life in this country and for the re-establishment of integrity, honesty, honour, nobility, fairplay. This election is going to be one of the worst elections in this country's history. Whenever it comes, from the proliferation of parties and in-fighting I cannot see any improvement in public life, and that is why I am prepared to support anything which can establish parliament as a body of honourable, dedicated persons, with political differences, who at personal sacrifices are prepared to serve the people.

Now, Mr. Deputy Speaker, politics call for sacrifice and I do not think there is any of us in here today who are not conscious that sometimes this sacrifice you are called upon to make is even greater than you had anticipated. So I do not think any of us in here are here because you can gain anything out of politics because let me tell you this, the money I work for in politics is the worst type of money I ever earned. It goes through your hand like water. It is not yours. When I was a lawyer and I drew a fee, that was my money. When I draw my salary in politics it is not mine; it belongs to a lot of people, and you have a lot of enemies by trying to keep some in your hands. The worst money I have ever

earned in my fifty-one years — and I will be 51 on Sunday — is since I have been in politics. I do not know if it the experience of my colleagues, but it is certainly mine, and I do not think there is anybody on that side who will disagree that the worst money is the money you earn in politics. (A Voice: Then you will not be a candidate in the next elections!) I am prepared for it to run through my hands because some day some will stick. I am talking facts. That is why I like honesty in politics because I know that you too share my view on this. The hon. member for St. Peter knows this. He would not have the guts to say what I have just said, that the money he earns in politics is the greasiest; it is like a slippery pig, a grease-pole. I am telling you what my experience is and therefore, Mr. Deputy Speaker, I am prepared to do anything that is going to re-establish people's belief in the integrity of Parliament.

Naturally in each country there are varying aspects of morality. You will get the Uganda morality different from ours, and that is why I cannot unreservedly go along with this. I am prepared to back this Resolution provided it goes to a Select Committee, because the Jamaican situation politically is different from the Barbadian. Jamaica gives our jobs on a party basis; they give work in parish Councils on a party basis; they are cut straight down the line. Fortunately for Barbados we have not reached that stage though there may be areas..... Zambia is different. India is different. What is happening in India now is an example of what happens in India; so I am prepared if we are serious in our legislation to appoint an all-party committee to come in and work out a system of integrity legislation suitable to Barbados. If it were decided that you cannot own land other than the one your house is on, I wonder what the hon. member for Christ Church West would do? If the only land you can own is the one your house is on, what would the hon. member for Bridgetown do. What would the member for Bridgetown do if we followed Zambia where the only land you must own is the land your house is on?

Mr. FORDE: On a point of explanation, I would use all the property which is lawfully handed down to me in giving it to charity.

Mr. MOTTLEY: On a point of order, it seems as though the hon. member knows my assets. I am glad to see that people know my assets, where they are and that they all lie in Barbados. I cannot say the same for hon. members on the other side.

Hon. F. G. SMITH: I was only teasing.

Mr. MOTTLEY: The hon. member may be teasing, but I am very serious. My assets are all in Barbados, but I do not know where the assets of the others are.

Hon. F. G. SMITH: I was endeavouring to show that the following blindly legislation which says you must only own the land on which your house stands as in Zambia is obviously not relevant to Barbados, because the hon. member for Bridgetown might like a beach house, and if he can only have one piece of land, he cannot have a beach house unless he lives on the beach. I am saying therefore that we in Parliament, if we accept the idea of re-establishing the confidence of the people of Barbados, rumour apart, in the fact that we are not here purely to feather our own nests, then this Resolution, as I said in my opening address, is not comprehensive enough, and we must go to a serious Committee determined to work and beat out a solution to the Barbadian integrity problem.

The Leader of the Opposition has certainly given us the areas in which we can go by his research. We can start from the Parliamentary which he read and from the other quotations and researches we will have an area on which we can start to dig our teeth in, but I do not think that we in Barbados in a community of our size plus 15,000 public servants can accept lock, stock and barrel this Resolution as it stands, because as I pointed out in the initial stages, this Resolution as it stands means nothing.

4.25 p.m.

I would vote for this if I were dishonest, without going to a Committee, because with this, and a good lawyer — and the Opposition have more than we have; they have four to three, or four to two — (Aside: It is the quality that counts). The type of manner of getting around this does not call for quality in law; a chap who has just passed the Bar could get through this. All I have to say is, walk down Broad Street with my chest out, saying I am honest, but my son's bank account is growing, growing, growing; that he is a millionaire but his father is poor, poor, with the shoes out, saddle patch in his pants, everybody saying 'oh, the Member for St. Michael South Central is an honest man but his son has millions.' You see what I am saying. Now what sort of foolishness is this? Now this includes Item 3 on which the Leader of the Opposition has spoken.

However, to be serious finally, Mr. Deputy Speaker. This legislation as I was saying, there is in the air.....

Mr. CRAIG: On a point of order, Mr. Deputy Speaker. I am going to speak on the Resolution but before the hon. member sits down I am going to see if I can invite him again to move an amendment. He said earlier in his speech that this should have embodied the uncle and so on. What about the friends? What about Mr. Watson from St. Andrew? You will have to bring in your friend also. I do not see his point. You must bring in your friend because you must have a good friend also.

Hon. F. G. SMITH: I thank the hon. member for his invitation but this is not my Resolution. You have six over there. If you find now that you accept that I have.....

Mr. CRAIG: On a point of order, Mr. Deputy Speaker. The member made a point that it has no depth because you could have a cousin and you could have the money put in his name. The point I am making is that you would also have to put in your good friend. That is what you would have to do. Therefore on those conditions you cannot support it. You have a classic case over there of Mr. Watson from St. Andrew being the good friend of the member for St. Andrew. So what are we going to do? You will have to put in your uncle as well as your good friend.....

Mr. DEPUTY SPEAKER: The hon. member is making a speech.

Hon. F. G. SMITH: In my opening I said you have to include a front man. That is what I was saying. I am not going to move the amendment. I will support it in Committee, based on the speech of the Leader of the Opposition and my speech; if we accept this Resolution as the lead for integrity legislation, then when we go into Committee, if it is not amended, we can look at all aspects — good friend, uncle and aunt; but I am not going to move an amendment to this moved by the Leader. That would be impertinence and presumption.

Imagine the member for South Central — I must say at this point I accept his compliments that I am honest and he can rest assured that they will be quoted. He can rest assured that this Gazette of the 1st July will be in evidence in the constituency, but be that as it may, I accept his compliments as being sincerely meant, but I am not moving the amendment; all I am saying to the member for St. James is, if the House agrees that this Resolution should go to Committee as it is, in Committee we can deal with good friend, front man, and so on; but you cannot expect me to move this. (*Aside*) I am supporting it. That is

why for the past few minutes I have been pointing out to the Leader of the Opposition that his Resolution even though it conveys what he intends to convey, his Resolution does not go far enough and support for the Resolution as it stands would be a complete waste of time.

I would support the idea of integrity legislation and I think in a matter of this nature, in spite of the research of the Leader of the Opposition, Barbados' situation requires that this matter be thought out in depth and I would support reference to an all party House Committee to work out the details which the Leader of the Opposition quoted and the details which I have mentioned in my address.

I thank you, Mr. Deputy Speaker, and I am glad that we have reached this point in dealing with this matter which should go somewhere to remove suspicions in the minds of the public; but integrity legislation means paying people for the jobs which they do and not based on personalities or whether they can earn a living on their salaries; and until we mix up the two, there is no sense talking about legislation of integrity unless you mix up salaries with it because you cannot ask a teller at Barclays Bank to collect a million dollars a day and give her \$20 a month. Salary for the responsibility — the two are tied up in any job.

The trade union would know that the salary paid to you, Mr. Deputy Speaker, the Leader of the Opposition, and members of the House, if one is asking integrity of them, one cannot pay them chicken feed because both of them (*Aside*). Mr. Deputy Speaker, he has led me to a point with which I want to deal. Some people, if you give them a million dollars a day they would be dishonest, but at the same time that is no argument for paying people in responsible jobs a salary not commensurate with their responsibility, but human nature being what it is there are some people who, if you pay them a farthing they will be honest, some people if you pay them a million dollars they will be dishonest; but at the same time it does not detract from the principle that at least as a basic principle you have got to pay people in certain jobs a reasonable salary to remove the temptations which may exist. That is all I have to say, Mr. Deputy Speaker.

Mr. E. E. GREAVES: Mr. Deputy Speaker, I think there will be few, if any, hon. members on either side of the House who would object to the principle which this Resolution seeks to establish.

Now there are a number of issues which quite naturally are going to be raised in this. The

first point relates to the issue which has been raised by the Hon. Minister for Communications and Works about the extent to which this Resolution goes or indeed the areas which have been left out in this Resolution. I do not think the members of the Opposition should fear they would not be getting the support of the entire House on the principle which has been established in this but I think the point should be made and has been made by the Minister of Communications and Works about the need to have any legislation or indeed any examination on this matter on a wider basis and of a wider nature rather than confining it to members of Parliament, Senators and all holders of public offices.

Mr. Deputy Speaker, you are quite aware of the fact that it is quite possible that in a situation like this where certain people are specified who have got to declare their assets, it is quite possible for them to make other arrangements if they are dishonest. What I am talking about is, that you can have situations in which as the Minister pointed out, a holder of the public office can arrange for a member of his immediate family or some member of his family to receive what is to be coming to him if he is so minded, if he is dealing with public money and indeed with public contracts, to channel money in that direction. So this is one area that would have to be looked at.

Mr. Deputy Speaker, I am all for the declaration of assets. I think this is very important and would go a far way in attempting to restore some confidence which it would seem has been lost in people holding public office and indeed in members of Parliament.

4.35 p.m.

Now this does not necessarily mean that it will be successful, but at least I think that what would come out of it is that there will be a genuine effort and attempt on the part of responsible people to get at the root of what seems to be the problem. If it is a problem, I am submitting that some method or some means should be established where there would be an opportunity to make an examination of the situation; and that is why I think, Mr. Deputy Speaker, that any legislation or examination of this matter should be as wide as possible.

People who are in public positions should be aware of their responsibility to the public and we indeed should be extremely careful in our dealings with any matter which comes before us. As the hon. member for St. Michael South Central has pointed out, temptations no doubt

are there. There are some people who can resist temptations. Any amount of temptations can be placed before them and they will not be tempted. On the other hand, there are some people who cannot resist temptations and who would fall prey to the kind of carrots which may be dangled before them.

I think that the legislation should not only be designed to protect public funds but also hopefully to protect certain people from themselves. There has been a lot of talk, Mr. Deputy Speaker, about the way in which politicians behave. Indeed, suspicions have been cast on some members of Parliament, both members of Government and members of the Opposition, on the way in which they operate. I think all of us realise the efforts that are often made to pull down the image of the politician in this society. It is a very uncomfortable feeling particularly when one knows that one is honest in one's dealings, to be associated with or to have that kind of suspicions cast when one knows in truth and in fact that he is not in any way associated with that kind of thing.

There is no doubt, Mr. Deputy Speaker, that fingers have been pointed at some people who are members of this Hon. Chamber. I have had reasons on a number of occasions to hear reports and accusations and to have people pointing their fingers at a particular member of Parliament, a member of the Opposition, for using his office for receiving money or charging a fee of people in an effort to get them to the USA. That, Mr. Deputy Speaker, is blatant misuse of any position which a person might have.

I would hope that any legislation which is going to be enacted will set up machinery to deal with and investigate this kind of accusation. There is also one hon. member at least who, it is generally known, practises his politics in the same way that a lawyer practises his profession. He trades on his position as a politician. There is evidence, Mr. Deputy Speaker, that he has received a fee for supporting or indeed for defending a particular person or company.

Those are things that we have to be very careful about, and that is why I say that while the declaration of assets is fine, there should also be legislation to ensure that people who are members of Parliament and indeed holders of public offices do not use their positions to their own personal and private benefit.

When we examine the problem that is before us, I hope that we will be able to get the legislation working as soon as possible. The

sooner we do this the better. The image of the politician, not only in Barbados, but in the Caribbean, is one which I do not think that a politician in the pure sense really deserves. What comes out is not so much politics as politicians, the people who practise politics, the people who are involved in politics. Those are the people who create suspicion by their acts and deeds.

Sir, I welcome this move and any kind of legislation which will result from the discussion we are having here and from the findings of the Committee which will be set up to deal with the matter. I hope that we will be able to have rules and regulations which people will be able to follow, and which will in the final analysis restore that level of integrity which is so very important.

Now, I am not one of those people, Mr. Deputy Speaker, who believes that once this piece of legislation goes on the Statute Book that is the end all and the be all. It does not mean that you will not get people who will try to operate in such a way that they will still benefit, and who indeed would not blatantly move away from the guidelines set. Nevertheless, I think that it is important to have these guidelines set, because we have to be extremely careful and extremely circumspect. The suspicion which is obviously so evident is something which we should seek to eradicate. I am submitting that this should be done as quickly as possible because it is one which indeed does cause some concern among Hon. members, and indeed among members of the public.

People who are honest in their dealings will have nothing to fear about legislation such as this, but I want to see some provision made for the possibility of investigating not only the financial assets of all member of Parliament, but how they operate and the way in which some of them derive their income.

Mr. FORDE: Mr. Deputy Speaker, before I sit down I will hope to move an amendment to the Resolution which will reflect the sentiments so far expressed by the speakers on both sides of the House. This Resolution, I hope, will seek the appointment of an all party committee of both sides of Parliament to make recommendations for the speedy introduction into Parliament of legislation to effect at the earliest opportunity the objects set out in the recitals to this Resolution.

I will go further, however, Mr. Deputy Speaker, and ask that the legislation contains effective provisions governing the regulation and the protection of the integrity, the pecuniary

interest and, the amenability to pressures of all members of Parliament, Civil Servants, holders of public offices, members of Statutory Bodies and their employees and immediate relatives to all such pressures. It will also seek to make provision in such legislation for the disclosure of the income and assets of all those persons, for the establishment of a code of ethics and conduct of such persons in public life, and for the appointment of an effective integrity commission to supervise the legislation, and I trust that this House will pass such amending legislation to ensure that the committee reports to this House within the next three months at the longest, and I reserve the right to speak further.

4.45 p.m

GOVERNMENT BUSINESS

Mr. DEPUTY SPEAKER: The time now being 4.45 this House automatically reverts to Government Business. At the suspension the hon. member for St. Peter was addressing the Chair but I do not now see him in his seat.

Mr. BOLDEN: Mr. Deputy Speaker, on a point of order, I do not think that is the way Government Business should take effect again. (*Asides*). Mr. Deputy Speaker, I do not understand these wayside Speakers who sit down in their chairs and make comments about "no point of order." I thought you had made a ruling. Before I said what I want to say I heard from the other side "no point of order".

Mr. DEPUTY SPEAKER: I made a statement as regards what took place at the suspension.

Mr. BOLDEN: I do not think that is the way in which Government Business should take effect again. They seem to forget the order of the House. If at the suspension Government Business was being taken, at the end of Private Members' Business somebody from the Government side has to ask the House to revert to Government Business.

Mr. DEPUTY SPEAKER: By the Standing Orders after 4.45 automatically we revert to Government Business.

Hon. C. E. TALMA: On a point of order, the hon. member is forgetting that the Standing Orders are in force. The Standing Orders have not been suspended, if they were suspended then what he says would be correct.

Mr. BOLDEN: Thank you, Mr. Leader of the House.

Mr. DEPUTY SPEAKER: The hon. member for St. Peter is now in his place and he may proceed.

Mr. HINDS: Mr. Deputy Speaker, the point I was making when the break was taken I think was, in reference to what the Minister for Labour had said, that he has found it necessary from time to time to insist on firms, to use his own words, giving preference to Barbadians. That cements the whole point I had earlier mentioned which created as you will see, Sir, the Minister of Labour's necessity to be insistent on these firms, because I made the point that one work permit is issued to a firm which employs a husband or a wife as the case may be and then you find some two of three relatives all enjoying the protection of that work permit that has been issued and taking charge of the situation to the exclusion of Barbadians, who can very well fill those positions.

This Bill, particularly section 23 precludes any other jurisdiction from coming into effect consequent upon the action of an immigration officer or a member of the Police Force, and what worries me at this point is this. We agree that somebody has got to be empowered with authority to put into effect the immigration law for the benefit of the country generally, its protection, and particularly with a view to ruling out unwanted elements from having access to our shores. I often have reason to recall the action that was taken by the police some years ago when they denied entry to the then owner of the Le Bistro Hotel on the West Coast. That Mr. Deputy Speaker, was a classic example of how an immigration officer or police officer as the case may be can so manipulate or wield his power, I want to say now, not for the reasons as we suppose that led to the introduction of this Bill but for entirely different reasons altogether. The owner of that Hotel at that time was denied entry into Barbados, after he had invested hundreds of thousands of dollars and built up his hotel here, not to protect Barbados but to protect the man. That is the difference. What we are saying is that the reason behind banning him or denying him entry is something that ought to be investigated, and we pray and hope that when this Bill comes into effect that we will never have a recurrence of that type of behaviour on the part of the authorities. I want to put it that way at this time. You will see, Sir, that under section 23 of this Bill no court has any jurisdiction to review, restrain, reverse or otherwise interfere with any proceeding,

decision or order of the Minister or an immigration officer.

4.55 p.m.

In other words, we have to be very cautious in delegating authority to certain people because, as I have tried to give you an example just now, they can use that authority to suit themselves for certain reasons when dealing with their friends. That is what we have to be wary about. Mr. Deputy Speaker, you will see that we are seeking to place in the hands of the Immigration Officer, or the Police Officer, as the case may be authority that stretches beyond anything. When it comes to the point where the Immigration Officer can order the detention, or the imprisonment, — that is what it amounts to — of a subject, then these are matters, to my mind, of very, very grave concern.

I believe that each and every member of this House must be concerned with the security of this country. We have had a lot of anti-social behaviour imported into this country, and the consequences bear very heavily on the law-abiding taxpayers of this country. It is for these reasons, Mr. Deputy Speaker, that one must look at every aspect of the Bill and speak out more forcefully against any ill aspects contained therein. Sir, we see the provision whereby a resident, or a citizen, would have a right to appeal but, as the hon. Member for Christ Church West has stated, we have to be very careful in legislating so that we do not create the climate for others that we ourselves would not like to have to put up with on the other side. We should not legislate in a way to encourage others to legislate against our nationals as well.

I am urging upon the Leader of the House to give this matter the review that is so necessary. An opportunity should be taken, I believe, in Select Committee to go into this matter and give it a careful and detailed study. Anything, Mr. Deputy Speaker, which borders on the liberty of the subject ought to be most carefully considered before we decide to give the final dotting to the i's and the crossing of the t's.

We believe that the Government feels it has good grounds for seeking to bring about this Bill and for setting about to update its immigration legislation, but we want to see that it hinges on what has been said here not many minutes ago. Whatever we do with an Immigration Act, whatever we set about to

create, whatever standards we may give the impression that we want to see put into effect, as long as it depends on human beings armed with unlimited authority one has to be more than cautious in the administration thereof. One has to be very careful to see that one does not create a climate for corruptive practices to play their part. We have had cause, Mr. Deputy Speaker, in the past to be satisfied, or to set about to satisfy ourselves, that it was not all rumour that has been associated, from time to time, with the administration and the functions of our Immigration Department here. I want to say to the Ministry of Home Affairs that it has not been all rumour. A lot went far beyond this.

We recall that there was, I think, a Departmental Inquiry into the conduct of a very senior officer who has spent a very considerable number of years in the Ministry of Home Affairs. It is all right, Mr. Deputy Speaker, for us to be saying this and that, but we all know what salary a particular officer was paid. When you see that that officer was acquiring properties and making outright purchases of properties in the Cave Hill area with two garages to the houses and so on, and boasting of having another \$54,000 cash and looking for another property to purchase, then these are things which one has to investigate. We have to inquire into the matter and do a lot of research to satisfy our own minds that we must come here and place unlimited authority into the hands of people who know that possessing the authority to threaten imprisonment of a certain type can create considerable wealth for some people as a result of the threat.

Mr. Deputy Speaker, we cannot legislate because something is going to go wrong and so on. In other words, when we give ourselves the trouble to know everything surrounding situations, then we must pool our knowledge and hammer out in Committee the best type of legislation that we see most applicable to circumstances here in Barbados.

5.05 p.m.

Hon. F. G. SMITH: Mr. Deputy Speaker, I shall not be very long. I think you will agree that no Immigration Bill whether passed by this Government, the Canadian Government, the United Kingdom Government or the Australian Government would ever meet the needs or would not be subjected to criticism by various sectional interest. The Australian Government immigration policy has been under constant attack because of its alleged racist approach and provisions. The

Canadian new Immigration Act is also under attack. A few years ago it was the British Immigration Act, and the American immigration provisions have certainly in my experience led to a lot of heartache and disappointment, and I was very glad to hear the member for St. Peter who seems to be an authority on immigration to the United States explaining how and in what way immigration to the United States can be obtained, because I have reached the point and I would like Barbadians to utter a cry for Barbadians, to talk about the hundreds of poor Barbadians who cannot get to the United States because some little consular officer in Barbados looks at them and tells them he does not feel they are coming back and turns them down. I have never read in the paper in Topic For Today or in editorials anybody arguing for the poor Barbadian man or woman who wants to go to the United States, who is respectable, who has not got a mansion on the hill and who would like to go to America and is turned down by some consular officer in Bridgetown.

Only about two weeks ago a lady of 70 years of age from Howells Cross Road was invited to her niece's wedding in New York on 20th January. She was in good condition with a steady job looking after a lady at \$80 per month. I gave her a letter, the lady gave her a letter, she has never been abroad, she has got her house here and a consular officer says to her he does not feel she is coming back and turns her down. Let us start in Barbados uttering a cry for these poor Barbadians. As soon as you are unmarried in Barbados they look at you and say you are going for a man and you are not coming back, and I think the Leader of the House and every member of this Government know that poor Barbadians who are trying to go to the United States experience problems through a little consular officer for whatever reasons. I have never heard anybody argue for these or plead their case. It is always for some expatriate coming down to invest or who owns a hotel or for somebody big wanting to come to Barbados, but never have I heard even in the Opposition this cry from the heart for the poor Barbadians with their relatives in the States who want to go and cannot get a visa because somebody looks at them and says they do not have any reason to come back and turns them down. I can say that the Americans may have a lot of Barbadians who run away; but when Miss Jones or Mrs. Jones, a respectable black Barbadian goes to them to go to a wedding or funeral or to see the big United States and is turned down in Barbados with no right of appeal, I do not hear...

Mr. HINDS: On a point of order, I believe I can assist the Minister on this one point. I am

not an authority on these matters, but I can say that a person applying for a visa and taking a letter from a politician whether in Government or Opposition is certain to be refused by the present Consul.

Hon. F. G. SMITH: I am glad for that information because I also learnt that if you want to go to America, do not go to a member of this Government, go to certain members of the Opposition and you are sure of getting a visa. That is common knowledge and I have told people who came to me not to come to me because I am only a Minister in name. I do not want to call the member of the Opposition because I do not want to embarrass him, but I have sent them to members of the Opposition and they get their visas.

Mr. HINDS: On a point of order, it is not a question of whether one is in Opposition or else. I am asking that the hon. member should not say anything about whether a person is in Opposition or Government because he is only prejudicing not the chances of anybody in Opposition, but the chances of the people who want to go.

Hon. F. G. SMITH: I would not like to prejudice anybody who wants to go, but the hon. member for St. Peter has put it quite well. I want to hear us not talk about big investors or that our Act prevents investors from coming in, because a country whether it is small or of the size of the United States must have a sense of pride in itself. Barbados may be small but we are a proud people and nobody from outside has an automatic right to walk in here. When I go to the Airport and see people coming into my country on a social security card or a driver's licence, my heart within me burns as a Barbadian that I with a social security card cannot go to the United States but anybody can come in here because we are a developing country and we want tourism.

Mr. HINDS: On a point of order, it is the Minister of Tourism, and when the Minister talks about "anybody", it makes me feel he is referring to the Minister for Tourism.

Hon. F. G. SMITH: What I am saying is that as a proud Barbadian it hurts me to think that anybody can come from North America, Germany or Italy into my country on a driver's licence or social security card, and I would have to get a visa to land in Miami on my way to Mexico.

Mr. CRAIG: On a point of order, not only come into Barbados but come into Parliament. That makes it worse.

Mr. DEPUTY SPEAKER: No point of order.

Hon. F. G. SMITH: What we have got to accept is very simple and that is that no foreigner has any particular right, God-given or otherwise to walk into Barbados as he likes. Any rights that he gets he gets because we give them to him; so what I am saying is that Barbados is not in this Bill introducing any outlandish legislation. We are a developing country in contro-distinction to a developed country. We have our unemployment problems which the Opposition mentioned. We cannot take immigrants as a matter of policy. Look at America. The War in Vietnam is over and hundreds of thousands of Vietnamese are taken in willy-nilly and absorbed if they want them to be absorbed. America is built up of the millions of immigrants who came from Finland, Yugoslavia and all over Europe. Australia is an immigrant society, Canada is an immigrant society. Can a country of 166 square miles with a population of roughly 250,000 people accept willy-nilly or concede to foreigners the right to walk in here as they like.

Mr. Deputy Speaker, we have an independent country and when I heard people argue for judges as if they are a super breed of people we know that in any year or whenever the Prime Minister calls an election we have got to face the people. Power has got to reside with us because we have accountability. There is no judge on the bench who has accountability. I have to face my people in South Central some time or other, and therefore in an independent country the power must reside with the people who have accountability. As my colleague the Minister of Labour said, immigration is a political matter. In Canada it is, in America it is, and in Australia it is, but you will hear people argue in this Parliament that we must hand over our power to a judge or hand it over to somebody when the American Government in every country that they have an Ambassador or Embassy leaves the right to enter America to some twenty-second Vice-Consul there but they will deny to Ministers who have got to account to the people, if this is democracy, the right on good grounds or not to say who should come into Barbados. No foreigner non-national or resident has any right to use our courts and our machinery if the Government who is elected by the people decides that he must go. He has got no rights, he is not a resident or citizen. A man comes from Timbuctu, you let him land here, you find he brings in cocaine and you say to him "out go you" and he is going to clutter our Law Courts and use our machinery of justice to tell our Minister that he must stay in Barbados.

5.15 p.m.

Mr. HINDS: On a point of order, Mr. Deputy Speaker. That is not alluding to the point I made with respect to the hotel. What I want to see done is this. If as the Minister is now saying, he brings in cocaine, prosecute him and then deport him but do not tell your friend when you know he is at the airport with cocaine, 'don't come in, I will have to prosecute you, go back out.' That is exactly what they did with the man at the hotel.

Hon. F. G. SMITH: I will give another example. A man comes in with investments; he brings in some rusty coppers. All right, we need money. He now finds that the people working in the place are too black; he wants to 'lighten our darkness we beseech Thee'. There is clear evidence that this man is a negrophobe and does not like black people, so you decide to get him out; and he is going to use our courts to tell a Minister of Justice in the face of incontrovertible evidence that he has a right to argue with a Minister of Government that he should not leave? That a man who is a negrophobe and.....

Mr. HINDS: On a point of order, Mr. Deputy Speaker. I am not a lawyer; I am not pretending to be one but what we would like to see done is this, that whoever he or she might be, that that person is given an opportunity to hear the evidence against him or her and to appeal to somebody to determine whether it was right or wrong — whether the action of the immigration officer was right or wrong. That is what we are concerned with, because it is quite easy, Mr. Deputy Speaker....

Mr. DEPUTY SPEAKER: The hon. member is making a speech.

Mr. HINDS: I will make my point of order now, Sir. It is quite easy for some of our security people to get evidence that they manufacture themselves. There is a lot I know about, Mr. Deputy Speaker.

Hon. F. G. SMITH: I agree that that may be so. All laws in any part of the world are operated by human beings; there have been cases in Britain of policemen planting ganja on West Indians and swearing on oath that they found it on them. Every country has some area in which responsibility is not exercised responsibly, but that does not detract from the fact — let us assume; I am Minister of Home Affairs and I arbitrarily, without reason, throw out somebody without evidence — manufactured or not. I have accountability to the people, and if you are saying that I did it without reason, tell it to the people who I have to consult in order to be here.

Tell it to what judge? Why should you give him that right? To tell a judge what? To flout the laws of a responsible country? Let us accept certain things.

A foreigner has no automatic or God-given right to come to Barbados. He can only come as a visitor at the discretion of the Government in power, and therefore it is a Governmental responsibility to decide who comes in and for what purpose; and we as a Government make no apologies for this. If they get in, they could bring the marish or the parish, they could make Barbados a centre for maralanskees, for the maffia; (*Aside*) they could make the law so loose that they could bring in whoever they want.

Right now we are the Government, we are a responsible Government; we are interested in the development of Barbados, in having in honest people who have come to enjoy the resources like the sun and the sea; we are interested in people who are not exploiters, not neo-colonialists but who are prepared to make a meaningful contribution to the economy of Barbados; we do not want any drones. We do not want any racists. We want people who are committed to the development of a young and vibrant nation trying to make its place in the sun, and who else must have that right to decide it but the Government? Columnists and editors do not have to face the people. We have to face the people sooner or later and we will have to give an account of our stewardship and we will have to explain to the people the actions we have taken and the reasons for it. We are not scared of it. Mr. Deputy Speaker, I wonder if they ever get into power — I wonder why they in an independent country always want to whittle down Ministerial responsibility. They get on as if they never expect to get into power, because this road that we are passing is being passed at least a little over a year before Parliament will die automatically. This same piece of Legislation, if they get in — God forbid, — will be administered by them.

They do not get on as though in another year's time, according to them, they will be administering this Act. They get on as if we are going to administer this for ever. So what is the complaint? The Leader of the Opposition says they will be in power soon, so this Bill will be their Bill. In the administration of this Bill, if they say we have no integrity, if they say we are going to keep out people who can contribute to our economy, they will have the opportunity to administer it. This is what annoys me. They get on as if the legislation we pass in here which they claim gives us all these powers, is going to be

exercised by this Party until in millenium. I just.....

Mr. HINDS: On a point of order. What integrity is the hon. Minister talking about, when they would not look after the entertainment allowance for the Deputy Speaker for....

Mr. DEPUTY SPEAKER: That is no point of order.

Hon. F. G. SMITH: Now you see what I am saying. I feel very strongly that, if you are the Government, if your are a democracy the people have put you to rule because they accept and understand that you are a responsible bunch of people. They can change it if they like; and therefore once you have a political accountability, then the power placed in the hand of Ministers cannot be too great, because all of us on this side of the House are committed to the orderly development of Barbados.

We are all committed to improving the quality of life of the people of this country. We are all, in spite of economic and world problems, committed to keeping this country's reputation as it is high as it is; but I want the Opposition to start and let us not use the backs of the poor people as stepping stones to power, because this is what people are doing. Let us raise our voices for the poor Miss Jane I told you about who could not get a visa to go to her niece's wedding in New York last Saturday.

5.25 p.m.

Let us talk about the girl who is unmarried and they think that she is going to get a man and run off; and all of us on this side can testify that we cannot get in respectable people — and the member for St. James knows this — people who have the money, and in spite of their bank account, in spite of their good reputation and the letter vouching for them, some Counsel is going to tell you from the American or Britain Embassy — I will give you the reasons. The reason is that you have not produced enough evidence to show that you are coming back to Barbados as if New York or the whole of America is a place paved with gold and you can walk down 37th Street and pick up million dollar notes.

They do not think that we have pride in Barbados, that we want to live here; and I want you to join your voices with me in letting the American Government know that they have a right to assess people but they are not exercising that right on a proper assessment of the character and integrity of black Barbadians. They look at

this poor girl. "You have a house?" "No". "You are married?" "No." The poor girl has just left school and they think that she is going to run down to Alabama or Georgia. We have to fight for our own people. We have to let people know that as poor as we are, we have a sense of pride, because there are Barbadians who are poor and who have a sense of integrity. They might not have a mansion on the hill, but they are honourable and decent. Let us all raise our voices in unison crying out for these people, crying out against the arbitrary decisions not allowing them to enter the United States, not joining our voice arguing for expatriates or people who want to come here and who basically have no God given rights here.

You hear the hon. member for St. Peter talking about rights and the freedom of the subject. What freedom of the subject is he talking about? When a man wants to come to Barbados whose subject is he? Is he a subject of Barbados? A man who wants to come here has no rights. He can only come at the discretion of the Government or the Immigration Authorities. Let us exercise the power given by this Act in a manner which can only redound to the credit respect and the good name of Barbados.

Finally I make an appeal to this House again. I want you to join with me in letting the American Embassy know that they cannot arbitrarily look at a poor Barbadian and decide to refuse under a section of the Naturalisation Act or some such foolishness. Let them know that some may skip, but they cannot treat every Barbadian who walks up Broad Street on the basis that they are going to run away and not return; because Barbadians love Barbados and Barbados is as good as America.

Therefore, do not let us write about the expatriates like E. L. C. does. I have never seen him write any articles for poor Barbadians. I have been reading his articles from the time that I was born and I have never seen him argue the case for a poor, down trodden, black Barbadian; but because some Englishman gets put out, or somebody gets turned away, somebody high up has rights!

Poor people have rights too. They have come from so far and the struggle is still on. If we are Socialists, even pretended Socialists, let us fight for these poor people of our own country who cannot get out of Barbados because of the arbitrary discretions of other people.

There is nothing wrong with this Bill. Power must reside where it is, with the Government. If

the people want to give it to you, let them give it to you. If they want to give it to the P.D.M. let them give it. If they want to give it to the P.P.P. or whatever it is, let them give it; but power must reside in the people whom the people selected to run the Government. Right now that party is the Democratic Labour Party, and I have every feeling that my Barbadian people, in spite of the problems that we have experienced in the last two years, some self generated, some imported, and some beyond our control, that when the nitty gritty goes down, when the gong is ringing, when the bell is sounding and you are coming into the last lap, with all the early meetings and the running about, when you come to the last furlong then you will know the men from the boys; and then you will see the native intelligence of Barbadians coming to the rescue of a party that has devoted itself to the improvement of this island for the last 15 years. (Cheers)

Mr. BOLDEN: Mr. Deputy Speaker, When they clap it shows their ignorance. When the member on the right of the member who has just spoken claps, it shows his total ignorance and lack of understanding of what has just been stated by the last member; because Mr. Deputy Speaker, the member himself has just condemned his own Government and his own party when he holds up his hands and says that members of Parliament should join with him and talk for the man in the street who cannot get an American visa.

Let me tell this House and the general public that if he understood what he was talking about he would know that this operates simply by reciprocal agreement, Government to Government, and not between Minister and members of any public.

When he talks about people walking in here on a passport or a security card, he is talking about the Minister of Tourism because he initiated the policies; and it proves that the Cabinet is divided from top to bottom, because the Minister of Tourism sits in Cabinet and the Minister who has spoken sits in Cabinet; and Cabinet is the only body which can make the decision to allow a man, woman or child to walk into this country on a driver's licence.

Hon. C. E. TALMA: On a point of explanation. If the hon. member was here when I introduced the Bill, he would not be speaking in this manner because I referred to this fact that the Cabinet, even though the matter was put to the Legal Department for drafting, the Cabinet made further inclusions and made new provisions.

Mr. BOLDEN: What has he said? I said that the hon. member who has just sat down

complained about how his heart burns when he stands at Seawell and sees people walking in on drivers' licences and security cards. That only applies to Americans. These provisions were made by the Minister of Tourism who sits in this very Chamber.

Hon. P. G. MORGAN: Mr. Deputy Speaker, that is patently ridiculous nonsense.

Mr. BOLDEN: An ignorant red man talking about nonsense? What are you talking about?

Mr. DEPUTY SPEAKER: The hon. member will have to withdraw that remark.

Mr. BOLDEN: He is talking about ignorance and nonsense.

Mr. DEPUTY SPEAKER: I will ask the hon. member for St. Joseph to withdraw that remark about an ignorant red man.

Mr. BOLDEN: I will ignore that.

Mr. DEPUTY SPEAKER: I am asking you to withdraw the "ignorant red man" remark.

Mr. BOLDEN: I will withdraw and I now complain about ignorance and nonsense.

Mr. DEPUTY SPEAKER: Order please. I am asking you to withdraw that and there is no condition.

Mr. BOLDEN: I withdraw. Now I am complaining about the hon. Minister saying that I am talking nonsense and ignorance and I ask that that be withdrawn.

Mr. DEPUTY SPEAKER: I am now asking the Minister to withdraw the statement that what the hon member for St. Joseph said was ignorance.

Hon. P. G. MORGAN: I did not say "ignorance". I said ridiculous nonsense.

Mr. DEPUTY SPEAKER: I ask the Minister of Tourism to withdraw the remarks that he made. That is all I want.

Hon. P. G. MORGAN: I withdraw it.

Mr. BOLDEN: Now it proves what the Minister is saying when it comes to black Barbadians. There is no respect. I join him on that point now. Those who come on the boats and land like Robinson Crusoe are treated with the courtesy and the dignity that they use in this

very Parliament. That is where I join with the Minister.

I now go back to the Minister about the rules which allow people to walk in here on drivers' licences and identification cards. Those rules were made by Cabinet in conjunction with the Minister of Tourism.

5.35 p.m.

It was on the floor of this very House that he said he was making provisions for people to enter Barbados easier, so how can the Minister who sits in Cabinet with him now complain that it burns his heart to see people come in here on a driver's licence or and I.D. card, when people who want to get from here go down Broad Street and are turned down? It shows that Cabinet is divided. I do not know who is pulling the reins at this time but it means that that member has no say when it comes to Cabinet. It shocks me to think that he as a lawyer can get up in here and say that when a man comes into your country he has no rights. That is a statement I will put up in my memory and laugh at as one coming from a lawyer, because from the moment you enter a country you have rights. Why should an ex-Attorney General, Leader of the Bar, Head of the Judiciary be so afraid of the Judges in this country? Does he tell me now that according to him in his Party power resides in his hands to the exclusion of the age old theory that the Judges determine what is right and what is wrong?

Hon. F. G. SMITH: On a point of order, he knows that the Attorney General is not Head of any judiciary. He is wrong.

Mr. BOLDEN: I mean Head of the Bar, he has always been Head of the Bar. I will never forget when the Bar Association put up a legal aid scheme when he sat back in the back seat and said he was not interested in what they were doing because he was Head of the Bar and he could do what he felt like. I wonder if he ever wanted to be a Judge. There is a conflict of interest even now with himself, because my belief is that Barbados could be an example to countries when we are dealing with immigration. If he knows of the problems which exist he and his Cabinet should sit down and decide to approach the American Government, British Government or the Canadian Government or any other Government and tell them of the problems our people complain about and let them sit down and work out some sort of reciprocal agreement where there would not cause this embarrassment, but not sit down here

and take it out on an officer in the Embassy. The only body who can change the rules is the Government of the day, so when he talks about our Bill, it is the DLP's Bill, and when we say that the Bill should go to a Select Committee all we are asking is that this Parliament stop the practice of rushing Bills through the House because they have 18 seats and then in a month or two afterward you find that you have to make an amendment to the amendment to the amendment. If he looks back at the Bills passed in this House he will see that the Severance Payments Act which was rushed through this House now has to be amended, but we had asked that it be left for a Select Committee to study. If you look at the Land Valuation Act, Mr. Deputy Speaker, the same problem arose and up to now despite amendments the Bill does not work.

The hon. member is prepared to talk about Jane who went down the road and could not get a visa to go to the United States, why does he not look at his Government and say that it has failed to call the United States Government and ask for talks? But you see they have no shares in the immigration policies of the United States or the United Kingdom it is not like ICA where they have shares and think they can do as they like. When stands up and talks he should look at his right side and ask who made the rules for people to walk in here on driver's licences. Can I walk into the United States or Great Britain on a driver's licence? When he condemns the people coming in he has to condemn those who make the rules at Seawell Airport.

Mr. Deputy Speaker, when we argue that the Bill is a large one, that is has certain things in it which we see will cause problems we are asking that it goes to a Select Committee. It is no use saying they have 18 seats and can push in through because time and time again problems will arise and they will have to come back to the House and amend it. Many of the amendments made in the last few years had been pointed out to the Government before the legislation was passed, and I appeal to the Members on that side to send the Bill to a Select Committee. Again I will say to the hon. member who has just sat down that he should go to Cabinet and report his case and ask his Prime Minister to call a meeting of the British, Canadian and American Governments and work out a policy for immigration so that people can have visas to enter Britain, Canada and the United States and then he can come in here and say they cannot get support.

Mr. MOTTLEY: Mr. Deputy Speaker, I was somewhat surprised listening to the speech of the hon. member for St. Michael South Central who complained about the attitude of the United States Government to the people of Barbados and who stated that there should be no arbitrary decisions on visas to the United States, and yet the same time the very arbitrary decisions for which he is condemning the United States Government this Government is now advocating to itself. I can remember when two years ago there was a lady in this country by the name of Carmen Bailey who was declared a prohibited immigrant and who appealed to the courts against that decision, and as it was part of her case she summoned two Ministers of Government. I believe one is the present Minister of Housing and the other on the Minister without Portfolio.

Hon. P. M. GREAVES: On a point of order, Mr. Deputy Speaker, I was not summoned to appear in that case. As a matter of fact no person has ever summoned me to court for any reason whatsoever in my whole life time.

Mr. MOTTLEY: Mr. Deputy Speaker, I have stated as a fact that he was summoned.

Hon. P. M. GREAVES: And I am stating as a fact that I was never summoned.

Mr. MOTTLEY: If the writ severs refused to summon him because he is a Minister of Government that is a matter of them. The member for St. Michael South West was also summoned.

5.45 p.m.

Mr. ADAMS: On a point of order, Mr. Deputy Speaker. The Minister must be careful with what he says. I have had something to do with this matter. I do not know whether or not a summons was served, but a summons was issued and paid for against the Minister. (*Asides.*) The Minister asked me what I wanted him to give the evidence about and I told him.

Mr. MOTTLEY: Mr. Deputy Speaker, I do not know whether or not the summons was actually severed on him. (*Asides.*)

Mr. DEPUTY SPEAKER: The Reporters are having difficulty. If members on the Government Benches want to converse, they should do so in undertones. Please continue.

Mr. MOTTLEY: Mr. Deputy Speaker, when the Minister of Housing and the member for St.

Michael South West were summoned to attend the court, I had reasons to suspect that it was known by the Government by the Thursday that they would have to appear in court on Friday. When you talk about an arbitrary decision, Sir, here was a West Indian woman being placed before the court and up to now this Government cannot say what she has done in this country to be expelled. We challenge him to get up and say what that harmless woman has done in Barbados to make her a security risk. It was purely because the Government feared that when she was brought before the court and the Ministers were cross-examined in the witness stand that certain information would have to be disclosed. An arbitrary decision was taken at a very short notice.

Hon. P. M. GREAVES: On a point of order, Mr. Deputy Speaker. I ask the hon. Member to state whether the same person was not taken before the High Court. The witnesses could have given evidence there if they wanted.

Mr. MOTTLEY: I am doubtful whether I should say the hon. and learned member. I will say hon. Member, but I do not know about learned. Nevertheless, he shows in that area of law that is somewhat lacking in that respect. (*Asides.*) That is a fact; that is not law. He seems unable to distinguish between what is fact and what is law. Anyhow, the decision was taken for the lady to be put out of Barbados, and the document was served on her on her way to the Magistrate's Court.

Mr. Speaker, we are talking about arbitrary behaviour and yet the Minister of Communications and Works — (*Asides.*) The point is that we are complaining about arbitrary conduct on the part of the American Embassy in Barbados. I hold no brief for the United States Government. I think it is quite clear, and the Government seems to be realising it now, Sir, that the United States Government have sent down some black officers to this Embassy for the purpose of treating black people in this country very badly. For a very long time they have been doing it. They have these people lined up in the Embassy like cattle in a Western picture where they are treated like that. It is really disgraceful to see the way they treat certain people in the United States Embassy in Barbados. (*Asides.*)

Mr. Deputy Speaker, the point is that two wrongs do not make a right. If they are complaining about the arbitrary treatment, then they cannot decide to treat people in the

manner in which they treated Carmen Bailey, a woman who committed no criminal offence. She was no security risk to this country. It was said some time ago that Christine Keeler was a very bad cabinet maker because, in making a cabinet, she put in a few loose screws and the cabinet fell apart. That is neither here nor there but, nonetheless, the Government should look at the whole situation. This Government cannot criticise the United States Government at this stage and then talk about arbitrary powers.

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

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

Hon. P. M. GREAVES: I beg to second that.

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

Part I was called.

Hon. C. E. TALMA: Mr. Chairman, I beg to move that Part I stand part.

Hon. P. M. GREAVES: I beg to second that.

Mr. CHAIRMAN: The question is that Part I stand part. Hon. Members in favour kindly say "Aye" —

Mr. ADAMS: What is the hon. Member saying, Sir?

Mr. CHAIRMAN: Those against say "No".

Mr. ADAMS: Mr. Chairman.....

Mr. CHAIRMAN: I have already put the question.

Mr. ADAMS: In the middle of your putting the question that Part I stand part I got up and said just a minute, Sir. I was on my feet when you said "All those in favour...."

The Question that Part I stand part was put and resolved in the affirmative the Committee dividing as follows:

Ayes: Hon. C. E. TALMA; Hon. P. M. GREAVES; Hon. L. E. SANDIFORD; Hon. P. G. MORGAN; Dr. the Hon. R. B. CADDLE; Hon. F. G. SMITH; Mr. WEEKES and Mr. GREAVES — 8.

Noes: Mr. ADAMS; Mr. CRAIG; Mr. MOTTLEY; Mr. HINDS; Mr. BOLDEN and Mr. FORDE — 6.

Part II was called.

Hon. C. E. TALMA: Mr. Chairman, I beg to move that Part II stand part.

Hon. P. M. GREAVES: I beg to second that.

Mr. ADMAS: Mr. Chairman, it is all very well to talk about Part I and Part II standing part, but it does create certain difficulties.
5.55 p.m.

Now the first difficulty is this, and this leads me up to Section 3 and Section 16: what is the position of persons who are already in Barbados? I had very much hoped that the Minister would have made a statement relating to transitory provisions which would cover these particular sections. I myself as a lawyer have been told by one group of lawyers that people who are residents under former Acts cannot have their status taken away expressly; it must do so positively, and have pointed out that the retrospective effect of the British Immigration Act of 1970 was in respect of limitations on the times within which persons guilty of criminal offences could be prosecuted. All these arguments have been put. The Minister should state clearly whether or not it is intended that people who have already acquired status in Barbados should have to go over the process.

Mr. Dear, Q. C. who is a well-known immigration lawyer has questioned this in print. We deserve an answer about this. In respect of this I would also wish to say this on section 6. What is the point of setting out all these categories if the Minister still has power to refuse? I did not wish to go into this when the original matter was going on, but the policy embodied in the Act has still created difficulties of interpretation although it is a well drafted Act. Section 7 for example dealing with the situation of residents: suppose a man is not a habitual criminal and the Minister says he is a habitual criminal. I myself do not mind what you put in this Act, it is my opinion that the Courts are not going to allow a man who is a resident of Barbados to be deprived of his residency whether

the Act says so or not by a Minister and not have recourse to the Courts. That is my view if you want it, and my view is fortified if you want the Carmen Bailey case. I do not know how many hon. members really know the law. Never forget that the Expulsion of Undesirables Act gives an apparently unfettered right to the Governor-General to expel anybody from this country in his executive capacity. The hon. member for St. Michael North West, the Minister of Housing, was acting Attorney General at the time when the Governor-General held a hearing at Government House, when he and the Solicitor General appeared against Miss Bailey and I appeared for her before the Governor-General at Government House. I do not know how many hon. members are even aware that this took place, but he should be familiar with the Act.

Does the hon. member know that in the Commonwealth Caribbean the Court of Appeal has construed that some Expulsion of Undesirables Act in the same terms in that country as saying that if somebody expels an undesirable and he asks the Governor-General for a hearing, he is obliged to give a hearing and make known the charges, and all that despite the fact that the Act says that there should be no recourse to the Courts. The hon. member should know that. Take the case of Brandt. Mr. Brandt in Guyana had been there for seventeen years and he had to fire a Secretary. She found herself down at the Immigration Department and said Mr. Brandt fired her because she is black and he does not like black people; and an expulsion order was made against him. He went on a habeas corpus just as Carmen Bailey did to the Courts at first instance and he lost, and he appealed to the Guyana Court of Appeal, and they held that while the Governor-General does not have to give any reason and may not be questioned in his first making the expulsion order, if the expelled person enters into custody and asks under the Act for reasons why he made the order, he has to give them. That is a decision which undoubtedly — well, has not got to bind the Courts of Barbados — will bind the Courts of Barbados.

Sir, this is Part II and you have to let me range free. If you had said Clause "X" I could not range free, but the whole policy of the Bill is contained in Part II.

So hon. members should know that no matter what specious arguments are adduced by the Hon. Minister of Communications and Works, he knows perfectly well that a country can have an immigrational policy in which the Minister's power is fettered rather than unfettered, and that it not only works but it works better. He can get

up here and fulminate as if he is talking to a jury in the old big jacket days as much as he likes, but he knows, as I said in my second reading speech, that the Home Secretary of Britain actually welcomes the fettering of his authority which he himself had imposed upon Appeal Boards, and he knows that no matter what you can say about a woman not going to her niece's wedding in New York, he also knows that persons who intend to enter the United States of America and who are there can appeal to the American Courts.

Just for the benefit of hon. members — I was trying to recall the exact circumstances in discussion with the hon. member for St. Michael North West — I have myself stayed here in Barbados and prepared an appeal to the United States Immigration Appeal Board in the State of Michigan and found \$US 25 myself to send up to the Board to file the lady's appeal along with the arguments. From here in Barbados I have done that; so the Minister need not say that the American laws are more severe than ours. They are not more severe than ours. There is a large class of persons who have a right to enter the United States by reason of natural connection, and there is no large class of persons who have a right to enter Barbados by reason of natural connection, and Section 3 of this Act which is the subject under discussion in Part II does not give them that right. In fact, I think the Minister has done himself and his credibility a great disservice, the Minister of Communications and Works, by talking nonsense about...

Mr. CHAIRMAN: No hon. member in this Chamber talks nonsense.

Mr. ADAMS: I am sorry. I withdraw the words. ...by putting forward arguments that have little basis in modern day reality. Particularly I should not follow anything the hon. member for Christ Church North Central has done; I may find myself in the same predicament as he, having to answer letters from lawyers. So I do not want to involve myself where that is concerned.

The first point I am making is that the Minister should state what the Government's policy will be on persons who have formerly been in Barbados. It is a whole wide class of persons. It is not only persons who are official residents now; it is the St. Lucians who came here for a month and who vanished and stayed underground for two years and now at the end of two years they cannot be prosecuted, they cannot be deported except under the Expulsion of Undesirables Act but equally cannot get a proper

status because they have to go and reveal to the Government that they ran away.

Sir, you live in the country and I believe you must know a lot of St. Lucians in Greens, persons who broke the law, but the time has passed for prosecuting them. What is their situation? There was a stage in Great Britain when an amnesty was offered for all persons under a former Act. Something like this should be done. Government should make a policy statement so as to save more law suits on what it will do with people who have been here before the coming into force of the Act and have one type of right or another. These poor St. Lucians who ran away can stay, but they cannot go away and come back. The position should be regularised at this stage in my submission.

Hon. C. E. TALMA: If the hon. member who has just sat down would look at the transitory provisions — I refer to Clause 32(3).

Mr. ADAMS: I am thoroughly familiar with Clause 32(3) and I not only know what is in it now, but I know what was in it before the Cabinet took out. What I am asking is that the Government make a declaration of its policy in that clause, not what is in the clause.

Hon. C. E. TALMA: Mr. Chairman, I am saying that provision is made in the body of the Act. The hon. member wants to know what will happen to St. Lucians who are here for two or three years as the case may be. A person who immediately before the commencement of this Act has resided in Barbados for a period of less than 5 years shall, if he does not already hold a permit that is in force by virtue of having been granted under the former Act specifying some lesser period than six months, can make the necessary application.

6.05 p.m.

Mr. FORDE: Mr. Chairman, I am afraid that the Hon. Leader of the House has missed the point raised by the Honourable Leader of the Opposition. What the Hon. Leader of the Opposition is referring to is not persons who have been here for less than five years. He is referring to those categories of persons who have been domiciled here or ordinarily resident for such a period of time that they have had conferred on them the right to permanent residence and to remain in Barbados without coming into the categories of prohibited immigrant.

Now what Section 32 does is to make it obligatory on those persons within six months to make a further application to the Minister.

Now if those persons already have accrued rights there should be no reason why we should appear retroactively to be taking away their rights by this new legislation, and with the greatest amount of respect to the Leader of the House, the transitional — I do not know about transitory but — the transitional provisions do not answer the case of that class of persons; so I think the hon. Leader should on this point seek some directions from Cabinet and give some proper consideration to the point made by the Leader of the Opposition.

I want to deal with another section of Part 2, and, this is Section 7 sub-section 4. Under this Section if the Minister has reasonable grounds for believing that a resident, some person who has been given resident status, is preaching the overthrow by force or violence of the Government of any other Country other than Barbados, or the abolition of organized Government, or the assassination of any person, or the unlawful destruction of property, he can revoke that person's status as a resident. I suggest to the Government that this is a charter for permitting the removal of people who are opposed to Government such as those in Rhodesia and South Africa. (*Asides*) Let me deal with organized Government in South Africa. Organized Government in South Africa is the most despicable form of Government and I would commend anybody who preaches the overthrow of the organized Government of South Africa or of Southern Rhodesia.

I am dealing with two examples. That is why I said that when the Government is drafting legislation it must make sure that though it wants to cover certain circumstances that may be acceptable to people who believe in the practice of democratic institutions, its legislation is not so drafted that it prevents proper opposition against those Governments who are devoted to undemocratic practices, because of the basis of this, President Kaunda if he received resident status in Barbados, a reactionary Minister would throw him out for preaching the overthrow of Mr. Voster in South Africa.

Luckily for me I am a resident and a citizen, and I would not only preach the overthrow of organized Government in Barbados by constitutional means — because we can preach the overthrow of organized Government by constitutional means — and I go further; I say this to the Minister, that it also means in my view, that if somebody here preached against the abolition of organized government in any of the Commonwealth Caribbean countries

— a resident — where that organized government is being dictatorial, then in those circumstances the Minister can revoke your status of residence. This is so.

If Ministers would sit down instead of coming in here and telling me that the people have given them the power and they are using the power willy-nilly — the trust which the people have given to the Government is a trust to exercise its powers on the basis of commonsense, fairplay and a proper standard of justice; not to exercise its power willy-nilly on the basis of numerical strength.

The hon. member for St. Michael South Central always spoils his good image by following the party line regardless in 99.9% of the cases and simply saying 'absolute power has been given to us, whatever we say is right.' I disagree with him on that. He has many virtues but I cannot count that among one of his virtues unfortunately; and he is my member of Parliament, and I must warn him that the people in his constituency expect him to adopt a different stance on a matter such as this, Sir.

However, to go back to this section, Sir. The Government must recognize that the criticism of that section by the Opposition is justified as is the criticism of section 6 and section 5 of this Act, and also Section 7.

Now in my view it is wrong to deprive people of their status simply because they are in continuous residence overseas for the period of a year. That is wrong. If a resident person finds that he has to go abroad to study, why should he seek a certificate under the hand of the Minister which the Minister may well refuse, and in such circumstances he scarcely has a proper right of appeal to the court, because the Minister has the discretion to refuse it — which does not warrant proper examination by a court.

I again draw the Government's attention, Mr. Chairman, to Section 6. Section 6 is the section where a child under the age of 18 years and who can come into Barbados and may get resident status if his father is resident here; but let us assume that he is lawful and his father is not resident in Barbados, his father is resident outside of Barbados, separated from the mother but the mother is resident here; that child cannot be given the status of a permitted entrant on the basis of section 6. Now this is discriminatory against poor women and their children. This is the point I have been hammering to the Government, and the

Government really needs guidance. I believe that when this legislation comes up there is no proper discussion of it in Cabinet; there is no critical examination of it, there is no immigration lobby in Cabinet as you would have, for instance, in the Labour Government in England where there was a strong immigration lobby with people taking up points such as this under the Act.

So again I am appealing to the Government to send this Bill to a Select Committee so that part 2 of the Act can be properly amended. If this is not done I will have no choice but again to vote against part 2 of this Bill as a matter of principle first and conscience second.
6.15 p.m.

Hon. P. M. GREAVES: Mr. Chairman, honestly I did not intend to speak here, but the hon. Member just ignored my invitation to comment on situations say where persons resident in Barbados advocate the violent overthrow of neighbouring Governments. I do not know why he chose such far fetched Governments as South Africa.

Mr. FORDE: On a point of order. The hon. Minister has not listened to my speech. The hon. Member wanted me to talk about overthrow by violence of the Government of St. Vincent. (*Aside*) Very well, St. Lucia. If Governments are undemocratic, I believe that if you cannot get them out constitutionally because of the fixing of elections, you should overthrow them by violence. That is what I believe. I do not make any bones about that. Anybody who preaches that, I commend them.

Hon. P. M. GREAVES: Mr. Chairman, that does not answer my point. He is talking about "if". I am talking about residents or nationals of neighbouring territories coming into Barbados because they have consistently failed at the polls — coming in from other countries that are not undemocratic — but because they cannot make their mark in politics they are advocating the violent overthrow of a Government. I am not talking about dictatorial Governments, but about Governments as presently constituted in the Caribbean. There are elections....

Mr. FORDE: On a point of order. The Minister is losing sight of something because the Government is supporting the good neighbourliness of Cuba. I do not understand. He is talking about neighbourly Governments. The Act does not say anything about neighbourly Governments. The Act speaks of the overthrow of organised or constitutional

Governments. The Act has got to be dealt with specifically or not. He cannot insert words into the Schedule which are not there. We can only talk on the basis of what is written in the Act.

Mr. CHAIRMAN: Point made.

Hon. P. M. GREAVES: The hon. Member for Christ Church West talked about South Africa and Rhodesia. I do not see that in the Act. I do not know what kind of nonsense we are going to hear. (*Asides*) I did not say we have heard. I said we are going to hear. Mr. Chairman, we have produced an Act to take care of all reasonable contingencies, not for far fetched contingencies like South Africa and Rhodesia.

Mr. FORDE: On a point of order. How can the hon. Member seriously get up here if he understands the international relations of Barbados and consider the preaching of the overthrow of the Government of South Africa as a far fetched situation? Does he realise that in the United Nations we are diametrically opposed to South Africa and the form of Government there, and that the hon. Minister of External Affairs has made a statement on this matter? We must preach the overthrow of the South African Government.

Hon. P. M. GREAVES: Mr. Chairman, I do not consider the overthrow of the South African Government as far fetched. What I consider is far fetched is South Africans coming into Barbados to preach it. I honestly think that that is far fetched. Why not go to Zambia which is next door? Why not go to Mosambique? Why come to Barbados and preach the overthrow of the South African Government?

Mr. FORDE: On a point of order. Is the Hon. Minister aware that South Africans are in Barbados and that some of them preach the overthrow of the South African Government? There have been Rhodesians like President Kuanda who came here and gave his voice to the overthrow of the South African Government.

Hon. P. M. GREAVES: Mr. Chairman, the hon. Member clearly does not understand the way in which a Ministry operates. They have never had the experience, and therefore they do not understand it. You have to arm yourself, Mr. Chairman.....

Mr. FORDE: If the hon. Member wants me to lecture on how a Minister should operate.....

Hon. P. M. GREAVES: "Ought to" is in the clouds, Mr. Chairman.

Mr. CHAIRMAN: That is no point of order.

Mr. FORDE: On a point of order

Mr. CHAIRMAN: Please take your seat.

Mr. FORDE: All right, Sir, I will take my seat.

Hon. P. M. GREAVES: Thank you, Sir. I do not know where I have broken the rules. The point which I rose to make, I have made. It is that the Act must make provision for reasonable contingencies and that in fact is what the Act has done. There is another point, I think made by the hon. Member for Christ Church West. It was in relation to Clause 6 of the Bill, and the question that the issue, the child of a mother born in wedlock is not given automatic right of residence even though the mother is a citizen. He cited an example where the mother is a citizen and the father of the child is a non-citizen — Holy wedlock, not unholy wedlock — there is a separation on the question of the mother being given custody of the children.

Clearly, Mr. Chairman, that is why I made mention that he did not understand how ministerial action functions. Clearly, if the mother is living in Barbados, there is no Minister who is responsible for granting such permission who is going to refuse it.

Mr. FORDE: On a point of explanation. If the Minister is saying that if such a case occurs the Government will give that child permission, what is against writing it as a right into the Act? I am talking about a Barbadian mother who is the mother of a non-Barbadian citizen because the child was not born here and since she does not confer nationality on her child having regard to the restrictions of the Constitution. I am saying that that child should have automatic entitlement to residence. The Government says that in practice it will do so. I am inviting the Minister to make an amendment to the Act to ensure that it takes place.

The Question that Part II stand part was put and resolved in the affirmative, the committee dividing as follows:-

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P.

G. MORGAN, Mr. E. GREAVES, Mr. WEEKES, Hon. F. G. SMITH and Dr. the Hon. R. B. CADDLE — 8.

Noes: Mr. ADAMS, Mr. BOLDEN, Mr. CRAIG, Mr. MOTTLEY and Mr. FORDE — 5.
6.25 p.m.

Part 111 was called.

Hon. C. E. TALMA: Mr. Chairman, I beg to move that Part 111 stand part.

Hon. P. M. GREAVES: I beg to second that.

Mr. ADAMS: There is a very small point I wish to make on Part 111. I ask the Ministers to give this very careful consideration. It does seem anomalous that when you let somebody into a country to become a resident on the grounds that he is able to support himself that he should ever want to work thereafter. It does seem anomalous but there are two reasons why it is not so anomalous. The first is that inflation can destroy the value of his emoluments, his pension and so on, and he may need to work. The second is that he may really have a skill which Barbadians can use even though he is a retired person. I am thinking, for example, of the very large number of Barbadian citizens who have acquired a medical skill in the United States and have retired to Barbados and do not wish to abandon their American citizenship. I do not believe that these people should really have to have work permits and go through all the procedure. I am too afraid of the discretion of the Ministers in these cases, but you know my views on that. You might have a Minister who is a medical man who does not like a particular doctor, or even if he does not like him he might love him, but when he refuses the work permit people will say he would not let him get the work permit because it would mean less money for him. All these things can arise, and I would ask the Government seriously to consider this.

For example, at present you are permitted to enter the United Kingdom if you can maintain yourself. It is not generally known, Sir, that Commonwealth immigrants have a right to enter the U.K. if they can show that they have money in transmittable form which would allow them to maintain themselves without working. Many people look at it as a joke that they show money, about £20,000, they send it to England, they go to England to live and then there are no restrictions on them at all. They can work as they please. Yet I have never heard it suggested that this is regarded as driving a cart and horses through the U.K. legislation. While it may seem

logical, I would urge on the Government to consider very seriously whether there should be any class of citizen in this country who is lawfully resident here but who may not engage in work. Under this Bill there will only be the one class, that is, persons who have shown that they have the means to support themselves. The mischief aimed at will cover no more than 20 or 30 people, and that the 20 or 30 people who are likely to want to work although they would in Barbados represent so small a number of citizens that it is really hardly worthwhile dealing with it.

Hon. P. M. GREAVES: Mr. Chairman, I was listening carefully to what the hon. member has said. There is no doubt about it, in Barbados we are short of some skills, there are some skills we could easily use. There can be no question about this. What we have to be careful of though is that we allow that person who is able to maintain himself because of his means, because perhaps he is a millionaire, privileges over and above persons who have not got his means. I agree that that person might be able to make a contribution to life in Barbados, he not only may have made a lot of money, but in the areas perhaps where we want a person he may have the kind of skills that we require. I agree too that there may not be too many of those people, but there can be no harm in their seeking permits to work if their skills are the kind of skills we can use. I am sure that this or any other Government would not refuse such a person already resident here the opportunity to use his skills for the further development of the country, but we have to be careful that we do not draw a line and discriminate against the man who does not have the means, because that other person has the money.

Mr. ADAMS: On a point of order, is not the person who has the means being discriminated against? All other persons who are given residence and given the right to work if they want to? You are not discriminating in his favour, this Act discriminates against him, and I am just suggesting there should be no discrimination at all. All of them should be treated the same.

Hon. P. M. GREAVES: Not really, that other person could not have come in on his means, that other person could only have come in as a resident Mr. Chairman, because he has a skill. If he has used his means as grounds for entry he could very likely have been refused entry. Here now we are using that person's means as a ground for forbidding him to work.

The question that Part 111 stand part of the Bill was put and resolved in the Affirmative, the House dividing as follows:

Ayes: Hon. C. E. TALMA, Hon. L. E. SANDIFORD, Hon. P. M. GREAVES, Hon. P. G. MORGAN, Dr. the Hon. R. B. CADDLE, Hon. F. G. SMITH, Mr. WEEKES and Mr. GREAVES – 8

Noes: Mr. MOTTLEY, Mr. ADAMS, Mr. HINDS, Mr. BOLDEN, Mr. FORDE and Mr. CRAIG – 6

Part 1V was called.

Mr. ADAMS: Paragraph 23(1) states: "No court has jurisdiction to review, quash, reverse, restrain or otherwise interfere with any proceeding, decision or order of the Minister or an immigration officer had, made or given under the authority of this Act relating to" and so on. I do not believe the public of Barbados likes this, I do not believe the members of the House of Assembly particularly like it, I believe it is futile because the courts go behind clauses like this regularly. I believe it is unpleasant because it is not necessary; the courts of our island do not place so great a barrier between the Ministry in the execution of its duty that would justify taking away jurisdiction from them. All the tendency in modern countries is to move away from executive discretion, and after all in the Soviet Union, I once travelled in the Soviet Union with a gentleman who every time the train I was on stopped used to get out and go to a telephone booth and I wondered who he was calling, and then I later saw he had a girlfriend in Russia and he wanted to marry her. He had his trouble with the Russian police, the Russian police took him off the train and would not let him meet the girl although he said he wanted to marry her, and he put them in court – I would like to say successfully but I cannot – in the fullness of time, even in the Soviet Union as it happened, Sir, but in Barbados evidently we are not going to be like that. Even President Amin did not say that anybody who criticises Amin can be shot, even Amin said you had to have a court before you could shoot them. The argument of the hon. member for St. Michael South Central is only one degree removed from saying you should be able to shoot anybody who is not a citizen or a resident. When he says if they come here we have to do what they want and no court is to tell us, he could as well say that the Minister can order the execution of any non-citizen of Barbados when you really get down to it, that no court is to question it. The public will have an overwhelming impression that because of the mal-administration of the Ministry of Home Affairs in its immigration function, because of the failure of the Ministry of Home Affairs and particularly the failure of the present Attorney General ever to get a decision in which he

appeared in open court and argued a case in his favour he has decided to change the rules. This is like a batsman who puts his foot in front every time and is given out l.b.w. and he makes a rule saying the Umpire shall not give out George Moe when he bats, because that is the effect of this particular decision. Can any hon. member really feel happy with it? I wonder if hon. members forget what it is like when they live outside of Barbados. The hon. member who is reading the Daily Telegraph in contravention of the rules – he could at least put it down on the desk, Sir, so we can pretend we do not see him reading it – I wonder if that hon. member would feel good to know that he being a stranger in England, that there was some regulation saying that the police can pick him up and deport him and he would have no recourse to the courts. I do not believe he would like that, Sir.

6.35 p.m.

I do not believe he would like that. I do not believe any hon. member who puts himself in the position of these people would like it, but yet humanity seems to go through the door when Ministers are considering their own powers. Humanity, decency, commonsense, public opinion and so on all seem to be thrown out. I would certainly hate to be a Minister, and, since civil servants would be involved, that we should make decisions which are unquestionable in the courts in matters that do not pertain to Barbados' national security. The courts have always taken a liberal view on national security.

It is said that a certain gentleman, during the Hitler regime, had burnt down Parliament. He was given a trial and was acquitted; and yet we are hearing in Barbados that we have to take away the recourse to the courts. I have said in here before now that there is a famous expression that an Englishman's home is his castle. In what case was that said in England? It was said in a case where a black man was living in a house and would not pay the rent. The landlady told the bailiff to break down the door. The bailiff tried to break down the door; the man fired shots through the door; the bailiff was shot, and the Judge held that the man was right. An Englishman's home is his castle. This was done by a black man and not an Englishman. The English court could find that this black stranger was right to shoot through the door and shoot the bailiff even though he was not paying the landlady her rent, but we in Barbados must stand and see these people as little strange groups. We feel we are important enough.

Sir, this is a country that depends on people coming to these shores and depends on

Barbadians going to other countries, and we must say that no court must review the decision of the Ministry. Sir, the courts are wiser than the Ministry and especially wiser than the Attorney-General. As I have said in two debates in here already today, I believe that there would be more public confidence in our activities if we were going to permit, in at least as generous a stage as at present, or even a more generous stage appeals from Ministerial decisions to a properly constituted Immigration Court. There is no way in which the Barbados Labour Party can vote for this Clause. I hope that all the persons who curry-favour with the former Attorney-General, they do not have much thought for him now, the Hon. Minister of Communications and Works down in the West Coast when he was a member of the Senate even before being in this House. He is still the darling of the rich foreign people in this country. I hope that they will remember that it was he, the Minister of Communications and Works, whom they particularly favoured and how badly he mistreats the strangers in this country.

The next time I see him at a party anywhere in St. James, I am going to touch him on his shoulder and get around as large a number of residents, voters especially, and say I want you to note it is George Moe who is running for down here, and this man said in the House of Assembly that when you come into a man's country you cannot expect to have any rights at all. That is what I want to do, Sir. The people's whose hospitality he takes, whose champagne he drinks, and whose friendship he regards, they are the people who must know that the money they spend so lavishly on the Hon. Minister of Works and George Moe is nothing but wasted money. He will have to forgive me when I go to Pine Hill and tell the people whose sons and daughters are married to these strangers, or who themselves may be strangers now citizens that they have no rights.

Sir, that is the kind of remark that encourages Enoch Powell to do certain things. If that remark was reported in the British Press, Enoch Powell would go on television and say: "Look what the Minister of Communications and Works of Barbados says about strangers! Why should we treat people from his country any differently?" That has happened already. Powell has quoted West Indian politicians in his anti-West Indian speeches. It is speeches like that, whose sincerity I doubt anyhow, which contribute to this state of affairs.

The Minister of Education is aware of the contribution of a certain limited section of

non-Barbadians make to the educational problems, especially of the younger children in this country. The Minister of Education has to be concerned when he thinks that all of his teachers who have been told that they have no rights in this country and can be treated as they like without any recourse to the courts. They are the Minister who have to administer these things, and they are the people who have to deal with them. We are inalienably opposed to Section 23. It is a disgraceful Section in an area where we know that humanity in the past has been lacking and that has been a public concern over a long period of time.

Hon. F. G. SMITH: Mr. Chairman, I want to tell the Leader of the Opposition that my friendship is not based on what I can get or any party I go to. My friendship is based on what I can do for the people of Barbados. If he tells somebody that I say he or she has no rights, then thank God I do not depend on that party to exist. That is very petty, and I am surprised that the Leader of the Opposition would bring in one's social contact as a basis for arguing on an Immigration Act. If he told people so and they did not invite me to their parties, there would be no bones broken. I have no rights in America. If they do not give me a visa to go to America, I have no rights in America and that is the American Government's business.

6.45 p.m.

What I said and what I repeat is that the 200 million.....

Mr. ADAMS: On a point of order, hasn't the Minister put his finger on it? Suppose you do not have any rights to go to America. We are not talking about rights to come to Barbados; we are talking about rights when you are in Barbados, and he has just said that he has only got rights when he is in America, so he has destroyed the whole basis of his argument. We want rights given to people in Barbados.

Hon. F. G. SMITH: What I am saying is that if I live in Barbados I have no rights in America. Why should I have recourse to an American Court if I am in Barbados?

Mr. ADAMS: On a point of order, is not this argument about people who are in Barbados? The deportation order refers to people in Barbados. A deportation order is the Minister's way of settling disputes under this Act. Do you think I am an idiot?

Hon. F. G. SMITH: The Bill deals with entry into Barbados. Part II does not deal with entry into Barbados. (Mr. ADAMS: Deal with deportation.) Let me develop my point. You cannot tell me what to deal with. I am saying, Mr. Chairman, that the 200 million Americans, the 200 million or whatever Russians have no rights in Barbados. There are two points to my argument, and this is what I was saying about rights first: if an American wants to come to Barbados and is refused entry, he has no vested rights.

Mr. BOLDEN: Mr. Chairman, on a point of order, the Hon. Minister is not looking at the Clause which the Leader of the Opposition dealt with. The Leader of the Opposition dealt with Section 23 in Part IV which says: "No court has jurisdiction to review, quash, reverse, restrain or otherwise interfere with any proceeding, decision or order of the Minister or an immigration officer had, made or given under the authority of this Act relating to.....etc. etc." We are not talking about somebody who is outside of Barbados having rights inside Barbados. We are dealing with persons in Barbados; so if the Hon. Minister wants to argue, let him argue from the premise which was set up by the Leader — what we are against in Section 23(1).

Mr. FORDE: Mr. Chairman, I would like to add my voice to the points made by the Honourable Leader of the Opposition, and I should like to discuss section 23 in relation to section 22. Under section 22 subsection (2) the Minister can order the detention in place of imprisonment of any person against whom he has made a deportation order, and of course under section 23 that person, if he is not a citizen or a resident of Barbados, has no right of appeal against the period of time that he is in prison by order of the Minister.

Now I believe, Mr. Chairman, that if you are changing the law you must have some justification for changing that law to a harsher form than at present exists. The Government can show no case, indeed I challenge them to show one case if one such case exists where the Courts have exercised their discretion capriciously or against the national interest or public security of this country in granting bail to persons against whom deportation orders have been made. In my view it is a retrograde step to give the Minister power of this nature without providing for rights of appeal on questions of bail. Any person who follows the proceedings, the writings and the teachings of the International Commission of Jurists will

understand that this type of provision is outmoded and outdated and harsh even if it is a provision dealing with non-nationals.

The United Nations Charter in its declaration of human rights has repeatedly placed the obligation on countries which subscribe to its tenets to show some proper consideration to non-nationals within their borders. Section 22 succeeds in flouting these provisions of the Universal Declaration of Human Rights. I go further, Mr. Chairman, and invite the Minister again to consider the child, who was born outside of Barbados, of a Barbadian mother. That child comes to Barbados and a deportation order is made against the child. It has not the status of a citizen or indeed of a resident, but it is as Barbadian as you or I am a Barbadian. Now that child on the whim of a Minister can be placed in prison and has no right of appeal except of course to the discretion of the Minister if he feels like not making the order in order to get bail in such circumstances. Indeed this happened once I believe in the case, as the Leader of the Opposition has just reminded me, of a Russian boy of four who came to England and a deportation order was made against the child, but the English despite all the things we say about them now allow rights to review and rights of appeal in these circumstances, and it certainly confers on the courts the right to bail. Why should we be so harsh?

Is the Minister aware that the Government of Trinidad and Tobago in its Draft Constitution is conferring citizenship by virtue of your parents being born in Trinidad and Tobago in order to get around this type of provision? The Draft Bill before the Select Committee of Parliament in Trinidad and Tobago is going as far as that, but we in spite of this are drafting what are known as Henry VIII clauses. This clause 23 was a clause which Henry VIII introduced and made well known by his absolutism as a monarch, and I have repeatedly warned the people in this country that the Democratic Labour Party manifests some of the most dictatorial tendencies that you can ever find in any Government. Now I understand this is being challenged. How can you challenge that statement when you are going to bring section 23 down here which is a Henry VIII clause? I am not going to make allegations lightly, but the hon. Member for St. Michael South Central like myself ought to be well versed in the law and should know from a review of the principles of administrative justice that this type of provision has been knocked

through all Parliaments that have any respect for human rights and fundamental freedom.

Mr. Chairman, no lawyer with any self-respect can really vote for this sort of provision in an Act of Parliament on the basis of telling me that in the 20th and 21st centuries the Government has been elected by the people and it should have absolute power. Absolutism of Parliament or of Ministers in this manner went out from the time of King James and Charles I, and if this Government is inviting people to behead them in order to get justice in this country, it will be done. You should clearly understand that, because I cannot understand how the Government which has in men of reason in some respects can seriously take a lead from this type of clause. Surely you must have some idea of the concept of justice; surely you must have some idea of what is being done in the modern world. If this is the suggestion of a Civil Servant, it is bad by any standards at all and I am urging strongly on the Minister to go back and give a right of appeal to a person other than a resident. You only give it now to a resident and a citizen; they are not the only category of persons who should have the right of appeal particularly on questions of bail.

Mr. Chairman, this will not fetter the power of the Minister to make his deportation order, but it will show that Barbados has some concept of proper standards of justice. As a Vice-President of the Organisation of Commonwealth Caribbean Bar Association I give notice that I am going to raise this at our Bar Council meeting in September as another type of infringement of freedom of the citizen and freedom of subjects. It is a retrograde step and bad legislation. It is a shame that this sort of thing is being defended in this Parliament.

I am going to send to my friend and member of Parliament the hon. member for St. Michael South Central Professor Allan's book on the nature of legislation such as this and the control of ministerial powers. The first thing I did in law school in Cambridge was to study this book about law-making and legislation of this nature.

6.55 p.m.

Every recognized authority who has some consideration for people recognizes that this is a bad provision. The Minister really does not need this power, Sir. I may be the Minister of Home Affairs. The hon. member for St. Michael South Central may be the Minister of Home Affairs. I am not talking about it on the basis of who is the person exercising the power.

I may believe that the present Minister or the hon. member for St. Michael South Central or myself have within us a sufficient feeling of justice. That is not the point. The point is you are liable to get circumstances where a Minister by not proper consideration, or by bad advice, exercises a discretion against which there can be no appeal, and therefore you ought to provide for such a right of appeal in this Bill.

I am begging the Government, Sir. I believe passionately in fundamental rights. I realize that we will err as men. I know that the Government may have some good intentions sometimes, but that still does not answer the problem of trying to make proper and wide provision for this. The Minister does not need this power, Sir. Not in these terms. Surely give him a discretion in relation to deportation. There are people who would come here and make trouble and who may have the plotting of evil in their minds — drug traffickers — some people who may even want to plot the assassination of the Opposition, for instance, so that they will never win a government, and we have as an Opposition to be wary of them. They may not even be plotting the assassination of the Government. They may want a one-party State. The Opposition may be coming near to winning the elections and find as happened in Lesotho that the method of King Johnathan had become acceptable standards of punishment.

Obviously the Minister if he has some consideration for fairplay will have a discretion to deal with these people, but I would still like a provision to give — take a lady whose only sin may be that she is — (Aside) I am not mentioning any particular person — is that she belongs to one of the oldest established professions in the world. I put it that way — and, really you want to expel her from Barbados. Is there any reason why she should be incarcerated until you can get her on a ship? I am not referring to any particular person in this instance. Why should not she have a right of appeal? And what is wrong with giving a magistrate or an administrative tribunal the right to grant her bail pending her deportation from the country. That is all I am asking, Sir. Not necessarily a review of the grounds on which the Minister has exercised his discretion, but some reasonable time and provision being made.

You know, Sir, I have a good point on this. The person whom we want to deport from Barbados — Barbados is too small — cannot hide anywhere in our country. Let us be serious. If we are saying they are going to escape justice and run out of the country it

would cost us not having to pay for their deportation. So that to give them bail in such circumstances is not difficult at all. I have pending before the courts — I am not going to comment in detail on it — instances where people have been deemed prohibited immigrants. On the basis of this provision they can no longer go before a magistrate and ask for bail to have their status determined, unless they can satisfy the magistrate that they are residents or citizens. So that this may well lead to subterfuges, frivolous appeals and frivolous points by way of originating summons in order to give the person a reasonable time. I am appealing to the Government to give some consideration to this point.

Mr. CHAIRMAN: It being now 7 p.m., I move that the Speaker be called.

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

Mr. CHAIRMAN: There is no point of order. I have already made a ruling. I said to call the Speaker.

Mr. BOLDEN: Mr. Chairman, there is no ruling that you call the Speaker. I have never heard about a ruling yet that you call the Speaker.

Mr. Chairman left the Chair and Mr. Deputy Speaker resumed the Chair.

SUSPENSION FOR ONE HOUR

Mr. DEPUTY SPEAKER: It being 7 p.m. this Sitting is suspended until 8 p.m. One hour. 7.05 p.m.

On the resumption:

Mr. DEPUTY SPEAKER: The sitting is now resumed. When the sitting was suspended the House was in Committee and to that it now reverts.

Mr. DEPUTY SPEAKER left the Chair and the House resumed Committee, Mr. LOWE in the Chair.

Mr. CHAIRMAN: When the sitting was suspended the hon. Member for St. Joseph was on his feet.

Mr. BOLDEN: Mr. Chairman, the hon. Member for Christ Church West who spoke on Section 23(1) dealt, in my view, very succinctly with the provision whereby this Government is

now seeking to remove the right to complain to a Court in respect of persons who may be dealt with harshly or unfairly by the Minister or the Chief Immigration Officer.

All that I would like to add to that is that this reminds me so much of the Star Chamber days when persons were incarcerated and had no right of redress or appeal to anyone. They remained at the mercy of the law makers.

I must say that it is a sad day for Barbados to have reached the day when a Government, and especially a Government headed by a lawyer, and having in its ranks many lawyers, seeks to bring such legislation in such stark terms.

Further, I look at Section 24 which deals with the recovery of expenses etc. How unfair it is that after Section 23 removes the right of recourse to the Courts, Section 24 then gives the Government the right to use the Magistrates Courts to extract any money which the Government might spend in the deportation of any person from this country. It seems to me that the Government is reserving the Courts to their benefit on one side and excluding any person from recourse to the Courts on the other side.

I also want to draw attention to the fact that recent legislation has been placing more and more work on the Magistrates Courts without providing the necessary facilities for Magistrates. The Bill we are now discussing is another bit of legislation which does this, and I believe that the Severance Payment Act also places heavy burdens on the Magistrates Courts. This Bill also seeks to place on the Magistrates Courts certain responsibilities like the recovery of monies etc.

What I want to say here and now is that the Magistrates of this country are being saddled with more and more work; but their salaries are among the lowest in the Civil Service, and facilities in the Magistrates Courts are sadly lacking. Nothing has been done for the Magistrates Courts, Mr. Chairman, for years and years. Indeed in District A today had it not been for one who objected to his chambers being used during the Assizes I do not believe that he would have had chambers. What I am saying is that the constant flow of legislation places more work on the Magistrates Courts.

Take this Section 24(1). If the Minister would look at the Act he would understand, but ignorance runs far sometimes, Mr. Chairman.

(Asides). We can never agree with this part of the Act. The hon. Minister of Communications and Works said earlier that when the Act is passed when we come into power we will administer it. I would ensure that the first thing that would happen is to change this sort of repressive legislation. I do not believe that one Government should pass repressive legislation and leave it to another Government to amend it. We will be wasting a lot of time by passing oppressive legislation and leaving it to be amended after others come into power.

The question that Part IV of the Bill stand part was put and resolved in the affirmative, the Committee dividing as follows:-

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P. G. MORGAN, Dr. the Hon. R. B. CADDLE, Mr. E. GREAVES, Hon. F. G. SMITH and Mr. WEEKES - 8.

Noes: Mr. ADAMS, Mr. CRAIG, Mr. HINDS, Mr. BOLDEN and Mr. FORDE - 5.

Part V of the Bill was called.

Hon. C. E. TALMA: Mr. Chairman, I beg to move that Part V stand part.

Hon. P. M. GREAVES: I beg to second that.

The question was put and resolved in the affirmative, the Committee dividing as follows:-

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P. G. MORGAN, Dr. the Hon. R. B. CADDLE, Mr. E. GREAVES, Hon. F. G. SMITH and Mr. WEEKES - 8.

Noes: Mr. ADAMS, Mr. CRAIG, Mr. HINDS, Mr. BOLDEN and Mr. FORDE - 5.

Part 6 of the Bill was called.

Hon. C. E. TALMA: Mr. Chairman, I beg to move that Part VI stand part.

Hon. P. M. GREAVES: I beg to second that.

Mr. HINDS: Mr. Chairman, can the Government say why it is reducing the period of limitation for offences under this Act? I do not know whether any hon. Member can give us the reason. If a person can keep out of the way of the Police for two years he is safe.

8.10 p.m.

Hon. P. M. GREAVES: Mr. Chairman, as far as I can remember under the present law if an immigrant comes into Barbados illegally or stays in Barbados illegally for a period of two years that person has the status of a resident. As far as I understand it that is being removed by provisions in this Act.

Mr. BOLDEN: Mr. Chairman, section 31(3) states that judicial notice shall be taken of all regulations made under subsection (1). That is a peculiar subsection. I think the concept of law is that judicial notice is taken of all laws, but to put something like this here it strikes me as strange, unless the intention is that they may be made and not published and then a judge is supposed to know that these things are there. I would like to know why such a section would have to be introduced. It is a very strange provision, I have never seen it before, we can call this an act of the Star Chamber. As my friend has just drawn to my attention; the existing regulations should have been preserved somewhere in the Act, but if you are making a new law and repealing the old Act one has to say something about the regulations which are going to come in. This leaves a vacuum and it is a very dangerous and uncertain position, and I would very much like to hear an explanation on it.

Hon. P. M. GREAVES: It seems to me to be unnecessary because under subsection (2) all regulations are subject to negative resolution. The draftsman drafted this, this was done by the technicians in the Attorney General's chambers. I do not know why they put this in.

Mr. BOLDEN: On a point of order, the Minister cannot say that because negative resolution has a specific meaning. There is a specific procedure for negative resolution.

Hon. P. M. GREAVES: That is understood. What I am saying is that under subsection (2) not only have regulations to be made but in fact they have to be tabled and they would not have the effect of law if within 40 days under the Interpretation Act there is a resolution passed negating those regulations. This is under the Interpretation Act, that is why I am saying that I do not see the need for subsection (3), but I am not a draftsman.

Mr. BOLDEN: On a point of order, the Minister is trying to confuse Parliament.

Hon. P. M. GREAVES: Mr. Chairman, I take objection to that. I am neither trying nor succeeding in confusing Parliament.

Mr. BOLDEN: On a point of order, the Minister must not shift the blame from the Leader or the person introducing the Bill to a draftsman who is outside and has no voice in Parliament. They are there to answer why it is there, he cannot get up and say he cannot explain it, somebody is piloting the Bill through the House, he cannot blame the draftsman.

Hon. P. M. GREAVES: I am not blaming anybody.

Mr. FORDE: Mr. Chairman, I would again invite Government under this section 31 to subject such regulations to affirmative resolution. The reason is that the Minister is being given under Clause 31 very wide powers of law making and it is not in the best tradition of administrative law in instances of this nature affecting the liberty of the subject or of a person to move that regulations should be subject to negative resolution. Why this form of legislation is becoming very current in Barbados, I cannot understand except that I believe that the legal advisers to the Government are not keeping abreast with proper thinking on such subjects. I am strongly going to recommend to Government a course for many people in administrative justice, including members of Cabinet, so that we can really improve our laws. This type of Bill and this type of regulation made under this type of Bill should always be subject to scrutiny of Parliament, and there should always be affirmative resolutions which the Government brings to get some sort of agreement on it. It is only in routine matters that the negative resolution concept is used, members of Parliament should very seldom bring a negative resolution to this House for the simple reason that many of these regulations escape notice and attention, and on these matters I happen to be a purist, I believe very strongly in administrative justice. I think we can get away from the concept of an ombudsman if we would only be more conscious of the type of laws that we pass here.

If I may explain to the Minister, the purpose of subsection (3) relates to the method of proving regulations in law. At present regulations have to be produced, you have to produce the Official Gazette showing that the regulations appeared in the Official Gazette, because the court does not take judicial notice of regulations, and that is why the draftsman has sought in subsection (3) to include this provision. I wish that the Interpretation Act itself would deal with a

matter of this nature so that most regulations would be judicially noticed.

The question that Part VI stand part of the Bill was put and resolved in the affirmative, the House dividing as follows:

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P. G. MORGAN, Dr. the Hon. R. B. CADDLE, Hon. F. G. SMITH, Mr. GREAVES and Mr. WEEKES - 8.

Noes: Mr. ADAMS, Mr. CRAIG, Mr. HINDS, Mr. BOLDEN and Mr. FORDE - 5.

The First Schedule was called.

Hon. C. E. TALMA: Mr. Chairman, I beg to move that this be the First Schedule of the Bill.

Hon. P. M. GREAVES: I beg to second that.

Mr. ADAMS: Sir, I have a few words on the First Schedule. Section 8 of the Act which is now being passed says that these persons shall not enter Barbados although the Minister may allow them to enter Barbados under certain conditions. The first point I would make is to take up the point made by the hon. member for Christ Church West which relates to the overthrow by force or violence of the Government of any country. Here in the House of Assembly we have entertained an African freedom fighter, I cannot remember his name, but he was on his way to Guyana. This was immediately prior to Mr. Burnham giving the group which this man represented a grant of money to enable them to carry out guerilla training to invade the north eastern part of Namibia.

8.20 p.m

I remember well having lunch with the man. He described certain things to me. I subsequently discovered that the man must have been a fraud because he was unaware of the fact that the point at which the four countries of Botswana, South Africa, Rhodesia and Zambia came together was, in fact, in the middle of a river. He thought it was in a desert, so he turned out to be a fraud. (*Asides.*) The man was here in the House of Assembly. The hon. member for St. Lucy, perhaps, knows who it is. (*Asides.*) He did not take me for a ride. I do not think he took Mr. Speaker for a ride either. I said that he was a fraud in passing. Anyway, he came here,

and his purpose in visiting the West Indies was to advocate the overthrow of the Government of South Africa or Rhodesia by force, and he was welcomed here.

Now, however carefully the Minister reads Clause 8 of this Act, he will find that it is impossible for any such person ever to be welcomed in Barbados again. He can read Clause 8 until he is blue in the face. The only way that a person mentioned in the First Schedule — there seems to be a misprint here. Please look at page 11, and you will see that there is a misprint. There is a misprint in Clause 8 that we have already passed, Sir. It is a bit confused, but it relates to the First Schedule. He will find that the persons described in paragraph 7 of the First Schedule are persons who are or have been members of or affiliated to any organisation which entertains or teaches any doctrine or practice specified in sub-paragraphs (a) to (c) of paragraph 6. That is where paragraph 6 comes in. He can only be admitted after he gives up membership of an organisation devoted to those purposes. This means that last week we could not have admitted into Barbados the President of Mozambique because he was admittedly a member of an organisation devoted to overthrow the Portuguese Colonial Administration of Mozambique by force. He could not have been admitted into Barbados, if this Bill had been in existence. You cannot admit anybody associated with the freedom movement of Southern Africa, if this Bill goes through as it is. This is a fact.

Mr. Deputy Speaker, I was waiting to hear the Minister say that these people are too remote. Who would come here, and so on? As the hon. member for Christ Church West has said, there are South Africans and Rhodesians living here. The Minister of Labour may not know them, but they live here and they are not in favour of the South African Government. I believe I have heard some very revolutionary words from some of them, too. Peter Abraham lived in Jamaica; he is dead now. Could he not come here because he supported the overthrow of the South African Government by force? The Minister will have to think again about this. Only Section 8 allows the Minister to admit a prohibited immigrant. The Minister can admit a prohibited immigrant under certain conditions, and those conditions do not embrace the admission into Barbados of somebody seeking to overthrow a Government with which Barbados does not have good relations, or with which Barbados, perhaps itself, might be inclined to overthrow.

If Barbados was ever engaged in a war with another country, we would still have to forbid people to come to Barbados who are advocating the overthrow of that Government by force. Not even the word "friendly" is mentioned in the paragraph, Sir. There is not even permission for the Minister to designate those people whose Governments may be overthrown by conspiracies in Barbados. I do not know what you are going to do with Mr. Alleyne and so on. Are you going to deprive Mr. Alleyne from lending his very useful services, as I believe they have already been very usefully lent to this and other countries?

Sir, I admired this list when I first saw it. I do not want to say that there are some things I do not like. I see here "Persons who seek to enter Barbados to engage in immoral sexual acts." What are immoral sexual act, Sir? What foolishness is this? Are you going to say that a Vincentian boy and girl who want to come to Barbados and stay at an apartment for a weekend cannot come to Barbados now, because they will go there to have sex? What absolute madness are we getting on with now? Two people in Great Britain, where homosexuality is allowed, cannot come to Barbados and spend a weekend because it is illegal in Barbados? Why are these old-fashioned concepts being pressed into our Act like this? Is it serious that the Minister is going to tell every unmarried man and unmarried woman getting off a plane from St. Vincent: "Do you intend to have sexual intercourse in Barbados?" If they say "yes", will he tell them that they have to get back on the plane? You can carry a joke too far, and the Minister must give serious consideration to doing away with Section 3.

Sir, if it is intended to stop people from coming here to become prostitutes, the Minister should put it in the way it was put in the old Act which says prostitutes shall not enter Barbados. I passed a certain Guest House on Hastings Road last night and saw a most charming young lady standing in the doorway. I said to myself that I am very glad the Immigration Officers have not enforced the Immigration Act too strictly in this case. If the intention is to stop prostitutes from coming to Barbados, then do not talk about an immoral sexual act and all of that foolishness.

If you have not been to the United States you will no doubt be astonished to hear that it is an offence under the Health Regulations in the City for an unmarried man

and an unmarried woman to sleep in a bedroom together for more, I think, than five minutes, or whatever it is. These are laws which are laughed at in the United States. Must we make such laws now? What is immoral in this day and age?

Now, persons who are addicted to the use of drugs is another dangerous expression. Alcohol is a drug, and the use of alcohol is, undoubtedly, the greatest example of drug abuse that exists throughout the world today. The problems of alcoholism are infinitely greater than in the use of marijuana, apart from a similar problem in the use of heroin and other narcotic drugs in the United States. There are of greater disutility to the persons concerned than anything else, yet I do not believe that the Police will ask people at the airport: "Are you addicted to the use of alcohol?" Alcohol is a drug like any other drug. The Road Traffic Act says driving under the influence of drink or drugs.

Sir, I would prefer to see the words "dangerous or narcotic drugs" in this paragraph because that is a little better defined in other Acts. Look at paragraph 7 to the Schedule, Sir. That is the United States old-fashioned legislation, and even that in my submission, as far as the House is concerned, is a little bit dangerous.

8.30 p.m.

Now, Sir, we have another little absurdity: persons seeking to enter Barbados who are not in possession of a passport are absolutely forbidden to enter Barbados by Clause 8 of the Bill, but yet in Clause 9 of the Bill you hear that subject to subsection (2), a person who seeks to enter Barbados without a passport shall not be permitted unless he explains. In other words, although they do not have passports, yet they are admitted. The interplay between the First Schedule and Sections 8 and 9 is so wobbly and so insecure that I can only suggest that the First Schedule was drafted a long time ago and Sections 8 and 9 drafted some time after, and that there have been intervening sections which have been excised in the wash, because the things which we see in the First Schedule are so extreme in one or two examples here that I cannot believe we are serious. I note that persons suffering from communicable diseases under the Health Services Act may be forbidden to enter Barbados. Maybe the Minister of Health can help me. I am not aware that all the forms of venereal disease, if any, are in the Health Act, 1969, yet I tend

to believe that a young Canadian lady with gonorrhea is much more likely threat to the Health of Barbados than some of the diseases recited under the Health Services Act. In fact I would have to ask the Minister of Health if he would be kind enough to assist us with the Regulations made under the Health Services Act. We do not know if any are made. Is venereal disease mentioned in those Regulations as a communicable disease? Is syphilis mentioned?

Dr. the Hon. R. B. CADDLE: Venereal disease is not mentioned in the Regulations.

Mr. ADAMS: The Minister of Health has been kind enough and I thank him for his intervention in indicating that venereal disease is not mentioned under his Regulations. Which is more serious? Twenty good looking young girls coming in here with venereal disease or people with tuberculosis? The number of people with tuberculosis who would seek to enter Barbados is negligible compared with the number who would come in here with VD and yet we have these Regulations which upon careful analysis do not make a great deal of sense, and I would ask those concerned to have an early look at the First Schedule with a view to amending it and also to correcting such parts of paragraph 8 and paragraph 9 as would prevent the complaints voiced by hon. members on this side of the House from becoming a reality.

Mr. FORDE: Mr. Chairman, if I may carry on a little bit from where the hon. member has left off, I should like to deal particularly with Clause 1 of the First Schedule. I think it is well known in this House that I have a very special interest in people who suffer from handicaps, particularly those who are physically and mentally handicapped, and I regret very much that it has been thought necessary in this Bill to draft in such wide terms provisions which exclude handicapped persons from coming into Barbados in the manner in which this Bill does.

Section 8 says that subject to subsection (2), entry into Barbados of the persons described in the First Schedule other than citizens or, subject to section 7, residents, is prohibited. It then gives the Minister under subsection (2) a discretion to allow some of the persons set out in Clause 1 of the First Schedule to enter into Barbados in cases where, for instance, an imbecile or handicapped person is seeking to get treatment

or care from a hospital. In relation to such persons under section 13, an immigration officer may allow such persons to enter. I am not sure whether it is so because it is not clear from the drafting of the Bill whether there is any contradiction of the Bill in Section 13 and section 8, because section 13 permits an immigration officer to allow such persons to enter to attend an educational institution. This is very doubtful. If the Bill is interpreted in that generous way, I would invite the Minister very early to designate our schools dealing with handicaps as approved institutions so that there can be no doubt that persons who come from the Eastern Caribbean for education here are not deemed prohibited immigrants under the section.

What bothers me however about this Bill is that under Clause 7(4) the Minister has the right to revoke resident status to the type of persons who are set out in the First Schedule in Clause 1, and so the Minister may revoke resident status to mentally or physically handicapped persons, and he is only likely to forego such a designation in circumstances where the resident handicapped person is able to establish conclusively that he will not have to earn a living or alternatively where he is related to some other person or some other family who is already here. Now this is an unduly harsh provision. Let me explain to the Minister very briefly. The automatic designation of mentally and physically handicapped persons as prohibited immigrants will mean for instance that under Clause 1 of the Schedule if a resident person has lived in Barbados for, let us say, 40 years, Mr. Chairman, and at the end of that period he becomes physically handicapped, and he cannot conclusively establish that he can earn a living, then the Minister has the right to tread him and designate him as a non-resident.

Now there are not grounds really on which he can appeal in this matter although he has a right of appeal. On what grounds can he appeal? He cannot appeal under clause 23 — the question of the Minister's discretion in this area as to whether it is reasonable or not. Probably hon. members will appreciate one of the reasons why I was arguing so strongly against a provision such as section 23, and honestly a country is judged by the humanitarian principles which it manifests towards people who are less fortunate, particularly by way of their handicap. I strongly appeal to the Minister to consider this as an area in which there should be some amendment. We are going to pass the Bill and

the Schedule willy-nilly some time before the House rises regardless of what the members of the Opposition think. A clause such as this can have no appeal to us because few imbeciles or physically handicapped persons can vote. I am appealing to the Government in this case on the grounds of basic humanitarian principles. Our Government should not really want to be deemed to be lacking in its charitable approach to mankind. We are all christians. The hon. member for St. Philip South and myself are firm believers in christianity and strong supporters of the Anglican religion, no matter that some members of the Anglican religion from time to time put a few blows on the Government or indeed on the Opposition. That does not alter our conviction on principles of christianity, and practising christians like us feel very strongly when we see that a charitable christian attitude is not being taken in our laws.

Mr. Chairman, I am begging the Government at Cabinet on Thursday before this Bill goes to the Senate to reconsider the provisions such as these. There are wonderful precedents in the Irish legislation. The Irish legislation consists of wonderful precedents which we may use in a field such as this. The Swedes who are socialists to the bone and not only vocally are very far- looking into this field, and there is no reason why we Barbadians should be less so.

8.40 p.m.

I am begging the Government in the interest of the handicapped people, the unfortunates of this society, to give some consideration to this. Very few people appreciate the handicapped, you know, Sir. When you have a handicap, people are afraid of you; and since we are appealing to the good nature of non-nationals in particular to help our handicaps, I am appealing to the Government to show some consideration to non-national handicaps as well.

It is proven that the greatest contributions to the Challenor Home and the Cheshire Home and the Thelma Vaughan Memorial Home in St. George come from the non-nationals who come to our shores from time to time. Local people have not shown the same sort of enthusiasm as you get in the non-nationals in raising funds for those institutions. So that non-nationals have shown their consideration.

I have had people who have been physically handicapped asthmatically, who we should have some consideration for because of the good climate which we have here. Some people who

may have worked here for years and may have contributed to the economy but at the end of it find that they are merely pensioners. They cannot prove conclusively that they do not have to earn a living. Under this Act automatically they will be debarred from being permitted entry into our country.

Would the Government please look at this? I am begging now. We do not have the numbers. If we had the numbers over here we would ensure that the legislation contains adequate provisions in this respect.

The question that this be the First Schedule was put and resolved in the affirmative, the Committee dividing as follows:—

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P. G. MORGAN, Mr. R. StC. WEEKES, Dr. the Hon. R. B. CADDLE and Hon. F. G. SMITH — 7.

Noes: Mr. J. M. G. M. ADAMS, Mr. L. S. CRAIG, Mr. W. C. B. HINDS, Mr. C. L. BOLDEN and Mr. H. deB. FORDE — 5.

The Second Schedule was called.

Hon. C. E. TALMA: Mr. Chairman, I beg to move that this be the second Schedule.

Hon. P. G. MORGAN: I beg to second that.

The question was put and resolved in the affirmative, the Committee dividing as follows:—

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P. G. MORGAN, Mr. R. StC. WEEKES, Dr. the Hon. R. B. CADDLE and Hon. F. G. SMITH — 7.

Noes: Mr. J. M. G. M. ADAMS, Mr. L. S. CRAIG, Mr. W. C. B. HINDS, Mr. C. L. BOLDEN and Mr. H. deB. FORDE — 5.

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

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

Hon. L. E. SANDIFORD: I beg to second that.
8.50 p.m.

The question that the Bill be read a third time was put and resolved in the affirmative, the House dividing as follows:—

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P. G. MORGAN, Mr. LOWE, Mr. WEEKES, Dr. the Hon. R. B. CADDLE and Hon. F. G. SMITH — 8.

Noes: Mr. ADAMS, Mr. CRAIG, Mr. HINDS, Mr. BOLDEN and Mr. FORDE — 5.

Hon. C. E. TALMA: I beg to move that the Bill do now pass.

Hon. P. M. GREAVES: I beg to second that.

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

Ayes: Hon. C. E. TALMA, Hon. P. M. GREAVES, Hon. L. E. SANDIFORD, Hon. P. G. MORGAN, Mr. LOWE, Mr. WEEKES, Dr. the Hon. R. B. CADDLE and Hon. F. G. SMITH — 8.

Noes: Mr. ADAMS, Mr. CRAIG, Mr. HINDS, Mr. BOLDEN and Mr. FORDE — 5.

BILL TO AMEND THE BARBADOS CITIZENSHIP (ACT, 1967, 1967-50)

Hon. C. E. TALMA: Mr. Deputy Speaker, the next item is the second reading of a Bill to amend the Barbados Citizenship Act, 1967 (Act 1967-50). I do not believe that it is controversial. (*Asides*) It is in order to provide that the Ministry may issue certificates in cases of the acquisition or renunciation of the citizenship of Barbados.

The position is that in order to amend the regulations, this Act has to be amended in accordance with the legal advice that we have received. The Cabinet was considering certain proposals for the revision of the fees payable under the Barbados Citizenship Regulations and concluded that the Barbados Citizenship Regulations of 1967 should be amended to provide, *inter alia*, for the issue of certificates to persons registered as citizens of Barbados under the Constitution and under the Citizenship Act on approval of their application, and the issue of certificates to all persons who have renounced citizenship. The Crown Law Officers have advised that this Act will have to be amended in order to give effect to the foregoing conclusions in connection with the amendment of the Barbados Citizenship Regulations. That is the whole object

of this Bill. In order to amend the Regulations we have to amend the Act.

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

Hon. F. G. SMITH: I beg to second that.

Mr. FORDE: Mr. Deputy Speaker, earlier today in this House certain questions concerning citizenship rights of persons born of Barbadian parentage were raised. It is true that the Bill with which we were then dealing was not a Bill to amend the Barbados Citizenship Act of 1967 or any provisions of the Constitution dealing with citizenship.

We have, however, now before us a Bill which seeks to make a routine administrative amendment to the Barbados Citizenship Act of 1967, and this is obviously the appropriate time at which we should discuss very seriously in this House what substantive amendments are necessary in the provisions governing the acquisition of citizenship of Barbados.

Only last week I had occasion to look at the provisions of the Republic of Eire governing the question of citizenship, and I know that as long ago as 1962 and even prior to that, that Republic saw fit to confer on the children of Irish women the automatic right of citizenship. Indeed, it went further, Mr. Deputy Speaker, and gave to the grandchildren of their citizens the right to be registered at any time as citizens of the Republic of Eire.

In my experience since 1966 I have found many cases which clearly demonstrate that our Citizenship Laws do not take proper cognisance of the case of those descendants of Barbadian

citizens who ought to be recognised as citizens of Barbados.

I can cite the case of a young lady whose grandfather was a Barbadian born and bred. He happened to be a Minister of Religion, and by virtue of his profession he resided in some of the Eastern Caribbean territories. His children, or some of them, were born in other parts of the Eastern Caribbean. His children grew up in those territories and had children born in the Eastern Caribbean.

Now, Sir, under the Constitution, the children of the minister would have had Barbadian nationality conferred upon them. The grandchildren of the minister, however, would have had no such citizenship conferred on them.

Now, it is difficult for me to conceive that these true Barbadian descendants could be any less loyal to our motto, to our emblem, to our national flag, to our national pledge, than other persons who may come to Barbados and prosper here and have citizenship conferred upon them.

Mr. DEPUTY SPEAKER: I am sorry, but it is 9 p.m. — the moment of interruption.

ADJOURNMENT

Hon. C. E. TALMA: Mr. Deputy Speaker, I beg to move that the House do now adjourn until Tuesday, 15th July, at 12 o'clock noon.

Hon. P. M. GREAVES: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER adjourned the House accordingly, at 9.01 p.m.