THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION OF 1976–81

HOUSE OF ASSEMBLY

Tuesday, 2nd August, 1977.

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

PRESENT

His Honour W. C. B. HINDS, J.P., (Speaker); Mr. R. St.C. WEEKES, J.P.; Hon. C. L. BOLDEN, LL.B., (Minister of Agriculture, Food and Consumer Affairs); Hon. H. deB. FORDE, S.C., M.A., LL.B., (Attorney General and Minister of External Affairs); Dr. R. B. CADDLE; Hon. L. B. BRATHWAITE, (Minister of Communications and Works); Mr. J. G. ODLE, (Chairman of Committees); Mr. V. L. JOHNSON, M.A.; Hon. L. R. TULL, M.A., (Minister of Education and Culture); and Mr. L. L. SISNETT.

Prayers were read.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, 26th July, 1977.

Hon. H. deB. FORDE: Mr. Speaker, the Minutes have been circulated and I will move that they be now confirmed.

Mr. SPEAKER: There being no objection, the Minutes stand confirmed.

PAPERS LAID

Hon. H. deB. FORDE: Mr. Speaker, on behalf of the Minister of Finance and Planning, I ask for leave to lay the following:

An Account of the Transactions in Rum in the several Districts of the Island for Quarter ending June, 1977.

Report of the Standing Insurance Committee and Statements of Account of the General Insurance Fund for the year 1975–76.

On my own behalf I am commanded to lay the Annual Report of the Commissioner of Police for the year 1975.

GOVERNMENT NOTICES

Hon. H. deB. FORDE: Mr. Speaker, on behalf of the Minister of Finance and Planning, I beg to give notice of a Resolution to grant the sum of $210,000 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates, 1977–78, Part I – Current, as shown in the Supplementary Estimates, 1977–78, No. 9, which form the Schedule to the Resolution.

On behalf of the Minister of Caribbean Affairs, External Trade, Industry and Tourism, I also beg to give notice of a Resolution to grant the sum of $88,701 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1977–78, Part I – Current, as shown in the Supplementary Estimates, 1977–78, No. 10, which form the Schedule to the Resolution.

Hon. Miss B. A. MILLER entered the Chamber and took her seat.

Hon. L. R. TULL: Mr. Speaker, I beg to give notice of a Resolution to amend the note to Item II – School Meals Service, under Head 115 – Ministry of Education and Culture.

Hon. H. B. St. JOHN entered the Chamber and took his seat.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to give notice of the following Bills on behalf of the Minister of Finance and Planning:

A Bill to amend the Franchises Registration and Control Act.

A Bill to amend the Registration Office Act.

A Bill to amend the Motor Vehicles Tax Act.

A Bill to amend the Storage of Petroleum Act.

A Bill to provide for the registration of premises that are let out and related matters.

A Bill to amend the Barbados Telephone Company Act.

Hon. L. B. BRATHWAITE: Mr. Speaker, I beg to give notice of a Bill to amend the Road Traffic Act.

Hon. H. B. St. JOHN: Mr. Speaker, there are a number of other Bills of which notice has been given and which have been circulated to hon. members:

A Bill to amend the Bills of Sale Act.

A Bill to amend the Companies Act.

A Bill to amend the Stamp Duty Act.

A Bill to amend the provisions of the Local Government Act relating to trade tax and for related matters.

They have been circulated and I propose to deal with them today.

FIRST READINGS OF BILLS

On the separate motions of Hon. H. B. St. JOHN, seconded by Hon. H. deB. FORDE, the following Bills were read a first time:

Bill to amend the Franchises Registration and Control Act.

Bill to amend the Registration Office Act.

Bill to amend the Motor Vehicles Tax Act.

Bill to amend the Storage of Petroleum Act.

Bill to provide for the registration of premises that are let out and related matters.

Bill to amend the Barbados Telephone Company Act.

Mr. SANDIFORD entered the Chamber and took his seat.

Hon. L. B. BRATHWAITE: Mr. Speaker, I beg to move that the Bill to amend the Road Traffic Act be read a first time.

Hon. C. L. BOLDEN: I beg to second that.

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

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that the Bill to amend the Bills of Sale Act be read a first time.

Hon. H. deB. FORDE: I beg to second that.

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

12.20 p.m.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that a Bill to amend the Companies Act be now read a first time.

Hon. H. deB. FORDE: I beg to second that.

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

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that the Bill to amend the Stamp Duty Act be now read a first time.

Hon. H. deB. FORDE: I beg to second that.

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

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that a Bill to amend the provisions of the Local Government Act relating to trade tax and related matters be now read a first time.

Hon. H. deB. FORDE: I beg to second that.

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

Hon. L. B. BRATHWAITE: Mr. Speaker, I beg to move that a Bill to amend the Road Traffic Act, Cap. 295 be now read a first time.

Hon. C. L. BOLDEN: I beg to second that.

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

ORAL REPLIES TO QUESTIONS

Hon. Miss B. A. MILLER: Mr. Speaker, I beg to give notice that the Oral Reply to Parliamentary Question No. 42 is now ready.

SUSPENSION OF STANDING ORDERS

Hon. H. B. St. JOHN: Mr. Speaker, in view of the rather heavy programme that we have to deal with today, I beg to move that Standing Orders 6, 16, 18, 20, 42, 43, and 44 be suspended for the remainder of the day's sitting. Of course I give the indication to hon. members that sometime on Friday, Private Members Business will be dealt with.

Hon.L. B. BRATHWAITE: I beg to second that.

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

ORDERS OF THE DAY

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that Government Business be now taken.

Hon. H. deB. FORDE: I beg to second that.

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

A RESOLUTION TO APPROVE THE PENSIONS (PENSIONABLE OFFICERS) (AMENDMENT) ORDER, 1977

Order No. 3 was called – A Resolution to approve the Pensions (Pensionable Officers) (Amendment) Order, 1977.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, this Resolution is a very short and simple one. It relates to the position of the Manager of the Barbados Savings Bank. As hon. members may recall, when the Savings Bank was removed from the Public Service pure and simple and given corporate position, its then staff continued more or less in office. It has been discovered, however, that although it was intended to maintain the pension rights of all public officers in tact, it has become necessary to include the position of Manager of the Barbados Savings Bank which did not exist before among the pensionable officers in order to make sure that the present incumbent of the post, who is very near his retiring age will be entitled to his pension in the ordinary way of business. That is the substance of the Resolution.

I do not want to detain the House too long on this matter, but I think I should give a short report on the forthcoming arrangements for management of the bank. I did not see any hon. members of the House at the actual opening of the new facility which may rather make nonsense of the complaint of the hon. member for St. Michael South about the hon. member for St. Michael South Central not being invited by the Minister of Health to some ceremony at Litchfield, St. Peter. If our invitations are treated with such contumely, they could hardly put in any complaint when they do not get them. I can hardly remember that any of the hon. members even sent an apology. That is only in passing.

Points can be made on all sides in respect of this matter. I will continue to invite the hon. member for St. Michael South who is his party's only effective spokesman on finance – not very effective, but the only one with any pretensions to effectiveness. I will continue to invite him to all functions relating to the Ministry of Finance, if only for the pleasure of reading his implicit praise of the Ministry's present policy when he writes weekly in the Sunday Advocate-News.

As far as the bank is concerned, I will not go over all that I said on the occasion, but there are one or two matters to which I did not advert. The Government Commercial Bank when it goes into operation is to be commercially managed. I am not suggesting in any way that the former incumbent would not have made a good commercial manager; but he is very close to the retiring age, and naturally a successor has to be found for him.

We have therefore advertised for a manager and we are advertising for management trainees. We intend that this institution should be able to stand up next to any of the commercial banks in Bridgetown in terms of the standard of its type of management. We cannot unfortunately, offer such salaries as are paid at Barclays Bank. I do not think that anybody being paid from the public treasury could expect $100,000 a year or such as is enjoyed by certain employees of Barclays Bank in Bridgetown. Nevertheless, we believe that we will offer terms and conditions of service, including salaries, that will be able to attract good people.

Many commercial banks in Bridgetown have been managed by people in the past who left perhaps secondary schools, and left before the examiners had an opportunity to estimate how they would have done at 'O' Level far less at 'A' Level; but those days are, I think, no longer

with us. They will not be as far as the Government Commercial Bank is concerned in the future.

I was told up to yesterday morning when I saw a senior public officer on his way to interview candidates for some of these managerial positions that there has been a very satisfactory response to the Government's advertisements for trainee managers. We are continuing to hold January 1st 1978 as the projected date for the opening of the new banking institution.

Mr. Speaker, I think that this is a subject that has been canvassed more in the last year. It is a subject which is accepted as being an outstanding and popular part of the programme of the new Government; and I therefore very much hope that the praise which has been so generously showered on all projects with which the Democratic Labour Party had some tenuous – highly tenuous association in some cases – will not fail to be showered by the member for St. Michael South upon the new commercial bank when it comes into operation.
12.30 p.m.

I look forward to reading his words of wisdom, if he is not too frustrated in the events forthcoming at the Annual Conference of his Party later on this month, and continues on the Opposition bench with the same force and vigour which he has brought to bear on his duties there so far.

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

Hon. H. deB. FORDE: I beg to second that.

Mr. SANDIFORD: Mr. Speaker, I rise to speak on this particular Resolution. Indeed, if I had not intended to speak on it, the Prime Minister and Minister of Finance has actually by his words invited me to speak. I have never seen him gone out of his way so often to invite me to speak on a measure and to shower praise on him. If he is in need of some support for his policies and it is not too readily forthcoming from his cohorts and associates on the other side, well, he can rest assured that any measure, which will redound to the benefit of the people of this country, will certainly get support from the Opposition.

I would like to say, first of all, that I received an invitation to attend a function at Grantley Adams International Airport to mark the opening of the Savings Bank operation at that International Airport. I would like to assure the Minister of Finance that it was not due to any maltreatment of invitations extended to me why I did not attend. I do not know how many other members on this side of the House received an invitation, but I did receive an invitation and I would like to assure him that I did intend to attend that particular function. I got as far as Bridgetown, to be exact when I had to stop, and there were some heavy rains on that afternoon in Bridgetown as well, which detained me from reaching my destination. I would like to assure him that I had set out for the function, because I wanted to hear what further words he had to say in respect of further developments of the Barbados Savings Bank and how he planned to carry on the very good work of re-organisation laid down by the Democratic Labour Party while it was in power. He is carrying on in a good tradition. We are certain that the foundations in terms of the re-organisation and the restructuring of the new Headquarters for the Savings Bank were well laid by the Democratic Labour Party, and everything is being carried on.

Let me also extend a word of appreciation for information submitted by a public officer, who works in his Ministry, under the Minister of Finance's direction, as I understand it, on matters relating to the developments of the Savings Bank. I think it is a very desirable development when matters are raised on the Floor of the House that, certainly, the Minister of Finance – I cannot speak of the other Ministries – has gone out of its way to supply the information. I would like to thank the member who was deputising at that time, the Leader of Government Business, for drawing it to the attention of the Minister of Finance, and to thank the Minister of Finance for sending the information to me.

Mr. Speaker, this particular measure, as the Minister of Finance has indicated, is really a non-controversial one. It is to correct a situation in which the Manager of the Barbados Savings Bank is due shortly for retirement, and, in order to regularise his position, he is being placed on the schedule of offices which are pensionable for the purposes of the Pension Act, according to Chapter 25 of the Laws of Barbados. No one on this side will quarrel with that particular problem, but I think this particular measure that is before us gives this House an opportunity to raise a number of matters relating to that Pensions Act, Chapter 25.

As I said, we are not in disagreement with this particular measure that is before us. It is one that meets our support or will get our support, but it raises at least two questions. I believe there

is an outstanding matter relating to the review of all pensions legislation, which would facilitate officers who retire or resign from the Public Service to go into private employment and then return again to the Public Service for their pension rights to be guaranteed and to be given some form of continuity. *(Asides.)*

Mr. Speaker, I am getting some information from across the House from the Attorney General indicating that this particular matter may have been passed.

Mr. SPEAKER: The Chair would pray and beseech the hon. member for St. Michael South that he would not, on any occasion whatever, entertain any cross-talk whether it be from the Attorney-General or from the General Attorney. Please continue to address the Chair.

Mr. SANDIFORD: Mr. Speaker, thank you very much. With your accustomed impartiality in the Chair, I am certain you will also turn to the General Attorney or Attorney General and advise him not to seek to give any advice across here by means of an aside. However, Mr. Speaker, whether this matter has been dealt with or not, we would like some confirmation of this particular matter as to whether this particular provision to permit continuity of pension rights, in the circumstances which I have described, has actually reached the Statute Book or not.

12.40 p.m.

As I recall it, this was a matter which was canvassed from this side of the House when we were in Government, and I believe that statements have been made by the Government to the effect that they intend to bring this type of legislation in order to provide continuity of pensions, and I would just raise this particular matter. There are a number of Pensions Acts which are involved in this particular measure which would have to be amended in some way or another to provide continuity. I believe the matter was first raised perhaps about 1971 in the Speech from the Throne to provide this continuity as far as public employees are concerned when they retire or resign, but we know the difficulties in terms of carrying out this type of consolidation and amendments especially when a variety of Acts are concerned, so I merely raise this point as a desirable development which I believe both sides of the House may be in agreement with.

Mr. Speaker, this particular measure raises other problems. As I understand it, the Pensions Act requires persons to retire under special circumstances at the age of fifty; they may be required again under certain circumstances to leave by the Governor-General at the age of 55, and indeed public officers are compulsorily retired at the age of sixty; and this particular measure gives us an opportunity to raise a question in respect of the Government's policy for persons who have reached the age of 55 or who are between the ages of 55 and 60 in the public service. I believe that recently certain categories of workers have been called upon to retire at the age of 55, and it is to be wondered what is really the policy of the Government in respect of those public officers who have given considerable service, rendered worthwhile service to this community and who are called upon when they reach the age of 55, simply because they have reached the age of 55, to retire from the public service, and we would like some clarification of the Government's policy in respect of this particular matter. Is this a general policy to call upon public officers no matter what category they may be in — Director of Statistical Services may be or any other persons with the rank of Head of Department or Permanent Secretary in the Administrative category, or the Executive category, or indeed the clerical category; we would like to know what is the policy of the Government in respect of those persons who reach the age of 55. Have we reached the stage in this country where persons who have reached that particular age, who have given very valuable service to this community, will be called upon to retire or to resign at that particular age of 55, in which case 55 becomes the magic age for retirement? We would like to know because this raises certain problems.

We know, Mr. Speaker, that certain workers in the school meals department have been called upon at the age of 55 or over to leave the public service. We are not aware that other workers in other departments of Government have been so called upon and we would like some clarification of this because we would not like any discrimination in applying the provisions of the Pensions Act or any other related legislation on the Statute Books of this country against the interests of the lowly paid workers in this country and others in other categories who may be in higher positions or positions which may be considered to carry greater responsibility where they are discriminated against and given more favourable treatment. If there is a policy to retire persons at the age of 55 in terms of existing legislation, the Minister responsible for pensions must come out openly and say that this is the policy of the Government. I think this is clear; it is the only fair way to administer the laws of this

country, if not, if there are special circumstances relating to a particular category of worker, we would like to know what are the reasons for this.

I do not wish to pursue this matter in any more detail at this stage because I believe at some stage there will be a substantive debate, subject to the usual permission, on this matter; but I wanted to raise this general problem of retirement at the age of 55. We want to know whether this is a general policy relating to all categories of workers, because so far, we have only seen it apply to workers in the School Meals Department, and unless information comes to the contrary, we might have to consider branding that particular measure as an act of discrimination against these categories of workers.

Mr. Speaker, we would like to know what is the policy of the Government in this particular regard, and I would like to say that we consider that the age of 60 is the normal age for retirement from the public service and I would like to say also that at 55 years of age persons still have a worthwhile contribution to make towards the public service of this country, and should not, so long as they are in a position to render that service, be turned off when they are least able perhaps to find alternative employment, especially in these days when far from additional employment opportunities being provided, additional unemployment is stalking this land from day to day. This is a very serious matter, Mr. Speaker, and we would like some clarification on this issue. We believe that at 55 public servants in this country in whatever category still have a further contribution to make to the public service, and we would not like confusion to be created in the ranks of the public service on this particular matter.

I do not wish to say anything more on this matter. I have tried to frame the matter in as restrained tones as possible, and I have also indicated that at some stage we may have a substantial debate on this particular matter, and with those words I hope that I will get a response on the matters I have raised.

Mr. WEEKES: Mr. Speaker, having heard the Minister of Finance, I would like to apologise for my absence on that particular occasion. I consider it my duty to let the House know that I received an invitation, but owing to heavy rains on that particular occasion, I found it actually impossible and inconvenient to attend the function. I therefore want the Minister of Finance to accept my apology in good faith.

12.50 p.m.

Dr. CADDLE: Mr. Speaker, I would like to hear from the Minister of Finance about his attitude towards the proposals which originated with the previous Government regarding the Government pension scheme. The previous Government considered this desirable to have the scheme because we felt it would eliminate some of the irregularities and inequalities where pensions were concerned as it affected workers and as it facilitated the movement of the workers from Government in the private enterprise and vice versa. It was the intention of the previous Government to relate the retiring age to the length of time the person served in Government service. In other words, we considered it would be more desirable rather than stipulate that people should retire at a certain age, and rather relate retirement to how long a person would have served in Government service. But a definite period had not been determined and I wonder if the Minister of Finance is aware of these proposals, and, if he is aware, what are his views on the matter. In some countries this has been done and when people have served thirty years in Government service they can come out. Some people feel that after a period of twenty five or thirty years with one organization they desire to try something else. This may be difficult in Barbados to be able to move from one employment to another. Also when people have worked for a long period of time and are entitled to certain benefits they don't want to lose them by retiring prematurely and go into another business. So I think setting up a national pension scheme and giving consideration to all the time a person has served in the service would go a far way in eliminating some of the difficulties which senior people in the Civil Service now have when they desire to leave the Government and go into private business. We also find it is difficult to attract people from private enterprise into Government service not only because of difference in salary but also in other benefits such as pension scheme, etc. So I think it would be in the best interest of everyone to set up a national pension scheme and I would hope that the Minister of Finance when replying would give some indication of his opinion on this matter.

So when one is thinking in Barbados about age and retiring at sixty or sixty-five, I would like to point out that in the Barbadian society people at that age limit have as much need to work as people in the other extreme, that is,

people who are still young; and this can land such people in very straightened circumstances if they are called upon to retire when there are very few opportunities existing for these people otherwise. A man of fifty-five or sixty does not cease to have financial needs, and putting a person out of work by a mere virtue of the fact of superannuation at such age will only create more problems, and Government will have to face these problems because such people will not be able to find other employment opportunities very easily. People in the Social Welfare Department should be well aware of the demands made on that department by people who cannot find employment and have various bills to pay such as food, light, etc., and the only way for them to meet these commitments is to seek assistance from the Social Welfare Department. In trying to give younger people an opportunity to work by asking older people to give up work is only putting a strain on the older people, and I hope that there will be a more reasonable answer to be found in future on the employment of people not only in the younger age group but also in the older.

Also related to this is a question of people who have retired and are drawing substantial pensions and then take up positions in other fields. This has attracted much discussion among people in this country, especially people who are qualified and who expect an opportunity to move up but find retired persons employed in various spheres. I would like to know the policy of the Minister of Finance or the party's policy on this.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, as the hon. member wishes me to, I will reply. First of all in respect of the hon. member for St. Michael South I did not realise he had sat so well at the feet of the Gamaliels of the Opposition, and I had to admire the way he brought in the School Meals Service in relation to the matter of the Savings Bank. I smiled when I heard the other hon. member who has just sat down, for I understood the hon. member for St. Michael South to say fifty-five years of age was too young to retire, but the other member was suggesting retirement at forty-eight years of age.

Dr. CADDLE: Mr. Speaker, I did not say that. I wanted to consider length of service as grounds for retirement rather than age.

Rt. Hon. J. M. G. M. ADAMS: I can appreciate the skill of the hon. members in seeking to avoid the full effect of the words used, for I think the official Reporter will have a note about his mention of the age of forty-eight; but we will pass that over.

Dealing first with the general point; it is not the intention of Government to make fifty-five years the general age of retirement. The hon. member knows as well as anybody else that the School Meals Service is in the process of reorganization; that the staff who may have suited a small School Meals Service might not suit a larger service.
1.00 p.m.

He also knows perfectly that there were political difficulties in the way of exercising the disciplinary powers given to those appointed to oversee the School Meals Service. I have sat in this House and heard Mr. Cameron Tudor say that a deliberate policy of employing known supporters of the Democratic Labour Party was exercised in considering appointments to the School Meals Service. I have heard the hon. member for St. John ask, "who you want us to employ, your supporters?" in connection with this. I do not mind whose supporters you employ, and nobody will be dismissed according to whom they support, but what I know is that the same people, having heard that they got the jobs through their support of a political party, proved to be very intractable and difficult employees, and when the same political party wanted to dispose of the services of some of the School Meals employees there were political difficulties in the way.

I just throw this out, it is not in any way motivating the actions of the Government. Among those who got notices are members of the Barbados Labour Party, and I presume that among those who got notices were members of the Opposition. I presume that. As a matter of policy it was decided that a certain number of persons would be retired at certain ages. At an earlier stage a number of persons aged 60 were retired. There was no complaint about that, although at the time there was no provision for retiring casual workers at age 60. I think all this talk about retiring at age 60, some people seem to have forgotten that this applies only to the Established Staff and the Unestablished Staff, as I recall it. Temporary Staff, I believe – I mean I am not sure of every detail of the Establishment Orders at certain ages – is a narrow, specifically taken decision designed to

assist with the re-organisation of the School Meals Service. A number of persons were put in a position where they would receive enhanced pensions and at the same time they were superannuated, and to me that savours of hypocrisy when people say how can you retire them at the age of 55, is that your policy, when these same people in the Union and otherwise have never made any complaint of the superannuation provisions which at present exist in the Pension Act.

If it is wrong to retire them at 55, why did they not know it was wrong to retire people at 55 when the Democratic Labour Party Government was in power? And at that stage apply to Government and ask the Government to change the provision so it is no longer possible? Something is only wrong when we in the Barbados Labour Party do it, it was not wrong before. I know of a meeting at the NUPW held last year at which it was agreed to have a protest against the Government, and at a subsequent meeting it was then decided not to have the protest because it would embarrass the then Government, but apparently no thought of embarrassing the Government is now present in the minds of these persons and their spokesmen. Apparently. So the Government is however to be embarrassed.

I would just like to say something. I would like to reiterate that it is true that the case for the School Meals Workers was put to the Press before it was put to the Government, contrary to what you may have read in a misleading advertisement. I pay no attention to those advertisements, the Government does not have the slightest intention of responding to them. If they want to waste the public officers' money by taking half page advertisements in the Advocate, that is up to them, the Treasurer and their membership. They are welcome to waste the subscriptions which they are paid. I hope they will have money to pay strike pay if they ever hold a strike, but I want to know where their voices were? Where was the voice of the hon. member for St. Michael South when one of his constituents, Olga Dubois, was retired at the age of 55? Where was your voice then, I ask? Where was your voice when Olga Dubois who went to her grave with an unsettled grievance, who worked at the St. Michael District Hospital, where was the voice of the hon. member for St. Michael South when this well known and well ventilated grievance was going around? He could not raise a voice for a poor woman, never a blemish on her record has arisen comparable to those of some of the others. He could not raise his voice for a poor woman working in his own constituency, at St. Michael's District Hospital, but he is picking up the fire rage of people who I can only say, Mr. Speaker, are by no means blemish free in their work records, but I would not pursue that any more; be satisfied it is not part of the policy of Government. Let hon. members be satisfied, and of course I exempt any hon. member who has in his innocence repeated these things.

I am not suggesting in what I am going to say that any hon. member is guilty of this, but let all those mischief makers who are seeking to put fear and trepidation into the hearts of the older public workers by suggesting that they are going to be retired when they are 55, let all those saboteurs go home with their tails between their legs. I call it mischief making, sabotage deliberately intended to break the morale of the older worker in the public service and break down the administration of this island. Deliberate sabotage, mischief making is what I call it. I will not call the suggestion that the Director of Statistical Services was retired prematurely, mischief making, because the suggestion was made by an hon. member in here. All that I can say is that it is completely, totally and utterly untrue. I would be glad for the services of Mr. Charles Alleyne to continue, but Mr. Alleyne has been offered a superior job and he has availed himself of the opportunity of retiring in exactly the same way that the hon. member for St. Michael North Central suggests that public officers should be able to retire, he is retiring to serve Barbados, the Barbados Family Planning Association, in another position. I think that to drag his name into the question of the School Meals workers is really to do no service whatsoever to the standard of debate in the House.

Mr. SANDIFORD: On a point of elucidation, if the hon. member will give way. I would like to say it is not a question of dragging Mr. Charles Alleyne, Director of Statistical Services, name into the debate, I was merely saying that I noted that he had retired at the age of 55, and indeed when privately this matter was raised it was a member on your benches who sought to point out that Mr. Alleyne was retiring at 55 and that it was not only the School Meals workers who were going at that age. That did not come from this side.

Mr. SPEAKER: The Chair has no benches.

Mr. SANDIFORD: I am glad to hear that, the Chair has a Chair.
1.10 p.m.

Mr. Speaker, on a further point of elucidation. There was no intention on my part in my address to this Hon. Chamber to cast any aspersions or anything like that on the service of Mr. Charles Alleyne because he is a Public Officer for whom I have the highest regard. Mr. Speaker, I am concluding the point of elucidation. I am aware that there are public officers who from time to time, because of their expertise, will be required to work beyond the age of 55 or indeed of 60 in very scarce areas, and Statistics is certainly one of those.

Rt. Hon. J. M. G. M. ADAMS: Well, Sir, I am very glad for the elucidation. The hon. member's speech could have given no hint that something which we could have used as an argument – namely that Public Officers go home at 55, perhaps not in such large numbers as they go home at 60 – but they go home at all ages between 55 and 60.

Mr. Speaker, before I turn to the speech of the hon. member for St. Michael North Central – a very welcome contribution. He opened my knowledge to something, Sir – before I turn to that, I think that since the School Meals persons have been mentioned, I should perhaps take this opportunity and set the public's mind at rest in respect of one small aspect of it.

There were in all 39 people involved, 37 at one time and two at another. Of those 39, two persons are not considered to have any claim on the Government. Those persons were employed between 23rd August and the 6th September last year at an age when persons are not normally taken on in Government Service. Neither of them has worked a year. One was taken on before the Election – in fact both were taken on before the Election – but one did not take up duties until the Monday following the Election. The Election was Thursday and one took up duties the Monday. They were taken on beyond the normal age, and so no further consideration is being offered for them. They are still within their probationary period, so to speak; and their probation was not such as to make the School Meals Service feel that these persons, taken on during the middle of an election campaign, totally untrained, have shown so much quality at a late age as would entitle them to keep younger persons out of position.

I have not got the up to date figures, but as I recall it, out of these 39 people – although the NUPW says that none of them is over 60, which is untrue – one of them in fact was over the age even for appointment to the Unestablished Staff – over 61, and in fact it had to be noticed. So that person would have gone anyhow. Four other persons are over 60. Not between 55 and 60.

Eleven of the persons, including the lady that gave an interview to the Advocate, have done an adequate number of years and will receive a gratuity and pension. The figure of 11, I think is correct. I am not speaking from figures in front of me, because I had not expected this. I understand that seven persons have been taken back on to act in the positions which they vacated so as to bring them up to 10 years of service. These are persons who would be enabled to do 10 years of service. People who have done more than eight and a half years are being given the extra period of acting appointment in order to qualify them for a pension in addition to the gratuity for which they are qualified. In respect of the remaining persons, the Chief Personnel Officer and Chief Establishments Officer are, I believe, arranging to top up their gratuities to certain levels as if they had worked out the time. These include persons who, even if they had worked to the age of 60 would not have been entitled to get a pension.

Now these are the facts. People going home on pension, people over 60 or who will reach 60 this month, during the month of August before they would normally come back on for service, people who are being put in the offices which they vacated, including at least one person who gave an interview to the Advocate and who by no means has a good work record, a person after whose last assignment a Supervisor sent them home because they would not work and so on. Even this person since it is only a few months more, as an act of grace we are letting him do out his ten years so that he can get a pension.

This is what we are accused of behaving inhumanly in respect of, putting money in people's pockets and giving them a pension, which they would not have got under the same condition if we had not appointed.

them to the unestablished post in the first place. We are accused of inhumanity in this. Now to deal with the National Pensions Plan, it is the policy of this Government to implement a National Pensions Plan as a long term project.

I am not aware that it was ever the policy of the Democratic Labour Party enunciated in quite such depth as suggested by the hon. member for St. Michael North Central. A National Pensions Plan in its full form will, as has been pointed out by these responsible for Establishments in the discussions which have been ongoing since the month of September, 1976, may take over 40 years to work out completely. This results from the fact – I see hon. members questioning that – this results from the fact that there are two basic pension schemes operating in Barbados at the present time.

The scheme operated by Government is non-contributory, and which depends not only on years of service, but attaining a certain number of years in Government Service and schemes operated by private persons which are generally contributory schemes. It has been pointed out that public officers entering the Service now at the age of 18, 19 or 20, will be entitled to stay in the Service on a non-contributory basis for perhaps up to 40 years; and so from the time that a National Pensions Plan with full powers of transfer is instituted you may have to work off public officers over a period of 40 years who choose to remain in an exclusively Government non-contributory scheme.

Therefore this is not something that I can tell the hon. member will start on the 1st January, 1978. There requires to be a very considerable in-depths analysis which is related to the terms and conditions of public officers. I believe that it may take one or two wage negotiations and the ancillary negotiations that go with them before plans satisfactory to the representatives of public officers can be worked out.

The National Insurance Scheme will have to be expanded so as to allow for private insurance schemes and government insurance schemes alike to come together; but the ultimate object – not this year or perhaps next year – but it is expected during the life of this Parliament – a Plan will be placed before the people of Barbados providing for a National Pensions Scheme by which pensions will be freely exchangeable no matter where you work. If you go to work in Broad Street in a bank, work for five years, go into Government Service then for 10, come back and work for a Statutory Corporation for another 10, your service in Broad Street will be added to your service in Government, to your service with the statutory Corporation; and when you reach a certain age – because it is not anticipated that we will be pensioning people at 30 as exists in Uruguay, and creating a Social Service structure under which the entire Government collapsed.

That is not anticipated; but when you reach retiring age, which I anticipate will be 55 myself, when you reach retiring age you will be entitled to a pension based on the number of years you have worked, not with one employer, but with all the employers with whom you have worked in your lifetime. In other words you will accumulate pension rights wherever you go. I believe even members of Parliament should be woven into this, Sir. I certainly believe that as a short term measure, for example that a public officer who becomes a member of Parliament and who then wishes to go back in the Public Service should be able to accumulate his pension rights and carry them through with a greater uniformity than at present exists; but again all that rests in the future.

I believe that that aspect of members' pensions will have to be done in the next salary revision for members, not the one which members are confidently expecting in the near, or at least not too distant future; but certainly I would like to thank the hon. member for St. Michael North Central for raising his question, and I would like to assure him that those responsible for Establishments are pursuing the matter with all deliberate speed.

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

1.20 p.m.

Hon. H. B. ST. JOHN: Mr. Speaker, item No. 7.

Mr. SPEAKER: Item No. 7 is the instant Order of the Day.

ESTATE AND SUCCESSION DUTIES (AMENDMENT) ACT, 1977

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, in rising to move that this Bill be now read a

second time, I would indicate to the House that, in addition to implementing the Budgetary measures of abolishing succession duties and one or two other proposals brought down at that time, this Bill seeks to close one or two loopholes in the former Estate and Succession Duties Act and also seeks to enhance the position of the Barbados National Trust by giving an encouragement to persons to leave property of National or scientific interest to the Trust, by relieving it from being aggregated with their other properties, since this principle has, apparently, been making it difficult for the Trust to take gifts of certain property.

To begin with the Succession Duties, Sir, I do not want to go over what I said in the Budget, but briefly I will indicate that when the concept of Estate and Succession Duties was introduced into the corpus of taxation in Britain in the last century there were two separate ideas. First of all, that an estate should pay a certain amount to the Crown then it passed on death and, secondly, that those who received portions of that estate should also pay certain duties. Estate duty was fixed at a certain level and was general. It was paid on all estates. Succession duties varied between the type of person who received the legacies and the bulk of the estate; so that a wife paid no succession duty. A husband paid a very small amount of succession duty; children paid a little more; nephews and nieces paid a little more still, and strangers paid yet more.

Now, under the condition of Barbados this could very well mean that a man and woman might live together as partners in all but the churching all their lives. The man could be a prudent and wise disponent of his property, could leave his property to his life-long companion and to their children, but, in fact, that property would carry the highest rate of succession duty because the children would not be recognised nor would his companion of all those years. A part of this has been remedied by virtue of the Succession Act, which received the support of all parties in Parliament during the last session, and which was substantially shaped and reshaped in an all party Select Committee which, for example, the hon. member for Christ Church West gave so much of his wisdom and knowledge of these matters in assisting to protect women's rights under the Act.

Now, I have gone a step further in the abolition of succession duties. I have not been content to abolish succession duties, for I do think that they are out of date. I think they are merely another form of estate duty; they merely form a great difficutly for practitioners and the Commissioner of Inland Revenue alike in calculation and computation, and they do reap this unfairness to which I have referred. I have gone a step further, and I have sought to give husbands, in other words, all spouses the same rights of relief from death duties as wives alone formerly enjoyed.

If hon. members looked at the Schedule to the Bill, it will be observed that succession duty has been abolished and new rates of estate duty have been instituted. Of course, these new rates are all higher than the old rates of estate duty, because it is necessary to accommodate the succession duty within the rates in order not to suffer unreasonable loss of revenue, but I have also given concessionary rates to spouses. These spouses will include wives, husbands, and persons who have lived together as man and wife for seven years previous to the death. This will mean that, even if no will is made, the 40% discount for small estates; 30% for slightly larger estates – that is where the bulk of the estates lie – 25% for larger still estates above $100,000, and 20% for estates above $200,000 will be enjoyed by all husbands, wives and spouses as aforesaid.

In terms of figures, the situation is a little mixed as so many of these mathematical matters are. Very generally, Sir, we have adopted the principle that a wife should not pay more than she would previously have paid, but there are one or two instances where she would pay a little more. On the very smallest estates a wife would pay $200 more, but a husband would pay $500 less on those estates below $25,000. On estates between $50,000 and $75,000 a wife will save $100 and a husband will save $1,500. I would not bore the House by reading out all the comparative tables. At $75,000, in fact, a wife would pay the same, but a husband would pay something like $2,000 less. On $100,000 a wife would pay $1,000 less and a husband $3,000 less.

The wife would, in fact, pay the same at $200,000, but the husband would pay $5,000 less. At about $800,000, Sir, the rates are generally raised, but I believe that those who leave $800,000 or more, and there are very few – the people who have an estate of that size to leave in Barbados, I think, make arrangements for reducing the tax before they die. But from $800,000 upwards into the millionaire class everybody would pay a little more estate duty.
1.30 p.m.

Again, Sir, I do not think this burden is unreasonable. For example, if you leave $1½ million when you die, husband, wife, spouse or whatever will pay only $456,000, which is an increase of $30,000 over the present $420,000 for a wife and $452,000 for a husband, and indeed it represents a reduction for a stranger and a reduction f[illegible] nephew and higher up the scales will go accordingly. So I think this is a more fair and reasonable rate of estate duty, a little more at the top, a little less for wives, a lot less for husbands and other spouses in the middle and at the lowest end.

Estate duties in Barbados, I can freely let the House into this matter of policy, are maintained for social purposes, not for revenue purposes. Estate and succession duties probably will bring in on generous terms less than $2½ million a year and the consequence of the Gambling Duties Act might bring in that much by itself, but we maintain these duties despite the pressures on us to reduce estate duties or abolish it altogether. For the very sound and good social purpose that we do not believe that people should be left large fortunes for young people to maintain themselves by virtue of the work done by their parents and grandparents and contribute nothing to society in the future. Estate duties are maintained in this Island as a social measure, a measure appropriate for a social democratic party.

Having said that, I will just say that representations have been made to me however that if there are to be tax-haven facilities in Barbados that a certain number of persons will come here, international business companies, and for tax reasons it may be necessary for these companies to establish boards of directors and of management and some element of residence here. Indeed, Sir, there would hardly be any advantage to Barbados if we do not encourage these companies to maintain an office here and give some employment to some school leavers coming out with "O" levels that cannot get employment in the Government service or a similar service, and all our tax havens, all the company operations, the International Business Companies Act which will soon come to the House are aimed at bringing companies here to reside, but giving them an enclave status, bringing them here so that they have to employ Barbadians and have some resident present, but protecting them, charging them tax at a lower rate, we are not going to leave them tax free, they will have to pay corporation tax at a very low rate, and protecting them from the consequences of other taxes. It may very well be that shares in these companies which cannot be held by Barbadians, only by foreigners may be exempted in due course from state duties; but I do not anticipate we would wish to amend this Act. I anticipated that will be contained in future legislation for a specific purpose. I do not expect anybody who accepts the concept of trying to improve employment for Barbadians by bringing international business companies not operating in Barbados here will object to the concept of the enclave doctrine of the tax haven, low taxes, free people from domestic taxes as long as it is exclusively non-Barbadian with whom you are dealing. That is only an aside, Sir; I know that one or two Attorneys offices in Barbados are interested in that aspect of estate duty, and they may take heart from the few words I have dropped in this regard.

The rest of the Act, I think the Objects and Reasons sufficiently sum it up. One of the principal measures is that we are extending from three years to five years the period within which a *bona fide* gift will qualify for exemption from estate duty. It has been found in those jurisdictions which had the three years period, – in other words a man gives his children what he would give them if he made a will, he gives them a house, shares and cash money, – it has been found that in those jurisdictions that three years is a bit short. It is easy when you have only three years to consider to think in terms of giving out these gifts. We propose to extend it to five. In many countries it is seven. I believe it has gone up to seven in the United Kingdom.

We have also found that there is a big loophole, and no doubt the Attorney General will deal with this if anybody questions it on what is called *donatio mortis causa* which is disposed of before the death. There is a very big loophole, there. You give some shares, they sell the shares before you die, it is not a gift *inter vivos,* it is what is called a *donatio mortis causa* and they get exempt from duty. The Commissioner of Inland Revenue represented that this is a big hole which should be plugged and we have indeed plugged it. I cannot explain it to you. I remember that of all the subjects in my Bar examination, the one that gave me the greatest difficulty was *donatio mortis causa,* what separated this from a gift and what separated it from a legacy. I have never fully understood it and in applying it I have just had to read what is written in front of me and apply it without fully understanding it, but I am sure the Attorney General, if there is any law student or indeed lawyer in the House who wishes to extend the frontiers of his knowledge, will be glad to oblige.

Mr. Speaker, we have a number of sections to go through in Committee, thirty-two in all, and I think that any further speech on the second reading would be unnecessary in the circumstances, and I therefore beg to move that this Bill be now read a second time.

Hon. H. deB. FORDE: Mr. Speaker, I beg to second that, and I will be very short because I think the Prime Minister has explained very clearly and I think in great detail the purposes and objects of the Bill, and I think that hon. members will be very satisfied on this Bill. I would like to state that it is a progressive piece of legislation which at the same time looks at the social impact of estate duty on the community, and I think the Minister of Finance whose brain-child it is, should be congratulated for the thought which has gone into this particular bit of legislation. In so far as trying to catch the avoidance of estate duty is concerned as a result of the Webster Trust Co. decision, hon. members can be satisfied that we think we have closed the loophole in the Act, and I believe the amending section will stand up – actually it is based on the United Kingdom, precedent; our Estate and Succession Duty Act originally was based on the older United Kingdom legislation, and as people did tax planning they were beating certain sections in the Act where there was *casus omissus* in the legislation and we have now closed this section effectively, so that if somebody wants to use the Webster Trust Company Ltd., precedent again, they are apt not to succeed as against the Crown. In that case quite a considerable amount of duty was saved legitimately, so that it was tax avoidance rather than tax evasion, and no one is going to quarrel with anything that is legally done. All the quarrel we had is that it is not the policy of the Government to allow this type of loophole to continue to exist.

1.40 p.m.

There is one particular part of the Act that I would like to stress, the part extending benefits to spouses not only in the recognized sense of the word as husband and wife but also men and women living together over the relevant period of time as set out in the Succession Act, 1975. This is part of the Government's progressive views on women's rights and getting equality of rights between the sexes and Government's consideration for people who are left as the sole bread winner of a family, and I hope this will be welcomed by persons concerned about the equality of rights in this Island.

Dr. CADDLE: Mr. Speaker, after hearing two previous speakers I can only say there is nothing critical about this piece of legislation. It appears to be chiefly a tidying-up arrangement whereby people who have to deal with this type of problem will find it easier than previously. To look at it closely, it will be seen that there is no real concession being made because what they are gaining on one hand they will lose on another, because we are saving a substantial increase in estate duties, and as the Minister of Finance has pointed out Government will have to be compensated for this arrangement. And no one on this side or no one interested in seeing equality between the sexes can quarrel with the type of justification being made by the known spokesman for women's rights, the Hon. Attorney General.

We on this side are going to support this piece of legislation because we see this as a natural follow-up to the Succession Act which we laboured for very long and successfully in this House under the previous government, and if one is thinking about updating the legislation, especially legislation seeking to remove inequalities, one will have to agree that the type of concessions made here especially in relation to small estates, is something which people with small estates will welcome, and I commend the Minister of Finance for introducing this Bill.

This is a very long Bill and I believe it is for the Commissioner of Inland Revenue to deliberate fully on the various sections of the Bill. I will only say that what the people have been given on one hand will be taken back on the other with the new rates and duties laid down in the Schedule to the Bill. Apart from that there is nothing critical or revolutionary in this piece of legislation, and I hope that those people who stand to benefit from it will have the benefit likely to come from this legislation.

Mr. E. E. ALLEYNE: Mr. Speaker, I want to say a few words on this piece of legislation because there seems to be a bit of misunderstanding about what is obviously a very technical and innovative piece of legislation brought to this House by the great combination. Let me say it is not merely an administrative arrangement but it calls for the exercise of brain power and a clear and intelligent study of the Estate and Succession Duties Act, and to the extent that it will infringe upon those who are the richer in the society it is essentially what the Prime Minister calls a socialist measure; so to that extent it will benefit the small man – the man in the street, in that the rich person who can afford to indulge in what is called tax planning will find that a loophole which has existed from the time we had this piece of legislation, that is to say, the Estate and Succession Duties Act, is now closed. And I am happy to say that hon. members on this side, particularly those on the front bench who understand these things, are beginning to explain to the public at large that there is in this party a residue of people who understand the technical aspects of legislation and will come before this House on occasions to close loopholes which are detrimental to the residents of the country.

I want to say too that it is not a natural follow-up to the Succession Act; in fact, it is a different piece of legislation altogether. It has nothing to do with the Succession Act; it has to do with the avoidance of the payment of large sums of money. We are tackling estates here worth in many instances six or eight hundred thousand dollars; I think in one case almost a million dollars, and the Government is losing the Estate duty on this sort of sum if this particular loophole is not closed. So that it is really an extremely innovative sort of measure and I think the Government should be congratulated in bringing it before the House so speedily.

There is also a provision which I am reminded of by the Hon. Attorney General, the provision which relates to the Barbados National Trust, because as I understand that provision, it is a measure designed to encourage persons to leave properties of historic value to the Trust, and if there is any change in this piece of legislation which tends to encourage persons to hold on to properties which are of cultural benefit, then I think that section is. But the main business of the legislation is socialist and I think that the Government ought to be congratulated on it.

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

SUSPENSION OF SITTING

On the motion of Hon. H. B. St. JOHN, seconded by Rt. Hon. J. M. G. M. ADAMS, the House was suspended until 2.45 p.m.

1.50 p.m.

On Resumption:–

Hon. H. B. St. JOHN: Mr. Speaker, I crave your indulgence to give some additional Notices, not to be done today but to be done later. One is a Bill and the other is a Supplementary

Resolution. I beg to move that those Notices be now given.

Hon. H. deB. FORDE: I beg to second that.

Mr. SPEAKER: The Hon. Leader of the House is seeking leave to give notice of two additional measures. If there is no objection, leave will be granted. There being no objection, leave is granted. The Hon. Leader of the House may proceed.

GOVERNMENT NOTICES

Hon. H. B. St. JOHN: Mr. Speaker, I beg to give notice of a Bill which would provide for the amendment of certain enactments in order to revise the fees chargeable thereunder so as to give effect to the budgetary proposals for the year 1977 made to the House of Assembly by the Minister responsible for finance.

Hon. H. deB. FORDE: Mr. Speaker, I beg to give notice of a Resolution to grant the sum of $275,000 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates, 1977–78, Part I – Current, as shown in the Supplementary Estimates, 1977–78, No. 11, which form the Schedule to the Resolution.

FIRST READINGS OF BILLS

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that the Bill which would provide for the amendment of certain enactments in order to revise the fees chargeable thereunder so as to give effect to the budgetary proposals for the year 1977 made to the House of Assembly by the Minister responsible for finance be now read a first time.

Hon. H. deB. FORDE: I beg to second that.

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

GOVERNMENT BUSINESS

Mr. SPEAKER: Government Business will now be resumed.

On the motion of Hon. H. B. St. JOHN, seconded by Hon. H. deB. FORDE, Mr. SPEAKER left the Chair and the House went into Committee on the Estate and Succession (Amendment) Bill, 1977, Mr. ODLE in the Chair.

Clauses 1 to 15, inclusive, were called and passed.

Clause 16 was called.

Rt. Hon. J. M. G. M. ADAMS: Sir, in respect of clause 16, this is a matter not mentioned in second reading, but I think that everybody interested in estate duties should know. At present there is a considerable financial advantage involved in postponing payment of estate duty because interest is charged; I think it is only 3% per year at the present time. I am seeking to change this to the amount which is payable in respect of unpaid income tax at 1% per month. I mention it here because I think it will recur.

Section 32(4) allows the Commissioner to postpone payment of estate duties and payment of interest at the rate of 3% per year. This is absurd. It now pays you to postpone the estate duty, because if you have $100,000 it is better, even now, to put it in the Government Savings Bank and get 4½% duty tax free on it or whatever the current rate of interest is and pay the estate duty 3% than to pay the capital sum in respect of duty.

2.55 p.m.

I would like practitioners and all other persons interested to know that we are raising the postponement interest from 3 per cent a year to 1 per cent a month. I just mention this section because it has not been referred to before and it is not in the Objects and Reasons.

I beg to move that Clause 16 stand part.

Hon. H. B. St. JOHN: I beg to second that.

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

Clause 17 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, in respect of Clause 17, although we cannot go the whole distance because it would encourage people – I am sorry. Clause 17 relates to the return of overpaid duty. The rate of interest on that at present is also 3 per cent. Well, we cannot do the same as in the previous section because it would encourage people to overpay the duty so as to get a fixed deposit with the Government at 13 or more per cent per year. When overpaid duty is returned, it will be returned at the rate of 6 per cent per year and not at the rate of 1 per cent per month.

I beg to move that Clause 17 stand part.

Hon. H. B. St. JOHN: I beg to second that.

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

On the motion of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. H. B. St. JOHN the question that Clause 18 stand part was put and resolved in the affirmative without division.

Clause 19 was called.

On the motion of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. H. B. St. JOHN the question that Clause 19 stand part was put and resolved in the affirmative without division.

On separate motions of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. H. B. St. JOHN the question that Clauses 20 and 21 stand part was put and resolved in the affirmative without division.

Clause 22 was called.

Rt. Hon. J. M. G. M. ADAMS: Sir, this is the effective section that abolishes succession duty, and I beg to move that Clause 22 stand part.

Hon. H. deB. FORDE: I beg to second that.

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

Clause 23 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, this relates to life insurance policies and the collection thereof. I would draw to the attention of hon. members that what has often been claimed to be great difficulties in the collection of policy money on the death of a testator, Sir – very often the only cash that would come in is the life insurance policy – and you cannot get the life insurance money until you pay the death duties or produce a certificate saying that it has been allowed to be postponed.

The attention of the Government has been drawn to situations where widows really have no money at all. Their husbands used to give them something every week or every month; and they had about $100 and they had to go to a lawyer who would give them enough money until they could get in their policy monies. This will no longer be the case, Sir. Reasonable sums can in future be paid out. I think that appears under the Succession Act, and we are also altering some of the other provisions relating to insurance. I just mention this, Sir, so that it can be known in the future the position of widows or indeed widowers or other relic spouses who in the future will have an easier time.

I beg to move that Clause 23 stand part.

Hon. H. deB. FORDE: I beg to second that.

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

On separate motions of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. L. S. CRAIG Clauses 24 to 32 were agreed to.

The Schedule was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that this be the Schedule to the Bill. I believe that that should read the first Schedule. I said schedule; but the Act still has a third schedule which deals with an annuity of £1,000 or so where that is involved. Anyhow, Sir, I am sure that the

Attorney General will deal with that in due course.

The question that the Schedule stand part o the Bill was put and resolved into the a firmative without division.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that you do now report the passing of one Bill in Committee.

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

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

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, in moving that the Bill be read a third time I move that the Bill be amended by entitling the Schedule which was just passed in Committee the "first schedule". The body of the Bill will show that it should be the first schedule. The word "first" was omitted. I am moving this amendment with the advice of the Clerk, Sir. It will be a Bill with a first and a third schedule, like the famous boat club, Sir, at Trinity College, Cambridge. It is known as the first and third, the second being omitted.

The question that the Bill as amended be read a third time was put and resolved in the affirmative without division.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that this Bill do now pass.

Hon. H. deB. FORDE: I beg to second that.

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

3.05 p.m.

LOCAL GOVERNMENT (AMENDMENT) BILL, 1977

Hon. H. B. St. JOHN: Mr. Speaker, a Bill to amend the Trade Tax Act. Notice was given this morning, and it was circulated previously. It is a Local Government (Amendment) Bill to abolish trade tax, and it is part of the Budgetary procedures, Sir.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, the trade tax was imposed in a very modified form originally, I believe, as long ago as 1911 under the provision of the Interim Traders Act, and when the Local Government reorganisation of 1959 was in prospect the Local Government Act contained substantial provisions for raising the funds to support the various District Councils by means of a trade tax. This trade tax was accordingly brought into force by the Local Government Act, although the Interim Traders Act which covered some traders – interim as the title suggests – was left in force and it provided a substantial part of the fund of Local Government. The trade tax outlived, in my opinion, its usefulness when Local Government was abolished, but it continued in force at first as the only form of tax on the profits of Corporations that existed, and later as a supplement to the tax corporations.

In the ordinary way, having mentioned this in the Budget, I will move very shortly that the Act be now read a second time, since I think the principles should be clear to any intelligent person, certainly to any intelligent member of this House, and certainly, indeed to any member of this House. I have regretfully found myself in the position of having to deal with a person who does not fall into any of the categories except membership of the House. A person who I can regard neither as intelligent, nor as being an intelligent member, because I have been subjected, on the part of the hon. member for St. Michael South-West, to a long, well-nigh defamatory tirade letter in the press, and promulgated letters through other persons. Even Frank DaSilva has joined in the act! Imagine Frank DaSilva has joined in the act! Imagine Frank DaSilva criticising anybody in this House for his economic knowledge or capacity! It is suggested that, on an appearance which I made on television, I revealed some lack of knowledge of what I was talking about.

Now, Sir, it falls to all of us on any number of subjects to reveal a lack of knowledge of what we are talking about, and

even the House of Assembly is no exception to this rule. All of us get up and sometimes overstep the immediate bounds of our knowledge, but I felt the charge particularly wounding when one considers that on television I attacked the phony arithmetic of those who say that the trade tax is 12%, and I believe I may have said 12½%, and add it to the corporation tax and say that means 52½%, and then say this Government has given the merchants money because it fixes the rate of corporation tax at 45%. That is the substance of a long and tiresome 3–column letter in the *Advocate News* of June 9, 1977, and it has been the substance of a certain amount of comment. I am glad to say none from such enlightened persons as the hon. members for St. Michael South Central and North Central about the trade tax, but the simple fact is that it is a lot of phony arithmetic.

The trade tax is 20% as well understood. The actual incidence of the trade tax, because the corporation tax used to be at 40%, appears to be 12%. Since 40% of 20% is exempted – the trade tax coming off the top? as the expression goes – therefore, as a rule of thumb, accountants use a figure of 52% as being the former effective rate to taxation of companies. This has never been true, because the trade tax, although fixed at a figure of 20%, is charged on an average, and it may be more than 12% or more commonly less than 12% because in times of inflation such as we have suffered virtually, ever since the trade tax has been imposed, corporation profits tend to rise every year. On any given year 20% of the average for the last four years profit comes to less than 12%.*(Asides.)*

I am in a position to know what proportion of corporate profits are represented in the trade tax, because the figures can be collected from me by those responsible for collecting the tax, and they can say if 40% amounts to X%, then the trade tax amounts to Y%, and it is never as much as 12%. In one year a company makes $1,000 and in the next year with the same volume of business it makes $1,200 because prices may have risen a little bit. In the next year it makes $1,500 and so on. At any given moment it is paying corporation tax on its current year's profits, but it is paying trade tax on a lower tax base.

3.15 p.m.

It is therefore misleading and ignorant for the hon. member for St. Michael South West to say, as he has said, that the alteration of the corporation tax figure is an alteration in favour of corporate tax payers. 45% is a little below the current combination of trade tax plus corporation tax. When the employment levy comes to be imposed, it will raise it a little above. The margin within which the employment levy is intended to operate is a figure below and a figure above the previous taxation rate, so that you can impose a penalty on corporations which do not employ more people and you give an incentive to corporations which do employ more people. The incentive is that they will only pay 45% corporation tax; the penalty is that they may pay – I am not giving the figure yet, that will wait until it comes down to the House formally – they may pay a little more. But if there is one thing that hon. members may be assured of, it is that the phoney arithmetic that says the trade tax is a 12% is phoney arithmetic. We have here over the signature of the hon. member for St. Michael South West this article saying that I could have asked any accountant, any member of the Chamber of Commerce who has paid tax in Barbados, E.L.C., Mr. K. R. Hunte or any of those who have been writing and saying for years that the effective business taxes in Barbados is 52%. I am being asked to ask these people and they will tell me what the effective rate is, and then the hon. member went on; "the arithmetic they would have used is very simple, trade tax at 20% of 100 equals 20, corporation tax 40% of 80 equals 32" and he adds it up to 52. This is exactly the appalling ignorance which I was attacking on the TV. If E.L.C., K. R. Hunte, the Chamber of Commerce and accountants are guilty of it, I suppose the hon. member for St. Michael South West will think himself in good company, because that is the company, no matter what he says, to which he really aspires. I know that for years when there was no corporation tax, there were still members of the Chamber of Commerce and accountants who still used to imply that the rate of

corporate taxes was 52%. I know that today there are perhaps accountants and members of the Chamber of Commerce who still imply it, and I see that today despite having been in Government despite being exposed to a University education that the hon. member for St. Michael South West is still so ignorant as to think that that equation of 52% represents reality. I have not bothered to answer his letter to dignify his nonsense by a reply in the columns of the Advocate-News because I had every confidence that when this debate took place the Advocate-News would report my answer with at least the same amplitude as it gave to his original equation of nonsense; and I will say this, Mr. Speaker; they say that ignorance of the law is no excuse. I can agree with that as far as the hon. member is concerned, but I will go further; I would say that absence from the House is no excuse either, because this is the only opportunity I will have to deal with it and I am sorry he is not here. I am genuinely sorry because there is nothing I enjoy more than seeing the face of the hon. member when he has been reduced to a pulp and complains, picks up his briefcase and leaves as with his tail between his legs. I do not like licking the hon. member behind his back; I like to throw the blows on his head when he is here. I do not want to do him as the hon. member for St. John did me once, wait until he found out I was out of the Island on a particular day and brought Rediffusion and Radio in here to reply to my reply to a Budget Speech, even though I particularly asked that it be done on a different day. It was postponed until my absence so that my back, which is the hon. member's favourite target, could be well and properly stabbed. I do not want to do that, but I am perforce constrained to do it since these Bills must be passed before August 15. I repeat exactly what I said on the TV. To say that the corporate rate plus the trade tax is 52% and this represents the actual taxation upon companies in Barbados is wrong; it is phony arithmetic; the two amounts of 20% and 40% are charged on different tax bases. I believe that if the hon. member were here he might understand what is meant by tax base, what is meant by percentage and what is meant by 'are charged by' and I am sorry he is not here to get a little education, because Frank DaSilva will read this in the Advocate and still not understand what is meant and be able to help him, but I think the hon. member for St. Michael South will be able to help him in due course, and I think the hon. members for St. Michael Central, North and South, will be able to help him in due course. I believe the hon. member for St. Philip South will be able to help him in due course.

I really think it is necessary to clear the air in this matter, and as far as not helping the small man is concerned, corporations are going to pay more tax. How much more will depend on their employment performance; but the lorry owner, the shopkeeper, the man with a quarry, the hairdresser are not going to pay any more. For them the removal of the trade tax is a boon pure and simple, a boon to the small unincorporated businesses of this Island. There is no counterveiling tax which has been placed on them. They are all in a position to say no more trade tax and to carry on their activities without all the tediousness of the four year average, the exclusion of half, the salaries of the directors of control companies and all that. They will not have to worry what was a complicated provision because trade tax was a complicated provision.

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

Hon. C. L. BOLDEN: I beg to second that.

Mr. WEEKES: Mr. Speaker, the Minister of Finance in introducing this Bill did mention the member for St. Philip South, but I want to state here in this House that I have never won the blue ribbon of Barbados, and therefore when it comes to the hon. member for St. Michael South and the Minister of Finance, they are quite capable of discussing the pros and cons of the various matters.
3.25 p.m.

But, Sir, having served in Local Government for several years before I entered this House of Assembly, I would like to comment on Clause 3.

Now Clause 3 reads thus: "Nothing in this Act shall affect the payment of trade tax due and payable to principal act immediately before the commencement of this Act and the provision of the principal Act to which Section 2 refers shall apply in respect of the collection of arrears of trade tax as if this Act had not been passed."

Mr. Speaker, I have noticed that many small shop keepers have been receiving bills for trade tax which it is alleged they have not paid in some cases for ten or fifteen years. Now I would say this, that in many cases those small shop keepers paid their trade tax, but as you are aware, when you are called on approximately fifteen years after to produce receipts proving that you have paid taxes, you would know Sir, that in many cases those tax bills would have been misplaced or they may have been lost; and this creates a big problem for these people to prove that they do not owe taxes. I do not know what is the solution to this problem, but I consider it my duty as a member of this House to draw to the attention of this House, and especially the Minister of Finance, the big headaches and problems it can create for these small business people.

In dealing with this matter, while I am aware that big businesses will derive the greatest amount of benefits by the abolition of this tax, I must admit that I am aware that the small business people will also benefit from the abolition of this tax. We have got to realize that in many cases when we are enacting legislation to assist the small man, the big man will also derive benefits; and therefore if the Government has seen fit to amend this Act or to introduce this Resolution, I would say that in the interest of small businesses it has my support.

As you will expect in introducing any kind of legislation, it has its pros and cons, but I am sure that the small business owners will appreciate what is being done; but I want to reiterate what I have already said, that in sending out tax bills to people who may not be in a position to produce their receipts to prove to the appropriate department that the taxes were paid, there is a problem involved. Consequently I can only appeal to the Minister of Finance to do something about this or to issue some kind of instruction to the appropriate department so that it may be possible to alleviate the fears which these small business people have in their minds concerning this new legislation.

With these few remarks I hope I have cleared the air and have in no uncertain terms expressed the feelings of small shop keepers who have approached me on numerous occasions about this, to use my term, retroactive taxes.

Hon. F. G. SMITH: Mr. Speaker, I do not think anyone can seriously quarrel with the right of Government to withhold whatever taxes the Minister of Finance thinks necessary for the running of the Government. This is a right which the Government possesses and with which there can be no quarrel. I make no pretensions to be an economic expert, but I think I have enough ability to understand the basic principles of economics. So I am not going to get in to any 19¼% or 19½% or any percent with the Minister of Finance.

3.35 p.m.

I should hope that if you are a Minister of Finance you would have made a study of percentages, otherwise you would cease to be a Minister of Finance, and I do not think you would be fit to be a Minister of Finance, or when he talks learnedly of this percentage and that percentage if he did not understand it God help him and the Government. I do not think his claim to knowledge in that regard should astound any of us who have been in Government and know the need to understand what is going on. I think what our main contention is that looking at the Estimates of Revenue for 1976–77 the Government estimated that they would collect $5½ million. $5½ million in our economy is certainly no slight sum, and therefore when a Government that is saying that the Treasury is empty, that the economy is in the doldrums, that they need every penny they can collect from here, there and everywhere can deliberately forego $5½ million when they have said in the

budget that they need at least $13 million strikes me as a peculiar way of thinking, because here already from the Estimates – and I have it here – they estimate they are going to collect $5½ million, the Minister of Finance needs $13 million, they already had the $5½million which they are prepared to forego and they are imposing taxation on every single person in the community, that is, by increasing water rates, by increasing the hotel tax from 5 to 10 and the private rooms from 20 to 45, apart from licences, highway tax and the numerous areas in which he has had to impose, so what he is telling this country is that he can forego $5½ million estimated to be raised by trade tax and then impose $13 million on the general mass of the population.

Let us look at it this way. *(Asides).* I am talking commonsense, I am not an expert, this is commonsense to anybody who cares to listen, those who have ears to hear let him hear, and there is none so blind as those that will not see. What I am saying here is this. This particular Bill, as you will know, falls under the Local Government Act. The Local Government which was abolished used to provide services for this community, and especially in the metropolitan area where the main businesses were, the Local Government had to – and I am glad to see that the Minister of Health is still seeing that they flush out the gutters, collect the garbage, the million and one other services which the corporate area especially used to benefit from because of the volume of business going on there. I am saying categorically that the trade tax paid by small traders was negligible compared to the tax paid by the merchants in Roebuck Street, banks and other persons, and I would like the Minister of Finance, if he can categorise them or divide them up into who is small or who is big, tell us how much trade tax a little shopkeeper in Bridgetown used to pay. Of course, the little shopkeeper if he has any sense will know that if the Government is making self-employed people register he will pay more because he will fall into income tax and a lot of other taxes other than trade tax, so I am looking forward for that Bill to come down. Whereas you are taking it off in trade tax you are going to make him register for carrying on his business, so he is going to fall into the net of income tax.

That is what you said you were going to do, that is what you said in the budget too, but what I am saying, Mr. Speaker, and you would know this too, Sir, that the small shopkeeper in Bridgetown and in the country in terms of trade tax, his contribution to the total amount collected was negligible. As a matter of fact, when the "City father" was the City father I doubt they paid any at all, that is probably why the member for St. Philip South is complaining that now you are catching up on the trade tax that the City father never bothered to collect from the people in the City and elsewhere. But when you look in Bridgetown, those of us who work in Bridgetown when the days come, this relief of trade tax is benefitting the merchants, the banks and the big business places in town, and to claim that the small businessman is involved – naturally, you cannot discriminate against him – I defy the Minister of Finance to tell me if he has the statistics that the bulk of money in this trade tax came from the merchants who were being given Local Government services by the then Vestry and by the Local Government, or when the trade tax continued to be imposed it was forcing the merchants who were getting an extra service to contribute to the tax of this country and the running of the Local Government, and eventually the running of the Central Government when the Central Government took over Local Government services.

You get a Minister of Finance who is introducing a Bill, and it is his right, he has the numbers, to remove trade tax where people who were trading were contributing a little above those who were not trading, he has foregone $5½ million roughly – because if you look at the Estimates, Mr. Speaker, you will see that even the Government before the budget estimated for 1977–78, that they were still going to get $5½ million – that is right there, unless I am mistaken. So he can forego $5½ million to impose $13 million when he already has $5½ million coming in, and he would only have to look for 8½ million. Just

as he has removed the sales tax when he had another $6 million to get $13 million, so that from trade tax and sales tax alone he would have had nearly the $13 million he needed and he would only have to find $2 million or $1½ million roughly.

If the Barbados Labour Party had really and seriously intended to remove the trade tax – I believe it is in their Manifesto – why do we see in the Estimates drawn up by that Government $5½ million estimated? I believe that they did not intend to remove the sales tax so early and they were pressured into doing it after they drew up the budget. I am only posing a question, because I have here Estimates drawn up for 1977–78 on page xiv, Trade Tax $5½ million, which I assume is an annual estimate based as it were on the 1976–77, unless he thinks he is going to get this $5½ million from back taxes to which the member for St. Philip South referred. We are not quarrelling, this is a budgetary measure, let it bide like the other budgetary measures. You are all biting, I know, but what I am saying is that I find it extremely difficult to comprehend how the Treasury is empty as we hear every day, the economy is in the doldrums, things are tight, the DLP mismanaged, and I am still waiting to hear about this Commission on mismanagement. Nearly nine months have gone now and we have heard nothing, September is nearly here, nearly a year has gone, and the first thing I expected them to do was to set up the Committee on mismanagement, but nearly a year has gone and we cannot hear a word about it yet. Mismanagement left, right and centre, and a Government that says the Treasury is empty can forego in a Bill in Parliament, foreshadowed by the budgetary proposals, the removal of trade tax in this country at this point in time where $5½ million was more or less guaranteed by that particular measure. Instead of falling upon people who were trading, it has fallen on every Tom, Dick and Harry in the community who is a taxpayer, upon the little girl who has to pay $2.50 instead of $1.25 for a child at the day nursery, upon the old age pensioner who has to pay $10 instead of $6 for water, and for every other person who will be affected by the broad, as they say, comprehensive budget of the Minister of Finance. It is really comprehensive, because it has people spreadeagled now. The only thing he did not hit you on is the appetite, and I am sure that because of the tax he did not have to hit you on that because that is immediately affected by the money you have to look for, and therefore you eat less, so he really hit you on the appetite indirectly by this particular measure.

3.45 p.m.

However, Mr. Speaker, as I said, we cannot oppose this. It is part of the budgetary proposals of the Minister of Finance in his wisdom. It is a measure which he said he would bring. I think in his budget he is honouring promises made either to his party or to other people who have given him support; and therefore with that we can have no quarrel.

But I find it strange. As I have said, to remove the Sales Tax is the most foolish promise that anybody ever made to anybody else. The cost of living has not dropped one cent. You have not got any more employment. Unemployment is on the rise. The only way you can get employment now is by laying off 55 year olds to put on your own people, sending them home, or like the member for St. Andrew, do not take over the drivers and conductors from Elite and Rocklyn to take on your own people. They have to send home some and take on some to give your own yard fowls a job. That is as simple as it is.

Therefore I say that sales tax and trade tax – the recent budgetary impositions to raise $30 million would not have hit the people of this country so hard; but experience is a dear school, and fools will learn in no other. I am telling you that they wanted a change and they got a change; but if you all had to go to the country we would beat you six four loves in another month or two.

Hon. H. deB. FORDE: Mr. Speaker, it is said that there is no fool as great as one who laughs at his own jokes; and I believe that you would have observed how that sentence would apply. I would like to reply to one or two of the

statements made by the hon. member which displayed his lack of knowledge – not one of economics but on the effect of trade tax on the community as a whole.

When I was appearing before the Income Tax Tribunal on several occasions, many of the cases which came before that tribunal dealing with trade tax affected not as the hon. member thinks, the banker or the merchant; but affected the small cantoneer, the painter, the man with the one truck; and I have appeared on several occasions before the appeal tribunal and have seen how harsh this Act was on the small man because the wording of the Act applied the Act to any commercial enterprise whatsoever, which were words of great import and significance; and indeed, if the hon. member is following his statistics, he will find that Corporation Tax has been raised, and it is not, as he is trying to make people believe that there has been any loss of $5½ million, because he must take into account the additional revenue which will accrue from the raise in the Corporation Tax.

He will find that the merchants whom he talks about are incorporated companies – most of them – he will find that the bankers are limited companies. They are paying the additional taxation, whereas the small cantoneer or the small man is not incorporated, and gets the full benefit of the abolition of the Trade Tax. This is a point that the hon. member must understand. He displays, if he does not understand it, a complete lack of appreciation either of economics, or indeed the operation of a revenue measure of some significance to the country.

The hon. member mentioned about a commission. I do not know if hon. members are concerned as to whether we are going to investigate purchases from the National Housing Corporation, or the new number plates, as you will recall, Mr. Speaker. I do not know if hon. members are worried about these things. I will assure the hon. member that in good time he will hear the terms and conditions of the appointment of the Commission. He might be concerned, but he has to wait before the load is lifted from his shoulders.

Hon. F. G. SMITH: Mr. Speaker, I am not concerned. I am supremely unconcerned. You can investigate anything you like as far as F. G. Smith is concerned – number plates or anything. So do not come with such innuendoes about these two things.

Mr. SPEAKER: The hon. member's point is taken.

Hon. H. deB. FORDE: Mr. Speaker, on the basis of this Bill one has to look properly at revenue measures and see when they have outlived their usefulness, and whether they inhibit any activity that should be carried out. They talk about bringing legislation to replace that dealing with the registration of people who carry on activities in the country. I would expect the hon. member as a responsible politician.

Is the hon. member going to tell me that he is in favour of Swan Street merchants who are still members of this party escaping income tax, and that the Government should not bring down legislation to see that they pay their full share of taxation in this country, and lift the burden off of other people in this country? He must understand that if he is bothered about the Abeds and the Moses and that group, he does not have to hide behind any shopkeeper. (Hon. F. G. SMITH: How about the Trusses?)

Mr. SPEAKER: Will the Hon. Leader of the Opposition seek to control himself?

Hon. H. deB. FORDE: It is very difficult for him to do so. It is very difficult for various reasons. He must clearly understand that once one is looking at the reform of taxation to remove the burden off the shoulders of some taxpayers, that everybody who pays tax should be brought into the proper net of taxation. I know that he will start politicking at this stage about taxation. We will reply to him. The hon. member is happy at making snide remarks. There is nothing that I will have to say to him that I would not say – subject to you, sir, or outside. I would not have to get anybody to do it for me; and that is why when he gets up and talks I will always reply to his misstatements of fact in this House.

Rt. Hon. J. M. G. M. ADAMS: Sir, I am a little bit disappointed in the standard of the debate. I could see that at some party meeting of the Democratic Labour Party the hon. member

for St. Michael South West thump the table and said that this is a measure to help the businessman, the big man. Two hon. members opposite who are most innocent of the theories of economics have duly repeated statements, while the older and wiser heads in this regard have sat down and conspicuously failed to give them any endorsement.

I do not think that any further comment needs to be made. I hope that hon. members have not embarrassed themselves. I think that they can best demonstrate their loyalty to their colleagues by an exhibition of ignorance which will do them no good in the eyes of right thinking men and women. The hon. member for St. Philip South has been brain washed into believing that this is something special for the big businessman; but I appreciate what he said because of the sound commonsense for which he is renowned, that when you help the small man you have to help the big man as well.

Income Tax is one of these cases. The abolition of trade tax means that you cannot help the small people without a corresponding advantage to the big people. It happens with the abolition of trade tax on big business and therefore corporation tax has been introduced to deal with that. I do not believe that the trade tax has ever in any year absorbed as much as 10 per cent of corporate profits. I do not think that it has absorbed 9 per cent. I do not have the figures, and some of them are unobtainable, because in the years before the corporation tax was being imposed it was not easy to get corporate profits merely from the PAYE deductions.

Now, if they do their Arithmetic, they will find that the overall trade tax comes to no more than 7½ or 8 per cent of corporate profits. You can do this Arithmetic by looking at what the tax base must be according to the collection of the corporation tax and seeing what the actual collection of trade tax was in anyone year. It is a simple matter of Arithmetic.

So, I am not revealing any secrets. I can approach it by a secret root by actually having the corporate profits totally and compared with the trade tax received, which I believe is an exercise that has been carried out in the Department of Inland Revenue; but I imagine that assuming that the level of arrears remain the same from year to year, and that the level of arrears is the same for corporation tax as for trade tax, the same results can be obtained in 2½ minutes with a pocket calculator.

3.55 p.m.

With regard to all this nonsense about giving up $5½ million, the hon. member for St. Michael South Central obviously has not understood that the increase in the corporation tax will absorb most of that $5½ million. I make no apologies for giving relief from corporation tax to companies that will give our boys and girls some work here in Barbados where there are a lot of unemployed people. If you can persuade private business by giving a tax incentive to employ more people, and the incentive will be given for new employment it should be some good. It will not be any payroll incentive. If you can persuade companies to do that, as far as I am concerned, you have nothing to be ashamed of. If they do not do it, they will pay more than they were paying before trade tax and corporation tax combined. The entire basis of the argument of the hon. member for St. Michael South Central, unfortunately derivative though it is, will collapse once the inescapable logic of the Government's policy in this matter is made clear, as it has been made clear now, and as it will be made even clearer in due course.

I do not know why we have to worry about the Commission of Inquiry and the sales tax. I have never before heard any political party criticise the removal of taxes in the way that I am hearing the sale tax and the trade removal being criticised. Instead you hear falsity. You hear that the cost of living did not fall. The cost of living fell in October and in November. The retail price index is there for all to see. The areas where it fell are precise areas where the sales tax had its greatest application: home furnishings and clothing. It fell substantially in those areas. It fell indeed by almost 5% or a little over 4%, as I recall it. That is exactly because the sales tax was removed. It is neither true nor logical to say that the cost of living did not fall.

I cannot understand it. I really cannot take the talk about the Commission of Inquiry. The

Government has already appointed who is to do inquiry, if you want a piece of news. You can sit in your chairs and wait for it. I will give you an unqualified promise that we will neither investigate purchases of land from the National Housing Corporation, nor purchases of number plates, nor the monthly supply of a carton of cigarettes from the British American Tobacco Company to any member of Parliament! I can give an unqualified assurance that we will not investigate those things because we know the facts relevant to these things, so we do not need to investigate them any further. We know the facts, and we do not even bother with the hon. member.

I do not want to press the cigarettes issue, because I do not want to run about trying to calculate how much the cigarettes were worth. Why is there all of this talk about holier than thou in this case? I really believe the hon. member is mentioning the Commission of Inquiry in order to embarrass some of his colleagues. He is mentioning the Commission to spur us on. He has had nine months to wait, and he cannot stand it any longer. He wants to see the licks go in the hon. member for St. John. That is why, I believe, he wants us to put the Commission in operation. If possible, he would like it before the Annual Conference, but I cannot promise him that. This is vacation time.

Mr. Speaker, this Bill abolishes the trade tax. The net loss to the Government in the end, depending on the amount of new employment and depending on the amount of incentive money that ultimately is paid out, will be anything between $800,000 and $2 million. I cannot say how much it will be because I do not know how much employment will be generated. If it is $2 million I will be glad, because it will mean that there is $1.2 million in wages which has gone into the pockets of persons who would otherwise have been unemployed. It would have gone into the pockets more directly and, perhaps, more usefully than if there was crash programming which would put a lot of extra people in to M.C.W. to do nothing, or in the Parks and Beaches to do nothing but create a situation which makes it more difficult in the future to handle certain things. I do not believe that any member on that side would quarrel if we spent $1 million to pay people to stand up in the road do nothing, and yet they are going to quarrel when the Government are preparing to spend some money to give people useful employment in the City of Bridgetown in commercial firms. We would not even be financing the whole of it. If we spend $1 million it will not be $1 million in people's pocket, it will be $1 million plus whatever per cent. In other words, $1½ million or just over $2 million in actual wages paid out, because the percentage loss to Government will be the difference between the tax and the whole amount of wages. I myself should not be praising myself because I would fall under the same structure as the hon. member for Christ Church West was throwing upon the hon. member for St. Michael South Central, but I myself will be satisfied if we can generate $2 million in extra wages for $1 million in Government expenditure. I will be well satisfied with that. I wish it could be more in all the circumstances, but we do not think there is room enough to give a more generous incentive and, therefore, we have put the flow of corporation tax at 45%. If we could get more we would not have raised it at all, if we thought that there was the capacity to absorb a greater amount of labour. We do not think so; therefore, we have to put the flow of corporation tax at 45% and we are prepared to concede the difference between 45% and whatever we have been collecting as the maximum which can go out in these circumstances.

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

Hon. H. B. St. JOHN: I beg to second that.

Mr. WEEKES: Before this Bill is put to.....

Mr. SPEAKER: On what do you rise?

Mr. WEEKES: I am requesting the Minister of Finance to give some reply.....

Mr. SPEAKER: I am sorry. The Minister has already concluded his address.

Mr. WEEKES: I am speaking on.....

Mr. SPEAKER: I am sorry. The Minister has already completed his reply.

Mr. WEEKES: Thank you, Sir.

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

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

Hon. L. B. BRATHWAITE: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair. 4.05 p.m.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, in moving Clause 3, all I can really say is that I am a little worried to hear that trade tax for as long as ten years in the past is still being levied. I would have hoped that Local Government bodies themselves while still in existence and this was true up to ten years ago would have tried to clear their arrears. The Collector of taxes by the concession which I gave, the remission of all outstanding land taxes, has had a certain number of staff released, and I can only think that this staff while waiting to go to work on one or two other projects that will fall within the ambit of the Collector must have turned their attention from land taxes to trade taxes. What I will do, and I cannot do any more than this because I was not aware that the problem was so considerable is to give consideration to some remission of past trade taxes in so far as the law allows. The hon. member will of course take note that the form in which we passed the Act has probably repealed the power of the Minister even to remit the trade tax, but I do not think that needs be an insuperable barrier if it gives rise to serious concern when the matter is examined. I agree that it is very unreasonable to expect the small shopkeeper to keep bills of all those many years ago, but I should perhaps tell him that there is a very large multinational company which has had an argument about trade tax going back at least to 1971 and the amounts of trade tax which should be paid according to the Collector of Taxes must be well over $100,000, and it is considered that any remission of taxation which would enable this corporation to evade what the Collector thinks are its liabilities, could not at the moment be countenanced, and it would be very hard for me to give a remission for non-corporate taxpayers or non-resident taxpayers or something and not to a particular taxpayer.

In other words, if we go and give remission to a period too recent in time, we will put an end by the remission to this dispute, and therefore perhaps put an end to the Government's opportunity of collecting these amounts of money, and that is the difficulty. In a small tax base such as this, one may owe $120,000 or whatever is a significant amount of the arrears. In fact this one company may owe more than half of all the arrears, even maybe three quarters of the arrears, and we have to deal with that company before we could really consider remitting the other arrears outstanding.

I beg to move that Clause 3 stand part

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

Mr. WEEKES: Mr. Chairman, I would like to appreciate the explanation which has been given by the Minister of Finance, but he referred to only five or six years ago, when I spoke about ten to fifteen years ago. May I suggest now since he has explained the matter that a Tax Relief Committee perhaps should be appointed to go into these small businessmen's affairs when it comes to this trade tax, or the Collector of Taxes could use his discretion in trying to settle this ticklish matter. I am not for one moment suggesting that people who have not paid this trade tax for say 1971 as mentioned by the Minister of Finance should not be called on to pay their taxes, and especially big firms, but what I would suggest is that careful consideration be given to the small businessman, and I can only hope that especially the small shopkeepers will not be called on to pay taxes for such a long time. I do hope that the Minister of Finance will take

into consideration the problem it could create at this particular time when you are helping him with one hand, and on the other hand you are expecting him to pay taxes which he at present may not be in a position to prove he did not pay.

Mr. SANDIFORD: Mr. Chairman, I rise to give a measure of support to my colleague, the hon. member for St. Philip South in respect of the matter which he has raised. I am not getting into the question of the repeal of the Corporation Tax, of the Trade Tax or the Sales Tax, because that for me is a very simple matter. It is the judgment of the Minister of Finance which is on the line, because he has taken certain measures in respect of Trade tax, he has taken certain measures or hopes that the Corporation Tax will operate in a certain way, and it is his judgment which is on the line; so there is no real need to get into any big bother about this particular matter. The out-turn of the figures will either prove him right or wrong, and when these figures come out and they show there is increased employment as a result of the removal of the trade tax or as a result of the way in which the corporation tax operates, then we will say that his judgment was right.
4.15 p.m.

If on the other hand his judgment in terms of how these things will turn out proves to be wrong, he will have to answer to his Cabinet colleagues, to members of the back bench and to the people of this country; I believe it is as simple as that. So I do not have to go into that particular matter at this stage and challenging the criticism of his arithmetic and his knowledge of the operation of the trade tax as the member for St. Michael South West did. I am not getting into that; as I said it is a question of judgment, but I would like to support the matter raised by the hon. member for St. Philip South. I have on a previous occasion spoken about the plight of the small shop keepers in this country in respect of the calls which are placed upon them to meet certain taxation measures in this country. Sometimes they are at a great difficulty in supplying the information required to satisfy the competent authorities that they are either making money or losing money, because they are not accountants, cannot hire accountants, and sometimes the information submitted may not be to the satisfaction of these who have to make decisions. I have seen a number of small shop keepers who are at a distinct disadvantage because they are being called upon to make certain returns and payments and they are not in a position to do so. It is a fact that in this country the small shop keepers are having a difficult time because supermarkets and other chain outlets have put them in a very difficult situation, and I am pleased to note that the Minister of Finance is prepared to take a look at this. When we were in Government, that is the Democratic Labour Party, there was an attempt made by the much maligned member for St. Michael South West, through the Barbados Development Bank, to give some measure of assistance to those shop keepers but there was not time enough to work out the kind of sophisticated assistance that would be required in such situations. I would like the Minister of Finance to take a look at this problem because it is very real. Some of these shop keepers are pensioners over the age of 68 years and a lot of them cannot find any form of employment apart from self employment, and this is their approach to the problem, hoping that through their day-to-day over-the-counter sales they may get some form of income; but then at the end of the accounting period they would realize, as one member on this side of the House has put it, that while they are keeping shop, the shop is not keeping them. This is the situation, and I am very glad that the Minister of Finance is prepared to take a look at it. It is not a slight problem. In the operation of another taxation scheme – I believe regarding hotel and restaurant taxation – the former Government found it necessary to exempt certain business which would have come under these provisions, such as those in Baxters Road and other places, to give them some relief under that measure, and it may be desirable for the Minister to take a look in these areas.

The question that Clause 3 stand part was put and resolved in the affirmative without division.

Clauses 4 and 5 were called and passed.

On the motion of Rt. Hon. J. M. G. ADAMS, seconded by Hon. H. B. St. JOHN,

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

On the separate motion of Rt. Hon. J. M. G. ADAMS, seconded by Hon. H. B. St. JOHN, the Bill was read a third time and passed.

PROPERTY TRANSFER TAX (AMENDMENT) ACT, 1977.

Rt. Hon. J. M. G. M. ADAMS: In rising to move the second reading of this Bill, I would draw to the attention of hon. members that we have introduced a number of amendments. This explains why the Bill has been on the Order Paper for this length of time. It has been recirculated in the amended form, so that members will have the means of seeing what their deliberations will lead to.

The original Bill merely sought to increase the rate of tax payable by foreign transferees from 7½% to 10%. The amendments will have the effect of closing the loopholes to which I referred in the Budget Speech. These loopholes referred to leases and their valuation and to situations whereby exercising the power of sale of mortgages both parties avoided tax, and we have taken the opportunity to improve the valuation procedure generally. I would mention that in future it is hoped there will be no difficulty in ascribing suitable values to a lease and no difficulty in valuing sales of shares of companies which as companies have virtually no assets but have liabilities, very nearly in balance with their assets but whose assets actually comprise very large quantities of real property.
4.25 p.m.

This will not be found in the Bill, but I mention for the information of anyone concerned that the principles of valuation which we will be adopting in such cases are the principles of valuation applicable to stamp duty cases. In other words, you will have to pay property transfer tax on the real property irrespective of how much in debt the company itself is and irrespective of what value an accountant seeks to put on your shares even if he does it honestly and not for the purpose of a fraudulent under valuation to avoid property transfer tax.

I therefore beg to move, subject to the fact that there will be substantial amendments sought in Committee, that this Bill be now read a second time.

Hon. H. deB. FORDE: I beg to second that and reserve my right to speak.

Dr. CADDLE: Mr. Speaker, there is no quarrel on this side with this piece of legislation. There is a matter which, however, is closely allied to this, and that matter is the legislation relative to alien land holding in this country. This was a matter with which the preceding Government was busily engaged and had drafted legislation and was on the verge of introducing such legislation into this House. At this particular time it would be worthwhile to hear from the Minister what are his views on alien land holding legislation and what has happened to the previous legislation that was drafted.

On this matter I said there is no quarrel, it affects people who are about to buy land or who will be buying land in Barbados, and it is only indicated here to increase the rate of tax which they have paid in the past. We welcome this, because not only do we see it as a means of raising taxation, but we do feel that people who come into Barbados and want to benefit from a lot of the things which already exist in this country should be called upon to pay some fair rate, and seen against that background there can be no serious quarrel with this type of legislation.

As regards the loopholes which the Minister had adverted to, one can only wait and see how an operation of this present Bill will go in removing such loopholes, and if we do succeed in removing a number of loopholes, I think it will be to his credit and we will all have to give him some appreciation for such activity. Sir, we will support this Bill.

Rt. Hon. J. M. G. M. ADAMS: The principle of alien's land holding is really a very difficult one. As the hon. member would recall, a previous Bill came before the Cabinet and proved to be altogether too severe. Strangely enough, that Bill was of the type which used to come before the Legislatures of Crown colonies. There was a time when the British Government very jealously preserved the right in Crown Colonies of local land holdings. Of course, many of those colonies were colonies in which the largest land owner was the Crown anyhow, there were substantial amounts of Crown lands, and I think that that Bill was really too severe, and at the time I remember speaking in the House on it, and I gather that the earlier Government withdrew the Bill when it was returned, by general agreement the Bill was withdrawn and it has not been revived.

However, I will say this Sir. I definitely have a specific prejudice in favour of local ownership of land. I do not think that any country can allow, especially a country as small as Barbados, its most desirable land to be held by foreigners. I regard it as really a very difficult matter to administer, that is the only trouble. I have had occasions when I used to practise at the Bar, Sir, of seeing the Alien Land Holding Act operating in one of the neighbouring islands here and to tell the truth it frightened me to see the loopholes, the opportunities that were given in respect of these things and the different means that were used to circumvent it, and it frightened me when I thought of the inducements that in the hands of unscrupulous people could have been commanded in this regard. To some extent I suppose the same is true even of the United Kingdom. It is one of the ironies of colonial history that in the United Kingdom, very jealously the right to prevent foreign companies owning land is still preserved today, I believe, by the means of the law of mortmain, but in colonies such as Barbados which were of interest, Sir, not the little Crown colonies that were only a drain on the Crown, Barbados was one of the interesting colonies, and Grenada as it turned out – one of the classic cases in constitutional law which held that the law of mortmain did not apply to a conquered colony, in fact, it has no application to colonies at all – in those cases these laws were not administered, so that Englishmen were free to come and buy land in these better off colonies.

As I say, there is all this confusion surrounding it. Those who have read the Manifesto of the Barbados Labour Party at the last general election, and I know I am speaking to the converted such as the member for St. Michael South, will be aware that we have promised a form of differential land taxation. We have specifically promised that a taxation scheme would be devised to tax foreign-owned lands other than those of incentive business or businesses enjoying hotel aids. It would be unreasonable to give with one hand and take it away with the other, more heavily than the lands of the locals, and this is now under study in the Ministry of Finance. I believe that arising out of this that proposals may come by the time the files have gone the rounds which will have the effect of some further limitation, but I will draw hon. members' attention that the permission of the Central Bank is needed before non-residents can purchase land in Barbados, and this is one form of alien's land holdings which has been administered, as far as I can judge, in an entirely straightforward manner.

I have not heard any serious complaints of it, more generally Barbadians who live abroad, although they are non-resident, are freely given permission to buy land here and a whole series of guidelines are laid down in respect of foreigners to put an end to old practices, to the effect that foreigners cannot raise mortgages in Barbados to buy land in Barbados, that they must bring in the money themselves, and at the moment this is to some extent controlling speculation for Barbadian land by foreigners. I must say I regard the property Transfer Tax Act as another means of

controlling such speculation, because again you have to recognise, Sir, that 10% is a substantial premium to pay on a land purchase in a foreign country especially when that premium of 10% will never be registrable or ought not to be registrable as part of the purchase price of the land which would normally be allowed to remit back should you have to sell the land for any purpose. This is the situation at the present time.

The hon. member may rest assured that we have it well in mind. I myself do not think that we will ever return to the severities of the former proposed Act which would have made all foreigners in Barbados, if I remember it correctly, apply for a licence to hold the land which they bought perhaps years ago, the Panam Company, Sir, and so on, and apply for it within a year and perhaps face the dangers of not getting it.
4.35 p.m.

I think really that this is a severe and dangerous position which would upset the investment climate in this island so seriously that you could as well not worry with the preliminaries; you could as well take away the land without giving them a year in which to make the application. I do not think that we would ever turn to any Draconian provisions such as those; but I believe, Sir, that we will be able to hammer out some combined operation in respect of foreign ownership of real property in Barbados which will receive the approbation of members on both sides of the House.

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

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

Hon. H. deB. FORDE: I beg to second that.

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

Clause 1 was called.

On the motion of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. H. deB. FORDE Clause 1 was agreed to.

Clause 2 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that the present Clause 2 be deleted and a Clause 2 as circulated be substituted therefor.

Hon. H. deB. FORDE: I beg to second that.

Dr. CADDLE: Mr. Chairman, can I have a copy of these amendments? I am sorry. I think that the matter has been clarified. The Bill that I have before me already has in the amendments, it seems.

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

Clause 3 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that the new Clause 3 be inserted in the Bill in the circulated form.

Hon. H. deB. FORDE: I beg to second that.

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

Clause 4 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that the new Clause 4 as circulated be inserted in the Bill. It is worth drawing to the attention of the public that this Clause 4 will amend Section 6 of the Principal Act; and we have taken the opportunity to improve the procedure under which a very large number of small land owners in this country obtain titles to their land.

As is well known to any practitioner, and to many members of the public, there is a thing called a title suit; and you see them advertised in the Advocate. They constitute a good part of the Advocate's classified advertisements revenue, I believe. You see Albert Holder, Plaintiff, Charles Edghill, Plaintiff, and there is an Albert Greaves. There are various Attorneys at Law and Clerks who make out titles for people for smaller or greater portions of land. We have even seen a piece of land having title made for it – unless I am mistaken, Sir, at a value of $2 million. Just in time with the new stamp duties. I believe that they would have amounted to a substantial amount.

For a long time it has been said on both sides of the House – the hon. member for St. John and hon. members on this side when in Opposition, and by many practitioners and with some force by some of the judges, notably the retired Mr. Justice Hanschell, that the procedure

left much to be desired. That the process of land stealing was facilitated by the Rules of Court rather than hampered. With all the business of putting a notice on a tree, and then the notice would be taken down before the person who is in occupation of the land could get home from work – all of this, Sir lent itself to difficulties and litigation. Lawyers have waxed fat through some of this litigation, and not only the Civil Bar, but indeed sometimes the Criminal Bar; because anybody who practices in these matters will recall the fights; and indeed in some cases, fights going as far as murder. The hon. member for St. Michael North Central will remember a classic day in which he gave evidence in a case in which I think over 200 dog bites had been inflicted on a young man in St. Lucy in the course of what was fundamentally an argument over land. They set five dogs on him and encouraged them to savage him until he lay on the ground.

All of these unfortunate things happen. I myself have been threatened, along with other Attorneys, with cutlasses and all kinds of things. I have seen the Chief Justice on a particular occasion threatened by an old woman in the course of one of these title suits when he was visiting the property. We cannot stop people fighting over land; but we can stop people stealing a march and taking advantage of those in the present procedure to obtain titles to land which is not properly theirs in a manner recognised by the law.

If you study the Act you will observe that we are now placing on plaintiffs a duty – though the duty only applies if they want to avoid the payment of property transfer tax – but none the less it is a duty which I think the Courts will enforce in a wider sense. We are placing on plaintiffs a duty to prove that they are beneficially entitled to any property which they seek to put through the Courts for a period of not less than 10 years, or they are entitled to it under a will or intestacy, or they have lost the proper conveyances, the proper documents, the title deeds; and that they have paid any property transfer tax, in respect of any title which they might have had earlier.

We believe that this will have the effect of putting lawyers under a duty of satisfying themselves that land which they are putting through the Courts for a client, the client is seriously beneficially entitled. I think that it will save a lot of trouble. It will save one or two lawyers from trouble. It is known that there are at least two Attorneys who in recent years have had to appear before the Chief Justice.

4.45 p.m.

I am told by the Attorney General that there are four in all: two actually in disciplinary proceedings and two in other cases. I have just remembered a fifth for whom the Leader of the House, if I recall correctly, appeared or certainly a case in which he and I had been engaged and which I think has been unsettled these last 10 years. Anyhow, the problem exists, and I think it will enable the profession itself to remove one of the nagging complaints that has existed, which is that it is too easy to steal land, which is the popular phrase in Barbados, and if you go to the right lawyer, perhaps, it may be easier than otherwise. We hope that, if these provisions are properly applied, we will get a reduction in arguments over title suits and title cases generally. Of course, this is only subsidiary to the fact that we will be introducing, I hope in this session of Parliament, legislation relating to registration of title, which sooner or later will put an end to a lot of title suits, although there may be many title suits leading up to it. It can be expected to wipe out some of the unnecessary litigation in land that has plagued this country for so many years. Having said all of this, I beg to move that this Clause be now added to the Bill.

Hon. F. G. SMITH: Mr. Chairman, I shall not be very long on this Bill. I am very fortunate in that in the firm in which I work there is a Solicitor so I do not do any title suits, wills, mortgages, and that sort of work. I am a barrister and I stick to what I was trained to do. However, I just want to know if these amendments were the result of discussions with the Law Society of which I happen to be Vice Chairman. I remember before I went into Bridgetown that the Attorneys-at-Law were a bit worried that there were a lot of matters which were pending and for which agreements had been signed, and that this increase in the rate would have placed their clients at a disadvantage. I was informed that the Minister of Finance did agree to see members of the Council of the Bar Association, and I just want his assurance that even although the Bar and the Law Society should not be the one to dictate policy in this area, yet he did give serious consideration to the warnings and to the problems which the persons involved in the

exercise saw as arising from a sudden change in this particular Bill.

I do not think the Law Society of which I have the honour to be Vice Chairman is out to nullify, negate, or in any way stop the Government in its wisdom from earning the maximum revenue, but yet as practitioners, who are called upon to advise clients, we would like to have the assurance of the Government that this Bill takes into consideration the practical problems which the Attorneys-at-Law saw as arising from a sudden change in the law, not in midstream, but in the course of its operation.

I think the Attorney General himself will appreciate that in this question of land transfer and the question of sale and mortgage there is a time period within which you enter into some agreement and then, of course, you advise your client on what it will cost at one point of time, and then to be told subsequently that there has been a change can work hardship on people especially if the estate is for a large and substantial amount of money. As a matter of fact, a man may not have entered into an agreement if he knew the amount of money he would have to pay.

Sir, I know that they did have meetings, and I hope that the Government have given sympathetic consideration to the problems which the Law Society drew to their attention were likely to arise from an implementation of this measure. We are not putting any obstacles in the way. I would like to assure the Attorney General that he was Vice Chairman before me and, certainly, as long as I have the honour to be Vice Chairman, we have no intention of putting any obstacles in the way of a Government in regard to the administration of law or justice, but we do deem it our right as a body of persons dedicated to the practice of a very noble and interesting profession to draw to the attention of the Government any problems that may arise either by the administration of justice, or in any area of law which we find, from our practical application of the principles of law, need to be drawn to the attention of the Government.

Rt. Hon. J. M. G. M. ADAMS: Sir, the Attorney General is going to speak generally about the question raised. If the hon. member would let me speak for two minutes, because I have a Party of people connected with certain matters that I have to entertain. Very briefly the Leader of the Opposition's query about clients who had already engaged in transactions has been dealt with. I saw the President of the Law Society and his Secretary, and, for the information generally of the public, I indicated that I would exempt from the increase all cases where the contract had been signed before Budget Day to be completed before Budget Day, but where due to delays of the Government, either of exchange control, or of the collector of taxes, or the Registrar, although I do not believe the Registrar's delays would have been substantial, but in all those cases exemption will be granted. It is necessary to get a tax certificate, it is necessary to get exchange control permission, and it is necessary to get documents adjudicated. In every case I have given an assurance that where the local lawyer had the purchase money and was waiting to complete, only because he had not got exchange control formalities wound up, or got his tax certificate, or got his adjudication, that an exemption would be granted. I may say that it appeared to me that officials of the Bar Association were satisfied with that.

Dr. CADDLE: Mr. Chairman, I just wanted to support the views of the Minister of Finance about the ease in which land had been stolen and continue to be stolen in Barbados. I am well aware of this, because in my capacity of Minister of Home Affairs many of those cases were brought to my attention, and when we looked into them it was rather difficult to get anything done about them. This matter has been engaging the attention of the previous Prime Minister for some time. Unfortunately, I must admit that very little has been done to settle this problem. It is a real problem. People just put notices in the newspaper and the next thing you know someone has been cheated out of land which he has owned for years and has not sold. It is just that somebody has gone around and, knowing the loopholes in the law, has been able to go before the High Court and get Letters of Administration and documents for

land which is not correctly theirs. It has also been easy for people to go and get the names on tax receipts changed, and instead of the tax receipt being sent to the original owner it will be sent to some other person. Now these things do exist, and there has been a serious bone of contention leading often to fights, and in some cases death, among the contending parties. I do not believe that in 1977 this state of affairs should be permitted to continue much longer, especially when we like to pride ourselves on being educated, law-abiding, and things of that nature.

4.55 p.m.

If this particular section 4 and the following subsections are going to reduce the ease with which people have been able to steal land and continue to steal land in Barbados, it must be very much welcomed, and I go further and say that I believe some publicity for the benefit of the country should be made about this type of change which now in some way goes to protect owners of land, because even although amendments are made, we do find in Barbados that a long time passes by before people can get accustomed to changes and they continue in their old ways, and I would like to invite the Hon. Attorney General to consider the question of giving some publicity to this particular section as it goes to reduce the ease with which people have been able to get away with stealing land, and it would make people more aware of what does exist and they would be more cooperative in protecting their own properties. With that I would like to say that I welcome this and I believe that my colleagues on this side would welcome this particular section which now amends the Property Transfer Act.

Hon. H. deB. FORDE: Mr. Chairman, if I may reply very briefly to the points raised by the hon. members, there was consultation with the President of the Bar Association, Mr. J. C. Armstrong on the provisions in this Bill. I consulted him not only in his capacity as President of the Bar Association, but in his own capacity particularly in view of the great knowledge which he has on conveyancing matters, and indeed the President and the Secretary Mr. Serrao have seen the Prime Minister about matters which the Leader of the Opposition spoke about and has given the undertaking which the Prime Minister outlined. I also consulted one other senior member of the profession who deals with a great deal of these matters, and of course we have had the benefit and great experience of the Registrar who sees the matter not only from the point of view of the private practising profession but also from the point of view of Government lawyer and administrator who deals from the Government's point of view with these matters from day to day.

Before the final draft is agreed on, we have carried out due consultations so that there would be no hardships in working this Act. In so far as the matter raised by the hon. member for St. Michael South Central is concerned, I would state that we have drafted in the department a Land Registration as well as an Adjudication of Titles Bill. We are now having the first draft of the Bill printed and will circulate this to interested groups like the surveyors and the Bar Association and other people who can help in relation to the registration of titles. Of course officials in the Government like the Registrar would also be consulted.

I have obtained technical assistance from the Commonwealth Fund for Technical Cooperation and only today Professor Marshall will be arriving in Barbados to spend a period of approximately six weeks in the first instance here and at a later stage will come back again and work over a period of three months, give of his expertise in the whole area of land law. It is the Government's intention not merely to revise and consolidate existing land law, but to reform the land law. Hon. members should know that our land law is archaic. Indeed the system of conveyancing is still based on the Statute of Uses of the year 1535 in the United Kingdom, and in some instances we have no proper legislation dealing with matters that affect land law. For instance, there is no Charities Bill in Barbados, and hence you will have heard when the Hon. Prime Minister spoke he spoke about the application of the law of mortmain to Barbados even in these days it is a statute under the reign of Henry II; so we are having to reform the

Charities and Trustees Act. The Trustees Act is outdated and does not lead to proper investment of trustee funds, Land Act, provision dealing with mortgages, Land and Landlord and Tenant as well as Registration of Titles, and in my department we have started on new limitation of Restrictions Bill since our Limitation of Restriction Act is outdated, and as the hon. member so rightly says, because of the outdated nature of the legislation we have had problems with people passing land through the Court without any proper title being really established to it. Indeed the judges of their own accord have been trying to make the procedure tighter by using the inherent jurisdiction in the Court to compel persons to satisfy them that the land was genuinely in their possession for ten years or more under the Statute of Limitation. Our Statute of Limitation is based on a statute under the reign of James I of 1623, and we do have a real property statute, I think, of 1845. There has not been any proper land reform in several areas in the law and shortly I am hoping to come to Parliament, having just got the sanction of the Cabinet, for an increase in staff to manage the law reform section. We are going to set up a specific section in the Attorney General's office dealing with land reform where there will be four officers whose duty is to look at areas of the law in order to keep apace with modern, political, social and economic development of the community.

Had we the money, Mr. Chairman, I would be setting up a statutory body with its own funds, with its own staff, but the money is not there, and I think even if we had the money we would also need staff, and I must emphasise that we are very short of legislative draughtsmen in the Caribbean. Trinidad, I believe, has recruited a retired Head of the Commonwealth Legal Section and I understand, I do not know how reliable the information is, they are paying him £3,000 a month to carry out the job for them. We cannot afford that sort of money, but we have also asked the United Nations Development Programme for Technical Assistance and we are hoping to get the services of either a Canadian who is working in the area for a long time or a top class West Indian if he will come to look at the whole area of English legislation which still applies to Barbados and is on the Statute Book of England and merely applied to us in our colonial state. I trust that within the next year or so, certainly within the next eighteen months that this House will have the occasion to consider a lot of reform legislation as was promised in the party's manifesto. I will try to carry out, as long as I am there and have the help, the undertakings given in the manifesto to reform the laws and to get them up to date. The hon. member for St. Michael South asks me which manifesto. I have read the Democratic Labour Party's manifesto and I see no serious commitment to law reform in the manifesto, so the answer is quite easy. There is only one manifesto we have to consider, and it is the Barbados Labour Party's manifesto.

The question that Clause 4 stand part, was put and resolved in the affirmative without division.

Clause 5 as circulated was called and passed.

5.05 p.m.

Hon. H. deB. FORDE: I beg to move that Clause 6 as circulated be the new Clause 6 and stand part. I should say this Clause 6 deals with the difficulty of valuing shares and I should make it clear that a lease is caught by the Act and includes sub-leases and tenancies as well as the criteria which must be taken into account by the Commissioner of Valuation with regard to shares and other property.

Mr. SANDIFORD: Mr. Chairman, the member for Christ Church West knows I will respond to any comment which he makes which is worthy of response. As far as this legislation is concerned I would like to underline the point made previously in the debate, and that refers to the question of alien land holding. Land represents some of the greatest assets of this country and one of the greatest economic resources, and anything that can be done to ensure that the land is owned by Barbadians is something to be encouraged. As I recall it, the line of thinking of the previous Government was that land might be owned by non-nationals, but on a lease basis. All of this relates to question of land reform and this is a matter which I want to refer to. I note that the Attorney General has flirted with the idea of setting up a Statutory

Body and I recognize that this is perhaps the best way of dealing with that particular problem. There is a document that is already a document of this House, and I believe that almost as many people voted for the Democratic Labour Party in the 1976 General Elections as voted for the Barbados Labour Party; I am thinking in terms of the popular vote throughout the country. And I would like to refer to this particular document which states that the party will accelerate the programme of revising and updating of these laws which are outdated and will seek to establish a Statutory Body to deal with this matter. And I want to point out that in this particular area of the laws relating to land, it is a very complicated business and the Attorney General is quite right when he says there is a shortage of trained draftsmen. I believe that back in the 19th Century the leading person who put a mark on the skill of draftsmanship was someone, I think, called Mr. Thring. There is a shortage of draftsmen and this is a problem which has been recognized and I do hope that all the energies that can be devoted to this particular area will be given to us. We have got to realize that Law Reform is a continuing thing, and we should not get into the habit of thinking that September 2 is the beginning of creation. This country has a history behind it and there was a lot of work done before that date in the area of law reform. So the first point is that the question of ownership of land in this country has got to be resolved, particularly in relation to non-national holdings of land resources in this country. If we are interested in the ownership of land by non-nationals or individual capitalist we have got to look at this area.

And the other area, of course, is the area of reform as far as the two Bills to which the Attorney General referred to is concerned; the whole question of establishing proper titles to land instead of going through this rigmarole of two attorneys each searching for two clients on every occasion, and it is the poor clients who have got to fork out the money. Unfortunately, as I understand it, the system that is being proposed may turn out in the initial stages to be beneficial to the Attorneys-at-law, because as I understand it, if they are engaged in any transactions or searches, or whatever they call it in their legal jargon, and that information is forwarded to the appropriate Government department, they will have to be paid for that particular work, and this may turn out to be beneficial to these Attorneys-at-law. But this is a matter to which I am certain due attention will be paid and one in which the Leader of Government business is very concerned, and in due course he will come up with proposals acceptable to all sides.

I was particularly pleased to hear the Attorney General mention the people he had talked with in the Law Society, because I believe on previous occasions we ran into some rough waters when we spoke about these learned societies and there was some reaction about who had been consulted and who not; and how could a person who was a high ranking officer of the Society be speaking in these terms. So in this particular case he was very specific on this matter.

Mr. Speaker, I will not hold up the Committee any longer but we will be giving the Bill our support.

Hon. C. L. BOLDEN: Mr. Chairman, I would say to the member for St. Michael South that his statement about law reform is very incorrect. The era of law reform in this country began on September 2, 1976. I was not here in 1961, but when you read the record of the former Prime Minister campaigning to gain power in 1961 one of the platforms of his campaign was that he would reform the law of property to save people from paying a lot of money to lawyers to get a title deed.

5.15 p.m.

He was challenged in this Chamber time after time; what has he done about it? He never gave an answer, so the member for St. Michael South must remember lots of things. While we sat in Opposition we brought several Bills to this House with the hope that the Democratic Labour Party would have honoured its pledge to the people in law reform. Let me just relate a few that I just wrote down as he was speaking. The first, and most significant, was the Married

Women's (Separation and Maintenance) Bill when the then Mr. Elliott Mottley sitting in Opposition brought the amendment to give the separated married women a decent weekly payment, and they voted against it on the grounds that they were bringing a Bill, so they could not let ours go through. They went out of power leaving a situation where illegitimate children could get more money through the court than lawful married women and lawful children. No law reform.

Look at the next one, the Marriage Bill. When the present Prime Minister brought a Marriage Bill in here, they voted against it, they were bringing one. A new Bill on the law of libel, drafted by the present Attorney General, was brought in here what did they do? I could list Bills and Bills brought in here even during the last five years by the members of this team and they sat on these benches and voted against them because they said they would be bringing down their Bills.

I heard the member for St. Michael South say it was something canvassed, about alien's land holding. Mr. Chairman, if that is where they set about creating laws, it is no wonder that we have no law reform. From the point of view of what is happening now, we have made a pledge in the only thing that can be regarded faithfully as a Manifesto. Everybody referred to what he spoke from as the children's picture book. We are not dealing with little children because they do not know law, you have to deal with big men when you are talking about law and law reform. He reads from the children's picture book. That, Mr. Chairman, tells you exactly how serious he was, because if you read one of the fun stories for children you would not see any legal phrases in it, so law reform really began on the 2nd September. (Hon. F. G. SMITH: It is not true. Foolishness!). Mr. Chairman, he would have to say that because he was responsible for the Government's Legal Department and he has produced nothing of consequence, so I would not expect him to say anything otherwise.

Hon. F. G. SMITH: Mr. Chairman, the Attorney General could tell him that I set up when I was Attorney General - whether it was produced or not - but the Attorney General will tell him that we made an honest attempt and we did set up a Law Reform Committee on which the present Attorney General had the honour to serve, and I think he will agree that they did produce one or two. It was just a question of servicing, it was a question of being busy people, and I think he will agree that they did put up to the then Attorney General one or two very interesting changes in the law, some of which were implemented. I think the Attorney General will tell him too that if he goes through his files he will find that Professor Marshall in a lot of areas did put up legislation on a new Administrative Trustees Act and several areas, and I think he will find even although it did not come to fruition either in my time or the time of my predecessor for the reasons of which the present Attorney General complains, that he is short of draughtsmen, he needs a full time person to head it, and these are very scarce, that the process of law reform in Barbados whether the present Attorney General is there or whether the Minister of Agriculture becomes Attorney General, it has got to be slow, because apart from the draughtsmen - and this is the problem in Barbados - and we get a lot of law reform from Ontario, Canada, even from the United Kingdom, the documents come in with modernisation in these laws, but what does happen is that in the Attorney General's Department - I do not know if it has changed - although they have about twice the number of officers I had when I was Attorney General, he will find that his officers are so tied down - and I want the Attorney General to listen to this, and I know it is true - that his draughtsmen and he himself are so tied down with keeping Parliament with current legislation that there is very little time for his draughtsmen to do the research necessary to produce the volume of law reform that I think any sensible Attorney General would wish from time to time, and the Attorney General himself has complained in this House that he is short of draughtsmen and that he himself as Attorney General has had to do a lot of the drafting.

Take the legislation before Parliament today, Mr. Chairman. We have nearly 12 to 13 Bills which are absolutely necessary to carry out the proposals of the Minister of Finance. Whatever

intention the present Attorney General had of dealing with law reform, his draughtsmen have to leave everything in order to come down with these Bills to meet the deadline under the Provisional Collection of Taxes Act. He has to do it, so that his draughtsmen have got to keep Parliament functioning with law, and there is not enough staff in any Attorney General's Department in Barbados to deal specifically with law reform as a separate and distinct subject.

My learned friend, the member from St. Philip, the Minister of Agriculture, has never had the honour or the privilege of serving as Attorney General and therefore anything that he says about the subject is subject to his qualifications.

Hon. C. L. BOLDEN: Mr. Chairman, on a point of order. I would not like that privilege if I would perform and produce like the hon. member who has just sat down; he has produced nothing. No other officer has been added to the Department since this Attorney General took over, but he had them, his predecessor had them, the man who followed them had them and they have produced nothing, and the day I find myself in a Department to produce nothing like they have done I would beg God to remove me from the face of this earth.

Hon. F. G. SMITH: Do not tempt the Almighty, he might remove you for less than that. I do not like these imprecations because the Almighty might answer him, and I would hate to lose the hon. member for St. Joseph in spite of what he says. I have seen that happen.

Mr. CHAIRMAN: Let us get on with the debate.

Hon. C. L. BOLDEN: Mr. Chairman, I would like him to know I pray to a different God from the one he prays to. He has a John the Baptist and he is a god; I do not pray to that god.

Hon. F. G. SMITH: He probably prays to Allah; do you belong to the Muslims? Anyhow, I think the Attorney General agrees. If we could get in Barbados and find the money to pay quite separate and distinct, apart from the Attorney General's staff, a qualified and able judge or draughtsman, and one or two other draughtsmen, then I think the volume of law reform which Barbados sadly needs could be accelerated. I think if we, and the Attorney General will support this, that if we continue to tackle law reform within the Attorney General's Office using his draughtsmen who are tied down in providing Parliament with laws for the various Ministries and to keep Parliament going, and to carry out the Government's policy and programme, the question of law reform as law reform will take a secondary position.

I do not think it is a reflection on any Attorney General, it is a question of staff, of a separate organisation to deal with law reform as law reform, and it will cost a fortune, quite a considerable sum. (I hope the Prime Minister is not going to sit as I sat last Tuesday, down the line, because I might think we need a new Prime Minister. When I came in last week the member for St. John was sitting in my seat and I can read that they had a new Leader, so I am wondering whether the member for Christ Church North Central is now the new Prime Minister. Since I was accused of having a new Leader, Mr. Chairman, and now I see that the Prime Minister is not in his seat, so it seems that not being in your seat indicates a new Leader.
5.25 p.m.

I know that the Prime Minister is secure in his seat just as I am secure as Leader of the Opposition. Because he changes his seat, I would not accuse the Government of having a new Prime Minister as I was accused of being displaced because I did not sit in my seat. Be that as it may, it shows how the tables turn. Last Tuesday when I came in at a quarter to one, and the member for St. John was in my seat I was accused. I could hear on "Horizons" on Sunday that the Opposition had a new leader. I hope to hear on "Horizons" on Sunday that the Government has a new leader because the Leader of the House was sitting in the Prime Minister's chair. I hope to hear it on "Horizons" on Sunday that the Government has a new leader or two, in that the Hon. Minister of Labour and the Hon.

Leader of the House were sitting in the Prime Minister's chair.

The Attorney General will agree that law reform in Barbados needs speeding up; but it needs a separate organisation which will cost a considerable amount of money. In my time, as in his time and his successor's time, as long as we continued to do law reform out of the Attorney General's office, using the same draftsmen who have to provide legislation for Parliament and for the various ministries, law reform, even if it speeds up, will not be as speedy as we all hope it would be.

Hon. H. deB. FORDE: Mr. Chairman, I will reply to a few of the points made. The difference between the Prime Minister and the Leader of the Opposition is that the Prime Minister's leadership is not up at all at any convention that may be held this month or at any time in the immediate future. The second thing is that in the case of the Prime Minister he does not go on the radio and television and talk about when somebody else is around he has to stand down; and he has to wait for that person to make a decision.

So when we see the hon. member being demoted, and handing over to the man of whom he is so afraid so that he cannot challenge him in any respect, I think that "Horizons" must have been speaking what obviously was in the hon. member's mind. That is the position, Sir. Whenever the hon. member for St. John is in here the Hon. Leader of the Opposition takes sixth place, which is the last in the scale, because he knows that there is no big consultation. He has to wait until other members have been consulted. They ran the parties so badly that they did not have the co-ordination or the combination. That is the point, Sir.

However, if I may answer specific points raised by the hon. member for St. Michael South, I can assure him that in the manifesto of the Barbados Labour Party we made it quite clear that the three successive Democratic Labour Party Governments had ignored the absolute necessity for the establishment of a permanent and properly organised system of keeping the laws of the nation under constant review. We have not departed from that view of the DLP's approach to law reform.

Law reform was spasmodic, Sir. It even came down to the stage of a Cabinet sub-committee of three Ministers – the hon. member for St. John, the hon. member for St. Michael South Central and the then hon. member for St. Michael North West, Mr. Philip Greaves. None of them had any time to do law reform. It was impossible. I criticised the measure when it was brought into this House at the time. I told them that they would never get the issue of law reform tackled in that way, and my words have been proven correct.

We are trying to tackle it in another way. I will state that quite rightly, as the member for St. Michael South Central has said that you will need draftsmen who can devote their time to doing law reform if you want to do it in a proper form and promptly. I said that we will be coming to the House shortly with some proposals.

In so far as aliens land holding is concerned, I think the Prime Minister spoke on that. I will make just one further comment to add to what he has said. My understanding is that Mr. Philip Greaves who was then Minister of Lands, had agreed to allow that Bill to die, I think before Parliament was prorogued, because he was not sure that it was any longer necessary since the effect of the control exercised by the Central Bank, as well as the effect of the Land Transfer Tax Act had a dampening effect on the zeal with which non-nationals were buying up land in Barbados at the time.

In any event, I believe that if the necessity arises we will revive the Act and try to get rid of some of the features that worried him and worried me myself at the time when the Act was before the House, and if necessary come down with the necessary legislation.

The question that Clause 6 as circulated stand part of the Bill was put and resolved in the affirmative without division.

Clause 7 was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that the new Clause 7 as circulated stand part.

Hon. H. B. St. JOHN: I beg to second that.

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

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that Your Honour do now report the passing of one Bill in Committee with amendments.

Hon. H. B. St. JOHN: I beg to second that.

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

On separate motions of Hon. H. deB. FORDE seconded by Hon. H. B. ST. JOHN the Bill was read a third time and passed.

RESOLUTION TO APPROVE COMPULSORY ACQUISITION OF LAND AT OISTINS

The Sixth Order of the Day was called – a Resolution to appprove the compulsory acquisition of land at Oistins, Christ Church, relating to the development of Oistins.

Hon. H. B. St. JOHN: Sir, this is a Resolution to approve the compulsory acquisition of land at Oistins, Christ Church, relating to the development of Oistins. The object of this Resolution, Mr. Speaker, is to acquire approximately 3,080 square feet of land situated at Oistins. This land is the property of the Salvation Army, and on it is contained a wooden building. We are using the land acquisition procedure in order to clarify certain members of title which have been discovered in the course of investigations.

5.35 p.m.

I can give the House the assurance that the matter of compensation to the Salvation Army and the finding out of an alternative site are being vigorously pursued, but we regard this scheme as one of urgency and all obstacles, whatever there may be, in the execution of this scheme, have to be removed. The situation at Oistins is such that an acute traffic problem develops around two o'clock right up to ten o'clock in the night particularly during the fishing season. For members who are not familiar with the location, this area is land situated on the townward side. It is the first building after you pass the District Hospital. It is next to the Police Station, and with the acquisition of this property all the remaining property from the District Hospital right down to the corner which leads one into Oistins Hill will now be vested in the Government.

Already three houses have been removed from the site and the development is going ahead at a reasonable pace, but not as fast as I would like because it is my view that these schemes need day-to-day attention if there are to be executed within a reasonable time. Consultants have already been picked for the plan for the creation of the redevelopment of this particular area. We have secured from the European Development Fund a variation of the original scheme, and the variation has been towards increasing the scope of the scheme to include a beach study from Kendall Point to St. Lawrence Church. As hon. members will appreciate if you live on that coast, since the Coast Guard has been there, a number of changes on the beach side have developed and, as a matter of fact, even prior to the building of the Coast Guard in the Welches area the main road was being threatened.

We feel that, as a result of last year's high seas a large number of properties in the Dover area were threatened, and rather than do a beach study of only in the immediate vicinity of this area, it is felt that it is better to do a beach study between Kendall Point and St. Lawrence Church. This was recommended years ago as part of a coastal study of Barbados for the South Coast. There are a number of segments of the whole coast which, according to the Engineers, have an inter-relationship. We have applied to the European Development Fund for a variation of the original terms of

reference, and we were able to negotiate that. The study will be paid for by the European Development Fund, so that we are able to take advantage of that aspect.

We hope that the contract will be finalised. It has been approved by the Cabinet and it has been approved by the EDF, and it is just a question for the engineers, the lawyers, and the Government to finalise the contract. I want to assure hon. members that this is a scheme that they will see in the Labour Party's Manifesto as long ago as 1966. I hope one of these days to be able to announce a similar scheme.....

Mr. SPEAKER: For Speightstown.

Hon. H. B. St. JOHN. For the other area in Barbados which attempts to rival this area.

I beg to move that this Resolution do now pass.

Mr. ODLE: I beg to second that.

Dr. CADDLE: Mr. Speaker, we on this side will support the passing of this Resolution because the previous Government has been interested and has been carrying out proposals for the improvement of the Oistins area. There is no doubt at all for anyone who has travelled along that section of the road to observe the congestion and inconvenience which people, especially fishermen and the people who go to do business with fishermen, encounter when they travel along that area. What is interesting to observe is that where a particular area of land has been acquired – the land which is before the Police Station. I would like to draw to the attention of the Minister that there is another area of land slightly north of the Fish Market which, I believe, is not yet acquired by the Government.

Hon. H. B. St. JOHN: Mr. Speaker, the previous administration had taken the decision of Central Planning Committee in August, 1975, to acquire lands of Oliver Weekes, Ermintrude Greenidge, Samuel Nelson, Egbert Brancker and Corlette Yarde. That is all of the land between the Fish Market and the corner going to Oistins. They did not advert to the question of the Salvation Army. I believe that it was thought that the Salvation Army was renting from the Government, because the Government owns the Police Station, the Fish Market, and the property above.

Dr. CADDLE: Thanks very much, for that clarification. All that needs to be done is to see some improvement. I would like to join with you in voicing a comment that progress has been made very slow, and I hope that you will be able to get some sort of increased activity in that area because the Development Plan for Oistins has been going on for a very long time and very little has been done apart from the actual acquisition of parcels of land now and again. I think that the people who use that area will expect something more tangible to be done.

In the meanwhile while people are waiting for these improvements to be carried out, I wonder if the Minister and also the Minister of Communications and Works will look at the question of parking along that area. It is a very serious problem in the evening, especially when people go up there in search of fish. You will find the road is congested; it is difficult for pedestrians to cross the road; and it is also difficult for vehicles to move in either direction. I am wondering if something could not be done in the meanwhile until these definitive plans can be put into operation. While people are waiting for these plans to materialise people are suffering. I am not blaming the Hon. Minister, and I would like him to bear that in mind. I am just mentioning a situation that has been allowed to go on due to, maybe, the lethargy of civil servants or, as the proverbial saying goes: "The wheels of Government turn slowly." I think that something should be done about the traffic problem, and I do not believe that we should wait until some severe accident occurs in that area before action is taken.

I repeat that we welcome this Resolution. We will support it, and we will assure the Hon. Minister of our continued support, because this is a projection which the previous Government had in mind, and we hope that this Government will succeed in doing it.

Mr. SANDIFORD: Mr. Speaker, just a brief intervention on this matter that is before us. I speak in terms of developments of Oistins and the improvements as far as that fishing town is concerned. I believe that Oistins is one of the main areas for the landing of fish and for the mooring of the fishing fleet, and that this development is intimately bound up with that type of development which provided important facilities for the fishermen and for those who use this town.

5.45 p.m.

Just as earlier we had to speak about the problem that the small shopkeeper in this country is encountering as the drift of economic situations change and as more money is required in order to operate business, I would like to draw to the attention of this Honourable Chamber the problem that is being faced by the small fisherman. I believe, Mr. Speaker, that you also represent a constituency with a sizable population of fishermen and your keenness to ensure that something goes to the north and also to Speightstown was very noticeable where you actually assisted the hon. member for Christ Church North Central in getting out the word "Speightstown" so that even although the Speaker does not get into debates .....

Mr. SPEAKER: I think the Hon. Leader of the House knows his duty towards the parish of St. Peter.

Mr. SANDIFORD: Sometimes you have to let them know that Speightstown exists too. As I understand it and maybe the Leader of the House can clarify the situation, there is a development going on in the fishing industry and I believe that small boat owners in the Oistins area are not immune from this particular development, whereby larger boats are being constructed costing more money and perhaps with more facilities being put into these boats, and this is putting the whole question of boat ownership outside the range of the ordinary fisherman. The fisherman is now more so than ever becoming an employee of entrepreneurs or those persons who are able to put up the security or the collateral and to go to lending agencies and obtain the money to construct these large boats which the ordinary small fisherman cannot do.

I speak on this matter because in my own constituency of St. Michael South there are a number of fishermen as well, and we know that this is a development which is taking place in the fishing industry, and we would like Government to be aware of this particular problem, and to take the necessary steps before it is too late to ensure that something is done for the small fishermen who are encountering these particular difficulties. I would not like on this particular Resolution to go into an extensive debate on this matter, but I would like to draw to the attention of the Government the particular problem that is being faced and the type of economic problem that is existing, and if we are not careful the time will be when the fishing industry will be owned if not altogether, substantially by people who are merely entrepreneurs or capitalists in the business, but the actual fisherman would be a mere employee taking orders from persons who like the hon. member for St. Michael North Central is a mere landlubber and does not go too near the sea. This is the problem which we may be facing.

Hon. H. B. St.JOHN: Mr. Speaker, a number of points have been raised and I will deal with the speech made by the hon. member for St. Michael South Central first. The Hon. Minister of Communications and I have already made an attempt to provide alternative interim parking space and we have created 10 parking spaces, and if you go there you will see a building is knocked down which was next to the old Poor Law Officer's office. That has been knocked down and that has created ten parking spaces. When we acquire the Salvation Army and that is removed, additional temporary parking spaces will be provided. Only last week an order was issued by the Fisheries Officer to remove three boats which were there and to take them below where spaces are now available, because three houses have already been moved so that you can shift some of the boats from above to below, so that the Ministry of Communications can start their work. Of course that would be dependent upon the acquisition of this property; but I want to say

it is a very interesting thing because looking at how Oistin is proceeding, this is something that can be aired.

One of the things you find is that in order for this scheme to go throught quickly and at an even pace there must be total cooperation between the relevant Ministries involved, Agriculture, Town Planning and Housing, because you will find that a number of these properties are acquired, but you have to provide alternative accommodation for them. At least we have undertaken to provide alternative accommodation. There is one business place which can be knocked down, but it has a tenant that has to move 100 yards down the road, but the place where it has to be put has to have Town Planning permission for sub-division, and we cannot get through to them. Sometimes I get so frustrated from the attitude that I feel I would walk up to these Departments and let the people understand that they are adding costs to projects because the longer it takes; all we need to do is to have one meeting and decide what are all the problems and try to iron them out, and that is what we are trying to get done. Similarly with the Salvation Army. They are to move 100 yards up the road by the Plaza on some lands that belong to a former member of this House, but he has to get permission to sub-divide that land and that is going to be another hold up. Anyhow we are trying to get the plans and get the Bill passed.

Now with respect to the question of boats, the hon. member raised a point which we saw not today but a long time ago with respect to the increased capital necessary to own a fishing boat. The person who is going fishing now needs better amenities than ever. They need radios, they need larger boats, larger engines, and as I understand it, the capital cost of a boat has moved from about $5,000 to $6,000 in the Fifties to between $30,000 to $40,000 today, and it was less than a month ago when a number of cases came to my attention where people who had previously had a loan in the Fifties from the Labour Party Government when we introduced the revolving fund, when the only security required at the time was the boat came to me because their boats are over 25 years old and they want bigger boats, and they were told that they had to have land to mortgage or an insurance policy, and I raised it with the Minister of Finance and I said that in my opinion this is mere nonsense, and what you have to do is to make a distinction between a genuine *bona fide* fisherman who is going to keep that boat in the same way as anybody is going to keep his house, because he will spend all his money in keeping that in first-class condition and he ought to be given a loan from the Barbados Development Bank without any security other than the boat, and we have even gone further and raised the question, because this is also a point too, that the Government's Insurance Fund should be widened to include the insurance of the fishing boats especially if the Development Bank has money in them. This has been a sore point for years; it is not so now.

5.55 p.m.

I remember trying fifteen or twenty years ago to get a scheme established, and you will find that it cost $6,000 or $7,000 to insure a boat. This is all right for a proprietory fisherman but not for the ordinary fisherman. But I believe you will find that the repayment pattern has been reasonably good with the revolving fund. A distinction has to be drawn between the two, because if you ask a fisherman to renew his insurance he cannot usually find land or anything else as security because his money is invested in his beat. We have applications now before the Board, and this has got to be the criteria, for the alternative would be to back a note. But the skill and technology in fishing is improving and what is happening is that because of good markets in areas like Oistin, Speightstown and Bathsheba you no longer have boats strung out around the coast. The whole community is developing and we have to have four or five properly serviced areas for fishing.

One of the things we asked for in expanding this scheme was a study of the total planning of Oistin, lest it turned out like the Coast Guard matter. I regard this as an urgent matter and hope we will get speedier action than in the past.

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

RESOLUTION TO APPROVE VESTING OF LANDS AT GLEBE, ST. GEORGE IN THE BARBADOS CHESHIRE HOMES ASSOCIATION

Hon. H. B. St. JOHN: Mr. Speaker, this is a Resolution that seeks to vest in the Barbados Cheshire Homes Association land occupied by them and we want to give them title to it. This Association carries on humanitarian work among handicapped children. Present conditions are not ideal, and it is hoped that vesting the land in the association will help to upgrade the facilities. This is a very humanitarian work and I commend the Resolution to the House.

Mr. ODLE: Mr. Speaker, I would like to second the motion and I believe the Government should be congratulated in bringing this Resolution to the House. Just a few months ago I had the opportunity of meeting with the trustees in seeing the work being done at the Thelma Vaughan Memorial Home, and the Trustees pointed out the benefits that should be derived if the land was vested in the Association.

I believe it was during the Democratic Labour Party regime that the Thelma Vaughan Home was established. That was to their credit, but I cannot understand why they did not take the next step and have the land vested in the Cheshire Homes seeing that so much benefits could accrue to the children.

The land forms part of an area known as Glebe, St. George, and I would like to point out that there is great need for the development of the whole area. Indeed, I understand it is part of Government's policy to do this and I want to say that there is a great necessity for a home not only for children but also for old people. We have in St. George many old people who are finding it very difficult to have suitable accommodations and there are a number of people who need the provision of a well kept old people's home. I know of one organization which is already having charity functions and fund-raising drives with the hope of building such a home, and I sincerely hope that before long we from St. George will be approaching the Government with a view to having land available to construct a home for old people.

I am very glad that this Resolution has come before the House, and I am certain it will gain the support of all members. And I look forward to seeing something done very soon for our old people and to see a centre which we hope to have before very long.

Dr. CADDLE: Mr. Speaker, I want to support the passing of this Resolution, and hope that the Government will see it fit to increase the amount of money which they have made available in the past for assisting this group. I am aware of some of the problems of these people, because in my former capacity as Minister of Health I have some knowledge of the area.

However, in passing I would like to point out that it is very easy to talk about Government giving assistance, but the Minister will realize that with all the requests for assistance it is not an easy task, and I do not envy any Minister trying to meet these demands.

One thing I want to mention is that Barbadian people are not sufficiently forthcoming in giving assistance. It might be necessary to do a detailed study to see why Barbadians do not come forward and give more assistance. It seems to me that if the people are going to depend entirely on handouts from Government it will be a very long time before Government can meet all of these various demands coming from so many people at the same time.

6.05 p.m.

There is a large number of handicapped children in Barbados who will need assistance not only in the Thelma Vaughan Memorial Home and in Other Homes all over

the country, and while this is not the appropriate time to go into a discussion of that nature, I am only throwing it out that while I can sympathise with the hon. member who has just spoken before me of the need of impressing upon the Minister the need for doing something rather urgently, I would only like the Minister to bear in mind that there are many other people who would also require assistance not only in St. George, in other areas of Barbados, and I believe he will have to tread softly, and he has my sympathy in trying to meet the various needs of these people.

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

THE MEDICAL REGISTRATION (AMENDMENT) ACT, 1977

Hon. Miss B. A. MILLER: Mr. Speaker, the purpose of the amendment is a relatively straightforward one. We are proposing to increase the size of the Medical Council. This Council was first established in 1972 and the composition of the council was the Chief Medical Officer of Health and six other medical practitioners. Of the six other medical practitioners, Mr. Speaker, two were to be appointed by the Minister, three by the Minister on the nomination of an Association of Medical Practitioners, that is, the Barbados Association of Medical Practitioners, known as BAMP and the other medical practitioner was to be appointed by the Minister on the nomination of the Dean of the Faculty of Medicine of the University of the West Indies, the Queen Elizabeth Hospital being a teaching hospital of that University.

Within the Medical Council two Committees were set up. There was a Disciplinary Committee and a Complaints Committee. The Disciplinary Committee comprised three members, the Complaints Committee four members. It was found, Mr. Speaker, that it was not practical in a Council of seven members with two Sub-Committees as it were, three and four each, to do the business which the council set out on. The situation often arose where if one member of a Committee was absent the Committee found its hands tied and could not get on. The situation also arose on occasion where a member who had sat on the complaints Committee might also find himself sitting on the Disciplinary Committee, and that was not a situation that one would want to encourage.

The medical profession, Mr. Speaker, like other professions, is one which to a large extent disciplines itself, and it is considered most important that the machinery by which this profession will discipline itself should be in workable condition. I am recommending that the membership of the Medical Council be increased by two persons to provide that three instead of two medical practitioners might be appointed by the Minister, and that four instead of three medical practitioners be appointed by the Minister on the nomination of the Association of Medical Practitioners.

I think this is as good an opportunity to draw it to the public's attention and to the attention of this House that the Complaints Committee and the Disciplinary Committee in the medical profession – and it governs not only doctors who work at the Queen Elizabeth Hospital or who work in Government, it covers medical practitioners everywhere in Barbados, however they pursue their profession – and it is well that people should know that these two Committees exist. Too many people in Barbados do not know that there is such a Committee as a Complaints Committee. Too many people in Barbados do not know that there is such a Committee as a Disciplinary Committee. There are many complaints which trickle into the Ministry of Health, which trickle into various institutions within the portfolio of health which properly should be directed very often mostly to the Complaints Committee, and less often sometimes to the Disciplinary Committee.

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

Hon. C. L. BOLDEN: I beg to second that.

Dr. CADDLE: Mr. Speaker, I welcome the explanation given by the Hon. Minister for increasing the number of people who sit on the Medical Council. However, I would like to point out that people in Barbados are not fully aware of the Medical Council because of a lot of reasons, and mere publicity of the existence of these two Committees will not do as much as I believe the Hon. Minister would like to achieve. I would like to draw to her attention that time has changed and continues to change. There was a time when it was thought that professional people were the best people to discipline themselves. That concept is going out, or has gone out, through the window in many countries, because lay people or the public have reasons to believe – and you cannot discount these reasons very slightly – that the professional people very often get together and seek to protect their interest as a group of people against the large masses outside, and it has come around that on many of these professional councils it is necessary to have a lay person as a member of these councils who will be able to impress upon the professional people how the activities of such professional people are commented on in the society.

I do not want to contend anything, if I would like to contend anything. I would like to contend that it is something that should be done. It is a fair and reasonable request to have lay people on some of these professional councils if only to allay the fears of the public that the professional people get together against them. Hopefully I would look forward to the day, which I hope will not be too far off, when the present Minister will move in such a direction and appoint a non-medical person to this council, or in relation to some of the other non-professional people on these councils. I have reason to believe that in the context of the small societies where people become very fearful of voicing their complaints because they fear reprisals by other members of the society against them, that such a move would go a far way in assisting the public in airing their problems or making their problems known to these councils.

In some other countries, bigger countries, it is a commonplace thing to hear about doctors being disciplined, being fined, being suspended or being struck off the register indefinitely.
6.15 p.m.

In Barbados one may have to watch for this pie in the sky type of thing. Because there have not been any large amount of doctors who may be accused of this type of thing should not lull anyone into believing that there are not a few doctors or other professional people who may be affected by what I have said.

In a small society people get to know each other very quickly, and they get to know how people can be frustrated when they seek to get justice. Recently I had a case which demonstrates the type of frustration which people encounter in Barbados, especially small people who have problems and grievances about the way in which they have been treated, but who do not often want to come forward and make it public because they have fear. Some times you hear people saying that if I get sick tonight and I phone for a particular doctor he will not come.

At this time in 1977, when we get up and say how concerned we are about the man at the bottom and about human rights, we have to look very closely at this. I think that I will have to counsel the Minister about putting a lay person on the Council. I know that it will not meet the approval of a lot of medical people, but it will relieve a lot of frustration in Barbados.

Hon. Miss B. A. MILLER: Mr. Speaker, I would like to say in a very short reply to the hon. member that I take his suggestion in good faith; but I would assure him that unlike himself I have not had any problems with medical personnel. However, I will watch the situation.

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

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

Hon. L. B. BRATHWAITE: I beg to second that.

Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

On separate motions of Hon. Miss B. A. MILLER seconded by Hon. L. B. BRATHWAITE the Clauses 1 and 2 of the Bill were called and agreed to.

Hon. Miss B. A. MILLER: Mr. Chairman, I beg to move that you do now report the passing of one Bill in Committee.

Hon. L. B. BRATHWAITE: I beg to second that.

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

Mr. CHAIRMAN reported, and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. Miss B. A. MILLER seconded by Hon. L. B. BRATHWAITE the Bill was read a third time and passed.

SUPPLEMENTARY ESTIMATES (CAPITAL) 1977-78 NO. 7

Item No. 1 was called – A Resolution to grant the sum of $23,682 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates, 1977-78, Part II – Capital, as shown in the Supplementary Estimates 1977-78, No. 7, which form the Schedule to the Resolution.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

Hon. H. deB. FORDE: I beg to second that.

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

Mr. SPEAKER left the Chair and the House went into Committee of Supply, Mr. ODLE in the Chair.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, the House of Assembly has undergone one or two renovations in my time – most of them for the worse, in my opinion. We are now trying to improve this situation. We have inherited this ancient Gothic building that looks like one of the better constructed minor cathedrals of the English Gothic period of revival; and part of it has the quite correct concept that when building in the tropics you should build with thick stone walls and very high ceilings.
6.25 p.m.

This was all very well in 1865 when the House was built. This room we are in, by the standards of the time, was a cool room, but in this day and age air conditioning has lent a dimension which makes it unnecessary to have lofty ceilings in order to provide for a proper circulation of air for cooling. We have, therefore, looked at the offices and appointments immediately outside the door of the Chamber with a view to seeing how we can make some more room. Thanks to Mr. Gladstone Barker of the Ministry of Communications and Works a plan has been prepared which seems to the Debates Committee to be a proper plan for the expansion of the space available in this building and the decongestion of some of the present offices of Parliament. I would like to think that I have the plan here, Sir, in the file, but I have my doubts. Nonetheless, some hon. members have seen it.

Sir, put shortly, it is intended to divide the Speaker's Chambers, the present Library, the present Typist Office, horizontally and to provide a mezzanine floor. In other words, it would be as if inside here instead of having a room 20 ft. high, you would have two rooms: one above the other 10 ft. high each. This will be established in those several rooms. The lavatory accommodation will be improved at the same time. At present the Speaker's lavatory is placed in a somewhat undignified portion of his room, and it will be found, I think, that there is more effective floor space in all of these rooms than there was before.

All of these little divisions that do not go quite up to the ceiling will be eliminated and a new room will be left. There will be a new Library, and it is planned to have proper Library shelving, and the Debates Committee, I believe, has also undertaken to have proper arrangements made for staffing the Library and for getting instruction and assistance in library cataloguing. There will be a new office available for the staff.

Sir, various plans are contemplated reducing the ceiling of the Entrance Hall outside and so on, but that is not now intended to be proceeded with. The effect of the wide – I cannot call it a Gothic stairway, because I have never seen a Gothic building with that type of staircase, but coming up the stairway into a wide entrance porch will, as far as possible, be maintained. A sad habit, Mr. Chairman, has grown up in recent years in Barbados of building in what is thought to be cheap materials, so that as I stand here talking to you I am speaking from some kind of plastic-top desk edged with a piece of deal board with three chisel nicks and what looks like a cutlass lash on the edge of it. The facing, I believe, is plywood not very well stained. We have air conditioners with some crude boxed plywood. We have paneling of deal board and plywood with one or two nail heads not properly puttied in and none of them dowelled in. All of this was the result of the expenditure of something like between $200,000 and $300,000 some years ago.

Now, the whole amount in this Resolution will be an expenditure of just over $101,000. I think that $78,000 was the original amount, and the new amount is just over $101,000, and for that we will have 3½ or 4 new rooms depending on how you look at the Library. Indeed, it is interesting that the most expenditure will be on new air conditioning. I mentioned about the cheap renovations on an earlier occasion, because I think it is extremely sad that out of sheer laziness many builders and contractors in Barbados are aiming at the cheap and the meretricious instead of trying to support the indigenous mahogany industry that we have had for so long. Instead of encouraging the establishment of small sawmills, which could make some use of the glorious mahogany trees of our Island – the best mahogany in the world that grows under good conditions three times the height of Honduras mahogany before it branches, and under the conditions of Barbados in any event does not grow so quickly as to give the wood the light characteristics of Trinidad mahogany – we are using other material. I think it is a shame that everybody should have got out of the habit of building in good material and carrying out good workmanship. I think it is a disgrace that we have to rely on people like the American gentleman at Byde Mill to train joiners to work in local woods, and work in local woods at the same level of craftsmanship as the work which was done in years gone by.

I believe that all that is necessary is encouragement, because the prices paid at sales, and the prices paid, indeed, for Mr. Baccarak's imitations – there are imitations only that they are modern, but they are made in the same woods up to the same standard as furniture has been built in this country for 200 years. The prices paid for these make it quite clear that there is a market for high-quality workmanship and joinery in this country. We have, therefore, given instructions that the woodwork in the new renovations shall be of Barbados mahogany rather than of imported plywood, and we hope that we will thereby give work to one or two people who may be involved in slabbing and the mill work that may have to be done. I do not hesitate to tell you, Mr. Chairman, that I look forward to the day when this Chamber will, again, be renovated, but this time not in plywood, deal board and arborite, but in proper materials which can represent the standards of craftsmanship of our people.

I remember in 1973 or 1974 when I read from a Central Bank Report indicating that the number of persons employed in manufacturing in Barbados was no greater, after all the years of DLP rule, than it had been in 1960, I remember seeing the astonishment on the face of the then Minister either of Education, Communications and Works, or Health. *(Asides.)* The Minister of Health, Sir. I remember seeing the astonishment on his face. The reason why there are no more people employed now than they were in 1960 in manufacturing is that those very craft industries

where Barbadians once found gainful, useful and satisfying employment have now gone out of business.

6.35 p.m.

It is actually very hard to find mahogany suitable for making panelling in Barbados because the demand has shrunk, it was easier to go at the supplier than the lumberyard, get a sheet of plywood, throw some stain on it and finish with that. It was easier than continuing to use the traditional methods, so therefore have we built ourselves into a terrible balance of payments position that is an example of the preference of the shoddy imported over and above the possibly high quality local material, and I am looking forward under the enlightened supervision of the architects of the Ministry of Communications and Works to have a start made at renovating our Parliament in a style of which we can all be proud. Eventually it is intended to pass into another phase in which activities will be carried on inside this Chamber, but that is not for this financial year. It is hoped that the work will start next week, and I think that hon. members are aware that we plan a vacation and to come back later on. I am sincerely hoping that M.C.W. will surprise me and have the renovations finished by the time we reassemble so that we would not find ourselves sitting in the Senate Chamber or without our usual amenities as has been our experience in the past.

I have spoken at some length because I think it right that my views should be known by the Ministry of Communications and Works and by other persons responsible for Government buildings. We are not prepared to put up with bad workmanship and the shoddy concepts where it comes to the restoration of our Public Buildings. Few things were more noticeable than the quality of work involved in putting up that staircase outside; that will bear comparison with many apse houses of the Gothic Cathedrals of Northern Europe, the correctness of its lines and the neatness of its meticulation and so on. That was well put up. Why? Because there really was no other way to put it up, but I believe that if the M.C.W. could have used concrete blocks and plastered it, they would have done that. It was only that even people in charge at the time realised that you really could not add on to the Public Buildings unless you used coral stone properly cut and trimmed, and give employment to some masons, and give people a little pride in workmanship. There is no comparison between what was done outside and what was done inside.

Mr. Chairman, you may think I have gone on rather a bit about what is essentially a small Resolution, but I think unless we raise our standards and raise our concepts of what we would like Barbados to look like, the streets will continue to be dirty, they will continue to be patches of waste ground with a lot of bush and big rocks all over the ground, people will continue to drop garbage upon the roadside and the Sanitation Service Authority will continue to think that it is all right in working class districts where the streets are small for people to drop rotted foodstuffs and other rat baits and rat attractions on the roadside. Unless we make a positive effort to uplift our own standards by seeking those standards in some of the traditions of the past, assisted by modern concepts of what can be done, unless we do that, Barbados will begin to lose its self–respect and self–respect to me is one of the most important things that Barbadians have ever had to keep them alive in what has always been a very overcrowded and densely populated little Island where everybody has to strive.

I beg to move that this Resolution do now pass.

Hon. C. L. BOLDEN: Mr. Chairman, I rise to second the motion, but I see the Leader of the Opposition wanted to second the motion as well. If he wants to do that, I will graciously give way, but I would like to say just a few words before he rises. I came to Parliament in December 1970 and at that time renovations were taking place in this room and we sat in the Senate Chamber. On looking into this room then I was amazed to think that what is supposed to be the second oldest Parliament in the Commonwealth was being renovated in what I considered at that time to be a system or fashion of constructing a 14 x 9 chattel house. I draw to the attention of the electrician who was then working with these lights that the shades that originally were placed over them in 1970 looked like a Swan Street

store. When you look at the desks and the arborite tops, the quality of the workmanship is absolutely poor because I have never known anybody using a jack plane with an arborite top and you can see all of the screws across the tables. My microphone is stuck in with little 1/8th screws and when you look around the back rail a piece of 2 x 3 seems to be chiselled down, not planed down. I asked at that time what had become of the indigenous wood of Barbados, mahogany. Barbados can pride itself of no other woods. All we have is mahogany and white wood; we use white wood for building boats and mahogany for building furniture and making the house beautiful, and I would have thought that those who sought to refurbish Parliament in getting rid of the horseshoe table which was mahogany would have replaced these desks with something just as beautiful or even more beautiful; but I came in here and I remember I got my trousers torn on a nail driven into that side of the Table, and you call this Parliament.

Well the last Government as far as I am concerned looked at Parliament ....and the Courts. Another thing people have got to look at is the furniture in the Courts even today. The Leader of the Opposition can tell you what is the position at the District "A" Magistrate's Court. There is a table with some sort of leatherette covering half torn. Every chair has a nail in it.

I went to St. Lucia which you call the little Island and when you step into one of the Courts in St. Lucia coming from Barbados, you have to stop at the door, open your mouth and wonder where you are. If you look in Parliament in any one of the smaller territories, they are far superior to what we have in Barbados. Mr. Chairman, look over your head. Even in a dance hall in Barbados you do not find a loudspeaker stuck up in the air like that. In a club where you pay $5 to go in that is nicely tucked into the wall. It is a known fact that when these air condition units were put in here, there was competition between the workers or the planners from M.C.W. and two firms in Bridgetown. They were stuck in and kept more noise than road rollers and I told them to put them in panelling and put cotton around them to keep down the noise. My brother advised them how to keep them quiet, and every hon. member knows that if you kept them on too long you would end up next day not being able to speak or with influenza.

Mr. Chairman, you occupy the same seat as the last Chairman from St. George who said that this is the highest Court in the land and when I rule I rule, and if the rulers have got to sit down in conditions like this, it would just tell you how the people outside would look at us. I told the Prime Minister earlier that if he is going to refurbish Parliament, make sure that no plywood is used or arborite. We talk about developing local industries, but Mr. Chairman, it goes further than this. I must now speak to the Minister responsible for Communications and Works. You have just built a conference centre at Dover. I sat in the conference centre about three weeks ago and the first thing I saw was plywood with deal board only over it and it was stained clear with all the knots and nails and everything showing. I said, "My God; you talk about developing Barbados as a conference centre and the centre looks so cheap!"

6.45 p.m.

A thing that you should try for in any conference centre is the quality of work that goes into making it a suitable building; but you step into the conference centre at Dover and you find deal board and plywood. Mr. Chairman, I hope that when the workmen are finished with this Parliament building it will be the start of making this Parliament suitable to the work that goes on here and I would hope that when we come back here I will see no plywood or anything else like that. I believe Barbadian workers should have a pride in what they produce; things are too often done in a very sloppy manner. And I would hope that we make such a start now that when people look at what is done in here they can take pattern.

Hon. F. G. SMITH: Mr. Speaker, I would like to assure the Government that on this Resolution they have our whole hearted support. I do not remember when that addition was made to the Parliament building, but I have a suspicion it was done during my time as Minister of Communications and Works, and I

am therefore very pleased to think that this addition meets with the approval not so much of the Prime Minister but of those who have a high aesthetic sense of the beauty of an ancient building. The present state of Parliament in terms of furniture etc., is something which is indicative of the whole political situation in Barbados. I think for too long in Parliament we have sold ourselves too cheap and think that anything we offer ourselves in Parliament whether in terms of comfort, furniture, salaries remuneration, etc., is something which we are not entitled to, and instead of leading people on these issues we tend to make political capital out of these matters. And we should let the people of Barbados know that if Parliament is the highest court in the land, and if Barbados is to maintain its reputation for stability and respect for law and order and Parliamentary institutions, then the least the public of Barbados can do is to pay for a proper and commodious Parliament building in which members can transact the people's business in comfort and surroundings befitting the highest court of the land. I share the Prime Minister's strictures, on the present state of Parliament – the chairs, microphones, lighting, etc., and I think this money will be well spent if when we return from summer recess we will find surroundings, befitting the dignity of Parliament. I am not saying that fine furniture is going to improve the quality of the debate or the behaviour, but I think that since mankind is conditioned either by heredity or environment, if the environment is good it might overcome the hereditary aspect of behaviour, so that to that extent there could be an improvement in the general tones. And I think the time has come for both parties to try and create a Parliament in which not only the chairs and furniture are befitting Parliament, but where we can be comfortable: and we must completely ignore public opinion on this matter, because I have always said that people in Barbados get on as if Parliament is restricted to the twenty four of us. Anybody over eighteen years of age or twenty one can run for Parliament, and if they can get people to vote for them they can get into Parliament; any citizen can run; so anything we do for Parliament to make it more comfortable or suitable is not for the twenty four of us. We want a complete refurbishing of this Parliament and I am looking forward to the day when the post office will move from here and this historic building properly renovated and maintained will remain Parliament building. I am not in favour of a new Parliament building; I am in favour of moving the Post Office and extending the facilities of Parliament, such as allowing the Leader of the Opposition proper quarters. It is embarrassing to receive Ambassadors or other high ranking officials in the cubby hole assigned to the Leader of the Opposition; there must be a minimum standard of facilities for the Leader of the Opposition.

This Resolution is long overdue in order to make Parliament a suitable place. For a long time we have been treating Parliament short, making people in Barbados feel that membership in Parliament is the lowest form of animal life; that when you are running around the country seeking people's votes you are looking for a living.

We are making a sacrifice of time and of domestic conveniences to represent people, based on sincerity, love of country and concern for people. Obviously in the political spectrum you find people who come forward for personal gains or for power, but basically I have always found that whenever people talk about running for a seat in the House of Assembly there is genuine concern for one's fellowman, and this involves sacrifice.

Let us hope that 1977 can start a new thinking and a new approach to the significance of Parliament in Barbados.

6.55 p.m.

If by creating a nice, commodious, not luxurious, but a reasonable atmosphere in which we can conduct the people's business, then we will have taken the first step to re-establish in this country a respect for Parliament. I have said in here before, you have a season for shooting birds, a season for sea eggs, a season for flying fish, but politicians have an all year shooting season. You read the Nation, you read the Our Readers Say column, there is no special season for you, every day is a shooting season

for a politician and every Barbadian is an authority on politics. Those who never offered themselves and will never dream can tell you what you should say, what you did, whether the debate was poor, whether it was good, whether what you said was dishonest, reasonable, childish or foolish, and you know Bajans are "knowalls". There is not a Bajan who does not know everything. A taxi driver coming from the airport and a tourist asks "what is that monument?" He says, "Oh, Lord Nelson slept here," but he cannot let the tourist know that he does not know about Barbados, his own country, but Barbadians know everything about everything, and when it comes to politics, Lord, it is worse, they know everything about how the country should be run, how the Bills should be passed, how everything should happen in this country.

But to be more serious, this measure, if when we come back in here after the Recess – and I am glad to think that now the Recess is coming up I will not lose pay because I am not attending meetings – but if you ever bring that foolishness in here that you will pay me like a day to day servant, if I do not come to work I do not draw pay, because as far as I am concerned, I do not know if it is your experience, but coming up here on a Tuesday is the easiest part of a politician's representation. You wake up in the morning, 6 o'clock they are at your door, they are ringing you. If I had to do this to represent Parliament I would not want any money for it, because this is the easiest part, and if the Government ever comes down here with that foolishness that they are going to pay me like a day servant, the day I do not come to work, all I would ask the Prime Minister to do is to put a clock there let me come and clock in, bow to the Speaker and go back to my chamber in Coleridge Street. Or he would have to lay down a minimum pay that I must stay in here for half hour or otherwise I do not draw. If you ever degrade and demean Parliament to the stage where you are going to tell us that we do not get money unless we come in here to work, that would be a sad day. I would be very happy that I may be leaving politics soon, I could never take part in a Parliament after 350 years – I have not seen the report, I am judging from what I read in the Nation, that anybody in Parliament could come that low to suggest that parliamentarians should be paid for attending Parliament in this country, after being one of the oldest Parliaments in the history of the British Commonwealth – so I am warning the Government not to come with that foolishness down here, do not come with nonsense, we do not want to break the Treasury, but as I say people must understand that politics call for a sacrifice, it means a sacrifice in some form or other, in time, in domestic convenience, domestic happiness and therefore people must understand this, and if we ever allow outsiders or other people to dictate to us how the country should be run or how we should be paid and what we should be paid for, and when we should be paid, it will be a sad day in this country.

I feel, and I have always believed in Parliament, I think if you take my record in Parliament since I have been elected, or even when I was nominated, I think I can say that I have one of the best parliamentary attendances in this country, but let me tell you this. If you introduce day by day payment I will have one of the worst, because I will just come and clock in and go back about my business. I will not allow anybody, however eminent, in this country to dictate how I should be paid when I have been elected by the people as a responsible citizen with a high sense of my duty to them and to the country which I have the honour to represent. But that is by the way, I will probably have another opportunity to discuss this, but we have to let people know, this is not making political capital out of this, but we have to let people know how we feel.

We do not want to raid the Treasury, we do not want more than our fair share for the work which we are doing, and I am glad to see and I have a real suspicion that much of the criticisms levelled against us when we were in power you are now beginning to realise that running a Ministry and a Government is not as easy as it sounds, that you have to work hard,

you have to work out of time, it is almost a 24-hour job if you are going to do it honestly, and I am sure every Minister on the front bench is beginning to see that when they accused us, that running a Government and a little country 166 square miles, with no natural resources, trying to raise money for development, trying to educate the people, is a full time job and not just a day to day job, and therefore, Mr. Chairman, I support the Government 100%. We look forward to real improvements in the Chamber and we look forward to real improvements generally in the Parliament of this country.

I have always said one thing we can boast of, having received from the British, whether you say it is colonialist, is a high respect for law and order and a good judicial system, and above all, respect for parliamentary democracy. Long may it continue to be so.

On the motion of Hon. H. B. St. JOHN, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN reported progress and asked for leave to sit again, and Mr. SPEAKER resumed the Chair and reported accordingly.

Hon. H. B. St. JOHN: Mr. Speaker, I understand that the arrangements that are usually made for us to break at this time have broken down, unfortunately, through no fault of yours or mine, and I think that this matter will be taken up with the appropriate authority. I am sorry to have brought you out, Sir, I have to ask that the House go back in for another half hour.

Hon. C. L. BOLDEN: I beg to second that.

The question that Mr. SPEAKER leave the Chair and the House go back into Committee for another half hour was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House resumed Committee of Supply, Mr. ODLE in the Chair.

7.05 p.m.

Dr. CADDLE: Mr. Chairman, I was struck by the words used by the hon. member for St. Joseph. If I do recall correctly, he said that he hoped that when we return from recess we will have a House suitable for the debates which go on in this Chamber. I hope that that would not suffer the same fate as wages and salaries of Ministers and of other members. He knows what is happening in that area, and if we are going to have another exercise like that he can very well imagine what will be the state when we return.

It seems that the people outside do not look at us as we would like to look at ourselves. They see us as lesser mortals. I have not seen the report, but judging from what is being circulated in Barbados, that bears out quite strongly how people in Barbados see politicians; and if things in this Chamber after the recess are not better this will be a further indication of how the people of this country see politicians.

I have spoken about conditions in Parliament for a very long time – under the previous Government and again under this Government. It is necessary to repeat what I have said. I think that the Hon. Leader of the Opposition should realise that it is time that we present a better picture or image of ourselves. We have been selling ourselves short for a very long time, and unfortunately we continue to sell ourselves short. The public has been made to believe that they have been making a sacrifice, and that they are the people who should be compensated; that we did not make any sacrifice and that we come here looking for something to live off; and it is interesting in connection with this way of thinking that you will find that people who could make a contribution because of their training and general ability will one by one withdraw from

the political affairs of the country, and turn the country over to mediocre people.

If that is the type of thing that people want, we can have no quarrel with it; because it is generally accepted that what the people want they get. I would be a bit cautious about what can be done with this sum of money. It is obvious to me that $101,000 cannot do everything that people would like done, but it is a step in a worthy direction; and I would like to see some time in this session, and before 1981 some other follow up steps made to further improve conditions in the House of Assembly.

I only have to point out that these are chairs from which the wheels keep falling out, and suddenly you find yourself about to fall down and you can dislocate vertebrae or your spinal column and suffer from very bad injuries. These are real things that can happen. There is no need to comment further on the type of arrangements that we have here. I think that the Prime Minister has done a very good job of commenting on the type of furniture. It is an indication of the fact that we are either fearful of the people outside, or deliberately selling ourselves short. If we are not respectable, it is very unlikely that people outside will respect us. If we are to be respected, there are certain minimum standards of behaviour and environment that must be maintained, so that people can see that we are respectable. That respectability will by itself commend other people's respect.

If we sell ourselves short, people outside will feel that we do not have any respectability. This is the type of thing that we have to look at. It is not good for a country when the general standards begin to fall because we will all go down the drain. I will like to commend the Hon. Minister of Finance for the speed with which he has come to the House for this money to augment the sum already voted in the Estimates for improvement of the House of Assembly. Like him, I can only hope that the people in the Ministry of Communications and Works will surprise all of us by doing a very good job during the period of recess, so that when we return we can offer some praise not only to the Minister of Communications and Works, but moreso to the people under his charge.

Hon. L. B. BRATHWAITE: Mr. Chairman, I just want to comment briefly on this matter. I certainly admire the type of bipartisan approach to this important subject, and I would wish that we could get a common approach on major matters from time to time. I think that in matters to do with Parliament as an institution, that this is the type of approach that we should always seek to have. I have listened very carefully to the speeches made and I am certainly happy to know that we have reached the point where, although I am comparatively junior in the House as a member I have visited this House for many years and when I look around and see the type of furniture as compared with what used to be here I am really a saddened man. I refer especially to the type of furniture you get in the dining hall, and I sometimes ask what has become of that nice mahogany table that used to be there. I do not see it. I see one of the nice chairs that used to be here, like the one, Mr. Chairman, that you are sitting in. That is the type of furniture that I used to see in the past.

I see a marked absence of that type of furniture now; and I certainly deplore the passing of that type of furniture from this ancient building. I certainly welcome the approach made towards an improvement of this building, and I would like to see a return to the indigenous products of Barbados, a greater use of the soil stone, a greater use of the mahogany type of furniture. We want to see more people involved in that type of craftsmanship. I think that the time has come when we should move in that area and stop the outflow of money going to different parts of the world in order to bring in the type of furniture which we should not be bringing in.

What is rather surprising is that we are trying to get rid of our own mahogany, and

people from North America and other countries are paying all kinds of prices for our old antique furniture. I have a few good pieces, and do not care what they offer me for them, and do not care how empty the pockets are, I will not sell.

I want to assure this Hon. House that the Ministry of Communications and Works will carry out the job on the renovations which they are charged to carry out with despatch; and that they will perform a job which will be worthy of them. For myself, I will ensure that I will pay personal attention to the carrying out of that work here. I want to assure hon. members that when they return after the recess that the work will be well in hand, and hon. members need have no fear that on their return Parliament will not be ready for them.

Mr. BRADSHAW: Mr. Chairman, about 10 months ago I visited this Hon. Chamber and it was always my aspiration to be a member of this Hon. House; but there are a few things today which I am not entirely happy about. I do not think, Mr. Chairman, that the present physical conditions under which members of Parliament have got to operate are anything which we as Barbadians can boast on, as a Parliament which is the second oldest in the history of the Commonwealth.

As the Prime Minister has said, the physical conditions leave a lot to be desired, and it is in this area that we have got to understand that improved physical conditions must go hand in hand with an improved level of debate. I am somewhat disappointed at times at the level of some of the debates in this Chamber. I think that members, and the gallery and the public at large deserve to have better debates, or rather better standard of debates as well as better physical conditions.

I feel, Sir, that the time has come when Barbados must realise that a member of Parliament is a very important person, and that he has very important functions to discharge; and that when he comes to Parliament he has got a responsibility second to none in this country. As a Parliamentarian he is a legislator. He has to assist in making laws, raising money and discussing the people's business.

7.15 p.m.

I feel because of these reasons a member of Parliament, when he comes to this Chamber, should have proper surroundings. The people of Barbados must understand this, and any money spent in this respect towards improving the physical conditions of this Honourable Chamber should be welcomed by the Barbadian public. Another thing Barbadians must understand is that for too long they have been looking at politicians as people whom they have done favours to. This idea and belief should be corrected, because I feel that politicians, and surely myself, have come here to make sacrifices. Sometimes I know that people are disappointed with the level of debate which they come and hear from time to time.

I am not so happy, too, with the service which politicians get. Surely, I am not happy during the luncheon period with the sort of service that is given to me. Some of my colleagues are very concerned about this matter. I feel that the time has come when it should be realised that if you are doing the people's business in here you should have proper service when you go to the luncheon room. The public should not expect any low standards, because we have a tremendous job on our hands. I think the public is beginning to realise this.

Mr. Chairman, as I said, we must bring new standards with the new look that will be coming to this Parliament. I hope that whenever the renovations are completed and we return here we will see new standards being brought to the debate, more enlightenment thrown into the debates, and that the public will be satisfied that the money which was spent in renovation is well spent. I do not think sometimes, as I said, that the debates are good enough, but we cannot expect better standards when the environment is not really up to date. With that, I do hope that people understand that we, as politicians, come in here in serious veins to do serious work, and we should be treated in a manner in which all Barbadians should be happy to treat people in high offices. The time has come when people

should not look at politicians as cheap politicians. They should come here and hear debates conducted at a level which would do our sons and daughters of tomorrow good and poetic justice.

Mr. Chairman, I hope that we will speed up the work, and when we return here we will have improved services in the luncheon room, improved latrinal facilities, improved library facilities, improved working conditions and, above all, a proper and more decent approach to the people's business. With that, Mr. Chairman, I hope that my quota on this debate will be sufficient.

One other point I would like to make. It is true that people have been seeing in the *Nation* about this payment per day. I, too, am alarmed and concerned about this. I do not think that this Honourable Chamber should be reduced to that level. I think that we have passed that stage, and I hope that we will be placed in a position where, whatever is done, all of us will benefit from it and people will respect us as true representatives of the people.

Mr. SANDIFORD *rose* – –

Hon. H. B. ST. JOHN: Mr. Chairman, I do not want to cut short the hon. member or to break his speech. I understand that there is a convenient time at the present moment for you to report progress and ask for leave to sit again.

I beg to move that Your Honour do now report progress and ask for leave to sit again.

Hon. C. L. BOLDEN: I beg to second that.

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

SUSPENSION OF SITTING

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to move that this sitting be now suspended until 8.15 p.m.

Hon. C. L. BOLDEN: I beg to second that.

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

7.25 p.m.

On Resumption:

Mr. SPEAKER: This sitting is now resumed.

COMMITTEE OF SUPPLY

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

Mr. SPEAKER left the Chair and the House resumed Committee of Supply, Mr. ODLE in the Chair.

SUPPLEMENTARY ESTIMATES
1977-78 NO. 7

Mr. CHAIRMAN: When the Committee reported progress, it was considering a Resolution for the sum of $23,682.

Mr. SANDIFORD: Mr. Chairman, this Resolution for the sum of $23,682 is one which as the Leader of the Opposition in a very fine address to this Chamber said that from this side we would support, and generally speaking I think the Government has nothing to fear because any measure in which the Opposition is consulted and in which we agree with the reasons advanced by the Government will certainly get the support of the Opposition. It is within that particular context that the hon. member for St. Andrew can speak of a bi-partisan approach on matters relating to Parliament, because that would be so if the Opposition is consulted and it agrees with the arguments advanced, but do not look for any bi-partisan approach on matters relating to Parliament in respect of matters on which the Opposition has not been consulted. I do not think you can expect that and especially when it relates to the matter of the convenience of members of Parliament or remuneration for members of Parliament, if you proceed on some type of feeling that you have some pretty solution to the problem of remuneration for members of Parliament to the extent that you do

not even do us the courtesy of telling us what arrangements you are making in respect of reviewing these salaries, do not look for that type of bi-partisan approach. The Opposition must be consulted. We are talking about Parliament now and there are a number of ways and a number of areas in which Parliament will not function properly no matter how many additional offices we provide unless there is genuine consultation with members of the Opposition and unless the Opposition is taken into the confidence as far as the running of this institution is concerned.

We do not have any problem about salaries. I do not know what that is all about. I recall having to come in this Chamber having read something in the newspapers about the establishment of some type of commission or committee or however it was styled as far as the remuneration of members are concerned. ....*(Asides)*. You can call it Parliamentary recommendations. Just as on this side we had to hear from the radio, certainly that is where I heard it, that there would be some telecast or radio broadcast of a statement by the Prime Minister on the day of national significance. This is the type of cooperation that we are talking about. That is the essence of bi-partisanship that the Opposition is concerned with. You will get a bi-partisan approach if there is genuine consulation. We read in the newspapers that Parliament is to be prorogued..... I am just telling you I have not seen any correction of that statement appearing in the press, but we hear it is not Thursday we are coming back, but Friday. I hope the Leader of the House can clarify the situation. You will find that there is genuine cooperation from the Opposition, and we have been trying, if we are consulted on these matters, but if you go off on your own and set up commissions and all types of committees to do this and to do that without extending the courtesies to the Opposition to let us know what is happening, you cannot then come if you run into problems and you do not get the type of response from those committees or commissions that you expected and expect the Opposition to come and assist in those matters.

I have spoken already and I have written on the question of remuneration of members of Parliament. That is not the matter before us, but I stand by what I have written because I have an appreciation of the work that is done by Parliamentarians and the type of remuneration and the type of conveniences which should be available as a matter not of charity, but as a matter of right because Parliament is the cornerstone of democratic life in this country. It is the centre of life in this country. We do not live in any dictatorship; we live in a democratic society which means that the people of this country elect the representatives to come here to do the people's business, and by that I mean that Parliament is here to scrutinise legislation. No law must be placed on the Statute Book unless it is scrutinised, examined and a verdict passed on it by members of Parliament; it means that no vote for any public service in this country must be passed unless there is approval given by Parliament; it means that when matters go wrong in this country that the members of Parliament in so far as it relates to Parliamentarians must be consulted. Make no mistake about it, if we are in a democratic society, Parliament is the cornerstone of it, and this is no part-time operation, and this idea people must get out of their heads that Parliament is some part-time operation to which members resort only on a Tuesday afternoon for a few hours. This is a full-time operation because you have got to organise your business in such a way that even if you have a profession or work in some other capacity, you have got to organise your business in such a way that the spread of hours that you work is sufficient for you to do the business of the people. I am a member of the Library Committee. I believe the Library Committee was summoned and there was a meeting to examine these matters that are before us now.

8.25 p.m.

I am not going to talk very much about what has been done in here. If there is knowledge of bad workmanship as far as the renovation and redecoration of this Chamber is concerned, I believe the Government is able to take the necessary steps to carry out whatever corrective measures are necessary. When I see these things sticking out here like some type of phallic symbol with which there must be some type of oral communication, I would like to say this: "you now have the authority for these things and must take the necessary corrective action." Whenever the Speaker comes to this Honourable

Chamber preceded by the Sergeant-at-arms, bearing the Mace, the symbol of authority in Parliament, we must ensure that in this Chamber the facilities are such as to enable Parliamentarians to carry out their work to the best of their ability.

There is a lot wrong with this Chamber and there are a lot of deficiencies, and I say this without apology. There are people who believe that this place is the last word as far as a Parliament building is concerned. I do not share that view. I believe that at some time sooner or later this country should have a new Parliament building. In other countries Governments have found it necessary to construct new Parliament buildings; I believe this has happened in India, in Australia and in Britain, the mother of Parliaments. At the Palace of Westminster there were considerable extensions to that Palace to provide facilities for Parliament; and I am of the opinion that there is need for a new Parliament building here and that regardless of what renovations are done this building will not be completely suitable for the effective working of Parliament. I know the building is of historic importance and I have always felt it has the potential for a fine national portrait gallery or some such facility, but that is not the point at issue now.

We are here to vote funds to provide a library and other offices. If we look at other facilities, for example, where the Press is concerned, there are no facilities in this Parliament whereby members of the Press can do their work of Parliamentary reporting when they are not in this Chamber; there are no facilities to speak of as far as the Press is concerned. It is all right to talk about new library facilities and other offices; but this will do nothing about improving conditions for the Press, and yet we talk about communications.

And I would advert to one other matter. The task of members of Parliament require scrutiny of matters brought to this Chamber, whatever the facilities may be; and these facilities here are not going to make the work of Parliamentarians any easier simply by the addition of a new library and other offices. I would like to draw to the attention of the Chamber the need to initiate now the necessary action so that when the new library and offices are completed, the appropriate staff to service that library is in place. I am speaking from experience. We would know the work is to be done but we would wait until these renovations are completed then to start the process of getting staff. I am speaking from the experience of being in Government for many years. I would like to be certain that when these offices and library are completed, the additional staff necessary will be there.

I know that the Prime Minister has a very big interest in this particular matter, and I hope that he will continue to lend his own personal interest to ensure that the work is carried out in a way which is in keeping with the amount of money that is being sought. The Minister of Communications and Works may say that he will do everything in his power. The problem is not with the Minister of Communications and Works; the problem is when you leave decoration and renovation to the foremen, boss carpenters, etc, and those persons at a higher level like architects and engineers who should be giving special attention to the work, especially since it involves the highest Chamber in this country, failed to do so.

Another point that comes to mind is the choice of colours. Nobody has thought about the colour scheme in the renovations. Maybe there is some interior decorator who feels that the colour scheme should go along with the carpet. But we are going to have to do everything in our power to ensure that the dignity of this Chamber remains at the level as it should.

We are going to support this Resolution. I am a member of the Library Committee and would like to see these measures completed as soon as possible and I hope it will be one Bill of which all members will be proud. I would like to suggest that if members have any special knowledge they can channel that information to the appropriate authorities so that their ideas may be incorporated into the plan of renovations.

Mr. Chairman, I do not wish to detain the members of this Committee any longer; I merely wish to point out that this development is the best in the circumstances. We do hope that the work will be carried out expeditiously. And if the Government wishes the cooperation of the Opposition on a bi-partisan basis, to which the hon. member referred, the Opposition must be consulted in a meaningful way with regards to matters relating to the work of Parliament.
8.35 p.m.

Hon. L. S. CRAIG: Mr. Chairman, I have heard some very interesting speeches from the other side in support of this Resolution, and in support of this Resolution myself I would also like to make a few comments.

I think it was in 1961, either by accident or by design, that I found myself involved in politics, and strangely enough it was very close to Golden Square where the late Sir Grantley Adams was about to speak that there was a band of young men standing there waiting to heckle one of the greatest black men of all time, and that band of young men had in its company the former Ambassador to the United Nations, Mr. Cameron Tudor as its leader.

The reason why I am going to start on that premise, since we are dealing with Parliament and since I have been hearing so many things this evening about the upgrading of Parliament and the conduct and the behaviour of Parliamentarians, it strikes me strange – and I have said this when I was in the Opposition and I am going to say it now that I am in Government – that the whole downward trend of Parliament in this country started when the member for St. John became the Premier of Barbados. It started the trip down and it is left now for members on this side, and hopefully on that side, to give it an upward trend.

It all started, I recall very well, in 1961 when the now Opposition had formed the Government, and the Marshal, one of the most powerful men in Parliament, called on the Gallery – I will always remember that – to behave in a manner in which they should bahave when sitting in the Gallery of Parliament, and the member for St. John who at that time was the senior member for St. John, and then Premier, took a turn in the present Marshal who is now here in his seat, and told the people in the Gallery "this is your Parliament and you are here to hear your business conducted" and from that day until today Parliament has never been itself. The sooner we get the member for St. John out of here the better Parliament is going to be.

As a school boy I came here looking around; "Shell" Harris was at that time teaching me in seventh standard. By accident I went that far. They had the Speaker's Chair over on that side, there were comfortable chairs for the members to sit on, and I think there was a horseshoe table, if I am not mistaken, and the Gallery was on this side. Everything blended with the architecture of this building, the ceiling, the 18 inch stone blocks outside, the stained glass windows, everything to blend our colonial past with today. All of that, but a new breed came in, it was a rabble rouser who did not care about anybody, Darnley Greenidge brought in rice and stew, and you had to buy it.

You talk about selling yourself cheap; let me tell you how we started to be cheap. Teddy Jones used to serve in the dining hall, and there was a big outcry by the same side that members who at that time were in the Government should not eat food in there. The former Prime Minister of the West Indies and Premier of Barbados, Sir Grantley Adams, was not to get paid. A man who gave almost his life for the West Indies, he was not to get paid $600 a month. The same member for St. John, and I think the Leader of the Opposition, it was a public outcry that "Adams want money". I remember those words, and the Homie Corbins and that whole gang reduced Parliament to nothing. You cannot put a loaf of bread in your mouth and whistle at the same time, and I think that is what we have been attempting to do when we are talking about the upgrading of Parliament.

The horseshoe table was removed from in here, taken away, in your time, and cut up and I am told either sold or burnt or in somebody's

home, and there was supposed to be some Committee to investigate the disappearance of the horseshoe table. What have we ended up with now? Something apparently that was made at the prison, and the person who did it should be in prison. You have this three-ply plastic something that you can take a cigarette and burn it, and if you go into the gent's toilet it is worse than the Public Gallery's toilet.

In 1966 you employed a wild gang of criminals known as the Under Privileged to walk about this country and to abuse the same members you have in here now. I remember well, I know you were in Jamaica and you were not responsible, but you would have known about it, because it is the same wild gang you are still with. They were called the Under Privileged and they walked all about this country. They were getting $60 a week, arranged by the former Prime Minister of Barbados and Cameron Tudor who had fellows like Brown and Ulric Foster – God rest him in his grave – he and the same member for St. John were hand in hand and both of them should be there all like now, and now you are talking about upgrading Parliament and the tone of debates. The tone of debates will always be as it is until you make John Public respect you. When the white people were in here, in Government, you did not hear about any money, I was afraid even to walk in here, but today you get Eric Sealy coming in here, jumping over the table, kicking down the microphones. You have policemen down there, and if you go through there some of the policemen are afraid to look at you because "we are with the Dems" as if the Dems are something, and you as a Leader of the Opposition are in here talking about a black day in your life.

Let me tell you what was the black day for you and for me. When Speaker Hinds took the Chair it was embarrassing for me to sit down in here, with a public Gallery with invited guests, to hear you castigate the Speaker of this Parliament, one who set out today to raise the standard of it, and you, the Leader of the Opposition, took it upon yourself to make some of the most scathing remarks you could think about, and you are now talking about upgrading Parliament. But thank God for the same Speaker. He has started with his gown and with his wig, unlike the Maxwells who did not know if to put on a hat or to come bareheaded, a shirt jac some days and an Indian gown other days. Now you talk about standards, you are an Executive Officer, and the chair backs are broken. If you attempt to sit on them you will roll out. Today you are talking about the microphones, but what microphones are you talking about? It was in you regime. If the member for St. Michael South had spoken up in Cabinet the way he spoke here today – and I do not believe he used to say one word in Cabinet, because he is afraid of his shadow.
8.45 p.m.

The Prime Minister will tell you. I am a real man not a mock man. When I sit down in Cabinet or at party headquarters he must hear my voice. I am not like you frightened chubbies over there who do not know what is going on. Things went on and they did not know. He comes here and talk about the Telephone Company. He was not with it. You were looking for a job and you had to remain with him.

Today you are now critical of the same administration who put Parliament as it is. You talk about the reporters. Five in this Chamber and the same five in the Senate. All of that was under your administration. Look at the workmanship of the roof in the Senate Chamber and compare it with what we have here. We have a lot of sloppy work.

You talk about people being chased away. You talk about the boy at CBC being chased away. Tell the people why they have gone. The Government of India sent us this Chair as a gift for Independence and how it would blend with the roof and the ceiling. We have a few "nay nay" microphones, and some chairs that you would find at Racketeer Clarke's Office at Hastings and we talk about conducting the highest office of the land.

The public can only think that you are corned beef politicians unless you make them understand otherwise. As far as salaries are

concerned, I have not seen any report. I cannot understand how the Leader of the Opposition can know this and how the Nation Newspaper could pick up this. I will have no confidence in any commission which leaks to the Press before we see it. The Nation got to the commission first. Nicholls is a Barbados scholar getting $40,000 to $50,000 a year tax free, getting free drinks and having two cars.

This Government bench can tell the Caribbean Development Bank that we do not want them in here. I have been working for 31 years and I have not got paid by the day yet. I am waiting until I see the report before I report on the report. What I am concerned about is that I only hope that the Leader of the Opposition and the Member for St. Philip South do not think that they can trap me. They are not putting me in anything. I am too experienced for that. You cannot make me say anything. I am not like the Leader of the Opposition who talks all the time, and his mouth makes him put his hand in his pocket. You are not going to make me say anything and then you go out there and say that Tom Adams getting $1,000 a month and the old age pensioners are only getting $10 a week.

I heard the Leader of the Opposition say that he is finished with it. As soon as the member for St. Michael South gets a job at Kayes Academy, he will be all right. The member for St. John does not come, so he is not with it. The member for St. Michael South West is in the USA organising a job. Cameron Tudor is not with you after all these years. You are like a snake who after killing everybody turns upon itself.

There is talk about wanting big salaries. I will read back every single thing. The hon. member has abused the Speaker and treated him with discourtesy. The member for St. Lucy would not bow to the Speaker no matter how you ask him. I will go out of in here tonight knowing that Mr. Speaker Hinds has tried to raise the dignity of this House. Even if he gives what appears to be a wrong ruling at times, it is a matter of opinion. After all lawyers make laws and then argue that the judge is wrong.

Mr. Chairman, I am not concerned with any report of the commission. When I was in Opposition I stood on my feet and voted with the Government for a salary increase. When I go to church and there is a harvest I cannot put in a silver dollar. I have to start with mauve; and if I put four mauves I am getting near to a Sir Grantley. I attended a youth rally last Sunday, and they were selling records and the ladies approached some of the people; but how did they approach me? I heard, Mr. Minister this record is for $13.50. I do not dig the music of Bach and Beethoven.

I agree that we have sold ourselves too cheap. At election time we walk about with cricket bats and balls and you hear about the Sleepy Smith Tigers and the George Moe Jokers. I have told the Prime Minister that I am not in that. Not a cent. Take me as I am. Imagine the Leader of the Opposition up on a paling at night. You have sold yourselves cheap and are now trying to talk about restoring the dignity of Parliament.

8.55 p.m.

You have to start outside first. You must make the people respect you, and then you can upgrade Parliament. As Minister of Youth Affairs, what can I tell young people? Must I tell young people that at election time they must stand by because Gladstone Smith is coming? A friend of mine in a particular party told me he gave away 90 Choppers. I thought he meant choppers to chop meat with, but when he told me he meant bicycles I nearly passed out. All of that nonsense people are getting on with. That is the type of behaviour you will get, so you cannot come in here now and talk about Parliamentarians this and the next. If you conduct yourself properly outside the people must respect you. When the J. H. Wilkinsons and the E. K. Walcotts were in here, we trembled to come in here. Do you know why? It was the respect we had for them. (An Hon. MEMBER: "Nobody respects us now.") Now that we are in here, we have sold ourselves short and cheap to the public. If I went out there a vendor would look at me and say: "Look who is a Minister!" If it were Challenor's son, he would say: "Right, Sir." This is how we have conducted ourselves, and we must pay that price.

Mr. Speaker, the task is now on the shoulders of the Minister of Finance, the Speaker of the House, and all members of Parliament to make sure, if they are prepared to put their words in action, that we have not only a better standard of debate, because in the House of Commons – we are as good as those in the House of Commons, because in the House of Commons they will choke each other. That is the place called the Mother of Parliament. In Jamaica people will walk in Parliament and stick up each other. In Guyana they will fire all sort of balls at you. In Trinidad Williams cannot walk about. The Prime Minister here can be out chosselling at night and so on, and there is nobody to bother him. *(Asides.)*

Mr. CHAIRMAN: Order, please!

Hon. L. S. CRAIG: This is what you call a free society in which we live.

Rt. Hon. J. M. G. M. ADAMS: On a point of order, Mr. Chairman. The hon. member means the old Prime Minister; he has time to chossel now, but I do not have time for it, Sir.

Hon. L. S. CRAIG: Well, Sir, it shows quite clearly the youthfulness of the front bench. That is what you call being with it. That term chossel. Those on the other side would not understand what is going on. The hon. member on the other side would understand what is meant by Night Train. That is the whole aspect of it, Sir. Maybe, I am a bit jocular in putting over what I had to say, but I am serious about it. It started in 1961, and it was done for 15 years. I heard the late Sir Grantley Adams, before he went out of here, say that if there was one thing he wanted to do it was to restore the dignity of Parliament. He died trying to do that. All that you have seen on that side during those years was to reduce Parliament to nothingness. Well, you have succeeded, and it is now left to us in here now to put our words into action. Mr. Chairman, I, obviously, would have to support this Resolution.

Mr. SIMMONS: Sir, I rise to draw one point to the attention of the Minister of Communications and Works and those who are responsible for carrying out the renovations. I do not know if it is intended to do any renovations to the roof of Parliament but I had an experience at twenty-five to nine. I was using the lavatory, and while water was going down raindrops were falling on my head, Sir.

Mr. WEEKES: Mr. Chairman, I did not intend to speak on this matter, but the hon. member for St. James in delivering an eloquent speech did mention my name. Consequently, I feel that I should defend myself. Mr. Chairman, this is my fourth term in the House of Assembly, and if, as the hon. member for St. James has stated, I am about to make my exit, I would say without any fear of contradiction that I have rendered inestimable service to the community. I have not only served in this House of Assembly as a member. I had no ulterior motive when I served as a vestryman in an honorary capacity. I had no ulterior motive when I served as a Councillor from its inception until its dissolution. Everything was honorary. As time went on I became a member of this House of Assembly. Therefore, when the hon. member for St. James referred to me and said that I do not have to care about this and that, I hope that he will be spared for several years to attempt to render the service which I have rendered to this community. I take it as an offence for him to try to impress upon the minds of others....

Hon. L. S. CRAIG: On a point of elucidation, Sir. If I said anything in my speech which reflects on the service which the member for St. Philip rendered to this country in any adverse way, I would apologise to him across the floor, or outside privately. I never even attempted to reflect on his service to the country. I said the others on that side, and he happens to be among them. It is unfortunate that a man of his calibre should join that party at that time. That is all.

Mr. WEEKES: Mr. Chairman, while I will accept his apology in good faith, I must say that he did mention my name and that is what motivated me to reply. Since he has apologised I want to say that I carry no animosity or ill-will for any member of this House of Assembly regardless of his affiliation – I may go as far as

to say his ideology. I feel that we have all come here to represent the people and that we should do our utmost on behalf of the masses.
9.05 p.m.

Since I have decided to speak I will say this. I remember in the days of Dr. Hawkins who was a member of this ancient and Honourable House of Assembly that on one occasion on nomination day he used these remarks and I quote "that he never asked for anyone to vote for him because he had his dogs to bark for him." Why I have made that statement is because the hon. member for St. James has said that we have caused the standard of the debates to deteriorate, but I am saying that we as Hon. Members of the House of Assembly should be a model for others to emulate.

In dealing with renovations of the buildings, I would say that it has my wholehearted support, and I feel that especially at this time when we have a female representative with us that we should have certain amenities and conveniences which are conducive to the feminine sex.

Now about the report which I do not know anything about with the exception of what I have read in the Nation, I must say that if the commission which the Government has seen fit to appoint has reduced the representatives of the people to the lowest standard of workers in this Island, we would have to appreciate and accept that no servant should dictate to his employer. I say that without any contradiction. From the moment you have appointed the servants to dictate to us how we should be paid and if we do not attend meetings, we will not be paid, I am saying we deserve that kind of treatment because we have contributed to it, and therefore when it comes to your humble servant, I have already rendered service and as the hon. member for St. Peter says, I am on my way out, but I want to say that if what I have read is authentic, you have yourselves to blame for it. It is true that you had it in your manifesto and it is true that you have carried it out, but I cannot prove myself whether it is a rumour because I cannot substantiate anything which has been said. Now if we have taken it upon ourselves to allow others to tell us what we should receive, it is through no fault of theirs. I am going to say in this House of Assembly now because I am on my way out, that it takes approximately a term for any hon. member to cover the expenses in becoming a member of this House, and I will say now for the false statements that many of us make to satisfy the Government and the law we should all be sent to prison, because if you reside in a constituency, from morning till night regardless of your position, it is a whole time job, and you are going to get people calling at your home and before you can be satisfied to look outside you see people there waiting to see you. If you go home tonight and something goes wrong in your constituency, the telephone rings. If those people who sat on the commission have done as it is alleged, I cannot prove anything, Mr. Chairman, I say we deserve it. I do not know if it is true or false and therefore I prefer not to comment on it.
9.15 p.m.

In dealing with this matter I must say how happy I am to see that the present Government has found it possible to renovate this building and I do hope that they will make the necessary arrangements so that the money will be well spent and that the workmen will carry out the instructions of those in authority, especially the present members of the Government whose prerogative it is to see that the job is well done. I have great pleasure in associating myself with this Resolution and it has my wholehearted support.

Hon. H. B. St.JOHN: Mr. Chairman, I would just like to make a few points in response to the things said, especially by the last speaker. Obviously a number of members completely misunderstand Government's action in relation to the appointment of an outside body to make recommendations. I myself have participated in a number of exercises dealing with members' salaries, and it was because of the methodology used, because of the circumstances surrounding this matter, and the atmosphere and environment that prevailed at that time, that alternative ways and means were canvassed to initiate the process of a salaries revision. We looked at comparable procedures in other democratic countries and it is significant that from the United States of America, through the Commonwealth and in Great Britain there is now a pattern that prior to

Parliamentary approval of salary increases of members and Cabinet ministers it has become the normal practice to request an outside body to examine relativities in the sense of comparable salaries paid in other parts of the Commonwealth and other parts of the world, and in particular the position of members of Parliament and Ministers in relation to the private sector. That is all that has happened. The jurisdiction, power and authority for the determination of the level of remuneration will still reside in this body. I do not know what the hon. member was thinking when he said that Government has appointed somebody else to dictate salaries for them. He obviously failed to note the fundamental point that the ultimate authority must reside in Government, and that what Government did was in consonance with accepted practice which is becoming the norm in other countries. And the Manifesto was very specific on this. As a matter of fact page 2 of the Manifesto states: "No salary increases will be voted by members of the House of Assembly except after an independent review by a properly qualified outside body". This is what has been done in Great Britain, New Zealand, and the United States of America. Obviously hon. members will have an opportunity later to pontificate on the matter. I cannot say anything about the report because I have not seen it; but hon. members will see it in due course, so I don't think they need to get hot under the collar in respect of this matter. What I don't want to be associated with is any horse trading in relation to it.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, there is very little I can add to what has been said. As far as the Report itself is concerned, I cannot say, like the Leader of the House, that I am entirely unaware of its contents. But to some extent I must deplore what I already see as attacks on the review tribunal. But people must have experience before they can grasp all the points in any circumstances, and if in due course we in the House come to the conclusion that the review does not seem realistic, then members will have the opportunity to express their views. We have to bear in mind that this is the first time that the Commissioners will have been sitting. I anticipate that after Parliament has indicated its wishes to what fundamentally perhaps we view as a fact finding Commission making recommendations, after Parliament has indicated its wishes and given us some kind of all-party guidance, I have no doubt that future independent reviews will deal with matters in a manner that in the end may be more sympathetic or empathetic, because independent outside bodies cannot be expected to grasp the nuances of Parliamentary life as we who have been in Parliament for some time. I believe I have been involved with more salary select committees than any other member of the House except perhaps the Speaker. The hon. member for St. John had a habit of walking out of the House on the day that salaries were debated so that he felt free to say! "Dont't blame me for the high salaries; I was not there, they passed them behind my back." I have no intention of indulging in such pretences.

I have been interested in this matter from the beginning and will stand by whatever the Cabinet puts forward and whatever the House decides. I think it unfortunate that there have been leaks about the Report. I will not at this stage comment on the truth or otherwise of any of the rumours going around. Even today I have heard from a member of Parliament that there is one person, one official, whose salary will be reduced by $72 a month – even the actual figure was quoted.

9.25 p.m.

Even the actual figure was quoted, that a result of the report will be that members of Parliament salaries – at least one person's salary – will be reduced. I think that even the most callous member of the public would think that it was an unfortunate result if the House felt constrained to accept a report which reduced the salaries of its members or of its officers, or the Senate was asked to accept conditions in which persons' salaries were reduced, but as I say, all of these leaks and rumours are knocking about. I think the best thing for all of us to do is to say nothing until the report comes before the House.

Whether the report should be referred first to the Select Committee, whether it should be laid on the Table of the House and then referred to a Select Committee, whether it should be dealt with by itself or be the subject of Cabinet recommendations which come down

coincidentally with it, all of these matters will be the subject of an all-party discussion, and the Opposition may be absolutely content that their views on how it should be handled will be treated with the greatest respect and indeed I believe accommodated, as long as they are not something so out of the ordinary that we cannot even anticipate what they are at the present time.

I can tell hon. members that there undoubtedly is room for an input from members of Parliament on this matter. For example, I have heard the hon. member for St. Michael South say that parliamentarians' salary increases should be tied to increases for other persons who are paid from public funds, not in terms of percentages, but that the periods should be associated with each other. For example, I once heard the hon. member for St. John say, during the last Parliament, he told parliamentarians then that they will have to wait for increases until some time in the future. *(Aside).* He said 1978? I cannot remember what was said, but the way I look at it is this: and people had better understand this. This, again as I say, I am not dealing with the report, but people had better understand this. Everybody in the Public Service and in Parliament alike looks to see a certain relationship between salaries of parliamentarians and Ministers, and salaries in the Public Service. We have not in the past linked salaries of Ministers to salaries in the private sector.

Now there are many ways of looking at it. How can you link together salaries in the Public Service and parliamentarians' salaries unless there is some relationship between the periods for which they are calculated? Public Officers have had two raises in pay since parliamentarians have last had one. If we are to maintain a reasonable relationship between the sets of salaries but at the same time parliamentarians have to wait five years for an increase, it means that every five years you will have to give an exhaustive increase in order to strike an average, so that you will not get a period of two or three years as we are getting now when there are many Public Officers better paid than Ministers, and there are one or two Public Officers better paid than the Prime Minister. Immediately you allow the periods to get out of phase these are things that happen.

I just mention these as things which I believe Parliament will have to give its own input into in a decision on an increase in salaries. Since these matters involve Cabinet, I think it is as well to indicate that there are areas where Parliamentarians will have to supplement the area of the report in due course when it comes to the knowledge of a wider range of persons than the Committee, the Editor of the Nation and perhaps one or two politicians.

Mr. Chairman, this has gone on for a long time. It is a preview and I beg to move that this Head do now stand part.

Hon. H. B. St. JOHN: I beg to second that.

Mr. SANDIFORD: Mr. Chairman, before you actually put the question, this is purely procedure, I would just like to make the point that where there are Committees of this House and we are dealing with matters coming from those Committees, as indeed we are now – there is a Library Committee and I believe there is a Debates Committee – I would like to make the general point and throw it out for consideration for those who have the necessary responsibility for these matters, to ensure that the Minutes of those Committees should be circulated, or the reports of those Committees should be circulated as a matter of course and as early as possible to all members of Parliament. The Sub-Committees are Sub-Committees of this House and in some cases Joint Committees, but I will ask that the reports and the Minutes of those Committees should be circulated as soon as possible to all members of the House as soon as possible after the meetings have been held.

The question that Head 105 stand part was put and resolved in the affirmative without division.

SUPPLEMENTARY ESTIMATES 1977–78
No. 8

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, my voice has almost gone, and perhaps it is fortunate for hon. members because I am coming close to the end of the Session.

This Resolution is a large one, but it is made necessary by the perilous position in which the Housing Authority finds itself as a result of its incapacity to collect certain amounts of money for the sale of houses which it is building on a sale basis. That is one part.

The other part relates to International Seafoods and I will deal with that also.

Dealing first with the Housing Authority, $665,000 I think it is, some time ago plans were evolved by which the Housing Authority was to depart somewhat from its customary policies of building houses for rent to persons who would propably not afford to buy houses and to construct instead a large amount of middle income housing for sale. This was to be financed by a branch of the Barbados Mortgage Finance Corporation and so on. It was an essential part of this programme that there should be an on-going process of selling the houses as they were being built so the fund would continue to revolve and would permit the Housing Corporation to build more houses, but unfortunately the very desperate election campaign, desperate for the Government then in power, of 1976 loomed in the prospect and in many cases persons were put into these houses as tenants, persons were put into these houses without any proper estimate of their means to pay for the houses, and it has proved very difficult, virtually impossible in some cases, to maintain the level of sales which would in turn maintain the level of continued construction.

9.35 p.m.

The funds of National Housing Authority were consumed at such an appalling rate during that terrible summer of 1976 when every Government spending agency ran amuck with fund, and ministers who should demonstrate policies that were the soul of sobriety and probity, such as the hon. member for St. Michael North Central and indeed the Government adopted a policy of spend, spend, spend. That is a policy that was of assistance neither to the Democratic Labour Party nor the people of Barbados.

It has left the National Housing Authority miserably short of funds and in serious debt and everything else. The most recent reports of the Accountant General will give some idea of the amount of debts. I hope that hon. members will take note that now that we are in office, the report of the Accountant General for 1976–77 is available.

That is only in passing. Reference to that report will reveal that the Government has guaranteed loans to the National Housing Corporation of $7.3 million. I think that is the figure. The National Housing Corporation owes the Government that figure. It owes the Sugar Export Levy Fund $2.7 million, and it owes the Government a sum of money which I do not have immediately to hand.

Mr. Chairman, they owe the Government this $1.2 million from last year. The Housing Corporation is in a bad way. Under the enlightened chairmanship of the hon. member for St. Philip North, and the wise and mature guidance of the Leader of the Senate, Senator Mapp who is Minister of Housing and Lands, and who is one of the most outstanding Ministers of Housing that we have had in this country – having built in almost four years as many houses as the Democratic Labour Party succeeded in building in 15 years of power – under the guidance of these two dedicated people, the National Housing Corporation is pulling itself out of its mess; but it still needs funds to complete projects at Lodge Terrace, and still needs funds to maintain its current building programmes.

The current programme with regard to Housing as one of our three major projects will be reviewed, and in due course extensive plans for Housing will be revealed; but as a short term measure, it is necessary to lend money to the Corporation on a repayment basis which we hope will be put into a revolving fund to make it spin; because if we do not finish the houses you will not get them sold. We are trying to light a little fire underneath those who are responsible for the hold-ups in the sales. I think that it is very disgraceful that legal fees of almost $3,000 have to be paid for a sale of $36,000. The former lawyer of the Housing Corporation – I would not like to say anything about him because you will

say that I will have to give notice about his competence – but I have seen enormous legal fortunes apparently made in inverse ratio to the actual work which the Housing Corporation seemed to be getting out of the persons concerned.

The Government has plans to reduce the legal fees to a much more realistic level. The Leader of the House has put forward in my opinion a very ingenious plan for reducing fees to much more manageable proportions. The National Housing Corporation has of course also incurred a lot of difficulties in respect of surveying; and when you employ a surveyor so as to give him a salary of $1,000 a month while he canvasses at a by-election and at a general election, to make him comfortable, when he is going about the countryside asking for votes – when you do things like that you must expect that your surveying will fall behind.

All of these abuses have made it difficult for the National Housing Corporation to meet its liabilities. The Jury have said that the wrong people appeared before the courts in certain matters; but so far as I know nobody has suggested that there have not been shortages and misappropriations at the National Housing Corporation. In other words we really have had an example of the most terrifying misbehaviour possible over a long period of time.

To say more would be to trespass on the grounds of the commission which is daily or weekly uncovering more and more evidence of the infelicities of the past of the National Housing Corporation. What we are doing on this occasion is asking the House to extend this facility to the National Housing Corporation while it gets back its breadth. We cannot expect the ravages of Joy Edwards and Phillip Greaves to be repaired in six months or even a year. It will need a long period of honesty and of good management to get the National Housing Corporation back to itself again. This amount of $6,665 will do something in that direction.

As far as the other part of the supplement is concerned, this is to meet a situation – I have files cradled in my arms on International Sea Foods. Some are confidential. Some are not as bad as the North Point; but International Sea Foods has had a long and sad history; and again I have to ask the House to extend some temporisation in regard to International Sea Food. What is happening is that according to the report of the Accountant General this $5.688 million was as at the 31st March, 1977 and then it was $7 million at the day when it was supposed to be paid off, that is the 31st July.

The Government had a liability in respect of International Sea Foods to that amount. The company continues to have liability. International Sea Food also owes the Sugar Export Levy Fund $1 million. It owes City Bank a basic loan of $3million, and indeed on security of any of its trading operations.

Since we have got rid of Mr. Simpson as managing director, the company's affairs have prospered reasonably well. The upterm in the landing of shrimp and the amount of money received co-incided with Simpson's departure which confirms my opinion that he should have gone home from September 3rd 1976, and that the $110,000 which he had been paid previously as a reward for losing the Government's $11 million.

I am saying how it looks to me. I know what my attitude would have been towards anybody who had to preside over the destruction of public accountancy that we saw in respect of International Sea Foods. These are perhaps tendentious ways of putting things, Mr. Chairman, but that is how they look to me.
9.45 p.m.

I am hearing behind me that the roof fell in today because of lack of repairs that should have been carried out either by the BMC or International Seafoods. The BMC says MCW, but I do not know what MCW will say. That will give you an example of what we are facing, but the Management Services Division of the Ministry has been applying its talents under fairly careful political direction to the Management of International Seafoods. We have started to bring in a wider range of fish. We have imposed tighter controls over the amount of shrimp actually

landed, and sales have increased. We have managed to locate the Bank Account in Miami that Mr. Simpson and somebody else maintained. We seemed to have got a little grasp of what is actually going on, and we are assured by the Officer of the Ministry of Finance and Planning, who has the principal part of the direction of International Seafoods, that by the end of the year he will be in a position to start making payments on account of the interest due to City Bank on the $3 million loan.

However, it is considered by City Bank that some payment should be made on account of interest at the present time. I believe there are funds in International Seafoods which could make the payment, but this would remove the company's working capital and put it into a position that, we are advised, would not be desirable at this stage. Accordingly, we seek to advance a sum of $275,000 to pay outstanding interest. Of course, we lose some fish so we may not be able to do the matter in full. We will pay these sums of interest. There has been some repayment of principal and payment of interest, Sir. This, in any case, apparently, will be the interest which has accrued to the end of July. Now, $102,000 will have to be paid immediately as at the end of July, and other interest at $32,000 a month will fall due for the rest of the year and this loan is being advanced to facilitate this.

I must say, Sir, that, as a result of the falling in of the roof today, International Seafoods will suffer a setback. There is no doubt about that and, therefore, its financial position will not be as good at the end of the year as we had otherwise hoped. This matter of the roof has been outstanding for a very long time. It was in the 1976-77 Estimates, the Estimates of the last Government, but no work was actually done. The Minister who then presided over the BMC was too busy employing his friends and wasting BMC's funds to carry out essential works such as this and, therefore, we really cannot blame ourselves, for this. We have been trying our best to get it dealt with.

Nonetheless, as I say, we want to lend this $275,000, and we hope that by the end of the year we will see Seafoods in a position to cover its ordinary liabilities and from day to day including interest. I hope, Sir, that I have been able to give an explanation of the Resolution, and I beg to move that this Head do now stand part.

Hon. F. G. SMITH: Mr. Speaker, I just welcome the opportunity dealing with the National Housing to straighten up how I come to own half acre of land. I want the record straight once and for all time. I am a Barbadian. I was born here and I live here. My wife is a doctor at Enmore slaving away seeing a million babies, pregnant women and people with V.D. She is a citizen of Barbados since she has come here. I have worked and slaved for the people of Barbados. The National Housing Corporation has land at Wanstead Heights selling out to the public at $1.00 per square foot. Must I watch Tom, Dick and Harry buying it, and I must not own a piece of the rock which gave me birth? I did not beg for it. I did not hide behind anybody's back. I borrowed $17,000 from Canadian Imperial Bank and my wife put up the rest. Do you mean that I am not entitled to own anything? Must I keep hearing from a member of the Senate that I bought land from National Housing? I want to straighten it up.

With regard to the cigarettes, Mike Trudden from Rothman's and I were very good personal friends. My wife plays tennis with him at Marine House. He used to send me a carton of Dunhill for a few weeks and then he stopped. Am I going to hear that that is corruption? I was Minister of Communications and Works. One day I went to my office and my Permanent Secretary said: "Here are some number plates." I asked him who sent them, and he said he did not know. I called Mr. Harding who told me that since the Bill had been passed a company, but I did not catch the name – I came in here and heard the Speaker saying that I got number plates from some firm. I left at lunch time here – that must be the only day I did not eat lunch in here – and went across to Mr. Gittens by the theatre. I asked Mr. Gittens if he had sent me some number plates and he said: "No, but you had better try the Courtesy." I went across to the Courtesy and paid $18.00 or $19.00 and told them if they did

not want the money they could give it to charity. I am now going to hear that, because I got number plates as a Minister, I am going to be bribed for $19.00. I am going to hear that I got a carton of cigarettes to sell out the Government of Barbados. I am going to hear now that I stole money or I got money from housing. How far can we go? I want the record to record this. You say that my mouth is big and that I talk too much. I want to straighten up these areas that I heard of today from the Attorney General and from the Prime Minister. I paid $1.00 a square foot for land from the Housing Department. I do not apologise for it. I am a Barbadian and I am entitled to own something in Barbados. Do you mean that everybody must own something, and because I was a Minister and worked for the Government I must watch every Tom, Dick and Harry get land and I must do without it, when my wife is a Government officer slaving away at Enmore?

I can explain the cigarettes. I have just bought five cartons of Piccadilly cigarettes. Do you think I am going to beg for a carton of Dunhill? When you hear that sort of thing in this House, how are you going to get the debates improved? When somebody is going to suggest that you are either going to sell out the Government of Barbados as a Minister for a carton of cigarettes a week as well as for number plates, what do you expect. As a matter of fact, number plates with those pretty things can be an embarrassment especially in a country like Barbados where everybody knows your number. You cannot park anywhere, you cannot visit certain people. You will hear that Sleepy Smith was here like Kilroy. I think it is the worst thing I have ever done. When you use those pretty plates somebody can pass and see X5201 or my old car X1272. I do not want to hear these things because there are genuine and honest reasons. Do not let me hear those remarks again.

I am not criticising this Resolution. I just wanted for the record of Hansard to straighten up those three areas where I heard a suggestion or an insinuation that you would not have an Inquiry or a Commission to inquire how Sleepy Smith got a carton of Dunhill from somebody. It was from Mike Trudden and not even the British Tobacco Company, unless he works at the British Tobacco Company. It is the Rothman's Manager who came from Hong Kong who knew my sister-in-law when she was in the British Army. He stopped it much to my regret. A carton of Dunhill from him will save me having to pay for it, but he stopped it. I am not quarrelling about it, but do not let me hear that sort of foolishness in here. I am too big for that. I think you have already said in here that if there is one man you will not find anything to implicate him it is Sleepy Smith. Why are you and the Attorney General coming up with this foolishness today? I have nothing more to say. I wanted to straighten up this thing on the record once and for all, and I do not want to hear anything more about this in here again.

My dealing with the Housing Department is above board. Arthur Lewis, who came from St. Lucia, can build a big house up there. I do not hear anything about Arthur Lewis buying the land. If you go up there you will see big houses. I am talking about myself. Whether you call it Ministerial Row or not I do not know.

9.55 p.m.

I say that Sleepy Smith is entitled to a little piece of the rock that gave him birth and I want to put up a little shack for me and the old queen to relax with a nice little pool if I can afford it, so that when I finish listening to this nonsense I can go and spread myself out, put on a bath trunk and get a little exercise to keep my belly down.

Mr. SANDIFORD: Mr. Chairman, this Resolution as the Minister of Finance indicated is for a sizable sum. Some $665,000 for the National Housing Corporation is a reimbursement advance in order to assist it in financing its commercial operations. Perhaps I should deal with that one first merely to correct what might be a few misinterpretations as far as the operations of the National Housing Corporation under its former political directorate may be concerned.

The Minister of Finance, the Prime Minister in introducing this measure spoke in terms of the

ravages caused at the National Housing Corporation by two of its Ministers. I believe he referred to a former member for St. Andrew and the former member for St. Michael North West, and he also attributed the problems of the National Housing Corporation to the fact that an election came around in 1976, and that all of the problems of the National Housing Corporation stemmed from that particular date. I would like to make this point quite clearly. Hon. members may have missed the imputation or innuendo in that particular statement that the problems of the Corporation are due to political reasons starting perhaps in 1976 or certainly that 1976 was a major contributor to the problems of the National Housing Corporation. I would like to make this point about the National Housing Corporation and indeed it would apply to the Barbados Marketing Corporation as well, that here you had two Government institutions, two statutory bodies which in accordance with the policies of the Government of the day were called upon to carry out functions without the necessary financial resources being made available to carry out those functions.

Now this is understandable because as the Minister of Finance recognises now there are always more demands upon Government funds and Government resources than there are resources. There are always more demands to be satisfied than there are funds and resources to satisfy those demands, and as the scope and dimension of problems became clear more and more responsibilities were placed on these two institutions, the Barbados Marketing Corporation and the National Housing Corporation. The point I wish to make is that the problems of the National Housing Corporation did not start in 1976 or in 1975. There is a housing problem in this country and how we go about to meet the excess demand for houses in relation to the supply of houses is a major problem of this country. If we had solved that problem Barbados would not be a developing country, it would already be a developed country. But it is a problem and the enlightened leadership coming from the member for St. Philip North I am certain recognises that particular problem. There is no way in the immediate future that we can satisfy the demand for housing in this country, and the more you try to meet that demand, the more the need for additional resources both of men and of money and the more the problems of the Corporation increase. So I would not like anyone to believe that the problems or infelicities such as they may have been in certain respects which occurred at the National Housing Corporation were due to any political direction or sprung from basically any political problem.

You will find that the problem is a basic one, that there is a demand for housing which far exceeds the resources of this country at this moment and in an attempt to try to produce as many houses as quickly as possible great strain and great demands were placed upon that Corporation in terms of its staff, in terms of its management of the sites and the materials and indeed in terms of the allocation for houses. This is a problem which we have got to deal with; it is a problem which the hon. member for St. Philip North as Chairman of that particular Corporation will have to deal with. So we do not want any easy solutions or any suggestion that the problem of managing that particular corporation will be a simple one. From time to time the problem has been recognised and a number of attempts were made to come to terms with the problem. Indeed the whole basis of the former Housing Authority was changed and a new corporation brought into being, the National Housing Corporation. From time to time the management structure of the corporation has been strengthened in accordance at least in part with recommendations made; I believe the technical staff has been strengthened, I believe from time to time too internal reorganisations have taken place. I know that a Committee was also set up to look at the whole structure of the Corporation. I believe it was headed by Mr. Carlisle Burton to look at the Corporation and to make recommendations; so I would just like to get that particular part straight that the problems of the Corporation are due to some directorate under two former Ministers and you appeal for time. It is certainly going to take time because this is a problem which is beyond the resources at the moment of the country to satisfy.

10.05 p.m.

I would just like to raise this particular matter and it relates to housing estates, and in particular to well diggers. I raise this matter because the rainy season will be coming fairly soon and I would like, to know that the wells which may be the responsibility of the National Housing Corporation – I know the Ministry of Communications and Works also has the responsibility for some of these, but I am speaking particularly of wells on the housing estates and the areas under the control of the National Housing Corporation – are kept clear and that we do not wait until the areas are flooded then to clean the wells but that action is taken before the rains come.

From time to time the funds of the National Housing Corporation have been replenished both in terms of public officers housing loans as well as loans from other sources, perhaps National Insurance funds, in order to deal with the problem of capital, and this has been one of the major problems of the corporation, a supply of capital in order to finance an ungoing construction programme; and as you try to extend your programme your need for money increases, and this is a problem no matter who is in charge of the corporation.

As far as International Sea Foods in concerned, we have from time to time heard comments about this particular company, and I would like to ask a few questions here. As I understand it, International Sea Foods Limited is probably indebted to the tune of something like $12 million. We are coming here for a sum of $275,000 as an interest free loan for International Sea Foods so that they can meet a commitment to the First National City Bank.

I believe the problem of International Sea Food is a major problem. This was a company which was set up in order to improve the nutritional standards of the people of this country, to earn foreign exchange through the sale of shrimp in the US market, and to provide much needed employment for the people in this country. I believe no one would quarrel with those three purposes for establishing the International Sea Foods. I am aware that they were some queries about the financial structure of the company and the arrangements made at a particular time. But the fact is that no one could quarrel with the need to harvest the resources of the sea and enable Barbados to get into an area where you have people coming from as far as Japan to harvest the resources of the Caribbean sea.

Now we have a major problem as far as International Sea Foods is concerned, and I would like to know how this particular Resolution will deal with the overall problem. The Minister of Finance has indicated that this is a kind of temporizing Resolution. As I understand it an attempt was made or some type of agreement was worked out between the Government of Barbados and the Government of Trinidad and Tobago and I would like to know what is the status of that agreement.

Mr. CHAIRMAN: You have one minute more of your fifteen minutes.

Mr. SANDIFORD: As I understand it we were supposed to draw on the oil facility in order to set up some joint venture – Trinbar or however it was styled – so that the 21 trawlers owned by International Sea Foods – I understand there were twenty one. I understand the joint venture was proposed to be arranged between the Governments of Barbados and Trinidad and Tobago.

Mr. CHAIRMAN: Is there any other member who wishes to speak?

Hon. H. B. St. JOHN: Mr. Chairman, I just want to set a few facts straight in connection with International Sea Foods. One fact we have to accept is that the Government of Barbados finds itself with $12 million committed to this project. The Government is the only shareholder in International Sea Foods. The assets of the company are not enough to cover the $12 million since the trawlers and equipment are not worth that amount. As the Prime Minister and Minister of Finance has said, we have made valiant strides with a new management techniques in order to try to generate enough income in the company to service the debt of $12 million. Whether you regard it as a debt or a capital contribution, you have to run the

company in such a way to try to get some return on that capital because the Government has to borrow it.

With respect to the joint venture, there was a habit in the past of announcing discussions and conversations as though they were well thought out projects which had been implemented. That was the position of the joint venture. But when I went into the Ministry and was invited by the Prime Minister to sit on the Committee dealing with Sea Foods, I found that the document relating to the joint venture company had been sent to the Trinidad Attorney General, having been drawn by the Attorney General's Office in Barbados, and no reply had been received. I went to Trinidad and I saw Minister Chambers and other people down there, and up to this day the details of the joint venture have never been worked out and the reason is because of this, that the process you are operating in an area in which the Government of Trinidad and the Government of Barbados cannot dictate what is happening in the territorial waters of Brazil. You may form a joint venture company and the Brazilians have a 200 mile line, and unless you can comply with the Brazilian law this joint venture company cannot fish in Brazil. *(Asides).* Listen to the facts as they are.

10.15 p.m.

No agreement was ever made on the details of the joint venture because of the fact that it was realised that even if you went ahead and established a joint venture with Trinidad providing oil at a cheap rate, Barbados providing boats and technology in processing, Trinidad providing boats, that unless you could have the Brazilians accept the total joint venture that you would have the boats, have the oil and nowhere to fish, and it is well recognised that the whole economics of the joint venture is predicated upon the assumption that you have the ability to fish within the territorial waters of Brazil, which has the shrimp, and that is the problem. Those negotiations are going along now, but the Barbados Government has made it clear that we are in favour of the joint venture because it makes sense, because Trinidad has oil and boats but not enough shrimp. Brazil has the shrimp, but it does not have the technology in relation to processing. We have boats, we do not have oil, and we have technology, so it is a perfect case, but this Government will not conduct itself like how other people conduct themselves, we will not be doing like the former Prime Minister, going and saying he has a joint venture when the details have never been worked out, nor the economic viability, nor the ramifications of the scheme have not been ironed out, but he came up here and made an announcement about the joint venture leading the public and his own colleagues into believing because he says so it is a fact, when in truth it is not a fact.

It is the same thing with the cement, and so too with the fishing industry. What has happened in the meantime is that when these hurdles have come up there is an arrangement whereby the Trinidad National Fisheries Corporation, not the Government, which is wholly owned by the Government of Trinidad, they have an arrangement with International Seafoods where our boats go in and get the food, carry back a percentage of the catch to Trinidad and another percentage of the catch is brought to Barbados, and where Barbados repairs the boats, because it is cheaper here. This may have been part of the original intention, but when you talk about the joint venture and the Trin-Bar that was a separate company in which all the boats would have been transferred to that company, and a copy of the Memorandum of the Articles of Association was sent by the Barbados Attorney General's Office to the Trinidad Attorney General's Office and it has not come back up to now, because it is realised that if you transfer the boats under those things that that company would have to have the licence, and the licences are granted on a Government to Government basis, not upon any company basis.

The Barbados Government has to negotiate every year with Brazil to get licences for 15 boats. The Trinidad Government has a quota of licences, and that is the position, but the details

of any joint venture were never carried to any conclusion, it was not a fact. What has happened, as I said before, is that the two fisheries companies are co-operating and they had intended to carry that into another company, but they never worked it out.

On the question of the other aspects of Seafoods, there is no doubt about it, little attention was paid to the whole structure of International Seafoods. The Government, having bailed out the private shareholders, never had any clear plan about it, but this Government has a clear plan about it, which is very simple. We regard this as the principal instrument of implementing that part of our fisheries policy which relates to off shore fishing. It is going to be the principal instrument also for processing fish in Barbados, and not only are we trying now to give them temporary working capital to allow them to continue the processing, but we have been landed with this problem of the fact that Seafoods rented from the BMC during their regime and the BMC was not given the money to carry out essential repairs to the structure or the machinery, and we were faced with the problem that the roof has rusted out and it costs far more to repair, and although an attempt was made to get it done as early as possible, the tender that came in was far in excess of what was budgeted for, what was spent under the previous administration for the cost of repairs. It was in the 1975-76 Estimates, the repairs of the roof, it was repeated in this year's Estimates, and acting upon that as soon as it was passed advertisements went out for tenders and when the tenders came in the lowest tender was far in excess of the estimate, and obviously Cabinet had to take a decision, which has been taken, that the tenders be awarded, and a supplementary will be coming down later on for the repairs. In the meantime, because of the deterioration of the roof, the ceiling to the cold storage, which got wider over some period of time, has collapsed.

That is the position, a classic case of neglect, but anyway we accept that, because it is the Barbadian taxpayers' money and we cannot throw it away, we have to face those facts. All we can do is to try and see with improved management techniques that we will be able to salvage some of its capacity, and that is what we are attempting to do. In the meantime, as a matter of policy, International Seafoods has been performing the function which the BMC used to do in the past in relation to Barbadian fishermen, and this year much larger quantities of fish were bought from Barbadian fishermen and marketed, and in addition to that a much larger amount of fish was brought in from the shrimp trawlers to be processed and marketed here. Some 883,000 pounds so far this year have been done and the average price is 61 cents per pound, contributing to the reduction of the cost of living, but we have to go further, because we have to vest the land and the buildings in Seafoods so that Seafoods would be totally capitalised with its own building and not a tenant of somebody else, and a scheme has been put to the Inter-American Development Bank to get four trawlers, a scheme that the last Government was mucking around with since 1972 and would not put forward a proper project proposal because they were floundering in their minds as to what to do about it.

10.25 p.m.

A proper scheme has been put forward whereby we will borrow money to buy trawlers; but these trawlers will be different from the existing trawlers. These trawlers will be designed for shrimping. The others were designed for off shore fishing as the primary purpose.

Now on the question of Housing, I do not want to hear any excuses in relation to this. There cannot be any excuses. I remember that I was in the House of Assembly between the period 1966–71 when the Urban Development Corporation was created by the previous Government and the whole of the Cave Hill land was vested in the Urban Development Corporation. I remember saying then that if properly managed, it would be the most profitable statutory corporation ever conceived in Barbados for the simple reason that land was given to it as a gift. It was a first class area, so first class that it attracts such gentlemen as the hon. member for St. Michael South Central and further, people like Professor Lewis; but because

of the total lack of management expertise, political direction and political abuses and maneuvering on the part of Ministers of Housing, that area of land, far from being today a credit to Barbados, finds itself surrounded with nothing but an aura of scandal and incompetence.

In order to get rid of embarrassment and to hide up what was taking place, the last Government conceived of joining the Urban Development Corporation and the Housing Corporation together, as if by an act of Parliament you will solve the fundamental incompetence that existed in the Government in relation to the management of Housing.

This money is being lent as working capital because that land up there has been sold. Houses have been built on it and there is a lot of capital locked up because management and legal complexities have allowed themselves to run into difficulties because they did not know what they were doing, and which has prevented capital from coming in. So, if you have to build a building, to sub-divide land and put in water and so forth, and you do not arrange your business so that your cash flow comes in parallel with your outgoing, you will find yourself with cash flow problems.

This has nothing at all to do with any housing demands. Using the hon. member's argument, if there is such a great demand for housing it means that you should have turned it around faster because you had a seller's market. They have allowed themselves to have a complex legal system, and I am going to talk on this, because one of the suggestions that I have made is that it is wholesale robbery for anyone to say that if you buy land from the Urban Development Corporation – this is land which was bought under the Barbados Labour Party administration, because it was Mr. Mapp who froze that land in 1959, and in 1961 it was acquired. The Urban Development Corporation then became vested in it by statute and built on it.

Now you want to tell me that the Barbados Mortgage Finance Company which is supposed to lend money must pay lawyers to investigate the title from the purchaser when everybody knows that the common legal title is a statute of Barbados. We also find a lawyer who worked for the vendor, for the purchaser and for the Mortgage Company. He drew all three fees from three different people. This has got to stop.

One of the suggestions that we have put up is that once you have bought from the National Housing Corporation, the National Housing Corporation Statute should be amended to say that the State guarantees you an irrevocable title. There will be no more investigation, just a straight fee. This is where you can get your cash flow in.

The legal cost of closure is $2,839 fee on a $36,000 sale. That is a very high percentage, all of which is not legal fees. The whole thing is ridiculous, and that is what I charge to the hon. member's party with – the lack of sitting down and analysing what is taking place and seeing that this must be nonsense and so we should look at it and see how we can get around it. I really say that this is incompetence.

I disagree with them profoundly for selling land at a dollar a square foot. I think that it was more than reasonable because Cave Hill is one of the best buys that you can find. The hon. member knows that he has a bargain. He can make a profit now by selling it. *(Aside).* You are building on it? You are lucky that you did not have to deal with me because I would put in a conveyance that if you wanted to sell it within 15 years you would have to sell it to the Corporation.

We have found that some people had 90,000 square feet. Some had 999,000 square feet. The details will come out. I will leave off this until Friday because I feel that we should continue this. I feel that we should explain that this side of housing is not the sort that used to be provided by the Urban Development Corporation and the National Housing Corporation. The National Housing Corporation has two divisions – commercial and non commercial. The point about an exaggerated demand relates to the other side of the Corporation. We do not lend them money. We

have to give them money; but there should be no element of subsidy in respect of the Urban Development Corporation's land at Cave Hill. The subsidy consists of getting land at a reasonable price and the ability to get mortgage finance.

I just want the hon. member to remember that this goes back to the commercial operations at Oxnards and that area – that is the buying and selling which the Urban Development Corporation was supposed to do; but it lost its way. It has $10 million in assets but it does not know how to unwrap its assets.

This Government has also taken another stand in relation to Housing. We have insisted that more 20 year money be available from commercial banks in Barbados. When I was over on that side I was asking and begging the then Minister of Finance to be man enough to stand up to the commercial banks and tell them that they had to lend money for Housing rather than lending money for motor cars; and he always ducked and evaded that. We are in a position now to insist that that should be done. That is happening and more money is being lent by commercial banks today for Housing for a longer period of time than ever before in Barbados because we had the guts to stand up to bank managers in Barbados and tell them that this must be done.

At this stage I beg to move, Mr. Chairman, that you do now report progress and ask for leave to sit again.

Hon. H. deB. FORDE: I beg to second that.

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

Mr. CHAIRMAN reported progress and Mr. SPEAKER resumed the Chair and reported accordingly.

SUSPENSION OF SITTING

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to move that this sitting be now suspended until Friday, 5th August at 10 o'clock a.m.

Hon. L. R. TULL: I beg to second that.

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

10.35 p.m.

On the resumption:

Mr. DEPUTY SPEAKER: Before the House reverts to Committee, there is one announcement that has to be made. Section 42 has been inadvertently circulated. I believe that some hon. members may not have received their copies of the Resolution for $275,000, copies of which have been circulated this morning. Copies of Orders Nos. 2, 3, and 4 were circulated to members over the weekend.

Hon. H. B. ST. JOHN: Mr. Deputy Speaker, there are a number of amendments which I will be asking leave to deal with next week.

Mr. DEPUTY SPEAKER: When this House was suspended, the House was in Committee of Supply, to which it now reverts.

Mr. DEPUTY SPEAKER left the Chair and the House resumed Committee of Supply, Mr. ODLE in the Chair.

Hon. H. B. ST. JOHN: Mr. Chairman, I have concluded my contribution on this subject.

SUPPLEMENTARY ESTIMATES 1977-78 (CURRENT) NO. 8

Order No. 1 (b) was called – A Resolution to grant the sum of $940,000 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates, 1977-78, Part I – Current, as shown in the Supplementary Estimates 1977-78, No. 8, which form the Schedule to the Resolution.

Dr. CHELTENHAM: Mr. Chairman, I believe that out of the conviction I should make a contribution to the subject under discussion. I believe that all hon. members should want to make a contribution to the problems of housing in this country. I believe

that all hon. members should contribute favourably in support of this Resolution since housing is a rather serious and complex national headache.

The former Government during the recent election campaign tried to impress upon the electorate of this country in a hurriedly together manifesto – to house a nation – a rather colourful brochure. They tried to show that they were able to achieve a very impressive housing programme during their years in office. They tried to show that it was only the Democratic Labour Party which throughout the history of this country was able to truly house the nation.

I find it a little strange, Mr. Chairman, to understand how the hon. member for St. Michael South in his contribution in this debate could say that housing is a problem. I am happy to understand that he realises that housing is a problem, and I am hoping that the people of this country understand that that problem was not started in 1976 or in the few months of 1977 because we have had it directly from the member for St. Michael South, one who is aspiring to the leadership of the Democratic Labour Party, that housing during their regime was a problem.

I believe that in supporting this Resolution I should outline a few points. We have a situation in Barbados where every day the officers of the National Housing Corporation are bombarded with a number of complaints for houses. The officers of that department are perhaps at the end of their wits to find solutions to these problems.

I know of the situation in this country, Mr. Chairman, where the ordinary man in the street, because of his political coloration during the past 15 years has found himself unable to be properly housed. This Government is aware of the situation and we are trying to rectify it. It is not uncommon to find that because a person might have supported the Barbados Labour Party during the past 15 years that that person has been victimised in preference to a supporter of the Other Side. You could cite case upon case where people have been told that they must go through the normal rigours of applying for a house and when it boils down, it happens that because that person is not a member of that party he is exempted from having a house.

I would like to draw to the attention of this Hon. House that because of an improper system, that because of political patronage, that because of the fear of not satisfying the desires of ministers of the DLP Government, that officers in the National Housing Corporation were unable to carry out their jobs effectively. I would like to cite a few cases in which individuals were granted a government apartment house – not that they needed it but because of a directive from a Minister – there were accorded a house. It is not uncommon to find under the past administration people who owned perhaps two or three bungalows in the vicinity of the $60,000 and $70,000 range and still occupying a $16 a week government house. They were not using a qualifying system or meeting the needs of individuals. It was directly based on a directive of officials, Ministers or otherwise of that party that the houses were so accorded.

I have a case to cite in which in 1963 the officers of the National Housing Corporation inspected a complaint in which one resident's premises.....

Hon. F. G. SMITH: Mr. Chairman, I do not want to interrupt the hon. member; but if you would just give way I would like to raise a point of order. As I understand it, the Government has set up a judicial or semi-judicial commission to go into the operation of the Housing Corporation. The terms of reference are particularly wide. This is a commission which has been set up and which I gather is temporarily suspended. I am aksing the member, who is a member of the Government that to help the commission whether it is right that he should be hearing in the House about matters which may very well be the subject of the commission. That is all I am asking. I would like a ruling as to whether this is *sub judice* or

whether the member is free to raise it. I am not trying to stifle debate; but I think that the Attorney General would agree or not agree in view of the fact that the Government has set up a Commission under Mr. Hanschell to look into the operation of the Housing Corporation, how far we should go in expressing our views on this particular matter. Is that not a reasonable interruption? The Hon. Attorney General can give his view as to whether my statement contains any merit or not; because if the hon. member comes out with any discussion it can prejudice the fair and proper functioning of the commission.

10.10 a.m.

Mr. CHAIRMAN: Your submission is fair, but the hon. member has not gone out of the bounds of order.

Mr. SISNETT: Mr. Chairman, all I was trying to show is that there are certain persons in this community, who own three bungalows ranging between $60,000 and $70,000, and they still live in the $16 or $15 a week Government apartments. It is a fact which the Leader of the Opposition is well aware of. I am just trying to show the kind of infelicities, as the member for St. Michael South would try to say, in the past administration. In addition to this, you will find people, who can well afford and who do not need any kind of Government assistance where housing is concerned, occupying the Government apartment houses and using them as pads. What I am trying to outline to the House is that there was absolutely no system under the former administration for the allocation of Government apartment houses, and the common people of this country, who would need these houses, had a hell of a time to get houses allocated to them. *(Asides.)* I am speaking about apartment-type houses.

Then you get to the middle-income houses now being constructed at Eden Lodge, Wildey, and the Oxnards sites. I remember when the site at Oxnards was going, as a matter of course, people were asked to submit their names for these houses. At that time a letter was sent from the National Housing Corporation stating that the houses were under construction, and no fixed price had been arrived at and the necessary allocation would be gone into. This is as far back as 1973. There are people who made applications for one of these houses in the Oxnards area. Perhaps the Chairman of the Housing Corporation would be able to divulge more about this. There are people who are qualified for one of these houses, but they are still awaiting an allocation from the Government. What has happened over the past years? You will find that those houses have been completed and allocated and yet those people who have made applications as far back as 1973, and perhaps, maybe just over 50% of them have not received the second call from the Housing Corporation for these houses, but they are still surviving under the premise that when a fixed price is arrived at they will be duly notified.

I want to make it emphatically clear that in a society as small as ours, in a country where money is hard to come by, in a country where people can ill afford to build their own houses, a great cross-section of the people in this country is looking to Government to build or provide houses for them, and there can be no excuse for any Government or any Government Minister to directly allocate, the houses which the Government of the country has set up to assist the people, on a personal basis.

I am told that in that particular area of Oxnards there were going to be 130 houses. I am also told that the first 89 completed houses were allocated to people who have never applied for them. There were some 1,400 applications from people interested in moving into that particular area, and the Minister or Ministers responsible for that particular Corporation allocated the first 89 houses to people who have never made any applications for them. This is the kind of thing that went on under that Government. I am further told, now that the records have been checked, that most of the people do not even qualify for the mortgages. What went wrong?

I have spoken about the cases where people used the Government apartment houses as pads. I

have spoken of the allocation of such houses on a partisan basis. I would like to say something else, at even a lower level, Mr. Chairman, regarding some rather unscrupulous landlords in Barbados who realised there is a dire need to house people at all levels, and are taking advantage of the poorer class person – even some of the pensioners. It is not uncommon nowadays to find pensioners, who are unable to pay an exorbitant rent, being placed on the street. It is common for landlords to be charging up to $25 for a 16 x 9 worm eaten and infested chattel house.

Mr. Chairman, we have cited some of these problems. We spoke about them during the election campaign, and I believe that the National Housing Corporation could be put right. I am not going to mention any more of the infelicities that went on in that administration, and I am not going to mention anything more about the hurriedly put together colourful brochure to the nation that came from the other side just before the election, because we know it was just to capture the minds of the people that only the Dems could have done it.

Sir, Barbados has a very big headache when it comes to housing the people, and it cannot be done overnight. I would like the people of Barbados to understand that. As the member for St. Michael South has said, it was not created in 1976, but it was created in the months and years prior to 1976. One point which I would like the Minister responsible for housing and the Chairman of the Housing Corporation to really get down to is the public relations aspect of the people who are administering the housing needs of this country. There are many reports from people who were looking for houses that they are being turned around daily and sent away with the impression that a letter from a representative of the House of Assembly would qualify them to have a house. I do not feel that is right. I do not think any message written on a piece of paper should be enough to prejudice the situation to grant a house to someone.

One particular case, which I would like to bring to the attention of this Chamber, is that in 1963 the N.H.C. made an inquiry into a home in which it was deemed that the house was uninhabitable. It is known that this man is a supporter of this Government.
10.20 a.m.

The house in 1963 was condemned; in 1977 the man has not yet moved and is still living in those conditions. I want to know what went wrong under the administration that perhaps because of his political colouration he was forced to live for all these years in such dire conditions. I believe that the Chairman and the Minister understand these problems and I believe that the system which this Government has embarked upon is the right system, allocation perhaps on the basis of first come first served. I do not believe that a person because he is a member of this party should have perference over someone because he may have a different political view.

Sir, I would like to ask a question as regards the National Housing Corporation as a competitive builder in Barbados. I think that a move should be made to have the National Housing Corporation compete just as any other private tender to satisfy the housing needs of Barbados. The National Housing Corporation has got the equipment, we have got the lands and I believe that if the National Housing Corporation can have adequate staff that we in Barbados could see a new kind of housing thrust if not equal to perhaps better than what has been done as regards housing in this country. The National Housing Corporation was able to salvage the project from Contec at Oxnards after the land was approved for housing; it was the National Housing Corporation who came and had to salvage that property. They have completed the project also at Wildey. I think, Sir, that they should be commended, but I believe that if this corporation can be given the adequate staff that it would so need to put itself into the building programme that not only would Government be finding new jobs for the people, but we would also be say in the next years ahead that we the Government through one of our agencies have been able to do this for the people of Barbados. I feel that the Corporation can achieve heights if it

has the adequate staff to compete with other persons in the building industry.

Finally, Mr. Chairman, I would like to say that housing is not an easy problem. The problems were not created in the months of 1977. There were problems that were unattended for many years and I would ask the people of this country to hold some strain; they held strain before, and I believe that if they can hold on a little longer that we can solve the housing needs of Barbados.

Mr. GREAVES: Mr. Chairman, it is not often that we hear the hon. member for St. Michael North East and in the contribution which he has made, towards the end when he made reference to the site which the National Housing Corporation has completed at Wildey, the fact that he congratulated the National Housing Corporation is in my view an indication of the congratulations which he has given to the Democratic Labour Party in its thrust in the area of housing in this country, because there is no doubt that that is one of the many modern areas of housing development which has been created by the Democratic Labour Party. If I were to revert broadly to the question of housing in Barbados and generally speaking the role of housing in the whole process of national development, I would want to make a number of points.

Mr. Chairman, first let me say that there is no doubt that apart from what has been done to develop housing in this country by the Democratic Labour Party, and as I have said there is no doubt that the record of the Democratic Labour Party is there, a record which we need not be ashamed of at all, there is no doubt that inspite of that the housing situation in this country is still in a bad state. It is I would say, probably reaching crisis proportions. I think one has got to be reasonable in looking at this particular situation, and the housing situation is obviously tied up with a number of other factors both sociological and economic. No Government has unlimited resources to be able to put all the money which it has at its disposal into providing housing for the people of this country. At the same time when one takes into consideration the whole question of wage levels and the question of the earning capacity of people who would need houses, one would recognise that again it is very often the time which people take to make the money to purchase a house and the other factors, but with the rate of population growth, a factor to which I do not think we give enough attention, over the periods our population growth has really been outstripping the ability of the country to provide housing and provide jobs and better facilities which are necessary for easy and comfortable living in this country, so that we have to look too at these factors, and when we recognise all these things, we then have to evolve a housing policy to deal with this particular situation. I am not at absolving the Democratic Labour Party completely from blame in this particular regard. I think if you were to check the records of this House, you will see that when the Democratic Labour Party was in Government that I spoke critically of this and of the fact that enough attention was not being paid towards housing in this country. We have to recognise that there are a number of shortcomings in this particular regard.

Now one of the things I have been critical of is the way in which housing development has taken place in this country, and you will see, Mr. Chairman, if you were to move around the country, particularly in the areas where Government or the National Housing Corporation has been involved, that there has been a fairly swift accumulation of housing in a particular area. I have been critical of the over concentration of housing in what I call the urban and suburban areas to the detriment of the rural areas, and I believe that the hon. member for St. Philip North, the present Chairman of the National Housing Corporation, is honest about it. Of course he supported me in this particular matter on more than one occasion when I had raised this matter in the House in the previous session, that is, the lopsided kind of development which has taken place in this country. I feel, Mr. Chairman, that we have to view this matter very seriously; housing has to be viewed in the whole context of national development, and when we talk in terms of national development, we have to be very clear

of what we mean by national development. Do we mean a development which has benefits for all of the areas of the country, do we mean a balanced and even kind of development, or do we think in terms of development as the development of a particular area, or the expansion of the development around the urban and suburban areas?
10.30 a.m.

Certainly this cannot be the development one is talking about, and when therefore you look at the whole development problem, housing in my view is tied up with this particular problem and the lop-sided development taking place because we have had for a long time an over concentration of industrialisation within the urban and suburban areas; and it is my considered opinion that we have to get away from this because as a result of a lop-sided development we have been plagued with a rural urban drift, that is a drift of the rural population into the urban areas in search of jobs and other facilities which follow this kind of development. So that I have always been of the view that we have to pay attention to balancing our growth and to the promotion of rural development, and in this context we must regard housing as playing a very important role. The Democratic Labour Party recognized this during their period of office and sought to maintain that balance by bringing industry into the rural areas to reduce the urban drift because of the kind of pressure which would be placed on the country in areas of over concentration – the pressures of providing education facilities, health facilities etc., would mean that there would be a concentration of these facilities to the detriment of other areas. So in the housing programme – and this has nothing to do with party politics – we have to recognize very clearly that in any programme for housing development you must take unto consideration extension of the programmes in the rural areas.

Some time ago I asked a question about a rural housing project for St. Lucy and I think it was the Deputy Prime Minister who gave the reply that the Government did not see the need for the project. One has got to take into consideration the methods of finding out the particular needs for housing in this country and I would like to see a survey done about actual housing requirements in this country. Thorough examinations should be made of the need for housing because we have to bear in mind potential growth and development within the country. I would therefore hope and would like the Minister of Housing and the Chairman of the National Housing Corporation to carry out a proper statistical in-depth anaylyis of this problem, for if a proper investigation is carried out, it will be seen there is a need for proper development in many areas of Barbados, including St. Lucy.

We have also to look at some other areas. I have indicated that in St. Lucy the Government owns the Spring Hall group of estates and that there are tenantries connected to that area; and I have indicated that to the north west of North Point Surf Resort there is a wide ares of land which is in need fo development. I indicated this to the last Government and investigations were carried out and there was a commitment to look at this particular development. This is not the only area; there are others, and I would hope that in looking at this matter we would be able to make available house spots for people, as there is also need for these. It is not always that people need houses which are constructed by the Government; sometimes you might find a person needs only a house spot; he may be getting pressure from a landlord and needs somewhere to put his house; so Government should look into this question to provide housespots in various parts of the country to give this kind of service to people requiring it. I think the Government has estates which could be developed for this purpose.

Now we have been talking glibly about low cost housing. I think this is a bit of a misnomer because when one examines the cost of housing today one will see that there is really no such thing as low cost housing. What we therefore have to concentrate on is providing low income housing which would have basic facilities and proper conditions. So I would hope that we make a serious analysis of the housing needs of this country. This can only be done by a proper survey.

The type of housing must also be taken into consideration. I recall some time ago one of the Government Ministers talked about high-rise housing. I do not know whether this is the policy of the Government or whether National Housing Corporation has this under consideration; but Government should examine the problems which have arisen in other countries through high-rise housing.

One other point. I would like in summary to refer to the question of the problems which you find in developing a housing programme, and I wish to draw to the attention of hon. members that there was a time when the construction industry in Barbados was booming and could have been pushed further if there had been an adequate supply of trained personnel – carpenters, masons, plumbers, etc. You will recall some years ago there was a large exodus of workers to Britain and this had the effect of slowing down housing development, because it takes time to train people.

This bring me to my final point about industrial training. This is an area not to be treated lightly and we have got to set up programmes for training people for we have got to keep our masons, carpenters and skilled personnel in adequate supply, because no housing programme can really take place at the pace one would like to see unless we have an adequate supply of the people.
10.40 a.m.

It is therefore my considered opinion that on the whole question of training, the employers and businessmen of this country must carry their fair share. It is my view that they are not carrying their fair share, they are expecting Government to provide all the training opportunities and all they do is come along, take the people up and pay them little or nothing. You, yourself are an employer, but I do not believe that the people who are involved in your operation need that kind of training, but the point is, Mr. Chairman, that it is important that some attention is paid to industrial training, because as I said, this is all wrapped up and tied up with the whole question of housing, the pace at which we are able to provide housing for this country, and I think that from the point of view of having as an objective housing and clothing a nation, this certainly is not an objective to be ashamed of, and certainly this is the objective of the Democratic Labour Party and will continue to be the objective of the Democratic Labour Party.

Mr. WARD: Mr. Chairman, I would just like to deal specifically with the Silver Hill Housing Estate. Generally speaking, the architects did a very fine job in designing the houses in the Silver Hill area, but there is one basic error with them, and that is that the architects had a panel put on the ground floor of these apartments which was built not of stone but of wood and panelling, and when the weather came they contracted and as a result they are a failure.

I would just mention this to the House, because the money has been voted for the repair of these houses in Silver Hill but unfortunately there has been no start, and I spoke to the Minister who told me that he regretted to say that no work had been started and he advised me to get in touch with Mr. Ellis. This I did and Mr. Ellis gave me full co-operation and help in the whole matter and advised me to ring a Mr. Pandor who is the engineer. I am sorry to say that I have telephoned on more than one occasion and I have not yet been able to get a reply from the gentleman, but what I would like to draw to the attention of all concerned is that the matter in Silver Hill is urgent. The shrinkage of this panel in front of the houses and the weather which we have just had goes into the houses and destroys the people's carpets, furniture and what have you, and I would very much like to draw to the attention of the House the urgency of dealing with the Silver Hill matter.

As regards housing in general, Mr. Chairman, there is no doubt about it that the last Government had problems with housing and we also have problems with housing. More people need houses than we can produce. I believe that this Government should think seriously of what I would refer to as a crash programme for houses,

that is, you will be amazed to know, Mr. Chairman, that a lot of people in this country would rather live in their own houses than to rent a house from Government. They pride themselves in their own property, and for this reason I believe that if this Government were to make loans available to people to the extent of four or five thousand dollars at a very low interest rate that you would be amazed to know how many people in this country would put up two or three thousands dollars with that four or five and would build themselves, not luxurious bungalows by any means, but proper houses in which they would feel happy and content, because it would either be theirs or would eventually be theirs, and you would be surprised to know how many of these would go up very rapidly.

Whatever Government goes to do it takes a very long time to do. I would bet my last dollar on it, that the private owners of houses would get a thousand houses up before Government could get up 500 and for this reason. If Government were to put up a fund of $1 million, or somewhere in that vicinity, to lend out small sums of $5,000 with the borrower putting up $2,000 or $3,000, you would be amazed to see how rapidly the housing problem would be relieved, but the Government is taking on the full responsibility, putting up very nice houses indeed, but we take too long. Mr. Chairman, you know and I know that anybody working for Government takes a snail's pace, not in Barbados alone, this is a fault universally, but if you get a private man putting up a house for a private purchaser, the purchaser is standing up next to the workman so he has to push the work. For this reason I believe Government could look very seriously at a crash programme in houses on a private basis of loans to people direct.

Mr. BRADSHAW: Mr. Chairman, first let me draw to the attention of the hon. member, my colleague on this side, that the houses which were put up in the Silver Hill area were put up by an ardent supporter and member of the former Government, and it is common knowledge now that those houses are plagued with numerous problems, but that is not all. The member for St. Lucy in his 15 or 20 minutes has treated this House with a speech lacking in content, void of housing knowledge, and based on no kind of commonsense at all.

I say this because we on September 2 took over this country to find that Housing was in a complete mess. We realised that there were no plans, no proper machinery, and everything at Housing and in Housing was done on an *ad hoc* basis. Decision were taken by the Minister, verbal instructions given by the Prime Minister, the member for St. John, to the Minister, and this is all that was required to effect.....

Hon. F. G. SMITH: Mr. Chairman, again I am raising the same point on a point of order.

Mr. BRADSHAW: I am not giving way, what is he up on?

Hon. F. G. SMITH: On a point of order, and you have to give way. Do not tell me you are not giving way.

Mr. CHAIRMAN: Is this the same point that you raised before?

Hon. F. G. SMITH: I think it is a very important point, that the Government has set up a Commission to go into Housing. I drew it to the attention of the member for North East and he skirted around, now the Parliamentary Secretary is going into matters which may very well be the cause of the Enquiry, of Ministers and other members giving instructions. If he can make his debate general like the member who took my warning and made a speech which I thought, even if I did not agree with the content, I liked his fluency, and it shows that in 20 years he might be all right, but what I am saying is, I want things to be done properly, I am not trying to stop him. I do not know the area in which the Commission is going to enquire, all I am asking the member to do is to think when he is speaking, because if Ministers did this, if members did this, then Mr. Hanschell can call them, Mr. Hanschell can enquire into it, but if you go now because you have a few files before you and prejudge the issue, what is going to happen?

That is all I am asking you, I am not trying to stop you, you can talk for the whole week. I am just telling you as the Minister with files which may go before a Commission which your Government set up, try and control yourself and, like the member I spoke to, see that you do not say anything which might prejudge or prejudice any matters which may go before the Commission of Enquiry.
10.50 a.m.

Mr. CHAIRMAN: The hon. member is very competent, and I do see that he has gone beyond the bounds on this question.

Mr. BRADSHAW: Mr. Chairman, I just want to endorse your comments and let the Hon. Leader of the Opposition understand that I am equipped to deal with any issue; and never mind that I am not a lawyer; I am competent. Mr. Chairman, the National Housing Corporation is in financial trouble, and it is imperative that someone let this Hon. House know some of the reasons why the National Housing Corporation has been in acute financial difficulties.

It is because of the management, because of the directives of the former administration that this situation is as acute as it is today. Mr. Chairman, I have heard mention of the Wildey area. I have also heard mention of the Eden Lodge area; and I must point out that it is an embarrasment for any Government to boast of the houses they put up in Eden Lodge or even in Wildey area.

Now, we are talking about the acute financial situation. I must bring to the attention of this House that in the Wildey area where houses were built in the vicinity of $20,000 per unit we have a situation where some seven of eight of them will have to be pushed flat to the ground. This is because the former administration did not understand that they had a bounden duty to the people of this country to see to it that proper supervision should have been established and proper checks and proper machinery to safeguard the money of the people of this country.

This was not done, and as a result we are faced with a situation where eight houses valued at $20,000 each – value of $160,000 – will have to be considered a total write off. That is $160,000. In Eden Lodge there was a survey carried out, and it was estimated that over 100 odd units should be built there. but we have found on carrying out the survey that 28 plots cannot be built on; and the value of a unit which could have been put on that house is estimated in the region of another $30,000. That is what the country has got to write off.

Now, we have got cases of houses in Wildey, the terrace houses where people pay $15 a week for rent. Those houses were undertaken by the past administration; and we have got a situation now where the roofs are leaking only after three years construction, Mr. Chairman. I visited a couple of houses a few weeks ago, and to my dismay I found that water was coming through the roof. Now we must spend money to rectify the sloppy planning of the former administration.

How can they boast of building houses? They must ask themselves what kind of houses did they build? It is not a matter of putting up houses or entering into any crash programme, but spending the country's money on projects without realising that you should be thinking in terms of long term constructive building. I have visited the area to find that the floors of these very terrace units are seeping water. I have called on one of the housing superintendents to visit the area, and it was his recommendation to me that all of those units that were put down by the former D.L.P. administration should be dug up and resurfaced.

That is going to take money, Mr. Chairman. You can see the areas in which the Government's money or the people's money has been mishandled. The former administration, as I said before, did not have any proper system of planning. They did not have the machinery. Yet they entered into commercial projects. By commercial projects I mean that the National Housing Corporation embarked on a scheme whereby they would build units and sell; but in so doing what have they done? They have used money which was voted in the Estimates to be used for non-commercial projects for the lower income people and used it on the commercial

projects. This is a departure from sound financial principles in Government and in administration.

How can you expect to take money from the non-commercial and put it into commercial, and at the same time the commercial projects are not bringing back any money at all? I have heard the hon. member for St. Michael South East make mention of a point, and the Hon. Leader of the Opposition was quick on his feet to point out that this could be prejudicial to some case; but what we must understand is that the National Housing Corporation was subjected to a lot of political pressures; and I want the member for St. Michael South to understand; because he should not be allowed to get away with any political cheapness when he says that the financial problem which the National Housing Corporation finds itself in now is not the result of politics.

I understand now that we have had a situation where during the last election some $75,000 was used in St. Lucy alone; and the hon. member for St. Lucy ought to know this – that the gentleman who appeared as Chairman of his meetings in St. Lucy was given the right to contract these houses, and some $75,000 of the people's money was lavished in St. Lucy.

Now I am not going to go much further into that because I have my reservations on the matter; but I feel that someone will be made to answer before the Law Courts for the funds that were released and so badly administered in St. Lucy. The hon. member for St. Michael South got up and he talked; but he should understand too and he should be aware that his right hand man, his right hand canvasser, the man who made him patron of his club, went around with two receipt books; and that has contributed to the lack of finances and revenue which the National Housing Corporation should have had.

Mr. SANDIFORD: Mr. Chairman, I would like to point out that I have no right hand canvasser or left hand canvasser going around with two receipt books. I have no right hand canvasser connected with the National Housing Corporation.

Mr. BRADSHAW: I hope that he is not denying that he knows Cleveland Rose and Clement Tudor. I agree with the hon. member. He may not have a right hand or a left hand, but clearly the man has hands. That is the point that I want to make; but there are these people that I am referring to who are top ranking members of the Democratic Labour Party. I do not understand how the members on that side can come in here today and really attempt to get involved in this thing. I thought that they would have sat down and kept their tails between their legs.

There is another instance, Mr. Chairman, where at No. 7, 3rd Avenue, East Terrace, a house was occupied during the 1976 election campaign by John Connell. It was rented – as a matter of fact I do not know if it was rented – I am yet to ask the Chairman to carry out some investigations into this. One Frank DaSilva, the same Frank DaSilva, the fellow who attempts sometimes to ridicule the Prime Minister – that is the fellow, a member of the Young Democrats, a well known supporter of the Democratic Labour Party in the campaign in St. Michael South East. 11.00 a.m.

He was renting a house, or was occupying a house, No. 7, Third Avenue, East Terrace. The light bill was coming in up to April this year. Up to April this year the light bills were pushed through the house and not one single cent was paid to the National Corporation as rent. Frank DaSilva and the Democratic Labour Party had the gall to move manifestoes and to use that house as a campaign centre during the 1976 General Elections. The hon. member for St. Michael South is saying that it was not political! How can we expect the public to be satisfied when the Democratic Labour Party used a house for which they had provided the money to build for an election campaign? What is worst is that no rent at all was collected for the use of the building. You can say that there was a loss of revenue to the Government. That house was not even supposed to be rented. *(Asides.)* I am talking about a house that costs $20,000. How did Frank DaSilva get in that house? The members on that side must be told

in no uncertain language what the position is today in housing, and how we inherited this bad financial situation in housing.

Mr. Chairman, I want to go a bit further. During the General Elections last year, Dr. Ritchie Haynes was seen in Lower Estate in Parish Land along with Eric Sealy turning the sod. I can remember the Sunday morning taking up a newspaper to see these two gentlemen, one dressed in white like snow white. We understood then from the *Advocate News* that Richie Haynes was putting down a pavilion for the people in St. George. That is not the main point about the story. Mr. Chairman, you would have thought that the Democratic Labour Party would have behaved in a more reasonable manner.

I see Your Honour smiling, because Dr. Ritchie Haynes ran against you, but you did not know what was going on. I am quite sure this may be news to you today to learn that the pavilion was not Ritchie Haynes' pavilion, but it was put on a piece of land owned by Power. Ritchie Haynes, because of his political association, got the National Housing Corporation to erect a pavilion on that piece of land belonging to Mr. Power. Do you see the tricks of 1976? It is only after we came into power that Mr. Power came to me and asked about the money for rent. I was somewhat surprised, and I had to hustle to get the files to find out that that very piece of land and the pavilion were owned by the National Corporation and instructions were given then by the Minister to put that pavilion in St. George. Mr. Chairman, I am sure you are surprised now.

Hon. F. G. SMITH: Mr. Chairman, on a point of order. I would like to defend somebody being charged with all of these allegations that are coming out with a Commission sitting.

Mr. CHAIRMAN: Proceed.

Mr. BRADSHAW: What is the Leader of the Opposition talking about? This is the people's money I am talking about. I am not talking about the piece of land he has at Cave Hill. Mr. Chairman, I am saying that where you have money which could have been used on housing projects to help the National Housing Corporation being taken up and put in St. George just for political reasons – *(Asides.)*

Mr. CHAIRMAN: Order, please!

Mr. BRADSHAW: Mr. Chairman, the time has come when we must understand quite clearly what the Barbados Labour Party and this Government have inherited. We must tell the people what we have found. Tha National Housing Corporation is in desperate financial trouble. There are old age pensioners houses to be repaired. There is no money, and yet $1 million was licked out during the election campaign last year. We understand the problems facing the people. The people must bear with us.

We have decided to construct more terrace houses, because there is a demand for them. There are some 15,000 applications at the National Housing Corporation for houses. We know that the situation is acute, but let me say this in closing. Mr. Chairman, if the former administration had not used politics as a basis and a criteria for having these houses, then we would not have been faced with such a situation today. Single persons were given houses – all known supporters of the Democratic Labour Party. A list was drawn up and handed in, and there it was. We will have to decide in mind to plan our programmes properly, to have proper engineers and proper people to construct houses so that they will not leak like the ones constructed by Rayside. We have to get people, unlike Amory Phillips, who will give us proper work and proper houses. We would have to decide in mind that whenever we build we are catering for the masses, the lower income people. As I have said, the Resolution is merely for the commercial end. I am certain that with the Chairman, with the sort of initiative which he has demonstrated over the past months, we would be able to get housing on its true footing.

Dr. CHELTENHAM: Mr. Chairman, in the last 20 years we, in this country, have rid the

land of several of its major injustices. We have removed, to a large extent, the injustice of discrimination. To a large extent the injustice of restricted opportunity for the black man in this country has been removed, and to a large extent, too, the injustice of the inadequate delivery of health care has been removed. In my view the two greatest injustices in the land today are, firstly, unemployment and, secondly, housing. I want to put housing as the second and majority priority in this country. I think that if we can agree on that, we can get the sort of urgency and the commitment and political will which is necessary if we are to go forward on the housing front.

I am sorry for my good friend the member for St. Philip North and for the Government, too, who have had an unfortunate inheritance in the area of housing. I do not think that this is the place to catalogue the sort of ills which they have inherited in that area, but it has served to retard the pace at which they can go forward, because, as a pre-condition to going forward on the housing front, they have to be looking back to clean up the messy inheritance which is theirs. In this respect I am much more fortunate and the Government, too, in the Industrial Development Corporation and in other areas.

11.10 a.m.

I concede that time is going to be necessary before the administrative structure can be put in order and be strengthened to a sufficient degree that the Government can go forward with the housing project. I know that money is necessary and will be needed in large quantities if we are to attack the housing problem with the sort of energy and on the scale that is necessary, but my feeling in this contribution which I want to make is that the money can be got if first of all we identify housing as nationally urgent and important as I believe that it is. The big point which I think has often been overlooked is that there is a positive side and not only a negative side to national well being. At the personal level we speak of people being sick when they are afflicted with disease, but in truth and in fact we do not emphasise the positive dimension of well being which is not only freedom from disease but in a state of social, emotional and physical well being. In the area of housing I feel that we have an important arena, an important avenue for the creation of national well being. We can make our people happy, we can make them contented if a lot of them are removed from the sort of social conditions in which they live resulting from substandard housing, and I feel that what is necessary is a boldly conceived plan that seeks to rehouse, as I have said in the past, something like 40,000 or 50,000 in the next ten years. We need a boldly conceived plan; we need to have an identification of the areas both urban, suburban and rural where we are going to concentrate on housing, and we need to identify the sort of techniques of housing which we want to employ.

One of the striking things in my view which is happening is that international agencies have been looking at this economy and they have been recommending that housing be given a low priority, and we are in danger of being anchored to the view of international agencies. As I have said before, we in this country must determine our own priorities, and much as international agencies will lay down the conditions on which they will lend money, we have to fight with them, we have to ask them to accommodate our own views, and we have to insist that we who are on the spot and who have been given the responsibility to govern this country are the best people to determine the priorities of this land. I think that is the important point which this Parliament and this Government must understand. I am not denying that if we want money in large measure we may have to go to outside agencies to get it for housing, but they will want to lay down the conditions and terms on which we will get it, but I am saying we will have to fight them on all occasions, we have to ask them to accommodate our viewpoint and our identification of our own priorities.

In any event, I do not believe that we have to go overseas to get any money for housing. I have already outlined a plan in this Chamber where in my view a housing fund ought to be set up and employer and employee ought to contribute to it in the same way we are

contributing to national insurance. I have said that in my view that is the way housing should be financed in this country. I do not believe there will be any political problem whatsoever as far as this is concerned because the need for housing is so greatly felt and perceived by the people, that once we get the results of action, I believe that they would be happy to pay 50 cents, 60 cents or 70 cents a week or whatever, depending on the level of earnings. Even though there are some of us who have houses already, we would be happy to see our cousins and our nephews and our sisters and brothers and the great mass of people benefit from the great move forward in housing which will result from that. I hope therefore that the hon. member for St. Philip North when he makes his contribution to the debate will be able to tell us when we can expect to have a plan on housing for this country and the sort of targets which they will be setting themselves in the National Housing Corporation, and some of the techniques which they will be employing in order to realise their targets. I think we must be careful not to do too much looking back as a pre-condition to going forward. We must be very careful about that. It may be very important to have a record of what went on during the regime of the Democratic Labour Party in housing, but we must not allow all of our energies to become immersed in any investigation in housing, though not denying the necessity for the records to be put straight. The important emphasis must be on forward looking and forward going. I hope that sort of thinking will be the thinking of the Government in this area of housing and the National Housing Corporation.

Now I just want to make, as it were, one or two parochial points before I sit down relating to the needs in my constituency and the problem there. The first point relates to the parish land area. As you are aware, Mr. Chairman, the Government has acquired a large parcel of land in the parish land area which was formerly owned by the Foundation School Trust, and before they decided to parcel up this area and sell house spots to persons who are interested, they want to survey the land, put in certain facilities such as water, electricity and so on. All that is very admirable and praiseworthy, but it seems to me that the expenditure which is necessary is a small amount and that the Government has been taking far too long in this exercise. Ever since, last September when I was given the honour to represent the people of Christ Church East, I have been asking the people in a manner of speaking to hold strain, and I am wondering how long must I continue to ask people who are suffering and disadvantaged by inadequate housing, with nowhere to put their houses, to continue to hold strain. I feel that the Government should release funds, they should seek to get some money to ensure that that area is put in a satisfactory condition and that people can move on to the house spots in that area.

The other point that I wish to make is this: I have not been given any assurance yet that the Government is thinking of the supplementary facilities which are necessary to make the area livable. It is not only necessary that we give people proper housing and proper housing conditions, but it is also important that in the neighbourhood there are certain supporting facilities which make that neighbourhood attractive and livable. I am referring for instance, Mr. Chairman, to the necessity for a baby creche, the necessity for a community centre, the necessity for playing fields, and I do not want to hear in future that any area will be a housing area *per se*. What I want to see is that that area will be a well planned neighbourhood and that these other facilities will be provided too. I have already drawn to the attention of the National Housing Corporation that there is a large parcel of land owned by K. R. Hunte beside the Providence Boys' School, and I am still inviting the Government to acquire that portion of land and use it to put down a baby creche, a community centre and a playing field, and I hope that the Government and the National Housing Corporation will consider acquiring that area and using it for the purposes which I have mentioned.

11.20 p.m.

The second point relates to the Housing scheme in the Silver Sands area. That housing scheme is the only government owned housing scheme in Christ Church East, and it is far too small and the facilities far too inadequate. It was

built immediately after hurricane Janet in 1956, and is one of the smallest housing areas in the country. Since the 1960s the last administration offered an opportunity to the occupants to purchase the houses, and many persons had paid the purchase price but to this day have not been able to get conveyances. I am told that this arises from the fact that the lots have not been surveyed and they was never, Country Planning approval. These people are dissatisfied since they have paid for their houses long ago. I hope that when the hon. member for St. Philip North speaks on this Resolution he will be able to give me some assurance about the matters raised. I also hope he will be able to tell me something of the time frame under which the Corporation is operating and tell us about the targets in the area of housing policy.

Mr. JOHNSON: Mr. Chairman, I have to begin my contribution by looking at International Sea Foods Corporation which, along with the agency I have the honour to head as manager, share the responsibility for feeding the people of Barbados and providing avenues or opportunities for needed foreign exchange.

Ever since the Barbados Labour Party in the early 1950s made a significant contribution to the fishing industry by the introduction of motorized launches, there has been no attempt to upgrade the science of fishing in Barbados, and International Sea Foods as administered by the previous Government has only succeeded in drowning this institution in a sea of red ink and so far we have not been able to see any returns comparable with the funds given to this organization. There is not much time remaining to engage in the luxury of hit-and-miss planning; there must be certain emergency in our efforts to upgrade fishing so as to help feed the people of Barbados and earn foreign exchange.

International Sea Foods is being offered the sum of $275,000 to pay the interest on a loan of $2.4 million. I am not at all satisfied with the piecemeal approach to the funding of these organizations which have a major responsibility for stimulating agricultural production in this country. Mention has been made of the Barbados Marketing Corporation which along with International Sea Foods, share a major portion of this burden.

International Sea Foods has been processing shrimp for a number of years, but the Barbados Marketing Corporation has been able to identify markets for shrimp far beyond the capacity of International Sea Foods to supply, and when we layout $275,000 to pay for interest and only put up $63,000 to repair a roof, I submit we are not looking at the working capital needs of the Corporation.

The Sea Foods roof fell in this week and the Barbados Marketing Corporation which owns the building has the responsibility for putting that roof in order. The roof is going to cost us something in the neighbourhood of $63,000 to repair; that is the external part, but the ceiling and insulation of the roof which caved in will cost additional money. Since last year's Estimates, there was a sum of money, $40,000, for the repair of that roof, but the persons responsible for making sure that the roof was repaired did not bother to do the repairs, and as a result the roof has fallen in, and in addition to the 50% increase for the cost of repairing the roof we have to add an additional sum for a roof.

Up until very recently International Sea Foods had a flotilla of vessels which used to be around doing nothing at all. Now International Sea Foods is beginning to make some attempt at providing these resources, our Government must look at the broad requirement of financing the fishing industry to carry out its task. I am aware of the limitations which confront the Government and I know that we have no funds with which to do a lot of what is needed. But I am suggesting that fiscal conservatism is as dangerous as squandermania, and I am suggesting that we provide those resources without further delay so that International Sea Foods and the Barbados Marketing Corporation, National Housing Corporation, the Industrial Development Corporation – all of these organizations must get the necessary funds in order to meet the task given to them.

As regards the National Housing Corporation there is a matter with which I have to deal. I find that many old people from St. Michael West constantly ask me about repairs to their houses. 11.30 a.m.

There is a question outstanding which I have to deal with on a daily basis from indigent people within the constituency of St. Michael West – and I know that this is not a situation peculiar only to St. Michael West – old people asking constantly about repairs to their houses, and I am wondering how long it is going to take somebody to respond to this situation. I think that with the rains coming in in August moving on way down to December there is urgent need for the Government to provide funds with which the indigent people in our area in Barbados will be able to provide shelter for themselves. Those of us who are in better circumstances bear the reponsibility for providing the social amenities denied persons in less generous circumstances than our own. The old people of Barbados have already made their contribution and are beginning to look towards passing on the sceptre – if they have not already passed on the sceptre – and those of us who are in good or better circumstances must be certain that they do not now have to wallow in the circumstances of deprivation. Houses for them must be provided if they do not have their own, and if they have their own they must be kept in tolerable repair by the agencies responsible for social service.

Now I suppose, Sir, it is possible to mount an argument that these old persons have relatives who might be in positions to provide for their upkeep, and I know that there is always the temptation of some short-sighted sons and daughters to leave the responsibility of caring for their fathers and mothers to the Government, but I am saying that if these sons and daughters choose to abandon their relatives, it is the responsibility of the State to make certain that their circumstances are favourable, and I would like to call upon the Government to give me the necessary assurances to take back to the people of St. Michael West that funds are going to be urgently forthcoming for the providing of the means through which they can have their houses repaired.

Mr. Chairman, another problem which falls under the umbrella of the National Housing Corporation, and I would want the Chairman of this body to recognise that I am not here criticising or casting any reflection on the administration of his agency, I have absolute confidence that he will make every effort to provide the services of which I am talking, but it is necessary for those of us who have been given the honour to represent constituencies to bring it to the attention of the responsible agencies what the needs are in these various constituencies.

In the case of St. Micheal West, I know that based upon the number of enquiries that I get there is a serious need for the provision of house spots where people can put their chattel houses. I can think of one case in particular where a man has been given until September to move his house. It is a very find looking chattel house, bigger than one normally encounters, and he has been bombarding me every day with requests for the provision of a house spot where he can put his house, and I have been told that the only area available is up in Parish Land, Christ Church. When I talk to the Ministry I am hearing that they are conducting surveys, but this man still comes back to me the next morning and tells me, "Mr. Johnson, what is going on?" I go up in Parish Land and I see people putting down groundsills and I see some moving houses on the spots, but I am hearing that these people are squatters and that they are inhibiting the progress of the work at Parish Land. I do not know what the true circumstances are, but I am hoping that Parish Land, Free Hill or all the other areas where house spots are available, I am hoping that these areas will soon become available so that people who require them will be able to get the spot.

Thirdly, Sir, I would like to bring attention to the fact that the Farm Housing Area which forms a part of my constituency is in need of some attention. The area leading into Beach Path has a bottom which floods out at this time of the year every year, and I would like to bring to the attention of the Chairman of the National Housing Corporation that I would be grateful if he would investigate this situation, and if he has the means immediately, if he would seek to have this problem rectified.

Finally, Sir, I would like to say that when we combine the needs of our country, those for housing and those for feeding ourselves, we recognise that the Government of Barbados, this present Barbados Labour Party Government, has an enormous task in front of it. I believe that we will be equal to the task, and despite the fact that funds do not now come out of an Aladdin's Lamp, we will be able, I am sure, with the right resolve and the right approach.....

Mr. BRADSHAW: Mr. Chairman, I caught rather late the hon. member for St. Michael West saying that he has noticed people putting houses on land in Parish Land and some other area. For the record I would like the hon. member of this Hon. Chamber to know that Parish Land is not yet vested in the National Housing Corporation, so that the National Housing Corporation should not bear the responsibility for this or for not seeing that the work is being done.

Mr. JOHNSON: In that case, Mr. Chairman, I would like then to charge the Ministry of Housing, because the problem does not.....

Mr. BRADSHAW: Mr. Chairman, here again, I rise on a point of explanation. It is not really the Ministry of Housing to take any blame for this. What has happened is that when a piece of land is acquired by the Ministry of Housing, it then has to go through certain channels to have it vested in the National Housing Corporation, so the process is now being gone into so that we can vest this in the National Housing Corporation.

Hon. F. G. SMITH: Mr. Chairman, once it is acquired it must belong to somebody.

Mr. CHAIRMAN: On what do you rise?

Hon. F. G. SMITH: On a point of elucidation.

Mr. JOHNSON: Mr. Chairman, the Hon. Leader of the Opposition cannot elucidate because he has not said anything yet.

Hon. F. G. SMITH: I spoke on the last occasion. If you read your Minutes you will see that I spoke last time; this is a continuation of the debate. If the Ministry of Housing acquires it, Mr. Chairman, on a point of elucidation.

Hon. C. L. BOLDEN: On a point of order, Mr. Chairman. The Hon. Leader of the Opposition, as far as I know under the rules, cannot elucidate anything other than his speech. If somebody refers to something said by him which he figures is not correct, then he can elucidate that, but he cannot elucidate anybody else's speech.

Mr. CHAIRMAN: Perfectly true.

11.40 a.m.

Hon. F. G. SMITH: I am elucidating my own speech.

Mr. CHAIRMAN: Will you please take your seat.

Hon. C. L. BOLDEN: On a point of order. He would have had to challenge the person making the statement of the person who made the statement at the time.

Mr. CHAIRMAN: The Hon. Leader of the Opposition is totally out of order. If he wants to speak again he will have another chance. Now, the hon. member for St. Michael West – if he wants to wind up.....

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

Mr. CHAIRMAN: What is the point of order?

Mr. GREAVES: I will tell you the point of order if you gave me a chance, Mr. Chairman. On a point of order. The member for St. Michael South East in his capacity as Acting Minister of Housing indicated that Housing was not responsible for the land that the member for St. Michael West spoke about. I would like to know who is responsible. *(Asides).*

Mr. CHAIRMAN: Cross talking must cease.

Mr. JOHNSON: I was about to conclude my speech by saying that I am sure that we will be

only two items and, therefore, three hours should be the maximum time. I respectfully submit that three hours on Tuesday and today have hopelessly elapsed. I imagine it is getting on to four hours since we have been debating these two items.

Hon. F. G. SMITH: Mr. Chairman, I agree with the Rt. Hon. Prime Minister, and at the same time I extend my sympathy to the hon. member for St. Philip North.

Mr. SISNETT: Mr. Chairman, on a point of order. If I remember correctly, this matter under discussion started at ten minutes to ten on Tuesday night.

Mr. CHAIRMAN: The point made by the Hon. Prime Minister is correct, and I will have to terminate the debate and put the question.

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

SUPPLEMENTARY ESTIMATES, 1977–78
NO. 9

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, this is an important Supplementary Resolution designed to provide financing for a major International Conference to be held in Barbados later on this year. It was Trinidad's turn to have held the Commonwealth Finance Ministers' Meeting Conference which took place in Hong Kong last year, and it was necessary that it should take place in the Western Hemisphere this year because the IMF Conference, which immediately follows it, is taking place in Washington. Trinidad, however, has found it impossible to host the Conference at this time, and at short notice Barbados was asked if it would substitute. The Cabinet agreed and the Commonwealth Finance Ministers' meeting will take place in September, or next month, under my chairmanship at the Government Conference Centre at Dover. It is expected that nearly all of the Finance Ministers of the Commonwealth will be present including one or two Prime Ministers, the Prime Minister of New Zealand and myself. I do not think Dr. Williams will be able to make it.

It is a major International Conference. It involves the attendance, we are told, of some 70 to 80 journalists; over 400 delegates, and the circumstances of the Conference will, undoubtedly, be to put Barbados temporarily on the front pages of the International News Media, and we also believe to give the hotels in Barbados a much needed filip at a time when the season is not by any means in full swing. We are asking for $210,000 to supplement the Conference Vote for this purpose. I do not want to go into all of the details. Indeed, Mr. Chairman, since neither of the keys at my disposal has opened the Despatch Box which contains the details, I am a little hampered in recalling certain things.

I can say that we will be giving business to a number of hotels. These Conferences, undoubtedly, cost money. The Government has to entertain the head of delegation, that is the Finance Minister and his wife, and it is customary to place such heads of delegation in hotel suites. We, therefore, have booked a number of suites in a number of hotels: Marriott's, Southern Palms, Hilton and other hotels both in St. Lawrence Gap and away from the immediate area. The Government will also be taking over substantial office accommodation in the hotel Andrea-on-Sea. It will be providing a large force of Security Guards, giving employment to, perhaps, as many as 60 temporary Security Guards, because we have to be very security conscious in this day and age, and we have to keep a 24-hour watch on all buildings and hotels where any activity is likely to be going on.
12 noon.

It will cost the Government $210,000, but it will bring much more than that to the tourist industry of this Island and incidentally to the workers and other persons on the fringes of the tourist industry because the Government is paying the hotel bills only of the actual Heads of Delegation including the Secretary General; other Governments will be paying for the three or four hundred ancillary personnel who will be coming to Barbados, and I believe that this will create

minor boom conditions and earnings upwards of $1 million for Barbados during the month of September.

I very much hope that the House will unanimously support the hosting of a major international conference and the use of the new Conference Centre at Dover, and I can give all hon. members the assurance that they will be invited to all appropriate functions. I very sincerely hope that the hon. member for St. Michael South will have no complaint about the lack of an invitation on this occasion.

I beg to move that this Resolution do now pass.

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

Hon. F. G. SMITH: Mr. Chairman, the Opposition is supporting this Resolution and of course we do hope that the conference will be successful. I have heard what the Rt. Hon. Prime Minister has said, I think he did mention that the Democratic Labour Party in our time hosted a Finance Ministers' Conference too. If he did not say that, I want the public to remember. This is no new special venture coming to Barbados. We hosted one years ago and a very successful one too in our regime, and I hope that this will be equally successful.

Rt. Hon. J. M. G. M. ADAMS: On a point of order, is this the conference which Mr. Ian Smith of Rhodesia attended?

Hon. F. G. SMITH: He did not attend here. I am talking about the one we had at the University. The files will show that the Democratic Labour Party hosted one. Do not tell me there is no file on it, because a meeting was held. *(Asides).* You had better find it because a meeting was held and it was a successful one; so if it is not there, somebody is giving you wrong information as usual.

I would like to say that the arguments put forward by the Rt. Hon. Prime Minister are valid. Certainly the coming to Barbados not only of distinguished Ministers of Finance and advisers and the usual retinue that follow such a conference in terms of news media and other personnel and maybe TV camera men etc. cannot but have a very good effect on the economy of Barbados. I just want the records straight because I think the hon. member for St. Michael South has had to complain and with justification that when the Government introduces something in this House you wonder if the Democratic Labour Party existed, and the impression would be given to the public that they are so well thought of that for the first time in the history of the Commonwealth we are hosting a conference of Finance Ministers here. It is not true. In 1968 or thereabouts the Democratic Labour Party hosted one, but as I say, the Opposition wishes the Government well. Anything we can do to contribute in any form or fashion we certainly will do because it is not the Government that is involved when a visitor comes to Barbados; it is the country whose reputation and the impression that the visitor takes away that really matters with the Democratic Labour Party. On issues like this there should be no bi-partisan approach but a total national and patriotic approach to a conference of this nature, and I just want the records put straight to let the Hon. Minister know and the public that once again Barbados is proud to host a Commonwealth Finance Ministers' Conference.

The money being voted today will be money well spent and we do not think that it is a waste of time. The only thing that makes us think and consider is that this is the second conference that we will be hosting within a matter of months. We have just hosted the Regional Commonwealth Parliamentary Conference, and we are now about to host the conference of Finance Ministers which is costing this Government over $330,000, and one must begin to ask, if the Treasury is all that empty and there is no money in it, how can we undertake these two ventures. But the Government and the past Government know that all this malarkey about an empty Treasury is certainly not justified, and therefore the Government is in a position I know to shoulder and make successful the two ventures which we have decided on. $330,000 are not two pennies. I am sure the hon. member for St. Philip North who was just cut short, who "got spoiled", as we

Bajans say, did not get a chance to talk can do with it for housing, but this expenditure is justified, and I would like without much debate to let the Government know that we wish it good luck with the conference, and that the Opposition is behind it in this particular venture.

Mr. GREAVES: Mr. Chairman, I would not like to let this opportunity to pass without making a comment on this particular matter. Like the Leader of the Opposition one would not have thought listening to the Hon. Prime Minister that a Commonwealth Finance Ministers' Conference was held in Barbados before, but now that that matter has been put on the record, I should also like to indicate that the Prime Minister indicated that this conference will be held at the Dover Convention Centre, and I think that one should point out again the foresight of the Democratic Labour Party in developing this particular centre, because again one would also have got the impression that this is a centre which has just dropped out of the sky or came out of the sea and came into being after September 1976, but certainly it was because of the foresight which was exhibited by the Democratic Labour Party that we have a Convention Centre where we can house such an important conference without having recourse to the University or to a hotel or any other area like this.

The point is that it is recognised that conventions are an activity which will more and more be playing an important role in the whole area of Barbados provided of course people who will be taking up some of the rooms in the hotels particularly at this time of the year is very important, because when one think in terms of conventions, there are lots of factors to be taken into consideration, not only from the point of view of the way in which the country will be looked at, the fact that more people will get to know about Barbados, but also from the internal point of view, the fact that a conference of this nature and conferences generally have the effect of developing the kind of conference expertise which at the moment is lacking in Barbados, and I think if anything will be done, the additional spin off effect which will be part of holding of a conference of this nature here will be further exposing personnel of Barbados' secretaries and other people who work with conferences and the kind of expectations which are usually demanded of a conference of this nature.

There is no doubt that the Finance Minister's Conference of the Commonwealth is a very significant and important conference, particularly important at this time of financial crises and the various means which are being evolved to solve some of the critical financial problems in the commonwealth and certainly in the world; so that this conference I imagine would be of extreme world significance, so that this country will benefit not only from the point of view of the tourist industry but also from the point of view that such an important conference was held here and we may be able to further develop the expertise in this particular area. As I said, I just want to repeat that I am sure that one in agreeing to this Resolution would want to congratulate the Democratic Labour Party for the foresight in establishing Dover Convention Centre of which all Barbados can be justly proud.

12.10 p.m.

Hon. H. deB. FORDE: Mr. Chairman, I was not going to intervene in the debate, but I think it is right for me to refer to two matters. Obviously the Opposition is very touchy about little things, and one can carry the argument very far by saying that whenever anything happens in Barbados it is not the first time it has happened. That point is irrelevant. Or one can carry their argument about the convention centre so far as to say that we ought to thank Britain for having given us the law courts in this Island or for introducing slavery so that there can be some black people here now to be running the country. Or we can carry the argument so far, if we want to be serious by saying they should thank the Barbados Labour Party for fighting for adult suffrage, or for fighting for the establishment of the hospital or the Deep Water Harbour which has made a contribution to the development of the country. And I hate a debate that gets down to this

stage of making mountains out of molehills. There is no substance in that argument.

I would have thought the second part of the hon. member's speech has a bit more substance in it, and that is, the significance of the conference insofar as the issues which will arise at that conference will be debated here and the significance of this conference for Barbados is the effort which countries such as ours must make towards improving the International Economic Order and lessening the gap between the rich and the poor. I believe we ought to congratulate the Rt. Hon. Prime Minister for a very forthright and moving speech which he made at the Commonwealth Heads of Governments conference and the new thought which he brought to bear on how developed countries should approach the question of small island states like ours which may have notionally a high GNP but happened to be faced with chronic problems of unemployment, etc. I would have thought that for this reason hon. members should welcome the conference rather than try to score points on minutiae. If the hon. member wants to deal in small things let us say that within a couple of months of our coming to power we have hosted a most important conference, and we can compare and see that it took them three years to get a similar conference; but that is irrelevant. I think it is the substance of what will be discussed and the importance we place on it in putting forward the point of view of undeveloped countries that will be important and stressing in detail the problems confronting small Island states such as ours and getting the international community to recognize that countries such as the Eastern Caribbean, and island states in particular, need different criteria when they are facing the World Bank and other financial institutions.

I heard earlier today hon. members make a lot of song and dance about the need for good housing, and I support their sentiments. The fact is that neither the World Bank nor indeed the other financial institutions have been showing much concern for the need to provide low interest-bearing loans for countries such as ours to deal with the social problems which we have in our country. And it is at this conference that we must put forward a bi-partisan point of view and show joint strength so that we can emphasise at this conference in no uncertain terms how strongly we as a third world country feel on these matters and maintain the solidarity of a third world country in looking towards a new international economic order.

Mr. SANDIFORD: Mr. Chairman, the amount of time the Attorney General has spent on this matter to put it in his own way would seem to suggest that the Government is rather touchy about it. But I do not wish to pursue that aspect. What I want to deal with is really the significance and importance of the conference of Commonwealth Finance Ministers. The conference will be taking place at a time when there is much uncertainty about the international economy, and concern about growth not only in developing countries but also in the industrialized countries; these two matters are inter-related as regards the whole relationship between the developing and developed countries on the whole question of North-South dialogue.

Now the Commonwealth Finance Ministers constitute an important group in that they represent a cross section of the world economy — a kind of microcosm. And this conference comes at a time when Barbados is experiencing financial difficulties. I noticed only yesterday or the day before that additional austerity measures have been applied by the Central Bank of Barbados, no doubt with the knowledge and on the instruction of the Minister responsible; I do not believe these measures could be introduced without the knowledge and authority of the Minister responsible for Finance. But we note these austerity measures being introduced, and this raises the whole question of the financial stability of the country, about our balance of payments and the outflow of our goods and the inflow of imports and whether the strategies being applied to these areas are working because we notice that in the last quarter of 1976 there was a high increase in

our import bill and certain measures were slapped on in an attempt to improve the situation. The question of the inflow of goods and our reserve constitute an import subject for discussion and conference, and this is a matter which will be of concern here. Something obviously is not clicking and obviously the measures being applied are not working. We must be very concerned about the situation and I do hope that opportunities will be taken to interrelate this matter to the economic situation that is external to Barbados. No country can today isolate itself from all other countries, and we realize the importance of meetings such as this one, and that is one reason why we are certainly not going to oppose this particular measure. But we do hope that there can be some response to those particular issues that have been raised and we do hope that the whole question of balance of payments will be carefully looked at as it is one which relates to our trade with other partners in the Commonwealth.

12.20 p.m.

I do not know if the Minister from Uganda may be coming, maybe the Minister of External Affairs can tell us. There was some mention of Ian Smith coming or having come some time before. We are not aware of that, but we would like to know if we are getting a Minister from Uganda coming to this conference.

Hon. H. deB. FORDE: On a point of order. I can assure the hon. member that the Government of Barbados has no quarrel with the Government of Uganda, but we take strong objection to the racialist regime of Ian Smith and he will not be permitted here.

Mr. SANDIFORD: Mr. Chairman, we are very glad for that assurance and we do hope that these matters can be discussed and some benefit to the developing countries of the Commonwealth would result from this Commonwealth Finance Ministers' Conference.

Dr. CADDLE: Mr. Chairman, I would like to assure the hon. member that the purpose of my rising to speak is not to oppose the matter in its substance, but I would just like to raise an issue which has some relation to this.

It is quite interesting to see Barbados get into the act of having Commonwealth conferences in Barbados and also exhibiting an interest in the continuance of the Commonwealth, which seems to be more than the interest of the British people themselves, because as of now the British Government is seriously considering closing down a lot of Embassies to save herself the expense of some $200 million because of her precarious financial position, and high on that list are the High Commissions they have in the Commonwealth countries, because she has stated quite clearly that her Embassies or Commissions can obtain more from Britain and other countries which are not in the Commonwealth than in the Commonwealth. This is Britain's position. I am not saying that they are abandoning the Commonwealth, it may be due to the fact as they state that their precarious financial position is forcing them to induce cutbacks which normally they might not have done, but seriously we have to look at the context of the Commonwealth and what are we really getting out of it.

The previous Government experienced a lot of problems not only with Commonwealth institutions but with other world institutions in trying to get adequate financial aid for Barbados, and one of the reasons very strongly put forward against Barbados getting the type of aid it would like is that the standard of living in Barbados, which is true to some extent, is better than countries in Latin America, in Africa, in certain countries in Asia, and those countries require the help far more than Barbados does, I have been interested to hear the present Prime Minister stating or re-emphasising the remarks of the preceding Prime Minister that the per capita income is not a good way of assessing the development of a country. We should be concerned with what benefits we are getting, we can no longer look only to the emotional benefits benefits which are not really open to scrutiny or assessment in terms of quantity. People feel good to be in the Commonwealth, but what does it really add up to in the long run? I am throwing this out to

the Minister for External Relations, because at this particular point it is quite interesting for us to reassess our relationships with a lot of organisations, especially in terms of what we have been getting from them in the past and what we can expect to get from them in the future.

The financial position of Barbados for a very long time has not been as good as all of us would like it to be, because there are a lot of demands especially in the area of providing adequate employment for young people in this country, and I have reason to believe that the cost of creating a new job in Barbados is in the vicinity of $20,000 to $25,000, and when you multiply that by the thousands of people who are unemployed, you will get some idea of the hundreds of millions of dollars you would have to look for to be able to achieve full employment in this country.

I am not interested now in emotional benefit, I think the time for that has passed and we have to be seriously concerned about what quantitative benefits we can get from any association or from having any of these conferences in Barbados, and I hope the Hon. Minister in his reply will try to point out to me especially what quantitative benefits we can expect to have from holding this Finance Ministers' Conference in Barbados and not simply to be able to say Jamaica had one and Barbados had one, and that shows how important Barbados is, how the world is looking at Barbados, because in the long run or in the final analysis that by itself is not going to create more jobs in this country.

Hon. H. deB. FORDE: Mr Chairman, the Minister is not here and I probably would reply on his behalf to the question particularly raised by the hon. member for St. Michael North Central.

Hon. F. G. SMITH: Mr. Chairman, I do not want to interrupt the hon. member for Christ Church West, I do not object to it, but I wonder if the procedure is right. He cannot speak and then reply too. I do not want to stop him, but has he asked leave of the House?

Mr. CHAIRMAN: Does the Hon. Leader of the Opposition wish to speak again?

Hon. F. G. SMITH: No, I do not want to speak again, I am going by the Rules of the House.

Mr. CHAIRMAN: It is very much in order.

Hon. H. deB. FORDE: I would have thought, Mr. Chairman, the hon. member after having been in Government and being a Minister for several years would have had the opportunity to have assessed the value of the Commonwealth. It is a fact that we do contribute to various Commonwealth organisations, but the net benefit to Barbados from those organisations is more than the money which we contribute directly to them. We do get technical assistance in several fields, from the Commonwealth Fund for Technical Co-operation (CFTC), as well as from other areas, in the field of health, in the field of youth affairs, in the field of agriculture, in the field of export promotion, and this comes from our Commonwealth association with the Commonwealth as a whole.

In so far as our bilateral relationships with certain Commonwealth countries are concerned, we do get substantial benefits from our relationship with Canada in particular. Indeed Canada is perhaps the best friend of Barbados and the Caribbean when it comes to technical assistance and bilateral aid not only in the Commonwealth but indeed in the world as a whole. We get substantial benefits also from our association with places like the United Kingdom. We have a programme of about $1 million in technical assistance from the United Kingdom, despite the fact that that country has its own economic problems. I agree that the last Government did not make full use of this grant, and indeed in my recent visit to London I had a conversation with the Minister for Overseas Aid and Development, Mrs. Judith Hart, and discussed with her possibilities of increasing our aid from her. Even at this moment that I speak there are several persons in Barbados advising us on the CFTC programme. Professor Roy Marshall, Sir Roy Marshall, is here doing a

revision of our land law, and Mr. Rettie is attached to the Ministry of Industry doing a survey on export promotion and advising people.

We get lesser benefits from other countries like India, of course Australia and New Zealand. I would think that if the hon. member looks at the association, he will find that as compared with the relationship which we have with the United States, that the Commonwealth countries have been magnanimous to us as compared with the manner in which the United States of America has treated us in bilateral aid and assistance. The Commonwealth is an institution to which we subscribe, and I can assure the hon. member that as part of our foreign policy we will be continuing that association.

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

12.30 p.m.

SUPPLEMENTARY ESTIMATES, 1977–78 (CURRENT) No. 10

The next Order of the Day was called – A Resolution to grant the sum of $88,701 out of the Consolidated Fund and place it at the disposal of the Government to supplement the Estimates 1977–78, Part 1 – Current, as shown in the Supplementary Estimates, 1977–78, No. 10.

Hon. H. B. ST. JOHN: Mr. Chairman, this Resolution for the sum of $88,701 provides for the operational costs during the current financial year of the Dover Convention Centre. The decision to utilise these lands and to build this as a Convention Centre was taken by a Cabinet decision under the previous administration; and I want to disabuse the minds of anyone that it was ever suggested originally or that it is being suggested now that this operation will result in a commercial profit to the Government. It is fairly stated in the Cabinet Paper that convention centres which are not attached to hotels have been proven to be commercial liabilities rather than commercial assets.

It must be recognised that this must be regarded as nothing more than providing additional facilities for Barbados which will help attract people to it as a tourist resort. The operational loss that is envisaged for the first year of operation is $80,000; and it is based on a projection of the utilisation of 100 days a year. These are only estimates, because no one can predict with any degree of accuracy, since Barbados is not a large convention centre, whether the estimates as projected will go through or not.

It may be necessary in the course of this financial year to come back to this House. If it is necessary I will do that. I will let the public know the facts. As far as I know, from the beginning when the capital sum was voted by this Parliament that Parliament was advised that any feasibility study showed that it would result in a commercial loss and that a supplementary vote would be necessary. Nevertheless I feel myself confirmed in the view that the centre itself, given the knowledge of its commercial liability, can help advance Tourism in Barbados.

The director of the centre will, I hope be from Barbados. I am certainly convinced that too narrow a view has been taken in the past of the management skills necessary to run a service as large as Seawell Airport. I believe that within the Division of Seawell Airport, administrative staff as well as technical and engineering staff and telecommunications, that we have a team there which is capable of doing the commercial management, not only of the airport, but also of things like hotels, and an examination is now taking place within the Ministry as to the feasibility of transferring the administrative authority of the I.D.C. for the Hilton to the airport.

After all in other countries of the world the Airport Authority manages hotels and other such type businesses. I do not feel that we should encourage our staff at the airport to feel that this is beyond their capabilities. I think that it would be a challenge to them, and establishing before them so to speak the fact that similar organisations abroad do similar things; and we can produce the expertise in management to do this.

At the convention centre there will be an executive officer who will deal with the day to

day running of the centre; and he will have a clerical officer. We will try to have the same type of arrangement that we have at the airport, and we have invited tenders for the services to be provided in order to ensure that the benefits of competitive bidding should enure to the operation.

That has been done and I understand that the Committee has made recommendations both as regards restaurant facilities at the centre and the physical facilities. The maintenance of the fabric of the building and the telecommunications equipment will be undertaken partly by the Technical Division at the airport which gives similar assistance at the airport. The only other outstanding matter will be the question of landscaping and the maintenance of gardens. In accordance with that announced policy, landscaping was undertaken by the Parks and Beaches Commission; because it will be remembered that we said that it was part of our policy that the Parks and Beaches Commission should be encouraged to build up expertise in practical landscaping and.....

Mr. CHAIRMAN: Order please.

Hon. H. B. ST. JOHN: The landscaping plans will be executed by the Parks and Beaches Commission in contact with the Ministry of Communications and Works. Obviously also, since the job is a question of renovation rather than of a new construction, a number of unforeseen matters have arisen; but we took the precaution of permitting the use of the building by small conferences so as to find out these problems. Two conferences have so far been held there and some modifications have been necessary, and we expect that the Ministry of Communications and Works will officially hand over the building in time for the Commonwealth Finance Ministers' Conference to take place in a situation in which all of the handicaps are already being attended to.

We have decided as a matter of policy that the rate of fees for the use of the centre for 100 persons or less will be $500 a day, between 100 and 150 persons, $600, and over 150, $750 a day. Now it is envisaged that the responsibility for the payment of these fees will be left either to the hotels which contract with the guests for accommodation or the organisers of the conference. It will be their responsibility to guarantee the payment of the fees.

I want to assure hon. members that regulations concerning the use of the centre will have to be made, and before the centre is opened as a public organisation these regulations will be in force and we hope that they will lead to a smooth operation. Obviously, in relation to Government sponsored conferences and conventions it is recognised that the fees will have to be raised, so that at the end of the year the full use of the centre as a commercial organisation and its use by the Government will be recorded.

We can only do our best to see that the centre is managed in an efficient manner, and it is fully recognised, I am sure, that the subsidy is necessary. I do hope that the users will recognise that this is Government property, and that certain standards of discipline will have to be enforced.

12.40 p.m.

I think I can make it publicly known that, since this comes within my Ministry, I will take no hesitation at all in bringing the full rigor of the law against anybody: Barbadian, White, Black, Blue or Green; foreigner, White, Black, Blue or Green, who interferes, mutilates, or in any way damages this Government's property before the law courts without reference to any question at all of any other considerations. I will not be afraid to demand the full rigor of the law to fall on the head of anybody. I believe that we have a sacred duty to let the public and others know that when they deface and mutilate Government property they are depriving other citizens of services to the extent that the cost of operation of the particular piece of property increases.

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

Hon. H. deB. FORDE: I beg to second that.

Dr. CADDLE: Mr. Chairman, I welcome the remarks of the Hon. Minister, if nothing more than to say that I have had the privilege of declaring open the works on this renovation of the present Centre at Dover, and I am very happy to note that the Ministry of Communications and Works have, more or less, been running to schedule in the completion of their work. The preceding Government under the Democratic Labour Party started the renovation of this Centre as a result of demands made upon it to have a Convention Centre in Barbados. It was canvassed and strongly pointed out by many people that, unless Barbados had a Centre of that nature, it would lose a lot of tourist business. One can only wait now and see if the arguments which have been put forward in the past to get us up to this stage will bear fruit.

We have heard, repeatedly, that a large number of people who would come to Barbados to hold Conferences had to go elsewhere because of the inability to find adequate accommodation. Many of these hotels, even although they may have small rooms where small Conferences could be held, cannot accommodate large Conferences where a hundred or more than a hundred people need to be accommodated at one time and such conferences could not be held in Barbados. It is interesting to hear from the Minister that the administration of this Centre will be under the Airport Authorities. There is nothing wrong with that on the face of it. As he has pointed out, when you go to big Airports all over the world, you will find a large number of these things at the Airport itself. In the case of Barbados it might not be easy to arrange all of these things within the physical boundaries of the Airport as such for reasons of money and other factors, but at the same time it may very well be worthwhile to look at the question of turning these facilities over to the Airport staff in view of the fact that they have at their disposal a large amount of technical knowhow and experience. Here, again, one can only wait and see if these things bear fruit. I think it would be a bit too quick to jump and criticise this move as being unworkable. We will have to wait and see.

It is known that Barbadians do not like change, and they tend to resist change, but I can only hope for the benefit of Barbados, and especially for the benefit of the Hon. Minister, that this particular innovation of his – I say innovation in the context of the Barbadian experience – will not be disappointing and will bear worthwhile fruit, as he has made us to believe. It is still a bit too early to really outline what will be the benefit of the Convention Centre to Barbados. All we can reiterate at this stage is that, as a result of a large amount of canvassing and campaigning, we have reached this stage. Whether this Convention Centre will assist in attracting the large number of people, whom we have been told go elsewhere, is left to be seen. I can only hope, like the Hon. Minister, that it will attract these people.

Right now in Barbados, coming from certain quarters, there has been some concern about the slowness of the summer season in Barbados. If only the summer season in Barbados can be made more profitable to the working people of this country, who work in the hotel industry and depend upon the hotel industry for their livelihood, something would have been achieved. We can only look forward to the results which we hopefully, expect to come from this Convention Centre. We can come back at another time when we have given it an opportunity to operate and speak with a more detailed criticism and analysis of the Convention Centre as it fits into the general scheme of the hotel industry and the benefits it has given us in the light of the amount of money which has been invested on the acquisition and renovation at Dover.

Mr. GREAVES: Mr. Chairman, I would like to refer to a very interesting point which the Hon. Minister of Tourism made when he was introducing this particular matter. He indicated that the Convention Centre, hopefully would have the effect of increasing the attractiveness of Barbados as a tourist resort. Now, I think, first of all, we have to see the Convention Centre in terms of the whole issue of tourism in Barbados. What it means to Barbados, the kind of problems which are at present being experienced in the industry and, hopefully, how we should attempt to deal with these problems in the future. The Convention Centre is just seen as one of the

many factors involved in this particular issue. Certainly, the development of tourism in Barbados is of some importance to this country, because to a large extent we have this heavy investment in this industry. The industry provides a number of jobs directly and indirectly for a number of people in Barbados. So much so it has been agreed that tourism, if it has not yet reached that point, is certainly reaching the point where it is, probably, the largest earner of foreign currency in Barbados. When we regard the Convention Centre, and we take it in the context of tourism and tourist development in this country we have to ask ourselves a number of questions.

I would, therefore, in this context, Mr. Chairman, like to raise one or two matters which have been of some concern to me as far as tourism in Barbados is concerned. Some weeks ago the Commonwealth Parliamentary Association held a Conference here at Sam Lords Castle. The hon. member for St. Michael North East, who was at that Conference, is reported to have indicated that there was racism in the hotel industry.

Mr. CHAIRMAN: Please stick to the subject under debate. We are talking about this money for the Convention Centre. Try and avoid irrelevancies, please.

Mr. GREAVES: Mr. Chairman, I was very careful in my presentation to indicate that the Convention Centre has to be seen in the context of the whole development of tourism, and I am referring to a statement which was made about the existence of racism in the tourist industry. Let me demonstrate to you what this can mean in terms of the Convention Centre. Suppose, for example, this is a fact. I am not saying that it is but suppose it is a fact. Neither am I saying that it is not a fact. If a black group from America wanted to come here to hold a convention, having heard this charge levelled, and not getting a clear statement from the Government of this country on that particular matter, then this could easily influence the coming of the group who wanted to hold the convention in Barbados. Do you understand what I mean now, Mr. Chairman? Do you see how this has some kind of relationship?

12.50 p.m.

The following day the Minister of Agriculture who I understand was the Leader of the Barbados Delegation denied that there was any racism in the tourist industry in Barbados, so that we have two conflicting statements coming from that side of the House, and I would think that the Minister who has the responsibility for tourism in this country owes it to this country to clear the air on this particular matter. The question of racism is obviously a touchy matter. I feel that it is a matter which we should be given certain assurances on. I do not believe there is any one of us in this Chamber who would want to tolerate any system of racism, certainly not on this side, or even to give the feeling that racism should be practised in this country, particularly in the tourist industry or in any other aspect of life in Barbados, so that, as I said, I think this is a matter which needs to be clarified, and I would hope that the Hon. Minister who has the responsibility for tourism would take this opportunity to state the Government's position on this matter, because it is a very conflicting situation.

I further want to refer to conflicting reports which seem to be emanating from the tourist sector. Sometimes we see figures indicating that this season has been better than the previous season, and yet we hear operators of hotels saying that it has been the worst season, and because of these conflicting reports, at least we need a situation where we can have fairly up-to-date and readily available statistics on tourism in Barbados.

Hon. L. R. TULL: Mr. Chairman, on a point of order, a number of Standing Orders have been suspended in this sitting, but not the one respecting irrelevance in debate, and I am submitting that the hon. member for St. Lucy is totally irrelevant.

Mr. CHAIRMAN: You are very much in order. The hon. member is obviously trying to initiate a debate in this Resolution on tourism.

Mr. GREAVES: I submit that the Convention Centre is going to play some important role in the development of tourism, bearing in mind the statement which has been made by the Hon. Minister in introducing this Resolution, and I am quoting verbatim when he said that the Convention Centre will increase the attractiveness of Barbados as a tourist resort. In view of that, Mr. Chairman, I do not know how any person who is logical can say that one cannot talk about tourism and the whole concept of tourist development in Barbados. I know that you are a logical person and I believe that the Minister of Education, particularly because he is responsible for education, should at least exhibit some kind of logic from time to time. But be that as it may.....

Hon. L. R. TULL: Mr. Chairman.....

Mr. GREAVES: On what is the hon. member rising?

Hon. L. R. TULL: On a point of order, the rule on relevance relates to the subject under discussion, a Resolution in this case, and not to a statement made by a member during the course of debate. If the hon. member for St. Lucy wants to know about logic, let him ask for that.

Mr. CHAIRMAN: Very much in order.

Mr. GREAVES: Mr. Chairman, I will continue. Now still on the context of the importance of the convention centre, I would like to make another comment. Again it might be interpreted as not related and I will demonstrate the relationship, because I think it is important for us to understand very clearly what we are talking about. I am talking about training. Some time last year or the year before, my memory is not too good on this particular one, but I think it was last year, the Ministry of Tourism introduced a scheme for the training of hotel workers during what is called the dead season. Again one can see the convention centre as playing an important role in this particular area because I believe that at this time of the year one finds that there are a lot of conventions which are being held, and I have not heard, or at least there have not been any reports on that particular training scheme. One does not know, for example, whether or not the Ministry intends to continue with it because certainly there is some value in it from the point of view of the convention centre; that is, if the convention centre is going to attract business particularly to the small hotels in the area and also to hotels around the place where it is situated, then the question of the kind of training to which our workers are exposed from the point of view of making sure that we offer the best possible service that there is to people who come to conventions within this country. I think this is important and therefore I would hope that the Minister in his reply would be able to give some indication in this particular regard.

Hon. H. B. St. JOHN: Mr. Chairman, due to having started early today and it is now one o'clock, I beg to move that you do now report progress and ask for leave to sit again.

Hon. L. B. BRATHWAITE: I beg to second that.

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

SUSPENSION OF SITTING

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that this sitting be suspended until 2 o'clock.

Hon. C. L. BOLDEN: I beg to second that.

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

1.00 p.m.

On resumption:

Mr. SPEAKER: This Sitting is now resumed.

BILL TO AMEND BILLS OF SALE ACT, CAP. 306

Hon. H. B. St.JOHN: Mr. Speaker, the purpose of this Bill is to amend the Bills of Sale Act to permit a company to give as security a Bill of Sale upon personal goods and chattels.

Hon. F. G. SMITH: Mr. Speaker, I do not want to interrupt the Leader of the House but I think the House deserves some explanation of what is happening. When the House was suspended we were actually dealing in Committee with another matter. I think out of courtesy we should be informed whether this matter was being deferred, for I thought we would finish the Resolution which was before the House when it was suspended. I am not trying to rearrange the Order of Businesss for the Government but I would like to know whether the Leader of the House is coming back with the Resolution later or whether he is abandoning it. It may be an oversight but I think out of courtesy we need some explanation.

Hon. H. B. St.JOHN: Mr. Speaker, I apologise to the Hon. member. I was not actually in here and was just coming in when I heard the Order called. But we do have a number of Bills to deal with. We intend to go back in Committee but we have these Bills which are of vital urgency because the Other Place has to pass the Bills by a certain time, and we will then go back into Committee. That is the only purpose of taking this Item now.

The object of this Bill, Sir, is to amend the Bills of Sale Act to permit a company to give a bill of sale on its personal goods and chattels. Hitherto the law was that a company could not give a bill of sale. The security that it had to give was a debenture and the cost of a debenture is higher than the cost of a bill of sale, and therefore a number of companies whose assets consisted mostly of expensive machinery, rather than go through the involved procedure of a debenture, when the company is borrowing a specific sum of money for a specific piece of machinery would be helped by a bill of sale. We feel this would facilitate lending on specific assets and that the security would be tied to that specific aspect, and it would help particularly small companies who do not want to go through the involved charges of a debenture. The question arose in relation to Development Bank loans to people like printers who want to bring in a new piece of equipment but do not want to tie up all their assets, but just a specific asset. The lending institution should be quite happy because this particular type of asset has a resale value and general creditors cannot deal with this particular type of asset. An individual can get a bill of sale on the asset but not a company so we want to amend the law in this respect. Accordingly, I beg to move that this Bill be now read a second time.

Hon. H. deB. FORDE: I beg to second that.

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

Hon. H. B. St.JOHN: Mr. Speaker, I beg to move that you do now leave the Chair and the House go into Committee.

Rt. Hon. J. M. G. ADAMS: Speaking on the motion, Sir, and seconding it if necessary, I would like to query the tradition which has existed since I have been in the House – and this is my third session – that you cannot send more than one Bill to Committee at the same time. There are three Bills which all deal with this subject; one amending the Bills of Sale Act, one amending the Companies Act, and one amending the Stamp Duty Act. And since the traditional form of report is that Your Honour do now report to the Speaker the passing of one Bill in Committee, it seems implicit that His Honour can report to the Speaker the passing of more than one Bill in Committee. I have been unable to find any Standing Order which says that a Committee of the whole House cannot consider more than one Bill at a time. The situation might be different at Westminster because specific days are appointed to consider specific legislation; and I

have been told that the Scottish Committee at Westminster customarily does consider more than one Bill affecting Scotland at the same time, because all Scottish Bills have to be referred to the Scottish Committee which is a type of Committee of the whole House because it is a Committee consisting of all members of Parliament for Scotland. It is a Committee similar in that sort of sense to our Committee of the whole House. So I wonder if Your Honour can see any reason why numerous Bills cannot be dealt with in Committee at one time to save Your Honour and His Honour the Chairman from having to tread to and fro across the carpet, when we could deal more expeditiously and conveniently with more than one Bill, just as we deal with more than one Resolution in Committee of Supply.

Mr. SPEAKER: I have heard the Honourable Prime Minister and I believe there is much in what he has attempted to put before the House. As for the Chair and our Chairman trekking across the carpet, there may be other ways and means we can use to look at our procedures to see if we can deal with some of our matters more expeditiously but I do feel that in view of the fact that whatever committee we might set up under our present Standing Orders the Committee can only deal with one Bill at a time, if we were to effect the type of system the Prime Minister is now suggesting it would call for a considerable review in relation thereto. And I think that if convention means anything to us and we apply it and stick to it at this time, we will be doing what is pleasing, I think, to both sides of this Honourable House.

The question that His Honour the Speaker do now leave the Chair and the House go into Committee, was put and resolved in the affirmative without division, and Mr. ODLE took the Chair.

Clauses 1 to 4 were called and passed.

2.10 p.m.

Clause 5 was called and passed.

On the motion of Hon. H. B. St. JOHN, seconded by Hon. L. S. CRAIG, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. H. B. St. JOHN, seconded by Hon. L. S. CRAIG, the Bill was read a third time and passed.

THE COMPANIES (AMENDMENT) (NO. 2) ACT, 1977

Hon. H. B. St. JOHN: Mr. Speaker, this Bill is a consequence of the previous one passed, and this ensures that under the Companies Act any Bill of Sale given by a company is registered in the Register of Mortgages and Charges so that a person dealing with a company which is giving him a Bill of Sale will be aware and that the priority decisions would not be affected, so that having amended the Bills of Sale Act to give a Bill of Sale we have to amend the Companies Act to allow the Bill of Sale to be registered.

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

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

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

On the motion of Hon. H. B. St. JOHN, seconded by Hon. L. S. CRAIG, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clause 1 was called.

Hon. H. B. St. JOHN: Mr. Chairman, I beg to move that clause 1 stand part.

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

Hon. F. G. SMITH: Mr. Chairman, as you know, this is the nomenclature of the Bill. I would like the Hon. Minister to tell us how soon we are getting the new Companies Act. I read that the DLP had a lot to do with it and was dragging its feet. There were so many meetings, could he give us any clear idea as to how soon a new Companies Act will be forthcoming? He as Minister for Foreign Trade must realise it is

stymieing development in that area. Are we getting any nearer to getting an Act on the Statute Book? I am not blaming anybody, but has he got any nearer dateline for this?

Hon. H. deB. FORDE: I thought I had answered the hon. member on this matter earlier in the Session, Sir, to tell the hon. member that the first draft of the Companies Act is in our hands. The Printery is printing the first draft of it. Even without breaching our responsibility to Parliament we have undertaken to discuss it with interested groups like the Barbados Workers Union and I answered the hon. member for St. Lucy on this issue before. When those comments are in we will collate them, have a look at them, and I hope that we will get a new Companies Act shortly.

You see, Sir, hon. members must know that the law reform project started in earnest, and it will be done. I am coming to the House shortly with certain proposals on law reform and hon. members will have a full report on the state of the laws.

The question that clause 1 stand part was put and resolved in the affirmative without division.

Clause 2 was called and passed.

On the motion of Hon. H. B. St. J OHN, seconded by Hon. L. B. BRATHWAITE, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. H. B. St. JOHN, seconded by Hon. L. B. BRATHWAITE, the Bill was read a third time and passed.

THE FRANCHISES (REGISTRATION AND CONTROL) (AMENDMENT) ACT, 1977

Hon. H. B. St. JOHN: Mr. Speaker, this Bill stands in the name of the Prime Minister but it falls within my Ministry.

The object of this Bill is to amend the provisions of the Franchises Act and to transfer responsibility for the granting of licences for franchises from the Ministry of External Trade to the Ministry of Finance where it more properly belongs, having regard to the fact that the need for regulation of franchises is to ensure that foreign exchange in Barbados does not leak out for technology which is not within our competence.

Secondly, there was a gap in the existing law, and it was always recognised that from the time the original Bill came into operation there was no proper definition of "franchise". We have now perfected a definition of "franchise" after a great deal of research around the Commonwealth and other countries of the world, and particular attention should be drawn to the terms of the amendment defining "franchise". We believe that this makes it clear that any name, device or symbol, whether that symbol, name or device is protected by user, by trade mark or by copyright will now come within the terms of the Franchise Bill, and it is very clear, and the Accountant General and the administering authority will now be in a position to deal with those persons who carry on business under trade names, whether a restaurant name or otherwise, and ensure that registration fees are paid.

2.20 p.m.

So, it tightens up the definition and ensures that there is a correlation between the granting of franchises and the monitoring of foreign exchange so that we will be able to see how much these people pay for the benefits of this alleged use of trade names. We are doing that because some of these franchises used down here are totally unnecessary. Except insofar as we can prove that it facilitates some aspect of business in Barbados, we feel that it is unnecessary to throw away foreign exchange to teach us how to fry chickens under a name, which is not necessarily the ones that you get in Baxters Road.

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

Hon. H. deB. FORDE: I beg to second that.

Mr. GREAVES: Before the question is put, there are two aspects of this Bill on which I would like to comment. The Hon. Minister in introducing this Bill has thrown some very important light on the practical purposes of a Bill of this nature, and I do not think that this is the type of legislation that one can fault him on, because he has indicated that this Bill is seeking to close the loophole which at present allows multi-national corporations to exist.

I am in total agreement with this, because we recognise that in small countries in particular we are at the mercy of the multi-national corporation and the types of devices which they use to exploit a particular country are well known. I think that any measure which will reduce the level of exploitation will be welcome. I hope the Minister will with all seriousness pursue the point that he has made about having a close look as to whether or not we are benefiting and I am sure that we get more benefits in addition to what we are getting at present. We also have to ensure that the loopholes which they use to avoid taxation are close and that the ventures which they are entering into are beneficial to us.

In looking at the legislation, there is mention in the definition of "franchise" which includes a licence granted to a person pursuant to an agreement to use a copyright. I believe that sometime ago I did raise a point about the state of copyright legislation in Barbados; and I hope that the Hon. Attorney General will be in a position to give us some indication about the updating of that legislation; because there is a tremendous amount of advantage being taken of people who sometimes record certain things. Right now there is need to update this legislation because if my memory serves me correctly, copyright includes things like songs etc. which did not exist in Barbados at the time when the legislation was drafted. I hope that with the updating of this piece of legislation we will see a meaningful advance from the point of view of closing the gap and have an opportunity for the Attorney General to have a very close look at the legislation and I am sure that it is wide enough to protect people who write or perform in Barbados from the amount of exploitation which takes place.

Hon. F. G. SMITH: Mr. Speaker, I cannot be very long. I share the sentiments expressed by the Hon. member for St. Lucy. I wonder if the hon. member could give us any idea about the number of businesses operating in Barbados under this. You have Kentucky Fried Chicken. The last Government stopped MaC Donald Hamburgers from coming in. I wonder if names like Hilton and Holiday Inn – I just want to know if any research has been carried out as to present or past abuses of the then existing legislation which justifies this wider definition of franchise. We are not quarrelling with anything which is in the interest of the people of the country.

I can tell you, Mr. Speaker, that one of the things that hurt me is when I heard that Barbados gain a gold plaque for selling some of the finest Kentucky Fried Chicken. This is a place where you can get chicken at $1.50 per lb, and you tell me that they can earn a gold plaque for selling the best Kentucky Fried Chicken? You can go and buy a whole chicken for $4.00 and go home and prepare it with a little onion, lime and salt. I am expressing it in the way that the man in the street will understand. I was really hurt to feel that people could be so foolish and lazy; and they have stopped giving you the kind of ticket you get abroad. They give you anything and charge you $3.95. I feel very strongly about it. I feel very strongly about Barbados getting a gold plaque for selling the most chicken in the Kentucky Fried Chicken Kingdom.

I would like the Minister to tell me whether a survey had been done as to what type of businesses will fall under this type of franchise. I am not quarrelling with the extension of the definition; and I assume that it must be based on the Government's observation, or that it has been brought to the Government's attention that a lot of the businesses operating under franchise were escaping the net of the Government; and we would like to know that the change in the law is justified by the experience of the new Government as a result of the operation of the existing law.

Mr. SANDIFORD: Mr. Speaker, I would like to stress the point made by the hon. member for St. Michael South Central, not in the terms in which he was speaking about putting a little salt and pepper and so on. I think that it would cost for a little more expertise than that by those who know about this business; but we are really concerned about the widening of this definition because it appears to cover a very wide geographical area.

2.30 p.m.

Maybe, we can get some clarification on this. We say this because the franchising business has developed in such a way, I believe, that the United States is, perhaps, the leading country in terms of developing the franchise business and franchising has become one of the fairly sizable sectors of the American economy and has also provided one of the penetrating aspects of the trans-national corporations as they branch out, not only from a particular State in which they may be registered across the United States, but also across countries and national boundaries as well. We want to know what is meant by this particular definition. For instance, we have banks operating here. Does it refer to them? We have or had certain car rental firms operating. Does this apply to them? What about the hotels which are part of a chain operation? Is this particular definition here broad enough to embrace them into the net? I do not know; I am just asking for information, Mr. Speaker. This is information which we should be given. As my colleague the member for St. Michael South Central has said, maybe we could be given some information as to the extent of franchising in this country.

For instance, Mr. Speaker, does it involve gambling machines? Are these under some kind of contract for their operations? Does this have anything to do with the servicing of those machines known as one-arm bandits? Do they fall under this particular definition here? In certain areas these particular machines are not sold. They operate under a certain arrangement with a parent company. We do not know if this particular matter here covers that. I do not want to get into the present matters which may be concerning the court at this moment but, maybe, we could get some information concerning this particular regard. I think the Government benches know that I speak with restraint on these matters, so I am not going to get into the matters which may be concerning particular Government Offices and the courts at this particular time. We would like to know whether this is an additional type of impost now on these operations in addition to those charges which they now carry as part of their normal business operations.

Hon. H. B. ST. JOHN: Mr. Speaker, the old definition of franchise under the Bill passed during the regime of the last Government was found to be unworkable, in fact. It reads thus:

> "Franchise means any right or privilege granted by one person to another that enables that other person to carry on a particular business or assist him in the carrying on of a particular business."

It was not tied to the right to use a particular type of privilege, and great difficulties were encountered and disputes and arguments arose as to whether the activity that was carried on here came within the definition or not.

The object of this amendment is to ensure that where a person in Barbados by an agreement has the right to use, and he specifies what he has a right to use, a name like Kentucky, product, service technique or device perfected by an owner, whether or not that name, service technique or device is protected by trade marks, trade secret, or by usage and includes a copyright. This is the whole point. We found when we came into power that, in fact, only about four people had been registered under the Franchise Act, but there were a lot of disputes in relation to others as to whether they came within the Act or not. There were only four registered, and I can give you the names of the four: Kentucky, Dairy Queen and, unfortunately, another one because I objected very seriously to it at the time. I think it was contrary to Government policy. There was a franchise granted to Hertz Rent A Car at the Airport. There was also a franchise granted to Avis Rent A Car at the Airport, and we found ourselves bound by contracts in relation to that. There was no doubt about it at all that these businesses where making use of a name.

We even had the situation in which some person abroad decided that he loved the Harbour Policeman and had a mould of the Harbour Policeman – the symbol that they use in the Tourist Board – and induced a manufacturer of rum in Barbados to put the rum in certain bottles. A big argument went long as to whether that was not a franchise. Of course, that could not be so because you were selling the rum in Barbados and the symbol in Barbados. The old definition was wide enough to do that and there was a dispute. There was an argument going along as to whether that was a franchise or not because of the width of the words "or assist him in the carrying on of a particular business." This definition now ties it with what is known as technology, knowhow and user agreements. This is what you will find in all of the International definitions. You either use a trade-mark, a copyright, a name, a product, device, and things like that. We have got it now into what is internationally acceptable. We had the Bill and only four persons who had clear cases were registered.

Now the question of the copyright, trade marks and patents is a very important question and it is dear to my heart. We have always bitterly complained that, as a result of the imperial legislation which was extended to us in Barbados, copyrights and trade marks which were registered in England without any advertisement in Barbados, and very often our people were carrying on the same process, could be re-registered in Barbados under the existing law without reference to any consideration here in Barbados.

One of the first things we did when we went into the Ministry of Trade was to set up a Committee to look into that. We were pleased that, subsequently, a course was offered to Legal Draftsmen in that very special area, and we were able to send one of the Legal Draftsmen in the Attorney-General's Chambers to this Conference and on his return he brought a very good report. Between that officer and an Administrative Officer, who was looking after that in the Ministry, they are doing a Draft Bill to come before us. Of course, this is also of great importance because hon. members will remember that this is an area which has been earmarked as particularly suitable to have a common legislation in the Caricom trading area.

As a result of a grant from the Commonwealth Fund for Technical Co-operation and other Funds, and Caribbean Community Secretariat obtained the service of Mr. DeFreitas, a gentleman who formerly served in both the Federal Government and here, who is recognised in the world as a leading authority on copyright as distinct from patents and trademarks, particularly musical copyrights because he works for the Calypso Association in Trinidad and those people.

2.40 p.m.

What we are going to do is to do our draft Bills in relation to the Patents and Trademarks, and we are hoping that we will get the Copyright. He has already been working on this and he has already made suggestions on draft Copyright Bills and we will go forward. But we regard this as a matter of complete urgency. We have also applied to the same body that sponsored the course that one of the draughtsmen went to, a thing called the World Intellectual Property Organisation. This is called intellectual property, and that is where we got some of the definition of Franchise from actually, so that we have really been investigating this, but you have to investigate this in accordance with international norms. You cannot have your law so out of harmony with what is accepted in International Chambers of Commerce, but we are working very hard on it. I feel very sore about it.

Now as to the question of Barbadians using these things, we hope now that we have it clear that we will be able to restrict it, and I agree with the hon. member that at first when the first franchise came Barbadians utilised the products of that company for a very long period of time, but I believe now the newness has worn off, you will find that Barbadians have come around to the view that Baxters Road and other places produce just as good if not better, and the sales of that particular company, I believe looking at it from the number of people you see there, have dropped dramatically, but what we have to remember

also in respect of these things is that what our people and our manufacturers have to do is to make more use of our artists and our peculiar Caribbean styles and flavour and try and create our own trade names. We do not have to copy anybody's; we must create our own. One may even reach the stage where nowadays with this new awareness, this greater amount of confidence in what is ours that we may be able to see that soon we will have a brand name beginning with something like "Carmeta" something. I understand a famous recipe has now reached the B.W.I.A. magazine and we may now have a Carmetaburger made out of breadfruit and minced meat. I have tasted it and the recipe is very good. *(Asides)* Now look at that. The hon. member is going to fall right into a trap deliberately laid for him. I want to assure the hon. member that as far as the Government of Barbados is concerned, it recognises the particular skills and talents that the particular lady has, and proper arrangements are being made for her to function in a more appropriate organisation. As the late Sir Grantley used to say, you just throw out a sprat and a mullet used to catch at it, just like the hon. member.

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

Hon. H. deB. FORDE: I beg to second that.

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

On motion of Hon. H. B. St. J OHN seconded by Hon. L. B. BRATHWAITE, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clause 1 was called and passed.

Clause 2 was called.

Hon. H. B. ST. JOHN: I beg to move that Clause 2 stand part.

Hon. L. B. BRATHWAITE: I beg to second that.

Mr. SANDIFORD: I did raise a couple of questions which the Minister did not advert to in his reply. I did ask whether there is anything in this definition which would preclude, let us say, some of the hotels which are part of international chains from coming within the scope of this. I mentioned places like Holiday Inn or Trust Houses or any of the other famous names in hotels, but I did also ask whether gambling machines would fall under this definition as well, whether the word "device" and so on could be used.

Hon. B. B. ST. JOHN: I am not going to deal with the gambling machines, the Minister of Finance will deal with that. With respect to the use of a name, if a multinational corporation sets up a business in Barbados, it does not pay anybody to use the name, so it does not come within that, but it is if somebody here pays for the grant of a licence to use the name here. As far as the banks are concerned, they are branches of the international banks. The Head Office registers in Barbados, so it is not paying anybody to use its name; it is using its own name in a country other than the country of origin, so that would not come in. Holiday Inn is a franchise operation as a matter of fact because Holiday Inn is only a name, and another thing we know is that the franchise Holiday Inn is subdivided globally, so you have the American franchise operator of Holiday Inn, you have Commonwealth Holiday Inns of Canada who have franchise rights to use the Holiday Inn and you have a European franchise operator, and with respect to them they would appear to come within the Act. There is a distinction between them because in the U.S. Virgin Islands there is a Holiday Inn and that is controlled by the person who has the franchise to operate in the Americas, but the Caribbean comes under the Commonwealth Holiday Inns of London, Ontario, Canada. *(Asides)* Zeibart is a product or device or technique. It is because of these particular things based upon experience that one had to look at the international situation and try to get a definition in relation to it.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, the hon. member for St. Michael South every week thinks it necessary to exercise

his well-known talent in marginal relevance, and this week he has come up with one-armed bandits underneath and in connection with a Franchise Act. As far as I know gambling devices cannot be patented in any case. This is what happened to the original one-armed bandit when it was invented, and if the hon. members recalls his recent reading on the subject – I am glad to see that he prepares himself very thoroughly for debates in the House and that is why I emphasised recent reading; it is a pity he did not prepare himself just as thoroughly for the business of Government when he was in it – but his recent reading on the subject should have told him that gambling devices are not normally subject to franchising. Mr. Skarney the famous authority upon gambling has invented several card games which he puts his own name into.

2.50 p.m.

He has invented dice games and machines for gambling more expeditiously, but all of them, as far as I know may be played and used and otherwise operated by anybody – in fact he offers them to you; he puts them into his book and such money as he makes from them derives from the fact that if people want to know how to play Scarney's poker or whatever, they buy his book and see how to play it. Gambling is one of the areas where inventiveness does not have its own reward. If the hon. member wants some more useless information, I can mention that the gentleman who discovered how to break the blackjack system at Las Vegas actually tried to patent his system but failed to do so, and another gentleman has now left his university having beaten the means that the casino operators used to beat the first gentleman. He now knows how to make money out of blackjack and has been barred from virtually every casino in the world where blackjack is played. The hon. gentleman wanted the light that my speech has afforded and if he has any serious questions I will endeavour to deal with them as well.

Clauses 2 to 6 inclusive were called and passed.

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair.

On separate motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, the Bill was read a third time and passed.

STAMP DUTY (AMENDMENT) (NO. 2) BILL, 1977

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, the amendments which we propose in this Bill are twofold. It first relates to the removal of Section 32 which relates to Bills of Sales. At present the Stamp Duty Act still has to be resorted to discover various control measures on bills of sales. We have amended Bills of Sales on companies to make proper provision for these measures and therefore we want to delete it from the Stamp Duty Act. The second amendment which was not in the originally circulated copy but which is now in another copy which may have been circulated, is an amendment to the Stamp Duty Amendment No. 1 Act of this year. Due to a misprint $10 for $500 is being charged as stamp duty on bonds and covenants where only $1 was meant. This is a misprint pure and simple and this is something which happens every day – bonds have to be given for one purpose or another, and the Comptroller of Customs – ever vigilant in the protection of the revenue – has drawn to my attention that he is obliged to leave these bonds at $10 per $500 where in fact $1 is the intended levy. There will be too much inconvenience if any effort is made to go back in time to Budget day, because in most of these cases the stamp has been affixed to documents, the documents in the Customs have already been attached to warrants and passed, the stamp duty has been added to the C.I.F. – no doubt it has found its way into the prices charged to customers, and we really think that reduction of the stamp duty as from the date when the Bill is passed is all that is called for in the circumstances.

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

Hon. H. deB. FORDE: I beg to second that.

Hon. F. G. SMITH: We are not opposing this Bill, Mr. Speaker, but I don't fall for the Prime Minister's argument that if the Government's intention was $1, that because he has been collecting $10 since April he does not see the necessity to grant rebates. That argument does not hold water with me. It may call for a little more work, but in certain transactions it can amount to large sums. To that extent he is prepared to hold on to what he has collected by reason of an error of $9, which was no inconsiderable sum, and he has decided that the volume of work that would be involved in refunding what is an unjust enrichment of the Government by this error of printing is too much and he feels that he can hold on to it. And I want the Attorney General to understand, and he will discover as he goes on, that errors of this nature will occur in the final draft of any Bill which the Attorney General has a responsibility to certify to the Governor General. Therefore I am not quarrelling with the error because I have been Attorney General and know that these things can happen. And to that extent as Parliament meets from time to time I think the Attorney General will discover that there can always be something to escape the attention of the most vigilant Attorney General.

3.00 p.m.

Of course in this case it means to the persons who are involved in dealing with a Department a difference of $9.00. As I say, I do not like the argument but the Prime Minister must admit that he finds himself unduly enriched, which will help his Treasury, and therefore as from a certain date he will correct the error when this Bill is passed and that what you have lost you have lost. If the Government's intention was to refund to those who had been overcharged because of this error, do not tell me it is beyond the Government's capacity to make the necessary refunds if it were necessary.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I will be very very short. First of all, I do not regard this in any way as the Attorney General's error. Let me just say that at the beginning. The second thing is that stamp duty refunds are matters of exceptional difficulty. There is a special procedure laid down. You have to take off the stamps, I believe, in the presence of the Accountant General after having received his permission, and new stamps will be issued to you. It really is a difficult matter, Sir. You have to get the document and produce the document. It is not the question of a tax which can be paid back, stamp duty is paid by buying stamps and putting on to a document, and it really is a trouble and nobody has asked for the money back. That is the real point. It has come because the Comptroller of Customs himself initiated the suggestion; he said that he has been charging this but when he looks at the scale of fees he does not think this is what was meant, and the merchants have protested. They have asked why are they being charged so much on the bonds. They have to enter into a bond to postpone the payment of Customs duty, that sort of thing, Sir.

There are other occasions, of course, but this is the one that has been drawn to my attention. Nobody has asked for the money, nobody has raised it in a big way, and there it is, Sir. If it was not so difficult I think we would offer to give it back, but the difficulty of unstamping documents when once they have been stamped is such that there are very, very few claims in the course of a year. I was a barrister and used to put stamps on documents all the time, and really the one occasion upon which I wanted to get back some money from the Accountant General, I think it was $63, it was so difficult that I took the loss of the $63 myself rather than go to all the trouble, Sir.

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

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that clause 3 be added to the Bill in the following terms:

"Amendment of First Schedule of Cap. 91.

3. The First Schedule of the Stamp Duty Act is amended by deleting the words 'ten dollars' appearing under the heading Bond or Covenant opposite the words 'for every additional five hundred dollars or part thereof' and substituting therefor the words 'one dollar'."

The Clerk has a copy of the amendment, Sir.

Hon. H. deB. FORDE: I beg to second that.

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

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, the Bill was read a third time and passed.

THE FEES (MISCELLANEOUS PROVISIONS) ACT, 1977

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, there are a number of miscellaneous fees which were raised in the budget and for which legislative sanction is now required before August 15. This Bill seeks by means of an amending Schedule to deal with small fees in Customs relating to rum licences, rum duty, firearms, raising the cost for licensing places of public entertainment from $20 to $40, and raising the fee for maintaining a brewery from $500 to $700.

It is not in my place, Sir, to enter into any long justification of the budget, but I would in briefly moving the second reading of this Bill draw to the attention of hon. members the recently laid Report of the Accountant General for the financial year 1976–77. In passing, Sir, I would point out that the Barbados Labour Party is doing its best to practise in Government what it preached so assiduously in Opposition. I do not think that any hon. member has ever had the experience of having an Accountant General's Report for the current financial year laid within the time laid down by law and laid down by Parliament.

3.10 p.m.

Certainly I think that hon. members opposite must have been astonished, as to some extent I was, and very agreeably so that the financial report which was over a few months ago was already on the table of Parliament and can be referred to in the day for the edification of hon. members. It is not only the Minister of Finance, but as a result the Hon. Minister of Health has just shown me the report of her Ministry that she also laid – the report of the Ministry of Health for the year 1975 when it was presided over by other hon. members now in and out of this House.

We are trying to get up to date. If you turn to Page 28 of the Accountant General's Report it will be noticed that licences last year had a short fall, leaving out the Telephone Company, of $72,000 over estimated revenue. The Telephone Company is a slightly different matter. There was a little misunderstanding over the amount of taxes which the Telephone Company had to pay, so licences were not only failing to produce the proportion of revenue as estimated over the years, but they were failing to produce even what was estimated for them; and a shortfall of $137,000 and $751,000 is a very substantial shortfall in our revenue indeed.

I do not believe that it would be unreasonable in this particular area to expect that tax revenue should be producing $2 million a year instead of only $756,000. It is in areas such as these that the Government can relieve tax burden at the personal level in our society. Last year taxation on income and profits, corporation tax, income tax and even trade tax produced an excess of $25 million over estimation. Income tax produced $15½ million more than was estimated. I do not think that members would disagree with the Government for achieving a higher balance of

revenue where, without raising the level of income tax, $15 million more comes in, while on the other hand licences that fall on brewers and distillers, commercial banks, warehouse licences, franchises and even dog licences actually produced less revenue than they were intended to produce.

I have no doubt that nobody on the opposite side will say that I am hitting merchants too hard when I say that I am proposing licences to produce $2 million in all. We will produce arithmetic to show that trade tax was never as much as 12% of corporation profits. I do not expect to be pressed in that direction from the other side. Nonetheless, it will remain the policy of the Ministry of Finance to ensure a steady and regular increase in licence fees which will bear some relationship to the corporate profit of the organisations which take out the licences. It is true that you will find dog licences in the middle of all of this. That is perhaps the only non capitalist activity covered by these amendments.

I would also like to draw to the attention of hon. members that while personal or income profits have produced $25 million over estimation, that tax on goods and services, motor vehicles, spirits, pool betting duties, racing services, bingo duties, the airport service charge and hotel and restaurant sales, that the amount of money collected under these heads was only $1 million more than estimated; but in fact there was a short fall of $3 million out of which the retail sales tax accounted for only $2.5 million and not $6.5 million as suggested by the Leader of the Opposition, when he was making his contribution to a subject on which his mastery is somewhat less than complete

These I suggest to hon. members are indications that taxes on goods and services are not keeping pace with personal taxation, and therefore it may be very reasonable to provide that the taxes on pool betting, racing and sweepstakes and the other taxes are on a discretionary level of expenditure and are taxed which in the long run will be of greater assistance to Barbadians than the retail sales tax.

The Opposition is complaining about the removal of the retail trade tax. The retail sales tax affected essentials such as clothing, furniture and so on. The other taxes on activities like the one armed bandits, bingo, racing services are on discretionary expenditure. If you do not want to pay the tax, you do not have to gamble. Taxation on airport services is about $¼ million a year.

I really mention these things in asking members to support this Bill as part of the budgetary proposals, a Bill which I think will pass without much difficulty.

Hon. F. G. SMITH: Mr. Chairman, the Opposition cannot object to this part of the budgetary proposals. I am very relieved to hear the Prime Minister say that a shortfall of $137,000 is substantial in this particular area; but it certainly comes strange from the Hon. Prime Minister and Minister of Finance that he can say that from advice given to him the removal of the sales tax of $6 million is no big thing.

I do not think that in our economy the withdrawal of $6 million will be advised by any economist or anybody else who would suggest that it would not affect the economy of Barbados. We are not arguing on this side on behalf of any merchants or anybody. These are budgetary proposals which the Minister in his wisdom introduced and the legislation has to be passed within a period of time; but he will pay the price for this later on. At the moment we can only give it our support.

Mr. SANDIFORD: Mr. Speaker, there are two questions that I would like to raise on this Bill. The first one is in relation to the Prime Minister congratulating himself about the work done by the Accountant General in producing a report.
3.20 p.m.

I really would like to know when we can expect other Reports from the many departments under the Prime Minister's control. I am particular interested in the Department of Inland Revenue in relation to a question which I had asked and to which a temporising answer

had been given. Maybe, the Minister will say something about that. The other question I wanted to raise relates to the Fire Arms Act, Chapter 179, where the sum chargeable under that Act is proposed to be increased from $20 to $50. I am not sure which of the Ministers will answer this question. Maybe, the Prime Minister will in his responsibility for Defence and Security. I would like to know whether there has been any increase in the applications for licences to own or carry fire arms. We understand that there was a large quantity of arms around. I am not certain what was the composition of those arms seized at Grantley Adams International Airport, and I am wondering if those arms are still being held up there. I have read in the newspapers.....

Mr. SPEAKER: I think the hon. member for St. Michael South would like to confine himself most specifically to the Bill under discussion.

Mr. SANDIFORD: Yes, Mr. Speaker. I did ask whether there was any increase in the number of requests for licences. This has to do with the increase under that particular bit of legislation. I want to know whether those arms are still being held, or whether they have been sold by option, or what is the position in respect of those arms.

Hon. H. deB. FORDE: Mr. Speaker, as the hon. member knows, the question of the granting of licences for firearms is a matter within the discretion of the Commissioner of Police. I have no information which would show that there has been an increase in such applications. In so far as the other part of the hon. member's enquiry is concerned, I do not think it will be proper for me to comment on that.

Mr. SPEAKER: I would warn the Attorney-General not to make any reply.

Hon. H. deB. FORDE: The hon. member knows quite well why no reply will be forthcoming.

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

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

Hon. H. deB. FORDE: I beg to second that.

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

Clauses 1 to 3 inclusive were called and passed.

The Schedule was called and passed.

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

Hon. L. B. BRATHWAITE: I beg to second that.

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

On the separate motions of Hon. H. deB. FORDE, seconded on every occasion by Hon. L. B. BRATHWAITE, the Bill was read a third time and passed and cited as the Fees (Miscellaneous Provisions) Act, 1977.

BARBADOS TELEPHONE COMPANY (AMENDMENT) ACT, 1977

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, this is also a budgetary proposal. It relates to the surcharge on overseas calls. The proposal is that everybody who makes an overseas call pays the surcharge, and this surcharge has been paid as hon. members will be aware who have made overseas calls. It is cast in a particular form because it is the desire

to place upon the Company the responsibility for satisfying the Government for its revenue.

Clause 3 indicates that the new Clause 7 (b) will read:

"They should be paid by the Company to the Commissioner of Inland Revenue."

The other provisions of the Bill merely give the conditions under which the Company should pay its dues. This Bill also gives a general right to the Minister to make an Order imposing licence fees on the Company. In the past these have been imposed, Sir, but I am not aware that all necessary formalities were gone through, otherwise we would not have had a situation with the Company having the appearance of having to pay a $200,000 licence fee, charging its subscribers on the basis that that was the licence fee, but in fact only paying the Government $100,000, and giving rise to the shortfall in fees to which I referred on debate upon the last Bill that came before the House. 3.30 p.m.

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

Hon. H. deB. FORDE: I beg to second that and reserve my right to speak.

Hon. F. G. SMITH: Mr. Speaker, I shall not be very long because this matter has been debated at length when the Government brought down a Resolution to take shares in the Telephone Company, and I understand that there is a ruling that the Opposition cannot say anything on a matter which in your opinion has been debated previously. That is all I have to say on this.

Mr. SANDIFORD: Mr. Speaker, in introducing the matter the Prime Minister and Minister of Finance did indicate that everybody would be called upon to pay this surcharge on overseas telephone calls, and in this connection I believe the Government is one of the biggest users of the telephone service in this country, and I am wondering whether the Minister could tell us what is the estimate of cost on Government overseas telephone calls as a result of this surcharge.

Rt. Hon. J. M. G. M. ADAMS: The answer is nil.

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

On the motion of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. H. deB. FORDE, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 to 5 inclusive were called and passed.

On the motion of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. L. B. BRATHWAITE Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. L. B. BRATHWAITE the Bill was read a third time and passed.

THE REGISTRATION OFFICE (AMENDMENT) ACT, 1977

Mr. SPEAKER: Order No. 8 stands in the name of the Hon. Prime Minister, to move the second reading of a Bill to amend the Registration Office Act, Cap. 33.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, this Bill also related to Budgetary Proposals, but opportunity is taken because, and I am saying it quite unequivocally, I am dissatisfied with the operation of the Judicial Advisory Council to remove from that Council the power to vary the Registration Office fees. At an earlier stage I indicated that I thought that they had made orders under this Act which were ultravires to their powers and I really consider that a piece of carelessness reprehensible in those who are placed above us to administer our laws whether as advocates, registrars or judges.

We have had to make amendments in respect of companies fees and so on to make it clear that it is not within the powers of the Judicial Council to make substantive law for companies, and we have therefore given the Registrar the power with the approval of the Minister responsible for Finance by Order to amend, vary, alter or revoke the Second Schedule of the Act which relates to fees. We think, Sir, that this will result in making a number of matters clear and the general public would not have to run from one authority to another in order to find out precisely where the appropriate fees are to be discovered. In seeking to pass this Act, the House will take note that this is an area where fees for certificates are to be found.

3.40 p.m.

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

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

On the motion of Hon. H. B. St. JOHN, seconded by Rt. Hon. J. M. G. M. ADAMS, the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 to 3 inclusive were called and passed.

On the motion of Hon. H. B. St. JOHN, seconded by Rt. Hon. J. M. G. M. ADAMS, Mr. CHAIRMAN reported the passing of the one Bill in Committee and Mr. SPEAKER resumed the Chair.

On separate motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. B. St. JOHN, the Bill was read a third time and passed.

BILL TO AMEND THE STORAGE OF PETROLEUM ACT, CAP. 172

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, this is the Budget again. This is a matter of ten cents more on the storage charges for petroleum which will ultimately find its way into the price of gasolene as sold at filling stations.

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

Hon. H. B. ST. JOHN: I beg to second that.

Mr. SIMMONS: I wonder if the Prime Minister would be in a position to indicate to the House what progress is being made on the proposed National Petroleum Corporation.

Hon. H. B. ST. JOHN: Mr. Speaker, that falls within my portfolio. A Committee was appointed to consider the sentiments expressed by the Government in respect of a Government Petroleum Corporation as mentioned in the Manifesto. An examination of the Statutory Laws in Barbados relating to petroleum was undertaken and draft amendments to the Natural Gas Corporation Act were proposed. We had applied for a technical expert from the Commonwealth Fund for Technical Corporation and approval was granted, but unfortunately the person's previous assignment with another country was not completed, so we had to wait until that assignment was completed before the person could be assigned to Barbados. That person has now arrived and only two days ago I had an opportunity of meeting this person for the first time since he came here a month ago, and he has now been added to the Committee to evaluate the suggestions that the Committee has taken under consideration. It will be remembered that in 1974 a Committee was established by the previous Minister to examine and make recommendations in respect to amending the existing policy, particularly in relation to oil and gas in Barbados, and among the documents which were evaluated by this Committee were these documents. We ourselves, since September last year, had the opportunity of reviewing and settling an impasse which had arisen between the crude oil producers in Barbados and the refinery.

3.50 p.m.

That impasse has been settled and I have informed the House, previously, that drilling will resume shortly. The rig is now here, it is being assembled. We have also had a study done on the refinery aspect of operations in Barbados, so that we now have all the background information and the actual proposed

amendments to create a body have been drafted, but already two points have been raised by the technical expert who has come here, and they are very valid and material. One is that our National Petroleum Corporation should also be empowered to deal not only with the commercial aspect of trading but with the regulatory aspect of any person who deals with petroleum in Barbados, including bottled gas. As a matter of fact, horrification was expressed at the fact that we do not have any standards legislation dealing with bottled gas in Barbados, and that the Act that we have which gives powers to deal with the utensils used with natural gas and to set the standards in natural gas specifically mentions natural, not other gas.

Apart from this gentleman's long experience in the gas industry as a whole, he says that there is a great lacuna in this respect and he regards it as such a serious matter that he has already been having or is about to have discussions with the Barbados Standards Institution with respect to this. He knows that this is a matter of urgency, he appreciates this, and I believe that from next week we will be going through the individual suggestions that he has to make, and I take the point readily myself that if you are going to have a National Petroleum Corporation you must have an umbrella organisation which combines all the disciplines within there, because we cannot afford in this country to have another organisation with separate technical officers only dealing with liquified gas or propane gas, but if you are dealing with petroleum and gas you are dealing with a comprehensive thing, and the form will probably be that the Corporation with the approval of the Minister or with the approval of Cabinet, can make regulations dealing with standards in relation to equipment and all that sort of stuff. This confirms a point that many members have raised in here, that consumers in Barbados have been complaining from time to time that they suspect from their own knowledge that they do not get a full bottle of gas.

Next, we raised this point that we should have certain standards not only in relation to safety but in many other areas of this petroleum business, and we are going to bring in the people from the Barbados National Standards Institution. It is of such great importance that we feel we should have the regulations ready so that we can have it on the timetable for the new Session.

I trust that satisfies the questions of the hon. member.

Mr. SANDIFORD: Mr. Speaker, I am very glad for the information given by the Minister, the member for Christ Church South Central.

Mr. SPEAKER: While I would like to give the hon. member for St. Michael South an opportunity to express his point of view, the situation that has arisen is simply this, that the Hon. Leader of the House having replied.....

Hon. H. B. St. JOHN: I said I would deal with this matter because it was raised by the hon. member and petroleum was under my Ministry, but I was not replying. I am sorry if I gave that impression.

Mr. SPEAKER: The hon. member for St. Michael South may continue.

Mr. SANDIFORD: Thank you, Mr. Speaker. I am grateful for the explanation given by the member for Christ Church South Central. I was saying I was grateful for the information he had given and to know that some of the comments that we have been making in this Hon. Chamber, and which I myself have made from time to time in respect of what is known as the bottled gas, that this particular matter is being looked after and that some standards will be set in terms of the sale of the cylinders, whether 25 lb. or the 100 lb. cylinders, to remove as far as possible any doubt in the minds of the consumers that they are not getting fair weight or fair quantity of gas in terms of the orders that they have placed.

As I have said on previous occasions, no charge – or most certainly I am not making any charge against the people who deal in this matter, but there is sufficient public disquiet in

these matters to have been given attention by the Government, and I am glad to hear that it is being considered that the National Petroleum Corporation, or however it may be styled, will be looking after that particular area.

But, Mr. Speaker, there is another aspect of this I would like to advert to. With the new impositions on gasolene, I am wondering if there has been any increase or decrease in the amount of petroleum used in this country. We know that this presents a drain on the balance of payments situation in this country because of a very high import bill for petroleum products, and I am wondering if with the impositions imposed in the last budgetary proposals there has been any decrease in the amount of petroleum products being used in this country, whether there has been an increase, or what is exactly the position. We know that countries more powerful than ours, the United States for example, is contemplating an energy policy to restrict any excess use of petroleum products, and I am wondering if any action in this regard has been taken or if the impositions have had any effect on reducing the amount of gasolene and other petroleum products, or whether they may have forgotten the energy crisis, believing that it has all disappeared and that we have nothing to do but to continue to use up these products as though they were unlimited in supply.

4.00 p.m.

I do not know. I believe that the appropriate Miinister may have heard and should supply the information.

Rt. Hon J. M. G. M. ADAMS: Mr. Speaker, it appears that for whatever reason, the budgetary proposals or otherwise there has been no increase in the imports of petroleum this year. Actually the cost of imported petroleum has remained quite steady although the price has gone up, and therefore the cost of gasolene. If the hon. member cares to refer to the Accountant General's report, he will see that this appears to be a long term trend.

The use of petroleum products in Barbados has not been expanding, probably because of the Light and Power Company using bunker fuel rather than more expensive diesel fuel. The problems that we bear do not fall so heavily as they do on the shoulders of countries in Western Europe and in North America because they have heavy industrialisation and therefore heavy fuel problems.

Nevertheless, as the member said, the cost of petroleum imports represents put a considerable balance of payments; and we are happy to say that budgetary measures appear to be controlling the use of petroleum in this country. We are encouraged that our own petroleum operations will begin once more so that the Natural Gas Corporation will begin to expand its operations very soon. This will lead to an even greater reduction in the imports of petroleum.

There have been grave difficulties with the Natural Gas pipelines. One will recall the difficulties encountered with pipelines at Spring Vale; but these difficulties, it is hoped, will soon be overcome and probably a new pipeline will have to be laid between the Belle and St. Andrew.

I also remember receiving complaints from my constituents in Bagatelle who see pipelines pass through to give natural gas to other areas and I will ask the appropriate Minister to give it the most serious consideration possible. (ASIDE: Happy said so) We are very concerned about petroleum imports, and in dealing with this difficult problem, we believe that we are not only doing our best but showing some results in our policy as regards the use of energy in Barbados.

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move that Your Honour do now leave the Chair and the House go into Committee on the Bill.

Hon. H. B. St. JOHN: I beg to second that.

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

Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

On separate motions of Rt. Hon. J. M. G. M. ADAMS seconded by Dr. CHELTENHAM, Clauses 1 and 2 inclusive of the Bill were called and agreed to.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that you do now report the passing of one Bill in Committee.

Dr. CHELTENHAM: I beg to second that.

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

On separate motions of Rt. Hon. J. M. G. M. ADAMS seconded by Mr. BRADSHAW the Bill was read a third time and passed.

4.10 p.m.

MOTOR VEHICLES TAX (AMENDMENT) ACT, 1977

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, some difficulties have been experienced in the past when it has been thought necessary to increase taxation on the value of vehicles by way of consumption tax apart from licence fees for motor vehicle parts both embraced under the general heading of consumption tax and supported by their own piece of legislation which is Chapter 79. How long this should continue is a matter that only the future will finally determine. No doubt, eventually, a new Road Traffic Act will be passed and consideration will then be given to such matters. Meanwhile since it is considered that motor vehicle tax may be varied by the Minister responsible for Finance, it is felt by those responsible that Section 5 of the Act should be amended to give power to vary the Act.

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

Hon. H. B. ST. JOHN: I beg to second that.

Hon. F. G. SMITH: Mr. Speaker, the Opposition has no quarrel with this matter. I think it is quite fair if the Government has decided to restrict the importation of motor cars both by the use of the Central Bank and by directives to the local banks as to the amount deposited and the period of time over which they must pay. There have been a lot of arguments put up by the various garages, but I am not in a position to know what is what. *(Asides.)* I am tired of this nonsense. I am not accusing Government of anything. It is said that on the eve of the budget the new Ministers bought cars. The Prime Minister's Press Secretary has written a lot about members of the last Government. These are unworthy issues in which to become involved. The Press Secretary should not say that we got it before and you got it, too, when there is no statistical proof, and it is a question of throwing mud on other people. If that is all the Press Secretary has to do I would suggest to the Prime Minister that he finds something else for him to do.

Now, the number of cars in this country is certainly a cause for worry and, therefore the Government has to look at the matter and to see that the flow of money from the country is somewhat restricted. I hope that the Government will review this question of the importation of motor cars and the tax on cars with a view to meeting the rising expectations of the people in this country. I believe that the present Government can afford to impose restrictions on the importation of cars. When the Democratic Labour Party was leaving this Government the average was 1 in 9. When the present Prime Minister was the Leader of the Opposition he said that Barbados had more cars per person than the United States of America. I thought that he was paying a tribute to the improvement in the standard of living of the people when he spoke about the number of cars in this community, and I thought that he was congratulating us. If we had all of these cars in the country it should be a case for commendation. We had created a standard of living whereby you could see a large number of cars on the road, and that would be a case of justified praise for the Government that made that possible.

This Bill is part of the budgetary proposals and the Opposition cannot quarrel with it. What I would like the Prime Minister to do is to keep this matter under constant review, so that from time to time the hopes and aspirations of the people, when the balance of payments improves, will be achieved and they will be able to acquire a car at a reasonable price to meet their needs.

This is something I want the Minister of Trade to understand. In this community we want legislation to control the sale of cars and the sale of spare parts because spare parts are being sold at exorbitant prices. We want legislation to control those people who sell gadgets. You purchase a car and you cannot get parts even when it is covered by a warranty. As soon as these people get their money they start to treat you with scant respect. You buy a refrigerator or a deep freeze and when it breaks down you are in serious trouble. The people who sell cars or equipment should keep spare parts in stock and they must realise that people invested hard-earned cash in them. The Prime Minister says that, rather than amend the Bill every time he comes, he will make an order and with that there can be no quarrel.

Mr. GREAVES: Mr. Speaker, I will be very short. As the Prime Minister has indicated that this is part of the budgetary proposals, I would hope that he would clarify a certain Section for me.

4.20 p.m.

I was somewhat under the impression that in the Budgetary Proposals the Prime Minister had indicated that the rate of taxation would be on the basis of the size rather than on the value of the cars, and it would seem to me that this particular amendment does not seem to deal with this particular problem unless it is to do with the value of the cars imported into the country.

On the question of importation it obviously would also fall under this particular matter. I recall some time ago that this matter of motor cars and motor vehicles came up for discussion and I was making the point that we should have a serious look at the size of the motor cars we import into this country, and certainly I think the time has come for this to be done. It is true that in this point in time there is a complete ban on the importation of motor cars and I would hope that in any review which undoubtedly would be undertaken by the Prime Minister in the not too distant future that some consideration will be given to limiting the size of motor cars, and probably having a situation where we would have more small cars imported if indeed we will be uplifting the ban on the importation of motor cars. There is no doubt that the ban has in one way or another affected the aspirations of a number of people in this country, and whereas one takes the point that it has been done in the interest of the peculiar financial situation existing in the Island at the particular time, nevertheless I think that we would want to emphasise that the ban has indeed affected a number of people who hopefully were expecting to move into the car owning bracket. So I would hope that the Prime Minister can give the House the assurance that if and when the time comes for him to review this particular ban that some attention will be paid to the size of cars for which permission would be given, so that we would see a situation develop where there would be more liberal opportunity given to the importers of small cars which would obviously meet the people who cannot afford the larger size and more expensive cars.

Mr. SIMMONS: Mr. Speaker, the Leader of the Opposition always begins by saying that he is not going to speak long on a Bill or he is not criticising the Government, then he will start to swipe like blind Elder, and so I am not surprised that he has taken a side swipe at those members of Government who have changed their cars since the election. But it is a little incongruous to hear those who complain about being paid as day servants, wishing to clock in and so on now on the other hand wanting to tell you when you are to change your car or if you should change your car at all.

As I have said, I have changed my car like the Leader of the Opposition. I had a car for a considerable time. I have had my car for seven years and I think it is part of my freedom as an individual to determine when I want to change my car and what type of car I wish to change to. My car has been through three elections in one year, St. Philip North, the City and then the general election, and after seven years and over 80,000 miles I believe it was time to change as I would be getting away from problems. I noted that the Leader of the Opposition changed before I did and so did Mr. Warrick Franklyn who competed against me, the hon. member for St. Lucy and other members of the Democratic Labour Party, and hearing the Leader of the Opposition talking about throwing mud at one another reminded me that it was a member of his party who started this inquisition into Parliamentarians' acquisition of cars. I believe the person who started it has within the last seven years changed his car about three times. I am not calling any names, but one would want, when a decision is made by an individual for example to change his car that the individual has some regard to his own personal economy as well as the national economy, and for the interest and benefit of the Leader of the Opposition I would like to inform the House that my car was

purchased before 23rd January, 1977, – I think the Budget was some time in April, at a price which I gave the Prime Minister's office of $US2,850, at the then time, $5,700 BDS. I wish to see any member of the Opposition who can tell me that he purchased a car as cheaply as that in Barbados.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, a number of points arise in connection with this matter. First of all I am glad to join with the Leader of the Opposition in condemning the unworthy behaviour of his colleague Senator John Connell in making low and indecent accusations about people having budget leaks and purchasing motor cars as a result. In that Senator Connell was most out of place and his conduct was ill-befitting the high traditions of Parliament, and I am glad the Leader of the Opposition has characterised the nastiness that went on at that time as unworthy. It is not often that you have the opportunity of hearing it right from the horse's mouth, and I hope he will take the necessary steps to discipline his colleague in the Senate for his lowness on this occasion.

Secondly relating to spare parts, as the Leader of the Opposition will know, the Prices Commission virtually the only work they ever did in the last days of the Democratic Labour Party's regime was to go into the question of the price of spare parts, and an abundance of evidence was heard. It was indicated that big garages have to carry a big stock of spare parts, indeed they have to carry these by virtue of franchising agreements with their suppliers of motor cars, and that the carrying charges of these spare parts are high, and this was taken into account and I believe the previous Minister responsible for price control who is the hon. member for St. Michael South West did not agree with placing price controls on spare parts. It is a difficult problem. I believe that there are one or two suppliers like Goodridge—whom I am giving some advertisement, – I believe he notoriously sell spare parts cheaper than other people and give good service. There used to be Fix-It-Right Garage which I would be glad to give some advertisement too, but I do not think it is still in business. I think they used to go out of their way to provide a service of cheap spare parts to people, and there is the Federal Motor Spares, Mr. Alleyne in Bank Hall, who also goes out of his way to provide a cheap service for people.
4.30 p.m.

I am indebted to the hon. member for St. Lucy for reminding me of Mr. Alleyne's service. There are also others. I distinctly recall some years ago Fix-it-Right used to supply spare parts and the hon. member for St. John tried to have him prosecuted for selling on Sundays. This attitude is somewhat changed now and there are some small businessmen who try to keep a supply of spare parts. This is something the Minister of Consumer Affairs has to bear in mind and something to which Government is paying careful attention. We feel that the best way of handling this matter at present is to encourage more people to supply the extra spare parts. I do not think the big garages would object. They do have to carry spare parts but would be relieved if they had to carry less.

In respect of a more general problem of items bought but breaking down very soon after purchase, the Leader of the Opposition is saying that Government should do something about this. Lawyers should do something about it. If the hon. member knows that cars are breaking down through lack of parts, he would know that 20% of British cars leave the factory with some defect, and consumer organizations require that these defective parts be returned to the factory for repair. Lawyers have to learn the law of guarantee concerning second hand goods. They must tell their clients that even if they buy a second hand car it must be drivable. Lawyers must be prepared to force the point to carry cases through the high court if necessary to make the garages pay.

On the question of refrigerators, this matter is outside the scope of this Bill so I cannot go into it in detail. But I agree with the hon. member that many refrigerators have to be discarded for the want of spare parts. Government intends to see that there is not this waste on heavy consumer items – motor cars, refrigerators, washing machines – whose importation we have to restrict in the interest of our balance of payments situation. Undoubtedly there is too much wastage of these things in Barbados and import restriction should be seen not only in the light of balance of payments, but also in the light that people who know about these things should be able to go around and buy these discarded items, cannibalize them and use the parts to repair other machines. The whole range of consumer items can be subject to this angle of approach, and when we are throwing away viable refrigerators, washing machines, etc., what we are doing is preventing Barbadian workmen from getting work. I got a deep freeze for only $155 just because it wanted a proper lock. But this is the time for people to cut their coats according to the cloth and I hope that the people of Barbados in general will bear these things in mind.

The hon. member for St. Lucy raised the question about the rate of taxation being made according to the size of the car. There are many Acts dealing with the taxation of cars. This Act really deals with a consumption tax on motor cars; this does not deal with the licencing fees which are called road tax; you have road tax and motor vehicle tax, and it is to rationalize this when I said that at some state I expected that a comprehensive Bill would iron out these differences.

Mr. Speaker, I think I have answered the questions asked and I beg to move that the Bill be now read a second time.

Hon. H. deB. FORDE: I beg to second that.

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

On the motion of Hon. H. B. ST. JOHN, seconded by Hon. H. deB. FORDE, the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clause 1 was called and passed.

Clause 2 was called.

Rt. Hon. J. M. G. ADAMS: In moving that Clause 2 stand part I would ask that the figure "5" be added after the word "section" at the beginning of Clause 2. This is just a matter of the figure being omitted in the printing of the Bill, and I beg to move that Clause 2 as amended stand part.

The question that Clause 2 as amended stand part was put and resolved in the affirmative without division.
4.40 p.m.

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. B. St. JOHN, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. H. B. St. JOHN, seconded by Hon. L. R. TULL, the Bill was read a third time and passed.

THE ROAD TRAFFIC (AMENDMENT) ACT, 1977

Hon. L. B. BRATHWAITE: Mr. Speaker, in moving the second reading of this Road Traffic Act, I should just like to point out that this is the forerunner of what will soon be a comprehensive Road Traffic Bill. Initially the problems which we face are somewhat grave and we have got to take immediate steps to remedy the situation, and therefore we have decided to make a start somewhere.

I want further to assure this Hon. House that very shortly after the House reconvenes after its recess that we shall be introducing into Parliament a Road Traffic Bill which will be rather comprehensive.

This amendment to the Road Traffic Act seeks to make certain changes in the Act and to provide for certain penalties which did not apply before, and to give some force to the Manifesto of the Barbados Labour Party which makes certain provisions for transportation. Of course, I want to say, as I stated in the past, that in our policy for transportation we are taking fully into account the position of the minibuses and we are not going to throw them to the dogs, but we want to have the system so regularised that it will not be conducted in the disorderly form in which it was conducted in the past, that is to say, that the people who operate vehicles must have proper insurance and their vehicles inspected, that the people who are given permits to operate the minibuses and so on will in future have to comply strictly with the law as it is. We will make sure that people who are operating at the moment and those people who are even in the pirate exercise of the minibus business and who depend entirely on that for a livehood will have their cases considered, so long as they comply with the law.

We will not in future allow people to travel on minibuses unless they are properly licensed for this purpose, and in this case insurance will have to be paid for the number of passengers travelling on these vehicles.

This Act in some way seeks to upgrade the existing Acts and makes certain provisions. You will also notice, Sir, where a penalty is imposed in this Act for a person who knowingly travels on an unlicensed minibus. Of course a defence is there, but the reason why this is specifically stipulated is because there can be a case where people can be in collusion to avoid the law.

While on this point I want to make one or two points in passing. I carried out a survey of the minibuses in this island, and hokes and taxis as well, and I have discovered that under the permit system a lot of mal-practices have taken place and I am seeking now to remedy this. You will be surprised, Mr. Speaker, to know how many people in this island do not have taxis but

still have permits for taxis. We are seeking to bring an end to this bad situation. Even within my Ministry there are people who deal in this business of owning permits for taxis. A certain lawyer told me – I supposed I should say attorney-at-law – that he knows of a case where a person offered $3,000 for a permit. The system will be regularised and this will not be permitted.

In the future when the permit is not renewed in three months' time the permit will come to an end. Of course you will have to present you vehicle to ensure that there is a vehicle for the permit which you have. The reason why I made that statement is because of a number of people who are complaining that I have denied them the opportunity of having their permits transferred and things like this. I have in my office several affidavits where people have bought mini mokes and motor cars from operators with the expectation that the permits for these mokes and cars will be transferred to them, but the sellers use these permits as a catch to these people to purchase the vehicles.
4.50 p.m.

The permits never come direct, and therefore they are still stuck with the vehicles because the purpose of purchasing these vehicles was to have them in operation. This is a situation which I will not tolerate, and which the Government certainly will not condone. Things must be done in a proper way and at the risk of being unpopular, this Government will continue to do what it considers to be right and correct.

I imagine that flowing from this amendment will probably arise a number of theories, and I imagine, some debate. I am quite prepared to answer any questions that hon. members might want to raise. I will not hesitate to give any information which I consider relevant when questions are put to me; but I will hope not to have to deal with irrelevant excursions on matters which are not germane to the issue.

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

Hon. L. R. TULL: I beg to second that.

Mr. WEEKES: Mr. Speaker, I am indeed happy to hear the hon. member draw to the attention of this House that he will be bringing a comprehensive Bill to this House soon; but I would like this Hon. House to know that during our term of office – and you will remember that I serve here for several years – this comprehensive Bill has been drafted a long time ago; but it had to be dealt with by the Legal Department and the various appropriate departments before it could have been brought to this House. I have no doubt that the Minister is fully aware of the time that it takes to prepare such a Bill.

I for one, Sir, am not saying that the Minister has not done his homework since he has taken office. I am only letting this Hon. House know that such a Bill takes a few years to prepare. Concerning the mini buses, that has always been a thorny problem and one which any Government will have to face and on which it may make itself unpopular at some time or the other.

We did try during our term of office to reduce or keep the number at a certain level. That was owing to the fact that the operators would be called upon to go to the Ministry and register new mini buses; and therefore when the present Minister tells us about the mini buses, we on this side, especially those who worked in that Ministry are aware of the problems that he has and we are in sympathy with his way of dealing with this matter. He would get people coming from time to time asking to increase the numbers. You would also get, as the Minister has told us, people purchasing vehicles and asking for transfers for the permits. In many cases the people who sold these vehicles refused to give the persons who bought these vehicles permits. Why? Because they would like to purchase another vehicle and use the same permit.

Now that would mean that when you come to dealing with mini buses and hired cars, I am saying that it is a very ticklish and troublesome matter for any Minister to handle. The Minister has rightly said that in many cases he might be called upon to make unpopular decisions. I am aware of that; but I think that the time has come that especially with the increased number of buses, now that the Government has decided to be responsible for public transportation in the whole island – I think that the time has come when the Minister will have to consider the routes on which these mini buses must travel; because it is known that at the present time this is a major problem.

I repeat, Sir, that I am quite in agreement with what the Minister has stated in this House because I have worked in that Ministry and I know the problems that he has to face. Some may disagree with me for making this statement; but we have to face the realities of life. We have to face facts; and it is no easy

task for any Minister to go up there and solve these problems overnight. It is a headache for any Minister in that Ministry to get the various problems solve so as to satisfy certain people, especially the owners of the mini buses and the owners of hired cars.
5 p.m.

Mr. Speaker, I have spoken those few words to let this Honourable House know what a difficult task it is to satisfy the owners of the minibuses and the owners of these various taxis, and to let them see the confusion in the whole issue. You will get the confusion if you check at Rates and Taxes and you will find out the various problems there too. You will find people selling these vehicles and refusing to deliver the permit to those who have bought the vehicles, and all of those problems you can expect at that Ministry. Therefore, I hope that from time to time the Minister will use his judgment, and now that the Government is responsible for the entire transportation of passengers with the buses in this Island – the DLP has laid the groundwork for the taking over of transportation for the entire Island – it will be able to deal with all aspects of the matter, and to clear the air in dealing with the mini buses and the hired cars.

Dr. CADDLE: Mr. Speaker, public transport in this country has always been riddled with problems. From the time the train was removed you have had pirate buses to this present day. Although this Bill seeks to deal with specific problems posed by these pirate buses or minibuses, there are still other problems which will continue. Unless firm action is taken, you will find that, in due course, the problems will become exaggerated. There is no doubt in my mind, Mr. Speaker, that there will always be a place in Barbados for minibuses, but one of the problems surrounding the operation of minibuses in Barbados will be the decision as to who will own and operate these buses. Coming in the train of complete take over of these buses in this country, it would appear that Government, if it permits the minibuses to continue, is being unfair to the other people who operated the concessions. If Government is going to take over transport, obviously people will have reasons to believe that the Government will take over everything. That is not a very easy decision to make when you are aware of the problems confronting many people in Barbados, and especially financial problems, and the difficulty which many people may find in obtaining alternative employment. This matter will have to be faced, because the question of how you are going to permit these vehicles to operate the way they do when you have taken over the other people's vehicles complete will always be cropping up.

Mr. Speaker, for a very long time the previous administration has been considering this question of dealing with the operation of minibuses. It has not lent itself to easy solution, and there is no doubt whatsoever in my mind that some praise must be showered on the present Minister for taking up very quickly from where his predecessor left off in bringing this matter before this Honourable Chamber. Minibuses have always created problems in Barbados. People who practice before the courts will know of the problems which have been put forward repeatedly. People have been taken to court; they have been convicted, reprimanded and discharged, and they go on the road again plying their minibuses. All of this has to be seen in the light of the Transport Board being able to obtain a satisfactory amount of money to make itself viable.

When you consider the heavy outlay on which Government has embarked over the years and up to the present time of making transport worthwhile, a very serious question that has to be faced is whether you are going to permit this type of operation to continue to make inroads into the revenue of the Transport Board. Mr. Speaker, I would like to draw to your attention that there is no quorum in this Honourable House.

Mr. SPEAKER: Let the bell be rung.

The bell was rung and a quorum was obtained.

Dr. CADDLE: Mr. Speaker, there is need to look at the whole question of transport in this country, not only as it is affected by the operation of minibuses, but also as it is affected by the operation of taxis and private cars. One has to bear in mind that there is only a certain amount of traffic available to the people who own and operate these various types of vehicles. Whilst you may very well not want to appear helpful to a particular group, you have to make sure that in meeting demands of a particular group, whether it be minibuses, private cars or taxis, that you are not making undesirable inroads into another section of operators who also have to earn a fair share of the traffic in order to remain viable.

Now, that is not an easy task, because you are going to find on one hand there will be

people always demanding licences for more and more vehicles, and then you will have more and more taxis, and then you have to weigh this increase in taxis against the worthwhile operation of the Transport Board, the minibuses and the hackney cars. It is not an easy task and it is going to take some time before one is able to have a plan into which each type of vehicle can fit in and mesh in a cooperative manner and without any dislocation of the other people who operate vehicles for the benefit of the public.

As regards the travelling public in this country, minibuses do present some problems. As they drive along the streets they have a way of trying to outdo the Transport Board bus. They stop very often when the people behind them are not expecting them to do so; they cut in and cut out at various times and in different ways, very often posing problems to moving traffic and also to pedestrians.
5.10 p.m.

I think these are problems which cannot be dealt with so readily as the licensing of vehicles, as they require a lot more study before one can think in terms of a satisfactory solution to that problem. In addition one has to look seriously at the question of bus stops for minibuses, whether they will be permitted to use the existing bus tops which are used by the Transport Board buses or whether a different set of bus stops will be set up to be used by these people. Obviously this is a decision which cannot be made overnight because it will entail cost and since money is a very scarce commodity in Barbados at present, it has to be gone into carefully to see whether they should stop at different stops from the buses. These matters have to be given serious attention, and as the Minister has pointed out one also has to seriously look at the condition of some of these minibuses, because it is not fair to the Transport Board to insist or to make sure that they have a modern fleet of buses, and then you have other people who are competing with them not having the required standard and making heavy inroads into the finances of the Board. It is a very ticklish problem. I have been aware of it, I have dealt with it and I know the problem. As soon as you think you have satisfactorily dealt with one aspect of it, some other aspect looms up into your face and you have to be very firm.

As the Minister has pointed out, if you want to be unpopular, this is an area in which you can become readily unpopular overnight and in this respect I will tell him that he has my sympathy, because it is an area in which you will get a lot of unpopularity when you start making decisions from everybody who has to participate in the transportation of people from their work or from their home.

As regards the Traffic Act, I would like to say that I believe it is some time now that we should have had this. I have had an opportunity in my capacity as Minister of Communications and Works of commenting on the new Traffic Act, but then I had reasons to believe there were some omissions or defects, and I asked that the matter be referred to the Attorney General for clarification. Also I had opportunity of reading that Act at the time and even although the decision had been made by the Cabinet for its introduction into the House of Assembly, I thought that certain legislation in Canada should have been looked at carefully by the Ministry before proceeding with the introduction of that particular Act in the House. I do not know if the present Minister has been in a position to receive such legislation from Canada because up to the time I left the Ministry we had not got any reply. I would like to point out that we have to look carefully at the question of how the system is practised in Canada for penalising certain offenders which would eventually result in the removal or withdrawal of their licence, and we also have to look at the question of pollution of the atmosphere by smoke emission from some of these vehicles, and it may be worthwhile to look at the question of the size of the vehicles and the size of the roads in Barbados as already adverted to in this sitting.

There is in my opinion a very strong case to be made out for limiting the size of the vehicles on the roads in this country when you take into consideration the narrowness of the roads and the constant windings of the road, because in Barbados since there is frequent winding of the roads, visibility ahead is less than you would believe, since you cannot see around a corner, and with the heavy movement of pedestrians along the roads and the absence of adequate sidewalks, these are factors which would tend to make one come to the decision that the size of cars in Barbados has to be limited at some time. I believe this has to be looked at carefully because you cannot arbitrarily decide how many of these should be permitted to run on the roads. One would have to get the views of experts in this area to come to a reasonable decision which would meet with the approval of the Minister.

Sir, I can only wish the Minister some success in this particular matter because I know

that on a simple matter of renewal of licences for minibuses there will always be outcries, and there will always be people who will take up this matter to make political capital of it. I would like to assure him that we on this side have no intention of making political capital out of this, because we realise that something has to be done to bring some sense of order into the plying of vehicles in private transportation, and unlike other people who would see it worthwhile to make comments about the action of Government in dealing with minibuses and minibus operators, we do not think this is the kind of exercise we should indulge in at this time. The longer it is taken to be done, the longer we will have the problem remain. We will expect some criticisms to be made about the necessity of having a section in this Bill to penalise passengers who get in a minibus maybe knowing or maybe not knowing that the minibus is not licensed. I appreciate the intention of the Hon. Minister in having such a clause included in the Bill, but at the same time one wonders if it may not be another way of dealing with the same problem rather than having to expose people whose private consideration at the particular moment may be to get from their home to work or some other objective and not to be concerned about whether or not the particular vehicle is licensed. That is something we have to be concerned with because in seeking to enforce laws we may do more to antagonise people who really at the first risk would like to be law abiding and not to go around flouting the laws and regulations of this country, and this has to be determined. Sometimes you think that the heavy hand of the law would go a far way in making people more cooperative, but sometimes you find that you get the reverse result. This is an area in which I would like the Minister to look very closely because in Barbados people still find it necessary to use the minibus because the public transport will not be going into certain areas and where you can get the minibus stopping at your door step or not far away from it, it is not so easy or convenient for one of the huge buses of the Transport Board to do that. Because of this factor these people may very readily continue to use minibuses without making any attempt or even if they are told that it is not licensed, being oblivious to the fact that it is not licensed, and being primarily concerned with geting quick movement from one destination to the other, and this is one area in which we expect there will be some criticism, and I hope the Minister will be able to really consider this particular section and look for another way of dealing with this problem which he believes will come from this particular type of operation if it is not properly looked at.

Hon. F. G. SMITH: Mr. Speaker, for a long time I think this whole question of minibuses has been plaguing Ministers of Communications and Works. I think the reasons for the coming into force of minibuses are well known and I think they have filled a need for the travelling community of Barbados. As you will notice when you look at the old Road Traffic Act, there has never been any definition of minibus. This clearly shows that it never existed and I think the Minister will admit that even in his predecessor's time the files went to the Attorney General to find a definition of this particular type of transportation. This is no criticism, but since the Minister has taken over the entire transport system and since he has promised us a new Road Traffic Act, and since we are all agreed that minibuses will need some regulation, I wonder if it would not have been better in the whole exercise to have considered this matter rather than as a piecemeal amendment at this particular time.

5.20 p.m.

He has promised us a new principal Bill in October. The buses have not been completely taken over due to difficulties beyond his control, and even though I think this piece of legislation itself is unfair, it would have been better for the Minister to have known how many of the buses are serviceable, how many he will need, and how many buses could be permitted in the long run. I am very glad to see that the Minister is being much more sensible on this question of minibuses and the take-over that appeared at first to be his attitude, and therefore my criticism of him would be modified, because I think it would have been a callous and inhuman act if the Government had taken over the buses and not agreed to take over those drivers and conductors who had good records and whose age group and performance would have justified their take over. I am glad to see that better counsel has prevailed. I noticed in the "Nation" there was a question on this point, to which everybody said yes; and even though I find that the Nation seems very often to be flying a kite for the Government on issues which are becoming controversial, I should like to congratulate the Minister on his attitude to this question now that his attitude is one of reasonableness. I see the point the Minister is making that if a man can get $15,000 in severance pay and then get a job, it may pay him to do that. In some cases it might pay the worker to go back into the system. But I am very glad to see that whereas the Minister

had previsouly said he was under no obligation to take over these people, he has now come to the conclusion that it is worthwhile to consider those drivers and conductors who have good records. I was Minister of Transport and I know that complaints came into the Transport Board about rudeness, boorishness and so on, not only about the other companies. And you don't need any special qualifications to drive a bus and those people who have been driving the Elite and Rocklyn buses have served the public equally as well as those with the Transport Board. In my view, driving those buses from Belleplaine and Spring Vale calls for more confidence than that required by those persons driving on easier roads such as the Silver Sands route.

There is another point that I want the Minister to ensure in any new Traffic Bill, and that is that you cannot drive a car on the road unless you have a certificate of fitness. I was accused of not wanting a poor man to have a car. But I have always maintained that if you are going to update driving in Barbados, you can have a million safety weeks, but if at the same time you are going to let a man put a jalopy on the road with bad brakes, bad steering, no rear lights, and so on, you can have safety weeks for fifty two weeks and you will still get the accidents and carnage which you get on the roads. No man should be able to drive a vehicle in Barbados on the road unless he has a certificate of fitness for the vehicle. And this is one area where the Government, instead of using gambling, could find employment for people; set up depots throughout the country, staff them with mechanics and see that people go there, and before they paid their taxes they must produce in addition to their insurance a certificate of fitness. They pay $5 or $10 for it; you collect revenue and you provide employment for mechanics and for young boys coming out of the Polytechnic. There could be one in St. John or you could join the parishes where the numbers of vehicles are small and have one left for two adjoining parishes. That is an area for more employment, not gambling machines. You want this type of skill and this type of job provided, and the new Traffic Act should insist that you have a certificate of fitness before you can pay your road traffic licence. You drive down the road behind some car and if they hit you you would die from blood poisoning because of the rust of these cars. They should be off the road and I am throwing it out to the Minister as an area where he can provide employment and collect revenue from people.

It is not a matter of not wanting a small man to own a car. A car can be as lethal as a gun. I have spoken to the Minister about this in connection with children coming from the Springer Memorial School. If a truck ever got away coming down that hill, it could mow down a whole school. So no car should be on the road without a certificate of fitness. I know that the law insists that persons over a certain age must produce a certificate as regards their eyesight; that is another matter that needs to be looked into, because a lot of people who drive cars are colour blind; and this is an area for updating, especially in a community such as ours where there are so many cars and such narrow roads.

Now as to the question of Section 2. I do not agree in placing on any accused person the burden of providing anything: (except of course there are one or two areas I know where the accused has the burden of proof for example, every man is presumed to be sane;) if you are running a defence of insanity you have got to prove that you are not guilty by reason of insanity. Now what I am saying is, if a man puts a taxi or minibus on the road and he takes up passengers, I think that the burden of proof should be on him. For example, a man may be coming from the country and he misses the 6 o'clock bus; a minibus comes down the road; the man wants to get to town perhaps to connect to another bus; he sees this vehicle; it is no more dangerous than a man driving a car without insurance – and there are a lot of cars in this country without third party insurance. In both cases make your draft law that if any person is found driving with passengers, the man who owns the vehicle must pay; do not haul an innocent person to court to say "I didn't know he did not have a licence".

5.30 p.m.

If I had a minibus which was not licensed and did not have a permit and I was using it, and a man come and asked me before he got in if I had a permit I would tell him to use A.2 or M.2, to start walking because he is impertinent, and therefore instead of doing this the draughtsman could have placed the onus on the minibus owner, who is found with passengers who have paid to travel, without a licence, then you could make the fine any amount, rather than put it on the average citizen and the average working class man who may very well be trying to get home to eat the coucou and fish before it gets scabs, and you are telling him that he has to go into court and prove a defence? I do not like it, I am not saying it is anything wrong, I have seen legislation with it, but what you can do is, instead of throwing

the burden on the passenger, you can put the burden on the man who picks him up and keep it there. This is what the Government should do, because he may get off, you have given him a defence in section2. All he has got to prove is that he did not know so and so, but he has gone into court, he is standing up in the dock quite innocent, he has probably got to pay a lawyer – it depends which he hires, if he hires a Q.C. it will be a little higher than an ordinary fellow – but you are going to force this man, probably trembling now, to go and spend money on a lawyer in order to get a defence run saying that he did not know. The man gets frightened when he gets the summons and he runs to a lawyer. You should not put it on him, and therefore I am suggesting that you keep it on the man who picks him up, make him pay much more if you like. He has a defence, I am not quarrelling with the defence, but why make him go and stand up in the dock, get a blue paper. The Writ Server is coming and the man might be nervous; you are really expensing an innocent passenger for 35 cents in these circumstances. He will probably get acquitted by this very Act but you will expense a man unnecessarily.

Therefore, I would have liked to see this redrafted to keep on the man who runs it the burden throughout, and if the policeman catches him with passengers you can make him pay $500 for each passenger if you like, I do not care what figure you put, but do not put it on an innocent man who probably in the late hour of the night is trying to get to the country, he sees a van, he cannot ask the man if he has a licence, he gets the lift, and then you find that even if he is acquitted you have expensed him, you have carried him before the court, and you have put him in jeopardy as result of a very innocent original act purely for his convenience and so on, and I am quarrelling with this particular section, because I do not think it is beyond the draughtsmen of the Governmnt to achieve the same results but by leaving the complete burden on the man who knows he does not have a permit, who continues to pick up people, who is jeopardising people's lives, keep it on him because I can see a lot of people missing the late bus and in the circumstances, coming from work, I can see a lot of people even if you give them the defence, you can still put them to expense by forcing them to appear in the traffic court, even if they get off, and I do not think the Government should place innocent people in this position. If they are on the road they are entitled to look and believe, and *prima facie* to assume that this fellow has a licence. It is no worse than a man seeing a man passing in a car. The man has no third party and he hikes a lift, he gets into the car, the car gets into an accident and then the man finds that the driver of that car has no licence. You are not protecting him, and therefore I will in due course move that this section be deleted, and if the Minister wants to postpone it to allow the draughtsmen as I suggested to keep the burden on the man who deliberately runs an unlicense minibus knowing it to be unlicensed, make him pay heavily for it but do not jeopardise the poor innocent chap who justifiably has been trying to get home by making him appear in court to use a defence which the Act gives him. This is all I am saying.

You are giving him a defence with which there can be no quarrel, but you are giving him a defence in court, so that you have called him in court already and therefore in court you could have expensed that man $10 or $200 for a 35 cents fare even if he gets off, and I will ask the Government seriously to consider in these circumstances whether they are not going beyond the bounds of freedom of choice by imposing this particular section of placing on an innocent person who is trying to get home by a minibus the burden of proving a defence, as well as perhaps expensing him to some extent. And I hope the lawyers on the Government side will come to my aid on this particular provision. We are not looking for work, what we are trying to do is to save people. Take Silver Sands. A man sees another man operating in Silver Sands, he wants to get to town, he cannot ask the man if he is licensed, the man would tell him to walk. So he gets in, but when he gets down to the Garrison a Hastings policeman comes out, it is unlicenced and the policeman says "all right, appear in court on Monday." The man then gets frightened. I would ask the Government – and this is not asking too much – to remove those two sections or redraft them to keep on the minibus owner who is the culprit the burden and the penalty which the law allow, and I certainly will be voting against those two sections because I do not think in this particular type of Bill that type of risk and that type of involvement of an innocent man should be placed on him in order for him to defend himself.

Mr. GREAVES: Mr. Speaker, following on the lucid presentation which has been made by the Leader of the Opposition, I think that any person who is reasonable must also come to the conclusion that this Bill as it stands imposes unnecessary hardships and inconvenience on people who would ordinarily be using a minibus, but who in the kind of circumstances under which people would use this means of transportation would find it difficult to know for sure whether a person has a licence or a permit to operate such a vehicle.

First let me say, Mr. Speaker, that the whole question of regulating the operation of minibuses in Barbados is one which is in need of attention. I think that this particular matter has been clearly pointed out by the member for St. Michael North Central who spoke second from this side, so that we are not at war on that particular point. The fact of the matter is, Mr. Speaker, that we are disturbed by the section in this Act, section 25A subsections (2), (3) and (4) which, as I said, places an onus on a passenger, a person who is travelling on the minibus, to go before the court to indicate whether or not he knew that the person had a permit. As has been pointed out, this not only imposes some expense on the particular passenger, but it also imposes other kinds of inconvenience from the point of view of the time which is spent in going to the court, and particularly if it is the situation in which the case might not be heard that particular day, it has been called a number of times, he would have to be going to the court to watch this particular trial, and I think that this is totally unnecessary.

As the Leader of the Opposition has pointed out, we will certainly not be voting in favour of this section if the Minister decides to go through with it, because we see the kind of hardships which may be imposed on the passenger in this particular regard.
5.40 p.m.

It would seem to me, Mr. Speaker, that it would be better if within the context of this Bill some provision was made for the owners or operators of minibuses to display in some way their permit to show that people boarding the minibuses would know and that they would have to look out for this sign indicating that a permit has been issued. If there is no regulation or law, then I think that all minibuses which ply should have in very clear detail the number of the permit and the fact that it is operating legally. Passengers would be able to avoid those minibuses which do not have those signs.

I think that in a system such as this those who regulate it should ensure that the people who use these minibuses should find it easy to recognise those who are operating without permits. The onus should be placed on the owners or operators of the minibuses; and if there is the intention to put penalties on the operators, we are in favour of that because we do not feel, Mr. Speaker, that if we have a law the law should be broken. We will not encourage anyone to break the law; but we cannot countenance a situation where not only will you impose a penalty on the operators, but impose a penalty on passengers, bringing serious inconvenience to the people who travel on the minibuses. Put the penalty on the owners or operators, but do not put it on passengers as this Bill seeks to do.

I think that the Minister would be advised to be more careful before he brings this particular Bill into operation. I hope that he will have a second look at it before he pushes through this Bill because I know that it will be imposing a number of hardships; and we will be failing in our duty if we did not point this out so that he could get the benefit of advice from this side of the House.

Mr. BRADSHAW: Mr. Speaker, I rise to speak on this Bill because I feel that the Minister has brought a very good Bill in connection with minibuses. I say that because a few months ago I have been confronted by several minibus owners asking me to do everything possible to assist them, or even to explain the Government's policy towards minibuses.

They were concerned about what was the true definition of a minibus, what should be its size and capacity. This Bill spells it out quite clearly, and I am sure that this particular section will be welcomed by minibus owners.

One question that springs to my mind is the definition which is that "minibus" means a motor vehicle that is constructed or adapted for the purpose of carrying more than 6 but not more that 20 passengers; but there are some minibus owners who have expressed their willingness to bring in larger buses and some of them have been in contract with the salesmen and they are not quite sure whether Government policy would permit them to bring these buses in.

I would like the Minister to explain that in a little more detail, because you will find that they are minibuses with a capacity of 13 passengers, but at the same time it could accommodate 20 seats. Despite the size of the bus it can be described as a minibus. I hope that this will be taken into consideration.

Another point is the question of someone who is a passenger boarding one of these buses. I feel that there will be a problem, and I associate myself with some of the remarks made by the Leader of the Opposition in that some people who board these buses cannot read or write; and it would be possible for them to get into buses and not be able to understand or read what is the licence or permit. Another problem would be

that the way in which permits are put up in some of these minibuses would be passengers might have some difficulty in finding where these licences should be.

I must say that the minibuses have done a valuable service to the Barbadian travelling public; and I want to associate myself to any remarks which laud the efforts of these minibus owners. We do not have to go very far to see what a valuable service they rendered during the strike of Transport Board when minibuses had to come to the rescue of the travelling public. Surely if there was another strike at the Transport Board, and minibuses were in operation, it would be difficult for someone to pick out a licence on these buses because they would be so anxious to get to their destination.

I want to express my appreciation, and surely the Government's appreciation to the minibus owners who have spent many hours in trying to relieve the congested situation that developed during the Transport Board Strike. I think that speaking on this Bill, hon. member should laud them for carrying on the service which was so badly needed. No matter how many buses are operated by the Government, it is clear that the minibuses form a very valuable part of the transportation system of this country. In my constituency there are some eight minibuses owned by different people. I know of the problems in transportation that some of my constituents have been encountering at the service that the minibuses have been providing for them. 5.50 p.m.

That is why I said I feel I should give every support to the minibuses and anything which would help them towards getting on a proper and sound footing in the transport business.

Now, I want to cast my attention to a practice which has been generating in this country over the past couple of months or so, only since we have taken office and the reins of Government. It is the question that people, for some reason or other, were of the opinion that it was the Government's policy, or the Government had some policy regarding permits, and some of them have been able to capitalise on this. Some of them had taxis that could not pass the test which is carried out by the Ministry of Communications and Works. Some of them were not road worthy, but the owners of those taxis, being aware of the permit system, went around offering their vehicles and using the permit as a catch. In other words, Mr. Speaker, if a vehicle was worth $1,000, some of these people added another $1,000 or $500 jacking up the price to $1,500 or $2,000. In the circumstances, a would-be taxi owner would be very glad for this opportunity to own a taxi and gets himself involved. I feel that where cases can be proven that these taxi owners have been using this sort of thing as an excuse to charge people exorbitant prices for cars, using the criteria of having a permit in order to get rid of their disused and unworthy vehicles, some legislation should be brought before this House to make it possible for those people to refund every cent to the people who took the cars from them.

Mr. Speaker, I am very concerned about this matter. Only last night I was home and a youngster, who drives a taxi at the Airport, came to my home and in the presence of my wife he asked me to back a note for $800 for him to buy a taxi. The taxi was not road worthy; it was rejected by the Minister, but yet the youngster was willing to capitalise on this. He felt he had a bargain at $800, and the owner of this taxi told him that he would transfer the licence to him. Even if the youngster could have got the licence transferred, the problem would be that the vehicle itself would not be road worthy. He would be buying a licence for $800. This sort of practice should be stopped, and something should be done to deter these people.

I hope that I have not expressed any views which are contrary to the Party's policy because I know that the Party's policy is that the permits will have some value. The point I was trying to bear out quite clearly was that some people have been using these permits as catches and causing would-be buyers of cars to pay a lot more money for them than they would normally pay, and at the same time the vehicles are not road-worthy. It is just a matter of buying the permit at too high a cost, and this is something we have to watch. I have made my quota on this particular Bill. I welcome the Minister in bringing this particular Bill before this Chamber. It has my support, but I think from time to time there are some areas which could easily be looked at, and I am sure that the great combination will do everything possible to look into some of the areas which may cause concern when this Bill is implemented.

Mr. WARD: Mr. Speaker, I would like to make a few comments on this matter of the minibus. Firstly, I think that legislation in this regard is very timely, especially since our Minister has recently nationalised the larger Bus Companies. I think that some legislation should have been brought in connection with the minibuses. I do not think that the legislation goes far enough. I think the legislation should

determine the type of minibuses that go on the road and we should not have these converted pickups any longer. The pickups are dangerous and added to that they do not in any way compliment Barbados. We spend thousands of dollars on the larger buses, well built, well designed, comfortable, and then we get these little converted pickups which are not suitable. I agree that legislation should be brought in on this matter.

Mr. Speaker, there is one point on which I am sure the hon. member for St. Lucy will agree with me, and it is that this Government should encourage the private sector in using buses for transport in this country. He will agree with me that it is a very dangerous thing for any union to have complete control of any segment of a country's economy. To have the entire Transport Board system under the Union's control in that all the buses are under Government ownership, would be a dangerous thing in this country. I would say that the Minister should aim to let 60% be owned by the Transport Board and 40% should be owned by the private sector, so that when they call a strike they would not be able to cripple the economy of this country. (*Asides.*) Mr. Speaker, I would like to compliment the Minister on not nationalising the entire transport industry of this country.

Mr. SIMMONS: Mr. Speaker, what I have to say on this Bill is going to be very short. I wish to start on the basis of certain assumptions, that is to say, that the public transport system in this country could never be adequately satisfied by a bus service, be it the Transport Board, Transport Board plus the Elite, plus the Rocklyn. There has to be some complementary system of transport to work in addition to the buses run by the Transport Board. That is why, for example, you have in Trinidad a vast number of taxis. We do not have the same proportion of taxis in Barbados as you have in Trinidad, so the private transport is in the area of minibuses and taxicabs. Both of them are doing, in my view, a very substantial and sound job in terms of running the transport system of this country. It follows, therefore, that just as the Transport Board, or the bus services generally, will have Regulations, if I may pun a little bit, to regulate their operations, so the other areas of transport should be regulated. To that extent if legislation is brought to this House with a view to the better regulation of minibuses or taxis as the case may be, then the principle can be supported.

6 p.m.

My quarrel with this piece of legislation is on section 5 subsection 2. As it appears now I have the greatest difficulty in supporting it. A person who pays a fare for the purpose of making a journey in a minibus in respect of which there is no valid permit in existence has the burden cast on him to seek out whether the transport on which he is travelling is properly licensed, otherwise he is liable to a fine of $100 or imprisonment for a term not exceeding one month or both; and then the section goes on to spell out that the person has a defence that he did not know that there was no valid permit. What does that mean? If a client comes to me I will let him stay in the dock and say he did not know the bus did not have a valid permit and the magistrate would have to pay attention to it. I cannot see that that makes any serious logical sense in the criminal proceedings of this Island. I do not want anybody to misunderstand or misquote me. There are some offences in existence where the burden is placed on the accused to prove his case, but the extent to which the general principle of the law that the burden of proof rests with the prosecution is abrogated, should be very carefully limited, otherwise we are seeing gradually an incursion against the accepted principle of the criminal law. You may call me a traditionalist or if you like in this sense call me a reactionary, but as far as I am concerned the established principle of criminal law and proof should remain and should as far as possible not be challenged by the Legislature which may interfere with the basic rights of an accused, rights which were fought for and in some cases cemented as far back as 1898 with the introduction of the Criminal Evidence Act in England. I am not saying that they are affecting the person's fundamental rights; that is why I say I so not want to be misunderstood or misquoted. I am saying that an accused person has certain rights even as an accused – the right to give evidence which he got in 1898, the right to cross-examine and so on which the Legislatures in England fought for and we borrowed and copied; the right to give evidence in his defence.

This is an area in my submission in which there will be a divergence of legal opinion, but as far as I am concerned I would go along with the Law Lord in Wolmington and the D.P.P. that there is a golden thread running through criminal law that the burden of proof rests on the prosecution, and my submission is that when you remove even by legislation the burden of proof and shift it on somebody who can be very unsuspecting and unknowing in a situation like this and ask him to go and prove he did not know, how is he to prove it other than to say he did not see the permit, nobody told him.

But it goes a step further, that after forty cases the magistrate has heard each accused come

in and say he did not know it was not a valid permit, the magistrate can say he has been hearing this too often, he knows the Act gives you that defence, but he does not believe you anymore, and somebody who may genuinely be innocent may be the recipient of a wrong decision from the magistrate purely because this has been coming up time and again, and the magistrate is only human and can say he is hearing that again, go and tell that to the marines, that is another lark. In my opinion, I think that section 5 subsections 2, 3 and 4 should be reorganised to exempt the innocent person who may be waiting in a shower of rain, a minibus comes up fully enclosed, he cannot see whether there is a permit or not, he is trying to get home and gets in the minibus and the next thing, he is picked up for having paid a fare on a minibus for which there was no valid permit.

I am not going to deal with the question of insurance which I could have dealt with under this. I think I had better deal with it. Last night on the television I heard that there are to be extensions to the insurance legislation which would cover innocent victims where a vehicle has not been properly insured or insured at all. If you are going to give people who have been injured in an accident the right to compensation even though the owner of the vehicle may have been at fault, it seems to me that this is really trifling. The two things are all part of the same melting pot, and here why put the burden on the fare paying passenger for whom a service is being provided? Let the burden rest with the minibus operator who is in breach of the law, but do not shift it to the innocent passenger who may, as I say unwittingly, get on a bus.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I want to speak as a former practitioner in the Courts as well as a Minister. Now I can blow my own trumpet because I cannot be accused of advertising. Nobody can think I am trying to get a case if I speak of cases I have done. But for the three years prior to my retirement from the Bar I used to appear in the Traffic Court, not very often, once or twice a month, and never in those three years was any client of mine who pleaded not guilty convicted, and I very much doubt there is any other lawyer who appeared with any sort of regularity at all in the courts who can say that. The only reason why Sir Theodore Brancker cannot say it is because perhaps he had such a high reputation at the Traffic Bar that even the obviously guilty and recalcitrant went to him when no human endeavour would be enough, but has been enough to acquit him; but I took my theme from watching Sir Theodore Brancker defend people in the Traffic Court, and Sir, he represented me on several occasions successfully too after some adventures. He has represented me so successfully that the police have appealed against acquittals which he has obtained; but I took my key from Sir Theodore.

If the policeman failed to give evidence that the charge was brought under the Motor Vehicles Regulations of 1952, Statutory Instruments No. So-and-So, Sir Theodroe would question it; he would question whether the Regulations had been brought into force and whether they had been proved to be brought into force; he questioned the jurisdiction. If you called Massiah Street a street instead of a road or did not call it a highway, if you called Broad Street a street and did not call it a highway in the City of Bridgetown, Sir Theodore would question it, and the moral of all this is that there is perhaps no branch of criminal law – it is only semi criminal but it is tried under criminal conditions – where technicalities matter more than in road traffic.
6.10 p.m.

It is my opinion as a lawyer that there is no way that I could defend a passenger under this Section and that passenger be convicted unless the onus was put on a man to disprove the payment of the fare and I say that for this reason. look at Section 55(a), "A person who for the purpose of transporting passengers drives or conducts a minibus..." The first thing the Police would have to prove is that the man had the purpose of transporting passengers. The man answers that he did not intend to transport passengers; that he was on his way to the garage to get his bus repaired, and the rain was falling and he saw his wife's cousin and let her get in the minibus; and she had two friends and asked if they could get in too – that has got the man off; he has gone through the eddoes. And don't think this is fanciful. One day a certain barrister still in practice was defending someone on a charge of not moving when ordered to do so by a police officer in a public place. What had happened was that the police were trying to clear Broad Street on the night of the Cave Shepherd fire and some people would not move, and the police officer – I think it was Inspector Kellman – arrested the man. Mr. Gary Sargeant and I were in court. Mr. Chezley Boyce was the magistrate. And Gary and I were making a joke and I said to him "He should get his client to say he was a taxi driver who had brought an off-duty fireman to the scene to see if he was needed." And we heard that lawyer, for whose ethics I do not have the highest regard put the question to Kellman: "Did he tell you he was a taxi driver who had brought an off duty fireman to the scene?" Now there was not a word of truth in that; it was just

something his ears had picked up in a conversation between Gary Sargeant and myself. And Mr. Boyce acquitted the man because, as he said, although he was 90% sure it was not true, he still felt there was a 10% doubt and he had to give the accused the benefit of the doubt. This will give you an idea of the difficulties you meet in the criminal courts of this island at certain times; the mere casual putting of a defence without justification can sometimes defeat the ends of justice, for as the Chief Justice has repeatedly said "the interests of justice and the interests of the person are not synonymous". So I cannot on the grounds of general principles of the subject agree with the Leader of the Opposition or the hon. member for St. Philip North. I think that if there is going to be an offence by a passenger, you have to give the prosecutors the power to ensure that the offence can be proved, and as at present drawn you may as well not have it as have any offence for which the prosecution has to prove the payment of a fare. Unless you make it a presumption of law that the fare is paid you may as well not worry with this offence at all.

Now you have certain alternatives. You can say that anybody transporting people will be committing an offence; but that would be very bad; you would be saying that a church cannot get together and buy a van and the members go to a harvest festival at a church somewhere else. You would be making a very great mistake if you say that a hotel cannot provide a mini-van to carry its guests from the hotel to the beach. So you cannot have that kind of offence; it must be for the purpose of transporting passengers for gain, therefore, in my opinion, putting the onus on the accused in a sense like that could never breach the general principle of presumption of innocence.

I hear hon. members talk about the 1898 legislation. The hon. member for St. Philip North was a lecturer in law; I am merely one who has been on the receiving end of lectures. But I used to pick up a fact or two in these lectures, and it is one of the most notorious of English hypocrisies |– a country much given to hypocrisy – that two generations of lawyers have now been trained in the belief that the Criminal Evidence Act of 1898 conferred a benefit on the prisoner and was yet another example of the English desire for justice. It is well known and accepted that the Criminal Evidence Act of 1898 has been one of the major factors in improving the conviction rate of accused persons; if you did not know the history of English criminal trials until the Criminal Evidence Act which was introduced at the time on the grounds that it gave the prisoner a great right – if you did not know the history you would believe it – the history was that prisoners used to have a brief prepared for them by their counsel and they used to read out that brief. They would ask the Judge's permission, they would say "I am not fluent, my Lord, and I request permission to read my statement to the Jury". The prisoners could always make a statement to the jury, and they used to read the statement out; and as Mr. Justice Hanschell has said of some statements made before him, the statements used to bristle with law. They used to read out that statement and juries repeatedly acquitted them. Why? Because the prisoner was not allowed to give evidence an oath and therefore could not be cross-examined; so he could tell the jury anything he liked in his statement and there was no way to test his story. But immediately he had to give evidence the Judges would emphasise – they still do it in England, though not in Barbados because our law is different – the Judges would emphasise that if a man had nothing to hide he would give evidence on oath; and the moment the prisoner gave evidence on oath and was cross-examined by skilled prosecutors he was gone, and the conviction rate went immediately. Under the hypocritical pretence of giving persons the benefit of giving evidence on oath, prisoners were open to cross-examination and open to comment by the Judge if they did not submit themselves to cross examination that they had something to hide. Not in Barbados, because Judges are not allowed to comment on the prisoner's refusal to give evidence. I have no doubt that if the Judges had their way this comment would be allowed; and the time will come when the enlightened policies of this Government will bring legal aid within the reaches of a wider number of prisoners and the acquittal rate accordingly will go up, because I would estimate that a good 80% of all persons defended by lawyers are acquitted and a good 90% of persons who defend themselves are convicted. These are rough figures – the Attorney General may perhaps have more accurate ones. I know there are lawyers that go from year's beginning to year's end and never once hear a jury say "guilty." I have never had, in all the time I have been practising, any defendant convicted of an offence against the person, apart from one person charged with murder who was convicted of manslaughter.

6.20 p.m.

I have appeared in Assizes for four and five years on a stretch, Mr. Speaker, and have never heard a jury say guilty. I have never had in all the time I have been defending anybody any prisoner convicted of an offence against the person if I defended him, apart from one person

charged with murder who was convicted of manslaughter. I have never had the experience in a rape or grievous bodily harm of hearing that, if they want to hear something, but that is not good. Do you understand what I mean, Sir? That is not good, and therefore at some stage we have to understand where we are going, and all these fulminations by the Leader of the Opposition about if we allow this section to go through – no, Sir, I am wrong, one boy who blew fire on a girl in Carringtons Village was wrongly convicted. I am sorry, that is only in parenthesis – but if we allow this argument by the Leader of the Opposition that we in this Government are trying to tear down people and take away the rights of prisoners, if we let this argument go on we are beginning to lose sight of the fact, and I repeat, that the interest of justice and the interest of the prisoner are not necessarily synonymous. In other words, many guilty people face the courts, and many people face the courts who are guilty and get off, and in those circumstances the interests of justice have not necessarily prevailed.

I am not speaking as a converted sinner, Sir, I have always said this. When I was in active practice I have said that when lawyers defend people the rate of acquittal is unreasonably high. Part of it is bad prosecution, but a good part of it is this very pressure, all this pressure about these arguments about the prisoner has nothing to prove. Of course he has nothing to prove, but things are difficult enough for the Crown as they are without hearing something which is in my opinion as reasonable as this particular onus section, without hearing that this is a burden, but as a general principle of law I have not heard anybody advert to it. I know the Attorney General, if he makes a speech, will probably talk about it.

There is a general principle that the onus lies upon the Prosecution except where there is a statutory exception, or where the matter to be proved lies peculiarly within the knowledge of the accused. In this country, to prove that a man does not have a driving licence you have to call a policeman to say that he has searched the register and he cannot find his name. In Britain you just charge the man for not having a driving licence, and God help him if he does not produce one to the court. Not a policeman is going to give evidence, all that is going to happen is that a policeman is going to say that he was driving, and if he cannot show that he has a driving licence he will be convicted, because the onus lies at common law irrespective of whatever law is administered here by the Magistrate, the onus lies at common law to prove that you have a licence, that you are an exempted person, and so on. If you are charged with not having a licence and not paying a fare, you have to prove whatever the matter is.

I do not know what the Minister will say in due course, but I want to refute most strongly any argument that in presenting this Bill in the form it is that we are trying to take away people's liberty. The Attorney General spent too much time in Cabinet and out of Cabinet with this Bill for it to be fair to say that this is a Bill to take away any prisoner's rights or the particular rights of any accused person.

Hon. H. deB. FORDE: Mr. Speaker, if I may just speak briefly on some of the legal points raised by members – I am not replying, Sir, the Minister will reply in so far as it is the Minister's Bill, and I want to make it quite clear. It is the Minister's Bill, he is piloting the Bill and he has the right to reply – but I wish to deal with some of the points which have been made by hon. members, and I am indebted to the Prime Minister indeed for making certain principles clear.

Every lawyer gets excited when he sees the principle of an onus of proof appearing to shift on an accused. Why is this so? For two reasons; one, because there may be a *bona fide* belief coming from years of training that an accused should prove nothing at all, and indeed in some summing up in court you usually hear that the jury is addressed on this principle, and not only in the summing up but sometimes in the opening and final speeches of counsel. I believe the true rule has been correctly spoken of recently by the Prime Minister, and the general rule is that the onus is not on the accused except where there is a statutory exception or where matters lie peculiarly within the knowledge of the accused. If this was not so it would make it almost impossible to have certain persons brought to justice, and the community as a whole receive justice.

Speaking for myself, I consider subsection (4) of the amending 55A not to be offending any hallowed principle of law, and indeed not to be affecting the principle of justice. I believe that when we come to the question of who pays a fare, and when we come to the other two subsections, who pays a fare in particular bus, it would be impossible to prove an offence under section 55A (1) unless you had 55A(4), and if hon. members agree that the mischief in 55A(1) must be provided against, and that it is a good principle to have 55A(1), then I think that the criticism or the implied criticism by the hon. member for St. Philip North in particular of

5A(4) is absolutely misplaced. I am glad that he and other hon. members have conceded that even without looking at removing any of the sections of this Bill that it does not offend the fundamental rights of any person. That must be made quite clear, because sometimes you hear statements that seen in their generality appear not to advert to the fact that these laws are drafted now within the fundamental rights of the Constitution. The only argument therefore in this Bill can be whether or not it is the wish of Parliament to place an offence on a person who drives in a bus which has not got a valid permit in it, and whether the mischief which we are aiming against is sufficiently serious in the case of a passenger to have this offence or not. That is all, Sir.

As I understand the Hon. Minister's policy – let me say that that is a matter of policy, not a matter of drafting or legal provisions, it is a matter of policy – as I understand the Hon. Minister on this, he wishes to find out the feeling of the House. Hon. members do not believe that they are bringing anything new here, because this sort of argument goes on not only within the party but it might go on within the Cabinet as well, but I think a Minister is entitled to find out what is the feeling of the House, and indeed before the hon. member for St. Philip North spoke through the Minister I gave him an indication that the Minister was prepared, having heard some debate on the matter, not to go on with subsections (2) and (3); not subsection (4), subsection (4) must stand. Subsections (2) and (3) are the sections on which the Minister wanted to hear some debate as to whether members felt that it was in the interest of the driving public, and the public within the vehicles as well, that they should have some provision.

Subsections (2) and (3) deal with the passenger as such. I want to get a few things clear too, because a lot of us have short memories. These types of provisions, provisions similar to subsections (2) and (3) are nothing new in the laws of Barbados. It does not mean that they are necessarily good provisions or provisions that we want to take always as a matter of policy.
6.30 p.m.

Take the Shop Assistants Act. Take the amendment of 1968. We were not in power then; and even the Shops Act that came down to Parliament last year had to die with the House. I say this for the benefit of hon. members; but even last year the former Government was creating similar offences and having similar provisions in relation to shop assistants themselves. Let us be serious. The thing is that before members come into speak they should do more of their homework.

The hon. member for St. Lucy reminds me that he and myself took objection to that particular bit of legislation. At that stage the Hon. Leader of the Opposition defended the Government and said that it was the proper thing to do. (ASIDE: Things have changed) I am glad to see that now he is in opposition he can see a little bit better than when he was in Government.

I want to say, not in defence of the Minister, because I feel that the Minister has an open mind – he feels that it may be 50–50 as to whether you are protecting a passenger from himself or not. So it is not a matter of such vital Government policy on this, even if an attempt was made to see how any danger or harshness could be minimised.

As I understand the Minister when he replied to the debate, if the conjoint view of Parliament is this way, he was not going to press it. I do not really understand what the fuss is about. This is one of these matters on which any lawyer can speak very harshly because of the manner in which we have been brought up. I hope that the discussion will clarify the problem and show members that the Minister has no intention of penalising anyone. His desire is to try and see if he can get the maximum protection for the public who use the minibus service in order to have an ideal system.

If it is felt by hon. members – and some of us over here feel this way – he is prepared not to push on. As a matter of fact he has drafted already an amendment that he would have moved in committee if this was the full feeling of the House on the matter. Mr. Speaker, I am much indebted to you for listening to me on this.

Mr. SISNETT: Mr. Speaker, there is one good point about this Bill which I would like to draw to the attention of the House. It is simply that if the members of the Opposition had the frankness and the openness with which this side is trying to ease the country, I suppose that they would still be in Government. It is simply that Cabinet Ministers make decisions, and we are given an opportunity to voice our approval; but that was not forthcoming in their administration.

We have nothing to be ashamed of as far as this Bill is concerned. In referring to the minibuses, I want to thank the Minister again for carrying out the pledge which was in our manifesto and which said that the party is committed to the view that minibus operators

have a contribution to make and must therefore be brought within the overall plan.

I want to commend the Minister this evening for the encouragement that was given to the minibus operators allowing them to know that they have a place in this society. There is only one point that I would like to make, and that is I would like to see this Road Act Bill, when it comes into law containing a better code of conduct for minibus operators. They will have to see themselves as doing a public service; and I would like to see these operators better dressed and carry on themselves in public in a better way.

I would like to see the minibus operators using the highways of Barbados with understanding just as perhaps the drivers of the Transport Board. I want to place emphasis also – and I think that every hon. member on this side will want to place emphasis on the role that the minibuses played during the recent Transport Board strike when the children of Barbados were at school, and the people of Barbados were at work. The minibuses played a tremendous part keeping the nation going.

I would also like to see a certain code of conduct in the Act. I would also like to see where workers in the Sanitation Department are exempted from collecting refuse during the peak hours of the day – between 7 and 9 in the morning because it causes traffic jams. I want to commend the Minister for having brought this Bill to the House. I know that he will have support from members on this side and the other side; and I see this Bill as a simple one, and one which all of us will welcome, and with the modifications it will gain the necessary support.

Mr. SANDIFORD: Mr. Speaker, I think that I have some sympathy for the Hon. Minister, the member for St. Andrew. In spite of the brave words used by the Hon. Attorney General and member for Christ Church West, I think that the Minister knows what it means to be out in the cold, to be left on a limb; because this is exactly what has happened in respect of this Bill.

To come to this Hon. Chamber and tell us that the Minister has brought down this particular Bill to test the temperature of the Chamber is asking us to believe too much. I do not think that this is a principle on which anyone proceeds today in terms of introducing legislation into Parliament; because if you want to test the feeling of anyone on a measure, that is done by other means.

I wonder what was the temperature in the Cabinet. These are secret discussions, and with all those lawyers on the front bench, it must be a very brave Minister who will say that he does not really accept what they are telling him and that he wants to test the feelings of Parliament. I think that the Minister has been left out in the cold, and that the Attorney General found some subtle means of disassociating himself from that particular situation very cleverly.

I would like to say that the whole question of the operation of the minibuses is now being put on a firmer basis. *(Cheers).* This is a development that is very constructive; and I hope that over there you will be constructive enough to support us over here when we say that we are against the provision which placed penalties on passengers. I hope that it will be realised that the points put by the Leader of the Opposition are...

Mr. SPEAKER left the Chair, and Mr. DEPUTY SPEAKER took the Chair.

Mr. SANDIFORD: Mr. Deputy Speaker, it is always my lot, and once again I welcome you to the Chair, and I promise you my full co-operation. As I have said I hope that it will be recognised that when we make valid points over here they are not made from any position of trying to show up the Government, but from a constructive point of view. I hope that those who question the performance of the Opposition will realise that valid points are made from over here and it is a valid contribution of the Opposition in this country.

6.40 p.m.

I hope that is realised and it is pointed out by the public media that on this particular section – because I believe the Minister will be flexible to withdraw the particular section which we are complaining about – the Opposition had made a contribution. Mr. Deputy Speaker, the minibuses provide a service to this country. As I indicated, this is placing those minibuses and their operations on a much firmer basis. We have been trying to regulate these through the Ministry of Communications and Works and through the system that has been in operation. This now gives a firmer legal basis for the operation of the minibuses.

There are, however, a few points which I would like to make in respect of this matter. Now that it is based firmly in the law, we would like to know that, just as the operators are getting some further security, those who travel by that means of transport will also feel

a little safer while they are travelling by that means of transport. I would, certainly, hope that the matter of inspection of these vehicles would be systematic, the seats would be secure, and that attention would be given to other matters which go with the safety of the passenger, so far as the travelling public are concerned.

As far as the general question of transport is concerned, I did warn the Minister, I believe, sometime in April or May, when we were talking about the take over of the buses, I believe the date was 1st June or July, and I warned him on that occasion that there was nothing sacrosanct about that particular date and he must not be too inflexible on these particular matters and set deadlines which might very well not work out. I know that the Minister is one who is willing to listen, and I am sorry to say that we have been right on this one and the problems which may appear simple on the surface do have a depth of complexity. Sometimes it is like an iceberg only a certain part is visible on the surface, but more of it is below the surface. Apparently, up to this particular date the full details about the take over have not yet been arranged.

I would like to make a call and to ask the Minister to use his best endeavours to ensure that pollution of the environment is not made worse through the fumes coming from the buses. This is a problem, Mr. Deputy Speaker, which the travelling public, both the pedestrian and those who drive behind vehicles, particularly the buses, have to put up with from time to time where dark fumes come from the buses. I do not know, but this, certainly, must be a mechanical problem. I do not know whether it is the fuel injection system or what system is at fault, but we believe that action should be taken to ensure that the problems from the fumes that are emitted from these buses are reduced as much as possible. I think the units from not only the Transport Board, but also from the Rocklyn and the Elite, presented some problems along these lines and, therefore I hope the Minister will pay attention to this area.

Now, on this side of the House we are objecting to Section 5(2), (3) and (4). Subsection 4 appears to my non-legal mind that it would need some type of amendment or redrafting because subsection 4 speaks about a fare and 55A(1) only speaks about the purpose of transporting passengers. Maybe, that matter can be cleared up, but to my non-legal mind there would appear to be some problem which needs either clarification, or some modification, or redrafting because the Attorney-General says that (4) is necessary for this piece of legislation. However, (4) says:

> "In any proceedings respecting an offence under this section the onus of proving that a fare was not paid lies on the accused."

Section 55A(1) does not speak in terms of any fare being charged or anything like that. It merely speaks in terms of a person who for the purpose of transporting passengers.....

I have made the point and I withdraw from it, because I think it is well known that I do not like to tangle with those legal luminaries. The member for St. Joseph knows what I am talking about, and he is one of those over there. I am not approaching this matter now from any legalistic point of view. I am looking at this now from the point of view of the ordinary citizen travelling on a minibus. This is no legal argument going back to 1898 to show who was right, who took lectures from whom and so on. I was not certain whether the member for St. Philip North was taking a lecture from the member for St. Thomas, or the member for St. Thomas was regretting not having taken any lectures from the member for St. Philip North. However, that may be, I am not getting into that. We are pleased to learn something about the record of the member for St. Thomas and his successes at the bar. I do not know if they rival those of Sir Lionel Luckhoo from Guyana. Maybe it may make the Guinness Book of Records. Well, we are still waiting for that celebrated tangle in the law courts between the member for St. Thomas and the Leader of the Opposition. I think that will be a very celebrated occasion.

However, I am speaking from the point of view of the ordinary traveller, the commuter, who gets on to a minibus and for the simple act of getting on to a minibus which is afterwards discovered to be one without a valid permit, the person who gets on to the bus has committed an offence.

6.50 p.m.

I do not believe that it is necessary to create this type of statutory offence here. What is the reason for it? Why must this burden be put on the travelling public? Why must we create this particular offence, and to say that the Shops Act makes this type of provision is no real excuse for this. Maybe there are circumstances under that Act which merited or did not merit it, but that is beside the point. What I am saying now is that anyone who gets on to a minibus and the sign is

not necessarily.....(Hon. H. deB. FORDE: The hon. member did not accept the Minister's undertaking.) What is the Minister's undertaking?

Hon. H. deB. FORDE: The hon. member has been told that the Minister intends not to proceed with that section. It is all right if he wants to talk in Committee. The only way you can make the change is in Committee and I made the point earlier to my friend the hon. member for St. Philip North.

Mr. SANDIFORD: All right, Mr. Deputy Speaker, we have the assurance from the Attorney General that it is being withdrawn, so I know that there is collective responsibility just as there has been a collective move away from this particular measure on the floor of the House and the Minister has been left there. Now that the point made by the Opposition has been accepted, we will let this matter rest and maybe we will come to this in Committee when the Minister himself in accordance with the statement of the Attorney General will withdraw the particular section.

Hon. H. B. St. JOHN: Mr. Deputy Speaker, I am very glad of this opportunity to speak on this measure because this measure represents a very bold, constructive and innovative attempt by the Hon. Minister and his Ministry to deal with a problem which the other side had to deal with and through lack of courage, through fear, through political manoeuvring failed to deal with for a very long period of time. The implications of this measure are very far-reaching and relate not only to the question of minibuses who transport people on the road in competition with the Transport Board, but also it relates to the ground services that are to be provided in Barbados for tourists who come here, and which problem was residing in the Ministry of Tourism for at least five to seven years and no attempt was made no doubt through fear to regulate this problem. Let us get this fact straight. Anybody with any commonsense looking at the record in relation to transport of this Government and the last Government could only come to the conclusion that the Hon. Minister of Communications is a person who has decided that the policy of the Labour Party on this matter is so clear, consistent, with commonsense and in accordance with the economic reality and that he is going to carry it out irrespective of any attempts on the other side to try and make political capital out of an important economic matter in this community. Do not let us talk any foolishness. You were advised every year that you had to look at transportation in an economic sense and in a social sense. All the advice in the Ministry shows that all the studies and examinations of comparative situations in other countries show that a measure of regulation has to be introduced in the transport industry whether it is in the air, in the sea or on land. (A VOICE: That is nothing new.) Why did'nt you do it? You did not know how to define minibus. Confess it in here. Such was the level of competence of the hon. member and his advisers that he did not know what was the definition of a minibus. *(Asides)* Do you know where he got it from? I will tell you. It was reported in the Times Newspaper that an education authority who was under an obligation to provide a bus service for school children in the area hired a minibus because they were quoting cheaper rates than a bus and they were prosecuted for running a bus and the Courts in England gave a definition of a minibus, and that is where it came from. So if you were looking at the law courts and following the trend of decisions in other countries and looking at comparative transport policies, you would have understood it, but that conception of Government is completely beyond the pale of the hon. member or his party.

If you look in Halsbury's Statutes of England you will find it. They have been ducking this, Mr. Deputy Speaker. Let me tell you further. Under their eyes they had people transporting people on tours in Barbados, ground tour operators, operating illegally, and the hon. member was Minister of Communications when his party was in power and no attempt was made to stop it because the people who were carrying out these bus tours were friends of the Democratic Labour Party. We will see that this is regulated and that is one of the other consequences that up to now nobody over there has seen because they have not mentioned it. Up to now nobody has seen that by inserting a definition in the Act of minibus that the Chief Technical Director now not only has the power to lay down conditions dealing with transport of passengers on a day to day basis, but to regulate tour operators who offer people tours around the Island. You were afraid to deal with it. Let us get that straight. This is a most important consequence of this Bill. We go further. By carrying out the policy set out in the manifesto of the Labour Party very clearly that licences can be transferable, an economic value is now ascribed to the owners of taxi licences. We said we were going to do it, so that parallel with the regulation of public transport you can at the same time exercise that measure of regulation over the totality of transportation in Barbados whether that transportation has been designed to transport the public or transport tourists or specially interested groups.

A very interesting thing has happened, but if you do not take it and examine it very carefully, you would not have seen that there are minibus operators who operate solely for the purpose of carrying people from mission tent to mission tent in Barbados and you were forcing people to operate illegally, when the only object of having the bus was to carry church members from tent to tent because they believe that religion is best practised in a social atmosphere and an atmosphere of members of religious groups meeting their other members in other parts of the island. We will be able now to specify the routes, in respect of these church groups. Marriott was given special permission to bring people from St. Philip to Bridgetown and the justification that was used was that Marriott did not charge you because you did not have to pay a fare. Marriott was given permission by the Democratic Labour Party Government. (A VOICE: And you are withdrawing it?) No, because we saw the hypocrisy in your stand, that if you had a proper transport system you would recognise that there are special needs for a policy dealing with specific situations.
7.00 p.m.

Mr. Speaker, the hon. member obviously does not know and perhaps has only a miniscule idea of the total impact of tourism in this country. Barbados has to compete with every destination in the world. The hon. member has perhaps not travelled enough and does not know that over 60% of the traffic in Barbados today is by package tours. We are providing the legal machinery and we will examine the total needs of the various types of transportation and put it on an efficient basis in Barbados, and by so doing the Minister of Communications and Works will go down in history as the man who made a logical transportation policy despite the attempts of others to make political capital out of something which should be beyond that. And I commend the hon. Minister and cry shame on members who come in here and do not appreciate the importance of this legislation.

Hon. L. B. BRATHWAITE: Mr. Deputy Speaker, I want to thank hon. members for all they have said and I want to reply to a number of points raised.

The first member I want to reply to is the hon. member for St. Michael South. He offered me his sympathy because he said that my side had forsaken me. I want to assure him that if that is his interpretation, I wish him well in his beliefs. I am always open to reason, and if because of strength of numbers his side used to ram things through this Parliament, it is not the intention of this Government or this Ministry to do so. This present administration believes in open Government and open discussion, so that when a decision is made one can reasonably feel that the decision is a result of a consensus, and with this in mind I am always willing to examine any matter put before me.

In introducing this matter before Parliament this afternoon I am aware that I am dealing with an explosive matter which the other side had been afraid to deal with. I had no delusion that this is a difficult matter but it was one that had to be tackled; somebody has to bring order out of chaos.

Shortly after I came to this Chamber I made my position clear that on the question of water and transportation my approach would be non-partisan and above politics, and I said that in reply to the hon. member for St. Lucy who in his usual style of parochialism was putting questions on behalf of his constituency, and I wanted to put things in a proper light.

The member for St. Michael South said that he warned me about the take over of the buses and that there was nothing sacrosanct about the end of June, wondering what was my hurry to bring my operation into being by the end of June. I pointed out that the end of June would bring to finality the period for the bus concessions and that I wanted to take over the system by that day.

Members on the other side referred to the question of the workers at the Elite and Rocklyn Bus Company and I want to make a statement on that. I am more a friend of the workers than they are, for if the workers are severed from Elite and Rocklyn some will get $15,000 or $20,000 in severance pay. But if they came over to the Transport Board and committed an offence the next day they could be fired and would have lost considerably. So I cannot tell the Transport Board they must take over all the workers. They are people who are working with the private concessionaires and who have worked in the Transport Board and for some reason were dismissed. Are you saying that I should tell the Transport Board to take back these workers?
7.10 p.m.

Do not expect me to do anything that is unreasonable, I am not going to do that. That is beside the point. It was suggested before we get to the latter part of the discussion here that I should wait until the comprehensive Road Traffic Act is introduced in order to bring in the amendments. I think the Hon. Leader of the

Opposition did suggest this, but we cannot wait on this matter, we have given full consideration to this matter. I myself have been looking at the new Bill to be introduced and I have given some thought to it, and I think this matter was already drafted, although the Attorney General in the past had looked at it, I myself was not satisfied with the advice that was given by the Attorney General of the past regime and therefore I wanted my Attorney General to look at it for my own satisfaction, and there were a number of points I wanted clarified as well, therefore there can be no question of expecting me to accept something as I see it.

It was a great day in Barbados when the people changed the last Government on the 2nd September. Had it not been so the whole transportation system would have grounded to a halt, and it was as a result of the hon. member for St. Lucy and his colleagues within the Workers' Union, and for the future it is the only way it could come to a halt again, because it is so geared, it is so well oiled that we need have no fear about that. The position about that is well taken care of.

Mention was made about the question of whether a minibus has a permit or not. The Leader of the Opposition, and I think it was the member for St. Michael North Central as well, mentioned the fact of the question of having a third party licence. You must have a third party licence but a third party licence is never displayed.

Another factor you have to bear in mind is that there are something like 65 legally operated minibuses in Barbados, but there are over 120 pirate minibuses operating of any particular standard. When you allow 20-odd people to be packed into those minibuses going along the road and an accident occurs or anything, what is going to be the fate of those people? Can we stay idly by and do nothing in those circumstances? You have to do something, and therefore you have to start somewhere. I have said in the past that this is not an area for cheap politics, and with one or two exceptions you have done very well on that side today to satisfy me that you are really adopting the correct approach on a matter of this kind. The only thing I cannot do for the hon. member for St. Michael South is to get the Press to give him the publicity he is begging for, but I would hope some solution could be found to this.

I am quite willing to examine the points raised by him, and on a matter such as this ...

Mr. SANDIFORD: On a point of elucidation, I am not rising on the question of publicity, I had enough publicity, I can put it in perspective for you. Mr. Deputy Speaker, the Minister did say that there were 65 minibuses operating legally with permits from the Ministry of Communications and Works, and there were some 120 pirates, he called them. I wonder if the Minister would really tell us if he intends to decrease that to 63, 70, 80 or what is the level at which he is prepared to allow the number of minibuses to run validly.

Hon. L. B. BRATHWAITE: I really thought that this was a point of elucidation or a point of order, but it is neither. I would wish the member to put this in the form of a question and I will give him the information which he desires to have on that.

Further, we are examining the whole question of minibuses, and we see them as very useful to the system and we will look very carefully into that when the time comes. There is one thing that we have to be very careful about, and I want to welcome the comments made by the Hon. Leader of the Opposition with respect to a certificate of fitness not only for human beings who drive but as well for the vehicles. Government is certainly considering that aspect of it and we are looking carefully into these problems. I can say that very largely the discussion has been constructive and with the exception of one or two outbursts we have done comparatively well.

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

Hon. H. B. St.JOHN: I would like to ask that Notices be now taken. There are a number of matters which will not be dealt with today but will be dealt with next week. When we come back out we will have the answers to the questions.

Rt. Hon. J. M. G. M. ADAMS: I beg to second that Government Notices be now taken.

Mr. SANDIFORD: Mr. Deputy Speaker, the Leader of the House is purporting to seek leave to give notices at this stage. (Rt. Hon. J. M. G. M. ADAMS: No leave). All right, he is proposing to give notice of certain measures at this stage. I recall on previous occasions that I have also sought a similar opportunity to give a notice and that that permission has been refused and up to this particular time I submitted a Resolution which I have not been given permission to give notice of, so I am just drawing this to the attention of the Leader of the House, that we have been very co-operative over here but it seems that over there they are not being very

co-operative to the Opposition and we would really hope that if you wish bipartisanship on this matter there must be fair play on both sides. That is the only point I wish to make at this stage.

Hon. H. B. St.JOHN: I just want to tell the hon. member that a Speaker's ruling has been given which has been posted to the hon. member upon the validity of the subject matter. I do not want to deprive him the opportunity of giving notice, but obviously if the subject matter has to be interpreted in accordance with the Standing Orders, we never sought to interfere.

GOVERNMENT NOTICES

Hon. L. B. BRATHWAITE: Mr. Deputy Speaker, I beg to give notice of the following Resolutions:

Resolution to approve the postage on postal packets transmitted from Barbados to a place abroad otherwise than by air.

Resolution to approve the postage on postal packets transmitted from Barbados to a place abroad by air.

Hon. H. B. St.JOHN: Mr. Deputy Speaker, on behalf of the Hon. Minister of Education, I beg to give notice of a Resolution to grant the sum of $45,000 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1977–78 Part I – Current as shown in the supplementary Estimates 1977–78, No. 12 which form the Schedule to the Resolution.

On behalf of the Minister of Agriculture, Food and Consumer Affairs, I beg to give notice of a Resolution to grant the sum of $23,346 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1977–78 Part II – Capital as shown in the Supplementary Estimates 1977–78 No. 13 which form the schedule to the Resolution.
7.20 p.m.

Hon. L. B. BRATHWAITE: Mr. Deputy Speaker, I beg to give notice of a Bill to amend the Post Office Act.

FIRST READING BILLS

Hon. L. B. BRATHWAITE: Mr. Deputy Speaker, I beg to move that a Bill to amend the Post Office Act be now read a first time.

Hon. H. B. St. JOHN: I beg to second that.

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

Hon. H. B. St. JOHN: Mr. Deputy Speaker, I beg to give notice that I intend to deal with this Bill on Tuesday next.

I now beg to move that this sitting be suspended until 8.15 p.m.

Hon. L. B. BRATHWAITE: I beg to second that.

Hon. F. G. SMITH: Mr. Deputy Speaker, if you look at the Order Paper you will see the number of things that we have passed. More Resolutions and Bill have been passed today than ever before, and we have co-operated with the Government. The debate has been fairly friendly and not acrimonious. We were asked to do certain things. I do not remember in my time that we would have been allowed to do so many Bills and Resolutions at such short notice. I hope that the people in this country will see that there has been a new approach and a new attitude to Government Business.

Sir, we know that the Minister of Finance is endeavouring to get through with his budgetary proposals and we have not raised any objection to them. We have co-operated in order to get the people's business done as expeditiously as possible. However, I do not want to give anybody the impression that the Opposition has been treated with the courtesy with which it should be treated.

Mr. DEPUTY SPEAKER: Is the hon. member's reference to the Speaker.

Hon. F. G. SMITH: I was saying that the Opposition is being treated discourteously, and it is not getting the proper treatment to which it is entitled.

Mr. DEPUTY SPEAKER: You are making such a reference to the Speaker, and I wanted to get it clear.

Mr. GREAVES: Mr. Deputy Speaker, I want to raise a matter that relates to the length of time this House has been meeting. We met here at ten o'clock this morning and it is now 7.30 p.m. The sitting has been suspended to resume at 8.15 p.m. I wonder if the Government has taken into consideration the length of time the Reporters have been called

upon to perform their duties in this particular regard, and whether the Government does not think that we should not ask the Reporters to perform their duties under such pressure for such a length of time. This is a matter that needs some consideration, and I would certainly ask the Leader of the House if this is not an oversight on his part, and if he would reconsider the question of suspending the sitting to 8.15 p.m. in view of the kind of pressure under which the Reporters have been working all day.

Mr. Deputy Speaker, I think this is a matter to which we should pay attention, because we have to think in terms of the conditions under which people work and we, in Parliament, should at least demonstrate that we have some concern for those people who work on our behalf. I would hope that the Hon. Leader of the House would give some attention to this matter. I hope that he will reconsider the position he has taken in so far as the suspension of the sitting is concerned.

Hon. H. B. St. JOHN: I want to give the hon. member the assurance that I am amenable to the conditions under which the staff is working. I think the staff will appreciate that we are endeavouring to get through our programme. I have been in constant touch with the officer, who is the channel of communication, and we do not want to have an additional sitting tomorrow. We are nearly through the Agenda, and if we can just finish the Committee Stage we can come back tonight and finish at ten o'clock, and Tuesday will be our last sitting. I am sure, with the co-operation of the staff and with a little extra effort, all of us could benefit. However, I have received no suggestion that there has been an infringement.

SUSPENSION OF SITTING

The question that the sitting be now suspended until 8.15 p.m. was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER suspended the sitting accordingly.

7.30 p.m.

RESUMPTION

On the resumption

Mr. SPEAKER: This sitting is now resumed.

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

Mr. SPEAKER: Will the hon. member take his seat.

Mr. GREAVES: I want to draw a matter to the attention of the House.

Mr. SPEAKER: The hon. member for St. Lucy will please take his seat.

Hon. L. B. BRATHWAITE: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on the amendments to the Road Traffic Act.

Hon. L. R. TULL: I beg to second that.

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

Mr. SPEAKER left the Chair and the House went into Committee, Mr. ODLE in the Chair.

Hon. F. G. SMITH: Mr. Chairman, as I understand it the hon. member moved that Mr. Speaker leaves the Chair and the House go into Committee. It was not put "hon. members in favour will please say aye, and those against will please say no." I am asking the Clerk to confirm that this did not happen. The Speaker just walked out of the Chair.

Mr. CHAIRMAN: This House was in Committee.

Hon. F. G. SMITH: How can you be in Committee when the vote to go into Committee was not put? (ASIDE: The Clerk said that it was done.)

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, once you are in the Chair and the Clerk says that it has been recorded, it is finished. *(Asides)*

Hon. L. R. TULL: On a point of order. I am sure that the hon. member for St. Michael South Central knows the legal dotrine *Omnia praesemunter* – everything is presumed to be done correctly. The point should have been raised before the Speaker left the Chair.

Hon. F. G. SMITH: I know the doctrine of *praesemunter.* I also know that it is subject to rebuttle. I got a degree in Classics too.

On separate motions of Hon. L. B. BRATHWAITE seconded by Hon. H. B. St. JOHN Clauses 1 to 4 inclusive of the Bill were called and agreed to.

Clause 5 was called.

Hon. H. B. St. JOHN: I beg to move that Clause 5 as amended by the deletion of subsections 2, 3 and 4 stand part.

Hon. L. B. BRATHWAITE: I beg to second that.

Mr. SANDIFORD: Mr. Chairman, I have not heard any motion for amending this particular section.

Hon. H. B. St. JOHN: Mr. Chairman, I begged to move the deletion of subsections 2, 3 and 4.

Hon. L. B. BRATHWAITE: Mr. Chairman, the hon. member is so unaccustomed to democratic procedure and a willingness to listen, that he cannot reasonably imagine that this side will concede a point of view. We have considered this long ago.

Dr. CADDLE: Mr. Chairman, before you put the question, I want to say that we are not opposing the amendment, neither are we accusing anyone. We are quite happy about the procedure and we hope that the correct procedure will be always maintained.

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

Hon. L. B. BRATHWAITE: Mr. Chairman, I beg to move that you do now report the passing of one Bill in Committee.

Hon. H. B. St. JOHN: I beg to second that.

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

Mr. CHAIRMAN reported and Mr. SPEAKER resumed the Chair and reported accordingly.
8.25 p.m.

On separate motions of Hon. L. B. BRATHWAITE seconded by Hon. L. R. TULL, the Bill was read a third time and passed.

THE LANDLORD AND TENANT (REGISTRATION OF TENANCIES) ACT, 1977

Mr. SPEAKER: Order No. 10 stands in the name of the Hon. Prime Minister, to move the second reading of a Bill to provide for the registration of premises that are let out and for related matters.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, among the budgetary proposals was one which is of a more far-reaching nature than the mere imposition of a tax or increase of a licence fee. This proposal related to the entire position of landlords and tenants in Barbados, and this Bill seeks to effect the proposal and contains provisions which were envisaged on April 15 at the time of the Budget. Put shortly, this Bill will take the legislation relating to landlord and tenant which has been attacked piecemeal over a period of years going back to the 1890s a step further in the direction of full control.

The relationship of landlord and tenant is one of the oldest known to the law and known to the organisation of mankind in cities. For as long as man has been building houses he has been building houses and structures and renting out to other people. The Romans had landlords and had tenants, the Greeks before them had. Reference to the Bible will indicate that the Jews when they burst down from the Judaean hills and made their way across the rich plains of Palestine overcoming the more civilised but less aggressive people and people less motivated by religious fervour such as the poor Philistines, also entered a situation of being landlords and tenants, and equally from the time that the relationship of landlord and tenant has existed Governments have attempted to control landlords and control tenancies.

I anticipate, indeed I look forward to the intervention of the Leader of the Opposition in this debate. He has trumpeted his views at such length as to make us on this side realise that there will be of as little merit on this subject as on many of the other subjects to which he has contributed, but since he has made his mind up on this exercise, I think I will have to give him sufficient material so that his misunderstandings may be thoroughly broadly based. He will not have a short speech to misinterpret and misunderstand; he will have to have a long introduction upon which he can do not his worse but his normal.

The basis of this Bill is the registration of premises which are let out for the purpose of rent, and subsidiary to this is the budget proposal which was given form in relation to the present hotel and restaurant sales tax, hotel sales tax really is the relevant proposal, but this is only subsidiary. Although it is subsidiary I will deal with it first.

Found in the Bill will be provision for the Minister of Finance to place such surcharge on rents as he thinks fit and at such rates as he thinks fit and this is an effective section which will give us the right to tax rents, and the form of taxation which we have adopted will be exactly as with a hotel. Just as a hotel places an 8% surcharge on what it charges its guests for rooms as a Government tax, so will a landlord or his agent have to place an 8% surcharge on rents above $600 which are charged to tenants. I am fully aware that this may result in a spate of rents of $595, but if landlords really think they are saving something, they are losing $5.00, in the small minded way that people often have by charging just below the limit, that is entirely up to them.

Mr. Speaker, I think that sooner or later the economic factors which dictate that house rents on the West Coast of Barbados and house rents to expatriates working in multinational corporations especially for furnished premises are usually above $600 a month, I think in all those circumstances they will charge the rent and collect the surcharge from the tenant and forward to the Government in accordance with the provisions of this Bill.

Now the Bill provides for registration. Premises are divided effectively into two classes, existing tenancies and forthcoming tenancies, and if we read section 22 we will see the effect of the division. All premises will on one or another date have to be registered with the Collector of Taxes. This means that the landlords will have to notify the Collector of Taxes of the matters prescribed by section 4 which will consist of the description of the premises and the place where they are located, the purpose for which the premises are being let out – this is very important – whether for business or residential, because we do not intend to surcharge business tenancies that will only ultimately be passed on to the consumer. Therefore landlords will have to say whether they are letting the premises out as a residence, a church or whatever it may be. We do not intend to surcharge church premises either or business. The landlord will also have to give the name and address of the person who has title or right of title to the premises and the name and address of the person, if any, who he has appointed as his agent. "Landlord" has the same meaning as is given in the Landlord and Tenant Act of 1897 I believe it is; it means any person who is in receipt of rents and includes an agent of such person.

8.35 p.m.

"Collector" means Collector of Taxes. "Premises" in Barbados means land and houses attached to the land, in other words, stone houses. In this Act we are facing reality for the first time and saying that premises mean premises of every description and includes buildings and structures whether or not attached to the soil, together with the curtilage thereof – the area around the house – and in the case of a chattel house it means such land around the house as necessary to allow the tenant to enjoy the place properly. We believe this definition will give a little assistance to people who rent chattel houses; not that most of them would come under this Act anyhow.

"Rent" has a wider meaning than the cash money that you take over and put in the rent book. We are well aware that to evade the provisions of this Act a landlord in St. James renting out a house for $2,500 a month would probably, if we did not have this definition, charge the tenant $500 a month as rent and then charge him a premium for $6,000 for the three months in consideration of allowing him to rent the house. This used to be a common practice in Britain and the United States until it was stopped by legislation. We do not intend to wait until people catch us; we intend to stop them in advance, and we are therefore defining rent to include all fines and premiums. (Fines is an old expression in land law). Rent will also include all amounts payable by the tenant or licencee to the landlord for the use of furniture or for services of any description whether or not these amounts are separate from the amounts payable for occupation of the premises or payable under separate agreements. In other words, we do not want to allow people to rent out a house for say $400 a month and then have an agreement to rent the beds for $50 a month, the chairs for $50 a month; the tables for the same amount, the right to receive water at perhaps $50 a month and so on. I have appeared in the English courts as counsel, landlord and tenant on different occasions at one time or another and I can assure you that cases like this where landlords have claimed that the provision of water was a service, so that the English courts have had to decide that the provision of cold water is not a service, but the provision of hot water is. There have been cases where instead of renting out the furniture you give a monthly option to purchase the furniture, whereby every month you buy an option for say £10; this is to avoid certain incidence of the law. The option expires at the end of the month and next month you buy another option to buy the furniture and so on. This is another

way of avoiding certain incidence of the law of landlord and tenant. We intend to catch all these under the Act.

The premises would have to be registered with the Collector of Taxes. The Collector of Taxes would then give a certificate of registration and he will also maintain a register. There was some controversy as to whether the register should contain the rent which the premises are carrying. On the whole, we believe that a landlord is entitled to some privacy, and so is the tenant; and therefore the register of premises will only contain those particulars to which I have referred; it will not expose a man's business to the extent of showing how much rent he collects from each of the premises; I think on the whole this is desirable. You also have to remember that the landlord wants a little protection. If he registers his premises for $200 a month somebody wanting to rent them can go and look at the register and see $200, so that when the landlord tells him $450 he can say you are only registered for $200; but if the tenant does not know he may very well pay the $450. So we do not want to interrupt the free bargaining between parties. We believe that this Act provides the framework for rent control if such becomes necessary in this country. But until rent control is shown to be a necessity – and I do not see it at present, for I myself think that rents in this country are still low in certain cases. I am not saying that there are not some people who pay too much rent; but I know people in Grazettes renting out bungalows for $75 a month, $80 or $100. I myself think this is very generous and I do not want to appear to be wanting anybody to pay more; but when you consider the cost of building a house I do not think there is as yet the need to go any further than this Bill at present. We are not ruling out rent control in the future but we are not prepared to go there yet.

We have various provisions in the Act; an important one is that in an apartment house every apartment will have to be separately registered; this will apply to condominiums as well. Every lawyer's premises will have to be registered as a separate premise, and the same goes for other business people. Landlords will have to register the amount of rent, but not for public consumption, just as a guide, to the collector of taxes. This is a revenue measure, and therefore we want to get some idea of what we are dealing with; therefore landlords will have to give some indication of what they normally rent the premises for, and if it is changed either up or down, they will have to notify the Collector of Taxes. It will be possible for registration to come to an end; you can withdraw your premises from registration or you can go and occupy the premises yourself.

Another important thing – and we think this is a great protection for tenants and will help to reduce a lot of the argument that goes on in the law courts at present; just as under the Security of Tenure and Small Holdings Act, it is necessary for landlords to give a tenancy agreement to the tenant – a law more honoured in the breach than in the observance – so under this Act it will be necessary to give a rent book to the tenant. The landlords will be obliged to keep two rent books, one for the tenant and one for himself; and every time a tenant pays, the landlord will be obliged to enter in the tenant's book and sign his name against it. I think that many Barbadians are accustomed to keeping a rent book. There is a whole class of landlords' agents who are to be found in the courtyard daily who can give some advice on the keeping of rent books. We do not think this is too onerous.

There are a certain number of provisions under Section 12 of the proposed Bill which on current form are likely to have attracted the adverse attention of the Leader of the Opposition; because under Section 12(2) we do have a Clause which says that the tenant who pays a lower rent than the amount the premises he occupies are capable of being let for shall be deemed to be acting in collusion with the landlord until the contrary is proved. I do not know if this is one of the Clauses that worries the Leader of the Opposition. If it is, I would like him to look carefully at it. Collusion is not an offence under this Act, and it is commonsense that if you have a relative and you want him to live in a house but at the same time you want to protect yourself, it is common knowledge that you rent for a small amount of rent, a dollar a year or whatever the case may be. Clearly you and the tenant are acting in collusion by renting the house for less than it is capable of being rented for; equally clearly you have not done anything wrong.
8.45 p.m.

It is commonsense that if you have a relative and you want him to live in a house and you have to protect yourself, or you may be an agent, you want to rent out the house to somebody but you want to protect the owner, it is a matter of common knowledge that you would rent at a dollar a year, and clearly you and the tenant have acted in collusion by renting it for less than it is

capable of being rented for. Equally clearly you have done nothing wrong, and the purpose of this section is purely a section of proof, because as I say there is no offence of collusion, there is an offence of fraudulent collusion, which means when a landlord and tenant get together and pretend that the rent is less than it really is. There must be such an offence, I think all hon. members will agree that there must be such an offence, the Government must have some power to prevent people agreeing fraudulently to pretend that the rents are below that level, and that offence must exist.

I would like to think, and I very sincerely hope I have settled any fears of the hon. member on that section, and of course I will receive representations on second reading or in Committee about that matter.

Section 13 has some teeth in it, Sir. This was envisaged in the budget speech, so it should really come as no surprise to anybody. I specifically said this in the budget speech. We do not hide from the public the fact that the Commissioner of Inland Revenue is going to correlate the receipt of rents with people's income tax returns. We know that in this country there are many people who build an upstairs house and have a flat downstairs which they rent out in order to pay the mortgage every month and the Commissioner of Inland Revenue never hears a word about it, all he knows is that the mortgage payments appear – or the interest on them – on the income tax returns. We are not fools in the Ministry of Finance, it is therefore essential that we know everything in relation to landlord and tenant.

The tenants are therefore being given a right that if a landlord does not register the tenancy, the tenant not only will be able to stay in the premises free of charge, but all the money which the landlord has collected from him while the tenancy was unregistered will have to be refunded. The landlord will not be allowed to put out the tenant for a period of two years, and at the end of the two years he can put him out only by specific order of the court and he will not be entitled to get any costs of the court in such an action. These are severe provisions, but you have to make every landlord so afraid of his tenant that he will run and hustle to get his premises registered, because do not make any mistake about it – I do not know if you are a landlord, Sir, I am and I can tell you that I have never had any tenant in my life that I would trust with this Act and I do not think I would be prepared to take a chance in leaving my premises unregistered.

We think that this section is a necessary section. I said in the budget speech it was going to be done, it has been done and you must register your premises. The Commissioner of Inland Revenue has asked for this for a long time and we have to give it to him with some teeth in it. I have to dwell on this because I think that all landlords must be advised that they will have in the case of existing tenancies only two months in which to register. This Act is intended to come into force on September 1, 1977, and existing tenancies are exempted for a period of one month, but the month after that, that is, the month of October, by the end of that time existing tenancies would have to be registered, and I want to issue a warning to all landlords that by October 1 have your premises registered or you will face very serious legal consequences not at the hands of the Government but at the hands of the people to whom you let the premises if they choose to take advantage of this Act.

The Government Information Service will be running programmes during the whole of this month of August and the whole of September if this Bill is passed in due course. There is very little difference in buying one exercise book and buying 20 exercise books, depending on how many you have and giving the tenants a rent book. We advise all landlords not to put off the day when you do this. You have been warned since April 15, you are receiving another warning now in good time for August 15 and you will have until September 30 to do it.

Section 15(1) prevents a landlord from harassing his tenants. Another very necessary section. Section 16 preserves the existing law, section 17 gives the Minister power to surcharge, section 18 gives power to make regulations, section 19 says that a landlord shall collect the surcharge from the tenants every month and shall put it into the Commissioner of Inland Revenue by the end of the following month. Landlords had better be advised that long periods can get them into trouble with the Commissioner of Inland Revenue in due course.

I think I have dealt with the positive provisions of the Act. Now for the exemptions. This Act applies to licensees. There has grown up in recent years in English jurisdictions that there is some third type of person between landlord and tenant called a licensee who does not have all the rights of the tenant and in respect of whom the landlord does not have the entire character of landlord. Lord Denning has dealt with this in the English courts and I have no doubt the courts in Barbados have dealt with this, but just for

protection this Act applies for licensees to use premises in which case lawyers will not be able to draw licences and obtain large fees for the intelligence which they have brought to bear on certain aspects of the law.
8.55 p.m.

I think that the hon. member may have a little longer than Monday in which to draw his last licence. It will not apply to licences granted to lodgers. There are not so many lodgers in Barbados. I suppose that hotel guests are not supposed to be lodgers, and so we do not have specifically to exempt them when they have regular guests. There are students at Cave Hill who are sometimes taken into houses and who are given breakfast and dinner in a room in the house.

There is an abundance of definitions of what "lodger" means; but normally, if the landlord retains control of the entrance to the premises, he can give the lodger a key to get in; but if he is getting into his part of the house through the landlord's part, very generally he is a lodger. If you have to go through the landlord's drawing room or through the landlord's kitchen to stay in the premises, probably you would be a lodger and not a tenant. Lawyers who no longer have to draw up leases can sharpen up their knowledge of what constitutes a tenant, and what constitutes a lodger. I think that girls from Venezuela who come here to learn English pay about $500 a month for a room and a little food. They will be lodgers.

The Act also does not apply to house spots. I think that that in an important point. It does not apply to house spots which are rented out for people to put their houses on. Those landlords will not have the trouble of registering. It also does not apply to agricultural holdings which will be embraced under the Security of Tenure Small Holdings Act. This is I think a very substantial exemption because it includes all the plantation tenantries, and all the tenantries in and around Bridgetown.

We contemplated specifically excluding the statutory operations, primarily the Housing Corporation which, I am told, has some 5,000 places for rent. It also includes the IDC, the Tourist Board which has one or two properties which it rents out. However, it does seem that the Minister has power under Section 18(d) to exempt any premises that he deems fit from the operation of the provisions of the Act; and I propose to circularise all governmental and quasi governmental bodies and the Church – they do not pay income tax anyhow. I will circularise everybody who I think might have any claim for exemption under this Act. Obviously the Housing Authority will want to get it and the IDC says that if they want it they will put in a case. It is a big exercise.

Sir, I have given a lot of introduction. I know that hon. members will have a weekend in which to think about this Bill, and I very much hope that when they return, whenever the House returns, they will join hands in harmony with me across the floor and assist the Government in having this Bill unanimously passed. We really think that it is a long overdue measure. If everybody paid all the taxes that they should, the level of taxation would be reduced. If everybody paid their income tax then the taxes of all of us would perhaps be a little less. If landlords are worried about this Bill, then they should have been paying a fair share of taxation.

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

Hon. H. B. St. JOHN: Mr. Speaker, in seconding this motion I reserve my right to speak.

ADJOURNMENT

Hon. H. B. St. JOHN: Mr. Speaker, we have reached 9 o'clock thanks to the indulgence of the reporters because it is beyond the period of time that we agreed to work. Accordingly I beg to move that the House do now adjourn until Tuesday, 9th August 1977 at 10 o'clock a.m. I would like to give notice that there are Bills of which notice has been given, and we may have to deal with more than one Bill next week. We do not intend to meet after Friday next week; but I am entirely in hon. members' hands.

Hon. L. B. BRATHWAITE: I beg to second the motion for the adjournment.

The question that the House do now adjourn until Tuesday, 9th August, at 10 o'clock a.m. was put and resolved in the affirmative without division, and Mr. Speaker adjourned the House accordingly.
9.03 p.m.