

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION OF 1976 – 81

HOUSE OF ASSEMBLY

Tuesday, 25th January, 1977

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock.

PRESENT

His Honour W. C. B. HINDS, (Speaker); Mr. R. St.C. WEEKES, J.P.; Hon. L. S. CRAIG, (Minister of Labour, Welfare, Youth Affairs and Sport); Rt. Hon. J. M. G. M. ADAMS, M.A., (Prime Minister and Minister of Finance and Planning); Hon. C. L. BOLDEN, LL.B., (Minister of Agriculture, Food and Consumer Affairs); Hon. F. G. SMITH, Q.C., S.C., B.A., (Leader of the Opposition); Hon. H. deB. FORDE, S.C., M.A., LL.B., (Attorney General and Minister of External Affairs); Mr. E. E. GREAVES, B.A., Ed.M.; Mr. D. A. C. SIMMONS, LL.M.; Hon. L. B. BRATHWAITE, (Minister of Communications and Works); Mr. J. G. ODLE, (Chairman of Committees); Mr. M. C. C. WARD; Mr. B. M. TAITT, M.A.; Mr. DeL. O. BRADSHAW; Mr. L. L. SISNETT; Dr. R. L. CHELTENHAM, M.Sc. (Econ.) and His Honour E. E. ALLEYNE, LL.B., LL.M., (Deputy Speaker).

Prayers were taken by Fr. F. A. Cayless.

Mr. V. L. JOHNSON entered the Chamber and took his seat.

CONFIRMATION OF MINUTES

Mr. SPEAKER: The Minutes of the Meeting of Tuesday, 18th January, 1977.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move the confirmation of the Minutes.

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

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

STATEMENT BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: I would like to take this opportunity to draw to the attention of hon. members seeking to table questions in this Honourable House Standing Order No. 22(1)(a) and (b). The point which comes to mind is this: Hon. members, seeking to table their questions when the House is not sitting, slip into error by addressing those questions to His Honour the Speaker at the Speaker's Chambers. This is contrary to the Standing Order under reference, and I would like to advise hon. members to acquaint themselves with the requirements of this Standing Order for the future conduct of this part of our business.

I find it necessary also to make a statement, and I shall do so now.

Several weeks ago, in the interests of good order and security in this Honourable Chamber, and on the instruction of myself as Speaker of this Honourable Chamber, a notice was circulated to the news media. That notice stated that no parcels, including handbags and cameras will be allowed in the public gallery of this Chamber. No exception or qualification has since been made to that requirement which, after due notice to the general public, has been applied in our public gallery.

My attention has been drawn to an article in The Advocate-News published on Friday, 21st January, 1977. That article appears on the fourth page and is captioned "Disappearing Democracy" over the name "Gladstone Holder". That article makes direct and in my view most odious references to the Royal Barbados Police Force, criticises the system of regulation of the public gallery of this Honourable House and purports to quote statements by Honourable Members including myself, with reference to the implementation of the instructions contained in the notice.

All honourable members of this Chamber have welcomed and encouraged the attendance of our citizens and visitors, at sittings of Parliament, and are gratified by their interest in our proceedings which are, after all, part of the basis of democratic government in this Country. We wish we could accommodate and we plan, in the near future, to accommodate many more persons in the public gallery than the restrictions of physical space presently permit.

What we would wish, however, is that no person, whosoever he may be, and be he one of our fellow-citizens or a foreign visitor, should in any way attempt to disobey such rules and regulations as the requirements of good order dictate. We have found that, at all times and in all ages, our nation has manifested a craving for the practice of democracy. In this we, as members of this Honourable House will continue, with our fellow-citizens to participate.

The authority we have delegated to the Police to assist in the management of this Honourable House must be respected by all persons. In the execution of their duties we, in all places in this country, have been fortunate to be able to rely on the judgement and good sense of our constabulary. We know they will perform their functions, not on authoritarian principles, but with the sound balance and goodwill which they invariably manifest.

12.25 p.m.

We would expect, therefore, that every person will respect and uphold their authority and will assist them in their work. In our view, they earn and deserve the respect which we accord them. Let no one wantonly question or flout that authority.

All aspects of the conduct of this Chamber are governed by rules all of which are published. We expect and get from our fellow-citizens, as we do of Honourable Members, good order and respect for law; and we also expect silence of members in the Chamber when they are not addressing the Chair, we require further of the public a small demand — silence at all times in the Chamber.

This House considers that the article to which I have referred is unjustifiable indeed offensive, in its content both to our citizens, to the Royal Barbados Police Force and to members of the Honourable House. We must hope never again to see its like in our press.

PAPERS LAID

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I am commanded to lay a copy of the

transactions in rum for the several districts of the Island for the quarter ended 31st December, 1976.

NOTICES OF QUESTIONS

Mr. WEEKES: Mr. Speaker, I beg to give notice of the following questions:

Is the Honourable Minister aware that the pupils of St. Martin's Boys and Girls Schools are still urgently in need of an adequate playing field for their schools and that the playing field scheduled in the 1975/76 Estimates has not been provided?

If the answer is in the affirmative, will the Honourable Minister take immediate steps to ensure that adequate playing facilities are made available at those schools?

Is the Honourable Minister aware that there is no playing field at St. Martin's Primary School?

If the answer is in the affirmative, will the Honourable Minister consider the provision of a playing field for the pupils of this school which has an enrolment of 500–600 pupils?

Is the Honourable Minister aware that retired agricultural labourers of pensionable age are eligible to receive weekly sums of not more than \$15 from National Insurance and \$5 from the Provident Fund and are ineligible for old age pension?

If the answer is in the affirmative, will the Honourable Minister give serious consideration to the problem and take immediate steps to alleviate the hardship which these retired workers who have contributed to the economy of this country now suffer?

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

Hon. L. S. CRAIG: Mr. Speaker, there is an answer to the hon. member for St. Philip South ready right now if that is the last question.

NOTICES OF MOTIONS FOR THE ADJOURNMENT OF THE HOUSE ON MATTERS OF URGENT PUBLIC IMPORTANCE

Mr. GREAVES: Mr. Speaker, on Friday, 21st January, ...

Mr. SPEAKER: If the hon. member rises on the matter which he has addressed to the Chair, I

wish to say that it does not meet the requirements of Standing Order No. 18, and I have so ruled. I think that my findings have already been communicated to the hon. member.

GOVERNMENT BUSINESS

Hon. L. S. CRAIG: Mr. Speaker, I am asking leave that Order No. 2 be the first order of the day.

Mr. SPEAKER: If there is no objection, leave will be granted. There being no objection, leave is granted.

Order No. 2 stands in the name of the Hon. Minister of Legal Affairs, and it is to move the passing of the Resolution to approve the sale or lease by Government of the former official residence of the Barbados High Commissioner to Canada.

Hon. H. deB. FORDE: Mr. Speaker, this Resolution seeks to obtain the permission of this Honourable Chamber to the Government either leasing or selling the residence at 2060 Chalmers Road in Ottawa which was until 1976 maintained as the residence of our High Commissioner to London. I think it is necessary in introducing this Resolution for me to give hon. members some background concerning ownership of properties by the people of Barbados in the dominion of Canada. The Chalmers Road residence was bought on 31st July, 1968, for a capital sum of \$Can.55,798.97. A sum of \$Can.2,958.50 was spent in repairs and a further sum of \$Can.15,766 was spent on extensions making a total of \$Can.74,723.47. Up to 1976 the Government in addition owned a Counsellor's residence which is situated at 838 Edward Avenue, and this was bought in 1972 for \$Can.57,157.69.
12.25 p.m.

It was bought by way of mortgage. The mortgage was taken with the Bank of Nova Scotia, and the mortgage as well as with the Equitable Life Insurance Company, and both mortgages are being amortised to be paid off by monthly payments. The Bank of Nova Scotia's interest rate is 9% and that of the Equitable Life Insurance Company is 6¾%.

The position is that before the purchase of the original residence for the High Commissioner, a firm of architects, Murray & Murray were consulted and gave a report to the then High Commissioner, His Excellency Mr. C. B. Williams; and it was on the basis of that report that the Chalmers Road residence was purchased.

I had the privilege of visiting various houses owned by the Government of Canada, and I must say that the Chalmers Road residence is a very charming residence but it needs some minor repairs. It is situated in a very quiet area and somewhere in the area is the residence of the Jamaican High Commissioner.

The problem which has occurred is that in 1976 the then Government desired to acquire a further residence for the High Commissioner, and as a result the residence at Lisgar Road was bought. I think that hon. members are entitled to the figures setting out the sums of money which have been incurred in purchasing the new residence. The purchase price was, (CAN) \$197,500.00. There was a refund of \$664.05 being the portion of tax for 1976 and a cash refund for 200 gallons of fuel oil at \$86.20 and the total amount as expended was \$198,250.25 Canadian.

Up to date we have spent in addition \$4,135 in upholstery and furniture, \$1,376 in respect of the purchase of drapes, \$650 for the purchase of a television set, \$777 for the purchase of a bed and mattress for the resident. I regret to state to the House that the method of purchasing the new Lisgar Road residence differed considerably from the method employed in purchasing the Chalmers Road residence. Whereas in the former place the purchase was preceded by a report from a firm of architects who made a survey of the building, in the case of this Chalmers Road residence, no such report was forthcoming. The purchase was done by Giltaur Corporation who apparently purchased from a real estate agency.

I state this fact because I think it is important that guide lines should be laid down by the Government in relation to the procedure to be followed in the future when one is purchasing a residence overseas in the name of the people of Barbados. In the instant case the procedure followed was really that the High Commissioner seems to have negotiated through real estate agents and with the sellers of the property, Giltaur Corporation Limited, and on that basis the House was recommended. There was not, however, and there is no where on the files of the Government, either here or in Canada any evidence of an independent survey having taken place.

I have checked the procedure followed by other Governments and the practices for independent surveys to take place, and whenever the time allows, for some person from the home country also to inspect and deal with the property.

I have subsequently had a survey done of this property, and an evaluation made of the property.

I think that hon. members are entitled to some information concerning this. The general view is in general terms that the housing market in the state of Ottawa is at a very low point, and the number of sales and the costs of houses have dropped considerably during the last few years. If we decided to sell the site on that road at the moment we would lose \$50,000 (CAN). All the figures I am giving are in Canadian dollars.

I should point out that at the time of the sale of this property my information from surveyors and other persons knowledgeable in the property market was that the asking price was higher than the asking price for a similar and better house in the Rockcliffe area. It is regrettable in my view that the Government did not see it fit to have an independent survey done before hand and some idea obtained about the property market as obtains in that area.

I must point out that the Lisgar area in some respects has proved unsuitable. The Government has proposed to construct premises for service and domestic staff in the basement. This will be next to the boiler room. I have inspected the area and it is not only dark, but there is no proper ventilation. As a result the architects, surveyors and engineers have now recommended that it would be necessary, if we are going to keep this second residence to construct additional quarters as an extension of the floor area at a cost of (CAN) \$25,000.

Mr. Speaker, the people who acted as agents, the real estate agents, informed the Government that on a sale of the Chalmers Road residence you will get something between (CAN) \$130,000 and \$140,000; and on the basis of this, the past Government brought down a Resolution to the House which lapsed on the dissolution of Parliament.

We have had an evaluation done by a firm, the Montreal Trust Company, and their view is that if you carry out all the repairs to the extent of some \$6,000 (CAN) we may be lucky to get a maximum of \$119,000 (CAN). It seems to me that the original sellers of this Chalmers Road residence were obviously very favourably inclined towards misleading the Government about high prices in order to get a sale of that property.

I cannot advise either the Cabinet or Parliament that the state of the market, and

having regard to all the circumstances, to proceed with the sale at a low value; and it is because of this that I am recommending to the House a general Resolution which will permit the facility of gauging the property market and possibly obtaining a sufficiently long term lease or short term lease to pay off the mortgages as they accrue and to make beneficial use of the property until such time as we will not lose our money.
12.45 p.m.

I would just like to state one thing. I am surprised that, in purchasing the Lisgar Road property, the Government saw fit to go through a third party rather than having direct negotiations with the original sellers. I think hon. members are entitled to know that the Giltaur Corporation appears to be owned by a Mr. Jerry Bull whose name very frequently have figured in most transactions dealing with the Government in recent years. Apparently, the transaction was handled on a personal basis even up to the time of payment where, instead of the Ministry having to deal with the matter itself, there seems to have been personal intervention by various people on the matter.

I have minuted, as a matter of policy that, in future purchases, subject to the Cabinet directing me otherwise, no High Commissioner, Ambassador, Consular, or anyone else, would be entitled to do any transaction on any personal level. I have also laid down, as a matter of policy, that all purchases must be preceded by proper reports made by experts and that, if necessary, in future our experts here will also have an opportunity to consider whether the purchase is worthwhile or not. I think that if we are to safeguard public expenditure, and if we are to remove such things from the realm of suspicion, it is important that the rules should be quite clearly stated and followed. I have brought all of the files dealing with this matter to the House. In case hon. members want any other information, the files are available and I am willing to make that information available to them.

I should state, Mr. Speaker, that the order of the expenditure which I have set out is a tremendous amount of expenditure, and I would wish some leeway to see in the appropriate time which of the two residences would be more appropriate to dispose of, assuming that the property market of the country starts rising again. I intend also, shortly, to bring to this House a Resolution in connection with the New Rochelle residence in New York which was purchased as the home of the Consul General.

I, therefore, move that the Resolution do now pass.

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

Rt. Hon. E. W. BARROW: Mr. Speaker, I think it is rather deplorable that the Hon. Minister, who has just sat down, should try to continue the smear campaign that has now epitomised the behaviour of the present Government.

Hon. H. deB. FORDE: On a point of order, Mr. Speaker. The hon. member is imputing improper motives to me, and I really do not want to tackle him today on any campaign at all, but I would ask that he withdraws the remark.

Mr. SPEAKER: The hon. member for St. John. Kindly withdraw the remark with reference to a smear campaign by the Hon. Minister.

Rt. Hon. E. W. BARROW: I withdraw it. The hon. member is continuing his campaign. I think that what they ought to do is to try to get on with the people's business of running the country instead of campaigning 365 days a year in the columns of the Press and on the floor of this House. This is all I want to say on that.

From what I know of this matter, first, I should like to inform the hon. member, as he would well know, if he consulted with his Public Officers who, at all times would be dealing with this matter, that the property was not technically bought from the Giltaur Corporation. They were acting as the agents of the Government of Barbados. In the United Kingdom, traditionally, we have had dealings with the organisation which used to be known as the Crown Agents for the Colonies. All business transactions with the United Kingdom used to be conducted through them. In making purchases the Government of Barbados — they are now called the Agents for Overseas Governments or something like that, Sir. In making any acquisitions or purchases of any kind, it has been customary for Overseas Governments to employ the services of the technicians, the professional engineers, and other persons employed by the Crown Agents and leave the matter implicitly in their hands.

In so far as Canada is concerned, the Government of Barbados has had dealings with Giltaur Corporation, which is a reputable organisation in the Dominion of Canada, headed by Dr. Jerry Bull, one of the most brilliant scientist in Canada at the moment. As far as I remember, in this transaction the Giltaur Corporation used their technical services to

appraise the property and to negotiate for the Government of Barbados, because it was felt that their legal staff and others would be more competent to deal with and to acquire the property, and, particularly since the Government was involved, the price for the property would be likely to be inflated, if the sellers of the property knew that they were dealing with a Government. There is nothing furtive, clandestine or sinister about the relationship of the former Government of Barbados with the Corporation. I would say that Giltaur Corporation made no money out of this transaction. The Hon. Minister can get affidavits to this effect. He can check with his Permanent Secretaries, and he will find out everything was done that ought to have been done. Now, I am not responsible for the state of the real estate market in Canada. I was the Minister of Finance, and, therefore, would have to account for all financial actions and be, ultimately, responsible for all transactions which took place during my regime. I do not try to absolve myself from that responsibility, even when I am aware of what transactions may take place. I was the ultimate person responsible.

Now, every single property that the former Government of Barbados acquired, including Chalmers Road — every property that we have bought in Barbados has appreciated in value. Mr. Speaker, you will be aware that the real estate market sometimes levels off; it very seldom goes down, but it, frequently, appreciates at a rate which is only transcended by the 15% rate that they pay when diamonds increase in value. Real estate, as far as insurance companies, Governments and private individuals are concerned, is the best solid investment that you can have. The hon. member is pronouncing on the suitability of Chalmers Road. Mr. Speaker, I am not certain whether you have ever been there. The garage is next to the front door. There is no parking space whatsoever. It possesses no backyard, and it is not in the same street as the Jamaican High Commissioner's residence. It may be vaguely in the same district, but it certainly is a more impressive property than the one the former High Commissioner lived in who is now the High Commissioner in the United Kingdom. 12.55 p.m.

It was the best that could be acquired at the time when we needed a residence, but right at the beginning it was realised that this house was not the final solution to the problem of housing the High Commissioner for the country of Barbados. I want to make it clear that any property that is acquired is not acquired for a person or a particular High Commissioner; it is acquired for the Government and people of

Barbados, and when the property appreciates in value, it is the Government of Barbados that benefits from that increment in value of property. If from time to time the property market is not as high as it would have been, say, six months or a year ago, all we have to do as the hon. member himself has suggested is to hold on to the property until we can get a better price for it. It is as simple as that. But I just want to clear up this point. The hon. member has access to his accounting officers in the High Commission; he has access to the Permanent Secretaries. The Giltaur Corporation was not the owner of this property; they acted as the agents for the Government of Barbados and they did not as far as I can remember charge any fee or make any profits out of the transactions whatever. That is all I want to say on the subject, but it is unfortunate that the hon. member is coming along trying to make it appear as if the former Government did not know what it was doing or acted irregularly in its transactions in acquiring property.

We have acquired Ilaro Court and the arrangement which we effected with the former owner of Ilaro Court which was formerly the property of Lady Gilbert Carter, the wife of a former Governor of Barbados, one of the most impressive properties in Barbados surrounded on two or three sides by Government land, certainly by lands where the Community College used to be and still is in part, is that we paid down one third of the \$300,000, and up to now they have not occupied it, and we have two years at 6% to pay off the balance of the property. Virtually next door to where the Hon. Minister lives — he has not mentioned this to the House but I think I mentioned it at some time — I acquired two houses from the estate of Mrs. Wright, as the Government is allowed to do in exchange for the death duties which they did not have to pay amounting to approximately \$260,000. If the hon. member is looking under stones to try to see if he can turn up any worms, let him go next door and look at the two properties. I am sure he would not have acquired property in that area unless he was satisfied he was making a proper investment, and we acquired those two properties without paying one penny, because it is unlikely that we ever would have got those death duties because on the last occasion when we insisted on being paid the death duties which amounted to \$330,000 on a similar kind of project, we could not recover it in the Courts of America because the trustees and administrators had disposed of the property to the beneficiaries in the United States as was likely to happen in the case of Mrs. Wright. They had no money so we acquired that

property. You can go from one place to another. For the same property next door to Ilaro Court we paid something like \$72,000.

I hear a lot of criticism. The Hon. Prime Minister was not a member for the House and he said he was not living in Culloden Farm because he criticised it at the time of purchase. He was not a member of the House at that time, so I do not know. His criticism might have been under some non-de-plume or sobriquet in one of the public media, but we paid \$101,000 for 8½ acres of land which according to the house that Tom built is equal to what he is doing for himself today, and he is probably on 15,000 square feet, and he was satisfied to spend \$100,000; but we acquired 8½ acres. We went next door to Flodden and bought 4½ acres for the Public Service Commission for something like \$67,000, speaking from memory; so this Government has a consistent record of having made good investments for and on behalf of the people of Barbados. I can only end by the way I started off, that it is unfortunate that they spend so much of their time trying to turn up slugs under stones and they can only turn up images of themselves.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I really came to the House today to deal with the people's business by sitting down and lending my vote where necessary rather than my voice, because there is nothing particularly on the Order Paper that requires the intervention of the Minister of Finance as I see it; but I would just like to state as a matter of Government policy that this Government will not ever be seeking to justify real estate acquisitions on the grounds that it was a good buy and the price went up. This Government of Barbados is not in the real estate business. We do not believe that buying and selling or buying and looking at profits or rises in the value of property form any part of the Government's business. We leave that to those who themselves have interests in property and find it impossible to separate their own personal interests from those of the Government when it comes to movements of property.

I do not want to have to say over much about Culloden Farm, but I would just say I have never said I am not living in Culloden Farm because I criticised it at the time it was bought. I have never said that. I have to give no explanation. I just choose not to live in Culloden Farm. All the reasons which were suggested to me for not living there I do not even cite. I do not believe the previous occupant left behind a baccoo which would disturb my sleep as I heard

in an anonymous letter as to why I should not live there. I do not have to take on that. I just do not live there and in the course of my not living there I am proud that as Minister of Finance I am able to record a saving to the Government of some \$1,100 monthly less \$100 that the previous occupant paid for the use of the servants, the butler, the cook and the maid; I am proud to record a saving to the Government of not having to pay for air-conditioning bills at Culloden Farm; I am proud to record a saving to the Government of not having to give Bop Clarke \$300 to \$400 monthly for cleaning the place. Bop Clarke is a man who apparently killed somebody in Queens Park and was once defended by the hon. member for St. John and acquitted; the barber of the hon. member for St. John. I am glad to save the public all that. I am quite glad to pay income tax on my house allowance of \$800 a month, and I give hon. members an assurance that it is not in my mind at the present time to do as the hon. member for St. John did and bring in legislation to save myself from paying income tax on the value of the house which I at present occupy, because I have to pay income tax on the imputed value of my own house, I have to pay income tax on the \$800 a month house allowance, I do not get the benefit of the 8½ acres as opposed to the 15,000 square feet, I do not keep Patsy Springer's race horses or pigs for my own private property at Government expense; I do not save up the ends and remnants of cocktail parties held at Culloden Farm so there is always a supply of liquor in the yard

Mr. SPEAKER: Mr. Prime Minister, let us get on.

Rt. Hon. J. M. G. M. ADAMS: Honest to goodness; you have to be told about Culloden Farm in here. I just do not choose to occupy it and it saves the taxpayers' money.

Mr. SPEAKER: Let us get down to 2060 Chalmers Road.

Rt. Hon. J. M. G. M. ADAMS: It actually costs me money because it is obvious my house would rent for some money, and yet we have to go on with this pettiness and talk about turning over stones and seeing your own image underneath the stones. There are no worms as far as we are concerned, there are slugs.
1.05 p.m.

Mr. Speaker, a great deal of irrelevancy has been brought in, I am glad to see the hon. member for St. John in here, I want him to answer and to say in the House on the floor of

the House that he has never had an interest by way of shareholding in either Rylands Limited, a Bahamas land company or Golden Mile Limited, a Cayman Island land company which subsequently sold or contracted to sell the lands at Heywoods to the Government of Barbados at a sum of \$1.70 per square foot when the imputed value on the previous sale before that had been 38 cents. Let him get up and say that he has never written a letter to Cecil Kirton in New York inviting Cecil Kirton to take an investment down there at Golden Mile, and then let him in the end of all that, if he says he has never had any dealings with the land at Heywoods which the Government subsequently contracted to buy I will accept what he says.

Mr. SPEAKER: Did these companies have any interest in 2060 Chalmers Road, Ottawa, Canada?

Rt. Hon. J. M. G. M. ADAMS: Sir, it is a general debate on land acquisition. If he can get up and say that I will accept his strictures on the Hon. Attorney General, the hon. member for Christ Church West. Let the House be absolutely assured that we are analysing these land deals because we do not intend any hon. member, even inadvertently, to find himself in the position of hon. members who may have had the finger of scorn pointed privately at them by members of their own party perhaps in connection with their land arrangements which they subsequently find the Government also involved in.

Rt. Hon. E. W. BARROW: I really do not know if I should answer the hon. member.

Mr. SPEAKER: On what do you rise?

Rt. Hon. E. W. BARROW: The hon. member said I should get up and answer.

Mr. SPEAKER: On what do you rise?

Rt. Hon. E. W. BARROW: A point of elucidation. I do not think it is necessary for me to go into all the.....

Mr. SPEAKER: Please elucidate your point.

Rt. Hon. E. W. BARROW: I would like to assure the hon. member that at one time I did encourage some American ex-Barbadian professional people to try to take an interest in development in Barbados. I was asked by Mr. Cecil Kirton whether I would show my — I do not know what to call it, Sir — but by acting

as a kind of trustee for this company that they had on a purely private basis, and I would like to say to hon. members that this was years before any transactions between that particular property at Heywoods and the Government of Barbados took place and I had disassociated myself from the company entirely. I can name the business men, one of them is a relative of the Deputy Prime Minister, a cousin.

Mr. SPEAKER: Point taken.

Hon. H. deB. FORDE: Mr. Speaker, if there are no other hon. members who wish to speak I wish to reply to the rather scanty comments made by the hon. member for St. John. I am not surprised that the hon. member has come into this House today after his absence for four or five sittings to begin to argue a point based on something else that is irrelevant. The hon. member does not understand that the procedure for purchasing houses overseas on behalf of the Government must of necessity be very clear and should of course be based on such rules and principles that no one who comes after can query whether or not all was properly done. The hon. member of course will refer to a house next to where I live, but that is irrelevant, I am not dealing with that in this debate. If I want to argue with him about purchases in Pine Hill that is another matter, I do not want to be side-tracked with that sort of argument, I want to go back to this one.

Nowhere in any Government file is there any evidence whatsoever that Giltaur Corporation Limited was acting as the Government's agent in this transaction. Contrary to what the hon. member has said, the Government had its own independent legal advisers Gowling and Henderson and it is not true to tell this House that one of the reasons for having Giltaur intervene is because they had their own legal and better legal experts to give the Government advice on this matter. So the hon. member when he begins on a basis of fact his facts are not well founded.

Rt. Hon. E. W. BARROW: I rise to correct the hon. member. I said that in the same way, on a point of elucidation, that we employed the professional services of the Crown Agents, we have been in the habit, including the legal services, of using Giltaur Corporation because they have carried out a lot of work satisfactorily for the Government of Barbados and they have the necessary expertise and there is not an equivalent organisation in Ottawa to

the Crown Agents for the colonies, as they used to be known. I did not specify that in this particular case it was the legal services that we required, but they certainly had people who were able to value and assess a property and advise the Government on it.

Hon. H. deB. FORDE: Again, the hon. member will have to find probably among his personal documents any evidence whatsoever of Giltaur Corporation assessing any property, doing any survey. That just is not so. I have checked with the Counsellor, Mr. Maycock, who was there, I have checked with the Permanent Secretaries right through, I have checked every file in the Embassy in Canada and here, and there is no such evidence, none whatsoever, so the hon. member cannot come in here and give the impression that Giltaur on this transaction was rendering any service to the Government whether gratuitously or not. That just is not on. The position is that Giltaur Corporation intervened in the transaction and it seemed to have done it on a personal basis, and the hon. member well knows that he was making personal calls to Dr. Jerry Bull finding out if the money had been paid or not. If he wants me to read the letter I will read it, I did not come into this House to mislead the House. This is a note from the Counsellor, and it is dated April 29, 1976:

This morning I received a call from a Mr. Perrier who said that he was speaking from Montreal and that he worked in the office of Dr. Gerry Bull.

He said that the Prime Minister of Barbados, the Rt. Hon. E. W. Barrow, had asked Dr. Bull to find out whether the funds for the purchase of the new official residence at Rockcliffe Park had yet been handed over to Gowling and Henderson. He volunteered that the Prime Minister was unhappy that the purchase had not yet been completed and had asked Dr. Bull to call him (the Prime Minister) back if the deal had not been finalised.

What is the hon. member doing not using his officers who are well qualified in instances of this nature in dealing with transactions? Why should he want to go through third parties not connected with the Government and who are not bound by the Official Secrets Act? This is the sort of thing you should come into the House and explain, not to begin a debate with me that you want to pull me down on personal matters with yourself, and I say it is unfair and wrong for any Government Minister no matter who he is to

approach transactions of this nature as though he has a personal interest in the matter outside of the public interest, and that is why I have minuted the file and have laid down the future policy which must be followed so that there can be no suspicion in this matter. I resent very strongly the hon. member's allegation concerning the fact that I am carrying on any sort of campaign against anybody. There is no statement I make in this House that I would not repeat outside; the hon. member can be assured of that, but the manner in which this transaction was dealt with was not the proper manner as I understand transactions of this nature should be dealt with in the future, and I can assure the hon. member no Jerry Bull, no Giltaur Corporation would ever be interposed as long as I am Minister in any such transactions in the future and I will always be available to make all the documents available or to lay them on the table of the House should it be necessary so to do in the future.

I want to say that the property market in 1975 was down and had a proper survey been done then the hon. member and his Minister would have found out that they were paying too much for the House, and that is what we are saddled with today, probably spending \$40,000 to \$50,000 (Can.) more than the market for similar prices in that area was asking and fetching during that period of time.

1.15 p.m.

If he was misled by Dr. Jerry Bull, I am sorry for the people of Barbados because he should have employed proper and competent assessors and surveyors who would have given us independent advice in such circumstances. I made a check and found that we did not pay anything so we will never know what was the true ceiling price from the original vendors at the time when you introduced this third party who have no accountability to the people of Barbados.

I want to know what is the true position. The officers are completely lacking in knowledge on these points. It is the most scanty transaction I have come across in a purchase involving \$½ million of public funds. I can only give this House the undertaking that I will not be part of any such transaction if I have to deal with the matter in the future. I beg to move that the Resolution do now pass.

Rt. Hon. E. W. BARROW: On a point of explanation. Is the hon. member suggesting that some party or somebody in the Government made some money on this transaction?

Mr. SPEAKER: I thought that you had risen to elucidate a point.

Rt. Hon. E. W. BARROW: Yes I want an elucidation because.....

Mr. SPEAKER: Just wait a minute. You have not tried to elucidate the point.

Rt. Hon. E. W. BARROW: I asked for an elucidation.

Mr. SPEAKER: You do not elucidate in that manner. The question is that the Resolution do now pass. Those in favour will please say aye and those opposed will please say no. I think the ayes have it.

On separate motions of Hon. H. deB. FORDE seconded by Rt. Hon. J. M. G. M. ADAMS the Resolution was read a second time and agreed to.

Hon. L. S. CRAIG: 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, and Mr. SPEAKER left the Chair and the House went into Committee of Supply, Mr. ODLE in the Chair.

RESOLUTION TO AMEND THE NOTE TO ITEM 5, HEAD 111, MINISTRY OF LEGAL AFFAIRS

Hon. H. deB. FORDE: Mr. Chairman, in the Capital Estimates of Expenditure for 1976-77 the House voted \$103,150 for the purchase of vehicles for the Police Department. The note to Item 5 under that Head reads as follows: "It provides for the expenses of acquiring replacements for Mobile Division as set out hereunder — 7 cars, 1 landrover, 2 vans, 1 mini bus, 1 motor cycle and 3 scooters." The Commissioner of Police has stated that suitable scooters are not available in the island, and he had recommended to the Ministry that 3 light motor cycles be substituted for the 3 scooters.

In the circumstances it has become necessary for me to seek leave of the House, or of the Committee, to change the note so as to substitute the words "3 light motor cycles" for the words "3 scooters" to enable these funds to be expended for the purpose which the House intended.

I beg to move that this Head stand part.

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

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

RESOLUTION TO SUPPLEMENT THE
ANNEXED ESTIMATES, 1976-77
No. 29

Hon. L. B. BRATHWAITE: Mr. Chairman, this item seeks to make provision for the sum of \$71,630 in the first instance to repair the cross berth at the harbour which is in need of repairs. The second instance the sum of \$11,220 is needed to provide for the payment of wages to the skeleton crew which is now employed in maintaining the ship "M.V. North Point".

It is certainly not pleasant to have to ask for funds to be voted under this Head; but since the ship is the property of the Government, you have got to maintain it for such time as we are with it. This ship of course has a long history, and the history is so well known, that I do not think that it is necessary for me to repeat the whole story about it here.

The next item is for \$22,390 to provide for one bow fender for the Port Department. This is virtually a revote. This sum was voted in the Estimates for 1975-76, but it lapsed because the bow fender was not ready and therefore there was no revote. The money is also needed to make provision for the acquiring of radio sets for the Marine Staff for the berthing and unberthing of ships in the harbour.

I do not think, Sir, that this item is really contentious but if at all information is required on this matter I would be just happy and willing to give it.

I beg to move that this Head stand part.

Hon. L. S. CRAIG: I beg to second that.
1.25 p.m.

It is some time since we have heard about the *North Point*, and I should like to know what are the Government's plans in the immediate future for dealing with the *North Point*. The Addendum to the Resolution, which has been introduced, says that the money is sought to pay wages for the skeleton crew which is employed in the maintenance of the ship. Now, how much longer does Government intend to maintain the *North Point* just as a floating vessel? Has the Government sought to charter the *North Point*? It has come to my attention that there are

persons willing to charter the *North Point* for the transportation of lumber between Barbados and South America. I do not know if any advances have been made to the Government. I would like to hear from the Minister what are the immediate plans for dealing with the *North Point*. Are we going to come back in here in another 4 months with a Resolution to pay the skeleton crew, when the vessel is anchored there and is not producing an income?

Mr. GREAVES: Mr. Chairman, this is a matter which I am happy to see that the Minister of Communications and Works has introduced. We are all concerned about ensuring that our external communications and, indeed, the areas which have to handle any aspect of our external communications are kept in proper order, and, obviously, any attempts to correct any problems which arise there must be welcomed. But I would like to state, Mr. Chairman, that the Minister of Communications and Works must be considered by this House and, indeed, by the people of this country, as incompetent to deal with the Ministry for which he has responsibility. I am talking in terms of communications now, because the Minister Communications and Works has caused a considerable degree of confusion in this country, as far as internal communications are concerned. I am talking about the bus situation in St. Lucy and St. Peter. This is a matter which we have to look into very carefully.

Mr. CHAIRMAN: Will you, please, take your seat! May I hear the Hon. Minister of Communications and Works.

Hon. L. B. BRATHWAITE: Mr. Chairman, the question of my.....

Mr. GREAVES: Mr. Chairman, I am speaking.

Mr. CHAIRMAN: Will, you, please, take you seat!

Hon. L. B. BRATHWAITE: Mr. Chairman, on a point of order. The point made by the member for St. Lucy is totally irrelevant to the matter under discussion. I am dealing with the Port. What is the internal transport system to do with the Port of Bridgetown?

Mr. GREAVES: Mr. Chairman, we are talking about communications, and I am suggesting that, when we talk in terms of communications, we have to look at the external communications as well as internal communications. I am speaking on the Port. The

Port deals with ships which come in from overseas and which, therefore, is our gateway to the outside world. When we think in terms of communications, we have to look at the whole area of communications, and this is why I am saying that we must look at internal communications. I am saying that the Minister is incompetent to deal with the whole matter of communications.

Mr. CHAIRMAN: Will you take your seat!

Hon. L. B. BRATHWAITE: Mr. Chairman, I would wish that you call the member to order. He does not even seem able to appreciate the fact that you are calling him to order. What the member is trying to introduce in this debate is totally irrelevant. He is hoping to get through the back door what he failed to get through the front door earlier on today.

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

Mr. CHAIRMAN: Would you please acquaint the Chair on what point you are complaining?

Mr. TAITT: Surely, Sir, many of the people who work at the Port have to travel to and from the Port in buses.

Mr. CHAIRMAN: No point of order!

Mr. GREAVES: Mr. Chairman, the Hon. Minister has said that I am trying to get through the back door what I failed to get through the front door. I think this is a matter which needs to be taken up, and I am going to take up the Minister on this particular point.

Mr. CHAIRMAN: You will confine your remarks to the Resolution.

Mr. GREAVES: I have submitted a Resolution to the Speaker which he has refused. It was a Resolution dealing with transportation which affects the people of St. Peter and the constituency of St. Lucy.

Mr. CHAIRMAN: The hon. member for St. Lucy will take his seat. (*Asides.*) Order!

Hon. F. G. SMITH: Mr. Chairman, I want to ask the Minister, since they have been harping on the *North Point* all of this time — I notice the Minister has a burnt out ship in the harbour. Will he tell us what he proposes doing with the burnt-out ship? They have a ship, which I gather was seized and it owes the court money. Is the new Government forming a fleet of one burnt-out ship?

One ship which the company, Harp's says they have no apologies to make for it. I have not heard the Prime Minister reply to the statement which Mr. Dear made in the Sunday newspaper saying that they do not have anything to be penitent about. Leave out the *North Point*, we will deal with that in due course. I want the Minister to tell the public what is happening to the burnt-out ship that brought cement and is still lying there. Are you going to sink it, refit it, outfit it, or what?

Hon. H. deB. FORDE: Mr. Chairman, it does not surprise me that the Leader of the Opposition, as he does on so many other occasions and as he has done so frequently, both when he was on this side and on the other side, intervenes in the debate without doing his home work. In the first place, the hon. member ought to know that the question of the *Stevronica* is still *sub judice* before the courts of this country. If he is the Leader of the Opposition, and being aware of what is going on, he should get himself properly informed before he.....

Hon. F. G. SMITH: I have nothing to do with the *Stevronica*. I was never a lawyer in the matter. I am asking you about the matter. You are in the Government and you should answer me. Do not tell me about what I should know. I do not run around pimping to find out what has happened to it. You have the facts and you should tell the House about the matter. I have read what has happened to it in the papers like you. You have the answers.

Mr. CHAIRMAN: Will you please sit!

Hon. H. deB. FORDE: I am not surprised at the vehemence and the shouting of the hon. member, but I have never heard that the louder your voice the more sensible you are. Indeed, the louder the hon. member speaks, the more stupid he may appear in his speech on this occasion. The position is that the matter concerning the *Stevronica* is *sub judice* before the courts of this country.

1.35 p.m.

In relation to one of the defendants in the case, we have already recovered for the Treasury of Barbados some \$60,000 as salvage value in relation to the cargo. In relation to the wreck itself, the matter is still before the Courts and would be improper for any Minister of Government to discuss the position in relation to that debt at this stage.

Mr. SANDIFORD: Mr. Chairman, the Addendum to Item 11 of this particular

Resolution indicates that wages are required to maintain the ship "M.V. North Point", and that the balance in the vote is inadequate to meet these wages to 31st March, 1977, and hence this supplement of \$11,220 is being requested.

Now it is not surprising to me that the question raised by the member for St. Philip North has been raised because this country has been subjected to a good deal of debate, discussion, suggestion and inference about bad decisions, bad policies and such matters relating to the purchase of the "North Point". Now what I believe this country is waiting for and has been waiting for ever since 3rd September is for the Government of this country elected at or around that time to get into a constructive phase and to carry out the policies and programmes which they said they are going to do for this country to improve conditions in this country including the provision of additional employment opportunities. We have had a large number of criticisms about the decisions taken by the former Government, but what we want from those of you on the front bench over there is a constructive proposal in respect of all these matters which you have been criticising.

Let us take the North Point, one of the items we are currently discussing. There was a lot of criticism about that ship which was purchased by the former Government, but to this day we have not yet heard what are the proposals in respect of that particular ship, and it is therefore not surprising that from your own back bench you are getting questions as to exactly what

Mr. SIMMONS: We have an independent mind.

Mr. SANDIFORD: I know you have an independent mind; that is exactly what I am praising. That is why you have to get up and ask those who apparently do not have independent minds what is happening and to indicate to them that they should get independent minds and become constructive. What we want to hear and what the people of this country want to hear are what are the proposals in respect of the North Point. Last week it was the turn of the member for Christ Church East to tell the Prime Minister and Minister of Finance that he was too timid in his financial policies. This week it is the turn of the member for St. Philip North. Now I am certain the Minister of Communications and Works has the answers. I recall that there was some statement that some Committee had been established.

Mr. SIMMONS: On a point of elucidation, I should just like to point out to the hon. member for St. Michael South that before the election the hon. member for St. Lucy voted against his Government on Civil Servants' salaries.

Mr. SANDIFORD: I hope you will have the courage to vote against your Government on this particular issue as the hon. member for St. Lucy did. So let us see that independent mind and independent action in operation here today. So I challenge you on that. I thank you for the point of intervention which you made. That is the only point I want to make. We all would like to hear what is being proposed and I would again counsel the front bench over there that it is becoming obvious not only to us in the Opposition but on your own back benches that you have got to give this House and the general public full information on these matters and do not want to be prompted and goaded because we have passed that age. They say "lick and love up done with"! You should not wait to be goaded to giving that answer in a situation of replying from the front bench where there can be no question from the Opposition benches, because you have the last word of reply which seems to be the method and the tactic being adopted. Get up when the Resolutions are being introduced and tell this Honourable Chamber what are the issues involved, what are the proposals. That is all we ask. We want to know, so I join with the independent member for St. Philip North in pressing for some information on this particular matter.

Mr. TAITT: Mr. Chairman, I go a step farther. When the North Point was acquired by the Government in power at the time, it was acquired specifically to get involved in the transportation of clinker from Barbados to Guyana. Since this Government has come to power we have heard nothing of the proposed cement plant. All we have had is a statement that it is being reviewed. All we have had is the Minister responsible for Consumer Affairs doing what can only be described as a miracle. He proves to the people of this country on television and radio that when you add on 82 cents to a bag of cement that is a reduction. When are they going to activate the North Point to do the things that the North Point was brought down here to do? They have walked around and have confused my friend the representative from St. Michael North East into talking about the North Point as being like Noah's Ark. I would really like to take time to tell him what Noah's Ark is all about, but I know you would think I am irrelevant.

The point is, Mr. Chairman, that week after week they come in here, these distinguished Ministers on the front bench, this great combination on the front bench, and it is the backbenchers that are indicating any kind of sagacity or understanding of the problems of this country. The backbenchers know it and the Opposition, and this front bench you have here, Mr. Chairman, come in here week after week and all they have to say is that somebody steals, and you hear about corruption, corruption, and some of them ought to be the last persons to talk about corruption as you know, Mr. Chairman.

Hon. H. deB. FORDE: On a point of order, the hon. member is insinuating that persons on this front bench are corrupt, talking about some of us ought to be the last to speak of corruption. If that is his insinuation as I submit to you it is, I will respectfully ask him to withdraw it.
1.45 p.m.

If that is his insinuation, as I submit to you it is, I will respectfully ask him to withdraw it. People who live in glass houses should never throw stones.

Mr. TAITT: Mr. Chairman, what knowledge does he have of any glass house I live in?

Mr. CHAIRMAN: Will you confine your remarks to the Resolution?

Mr. TAITT: I do not believe that the member for Christ Church West is corrupt, if that is what he wishes me to say, but if he wishes me to say so I will say so.

Hon. L. B. BRATHWAITE: Mr. Chairman, the hon. member for Christ Church West rose on a very important point of objection. I want the member who just sat down to withdraw the remarks, so if you are not clear as to what was said, have it read back to you and let us proceed. We have to move now, it has to be clear, and he has to withdraw.

Mr. TAITT: Mr. Chairman, perhaps if the Hon. Minister tells me exactly what he wishes me to withdraw I could save some time by withdrawing it. If he tells me precisely what he wants me to withdraw, I will withdraw it.

Mr. CHAIRMAN: The Chair will read the passage which I believe the hon. member for Christ Church West, the Attorney General, complained of. It is this. "The backbenchers know and the Opposition, and those on the front bench come in here week after week and

all they have to say is that somebody steal, and you hear of corruption, corruption, and some of them ought to be the last persons to talk about corruption, as you know, Mr. Chairman." I do not find this to be unparliamentary, it does not impute corruption to any hon. member.

Mr. TAITT: Thank you, Mr. Chairman, I know I can always feel comfortable with the competence of such a distinguished person sitting in the Chair.

Mr. CHAIRMAN: There is no need for you to comment.

Mr. TAITT: Mr. Chairman, there are only five minutes left and I think that they managed to do what they set out to do. I think they wanted to reduce my momentum, but let me say this, Mr. Chairman, we on this side are beginning to be concerned at the lack of serious attitude on the part of certain of the Ministers on the front bench.
1.55 p.m.

We are beginning to be concerned when they come here with items without bringing sufficient information about the items. They are not telling us if the policy has changed, and why, and what the new policy will be. I think that the question which the member for St. Philip North asked is a question to which all Barbadians should know the answer. What will the Government do with the North Point? Offers have been made to purchase it, and if the Government is not going to build a cement plant, and if the Government is going to allow us to get an increase of 83 cents a bag every six months, as is bound to happen under the system that we have now, let them tell us so, so that those of us who have to build houses will know that we have to shift from cement to wood, and that some of us will know that we cannot build houses at all; but for heaven's sake let them tell us what the policy is.

Imagine what it must be like for those who work on the North Point. They go down every morning and board the vessel, and clean it up. They themselves know because they have been participating in the vessel ever since we brought it out of California. They know that this is a vessel which should be earning money for Barbados. They know that it was purchased with the expressed intention of earning money for Barbados if the cement plant was completed.

Now all that we have is a vague non statement by the Prime Minister that he is not

building any cement plant for \$100 million. All that we have is that the price of cement is going up.

Hon. L. S. CRAIG: I must draw to Your Honour's attention the irrelevancy of the hon. member who just took his seat. We are dealing with a Resolution for \$22,000 and I do not see how cement at 83 cents a pint, employment, houses and all those things come in. I will have a chance to address this Chamber shortly, and I will draw your attention the irrelevancy of the hon. member.

Mr. TAITT rose.

Mr. CHAIRMAN: Will the hon. member be relevant in his remarks?

Mr. TAITT: With all due respect, Sir. When the Government purchased the North Point it stated that the reason for the purchase was to transfer clinker from the cement plant in Barbados and back. It is almost impossible to discuss the North Point without reference to cement.

I am aware that the member for St. James has some limited understanding of the English Language, but that is his problem. Cement comes through the Port, Sir, and if they understood what cement is all about they would not raise such irrelevancies. The point I am making is that the time has come for the Minister of Communications and Works to tell us in clear and unmistakable terms what he intends to do with the North Point.

Hon. L. S. CRAIG: It is now 2 o'clock and I am going to ask, Sir, that you report progress and ask for leave to sit again. I hope that members on the other side will be here when we return.

I beg to move that Your Honour 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. SPEAKER resumed the Chair. Mr. CHAIRMAN reported and Mr. SPEAKER reported accordingly.

SUSPENSION OF SITTING

Mr. SPEAKER: It is now 2 p.m. and this sitting stands suspended until 2.45 p.m. today. 2 p.m.

On Resumption:

Mr. SPEAKER: The sitting is now resumed. It is now Question Time. There being no questions, we will now go into Private Members' Business time.

Hon. F. G. SMITH: Mr. Speaker, there is only one Resolution on the Order Paper and I am not asking to deal with it today. There is a matter of Private Members' Business on which I would like Your Honour's ruling. That is under the Sugar Industry Agricultural Bank. The House is entitled to appoint two members, one from the Government and one from the Opposition. I have spoken to the Hon. Prime Minister and the Minister of Agriculture. There is only one nomination by the Government the member for Christ Church East. I would like to nominate the member for St. Philip South and I think that this would be satisfactory to the Government. I have spoken to the Minister of Agriculture too, Sir.

Hon. L. S. CRAIG: Mr. Speaker, I would suggest to the Leader of the Opposition to hold his horses. I do not think that it is an oversight on the part of the Government, but due to the attitude of the Opposition when we asked them to sit on Boards and Committees and they resented this. In view of the absence of the Minister of Agriculture I would suggest that the Leader of the Opposition hold it off until a further time.

Hon. F. G. SMITH: We have taken our place on all of the Committees of the House. We said that we are not sitting on Statutory Boards outside of the House. On this particular Board two members have got to be nominated by the House. I do not think that it is fair to bring in that. If he wants to consult with his colleagues let him do that; but I do not think that it is fair. We sit on the Debates Committee and all of these Committees.

Mr. SPEAKER: I do not want the matter to become controversial at all; and I do not think that an injustice would be done to either side if we deferred the matter until the Minister for Agriculture, the appropriate Minister, is in his place.

PRIVATE MEMBERS' BUSINESS

Hon. F. G. SMITH: Mr. Speaker, there is only one item, and it stands in the name of the hon. member for St. Michael North Central. I am

asking that this matter be not dealt with today. That will complete Private Members Business for today's sitting.

Mr. SPEAKER: We now revert to Government Business. When the House was suspended the House was in Committee and to that it now reverts.

2.55 p.m.

RESUMPTION OF SUPPLEMENTARY ESTIMATES 1976-77 No. 29

A Resolution to grant the sum of \$105,240 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Annexed Estimates 1976-77, Port Department, as shown in the Supplementary Estimates 1976-77, No. 29 which form the Schedule to the Resolution.

Mr. SPEAKER: The hon. member has completed his speech.

Mr. SISNETT: Mr. Speaker, it is very sorry indeed that, again, I will have to speak on the *North Point* issue. I thought that that matter had been settled once and for all when I tabled a Motion regarding that ship a few months ago. I had spoken of the unsuitability of the *North Point* for any viable commercial trade at that point of time. Today this Government is asking for some money to assist the Port Department in maintaining the *North Point* on a weekly basis. The *North Point* happens to be the property of the Government today. It would not be right for us to allow the ship to rot, and we have to maintain it in some way. The Resolution before the House is asking for some money to strengthen the Cross Berth at the dock side and to pay the skeleton crew, and it appears to be a reasonable sum of money the Government is asking for. The member for St. Michael West got in here and made some uniformed statement on a matter which he knows nothing about. He says that the ship was bought to go into the trade of carrying clinker or cement.

I am, again, sorry that the former Minister responsible for Finance is not here to explain to the people of Barbados why, in the dying days of his Government he, unilaterally, went forward and spent \$1.7 million in acquiring a ship which the Government of Barbados today can find no proper solution to put the ship into trade. We cannot find any genuine trade for this ship. It is not that we do not want to put the ship into trade, but the ship will be an embarrassment to every Government that wants to run it. The former Government went forward without any

expert advice, spent the taxpayers' money and acquired a ship that has never been in commercial trade in any part of the world. Those ships were never built for commercial trade. As I said on the last occasion, all of them broke up because they were never built for commercial trade. Those ships were built as landing crafts during the war. I think the former Minister of Finance knows about finance, but he wants to go into shipping without knowing anything about shipping. He wanted to go into all sorts of trade, and today we are stuck with a White Elephant in Carlisle Bay.

When the *North Point* was acquired, as the then Government said, it was acquired for specific trade to transport cement from Guyana, but to my mind, and to the mind of most people in Barbados, that plan has not yet even been taken to the drawing board. What is the explanation for going so suddenly into such a big project as this? The Port Department, unfortunately, is the one today who has been maintaining the *North Point* since it was taken over by this Government on September 2, 1976, and during the weeks following that period the Port Department was able to maintain the ship at a cost of about \$1,000 a week. There was a Special Committee set up to see what could be done with the ship. The Committee had recommended that the skeleton crew be cut in half.

The Resolution today before this House is asking this Government to give some thought and some money, too, to pay the wages of the people who have to maintain the ship. We cannot afford to let the ship rot. I understand that many offers have been made. I do not know if offers have been made to the Government to acquire the *North Point* for what the ship cost the last Government. I do not know if that is so. I would like to think that, if anyone offered the Government the money the former Government paid for the *North Point*, we would get rid of this White Elephant. The Resolution is also seeking money to strengthen the Cross Berth at the Port. After 1961, it is sad to say that very little attention has been given to the Bridgetown Harbour, and because of a number of problems where ships have rammed into that Cross Berth the steel which supported the Cross Berth fell apart. Government, since the new extension to the Port began, has asked the people who are responsible to rectify the damage to that part of the Port. I say that the Resolution is a reasonable one.

The Opposition wants to know what the Government is doing. It is said that we told the people that we would do this and that and we

are doing nothing. I would like to say that, if the money we are asking for today is any indication whatsoever of what this Government would really like to do to get the *North Point* and the Port on a proper footing, to get the Port to be a true International Port, and to keep the ship working in order to find jobs for people, then this money is needed to get the ship working again and we should support it. We should not continue to think that the Government is not aware of the problem surrounding the *North Point*. We would like to see the ship sailing, but the ship is an embarrassment to anyone who wants to run it. Anyone who comes here and says that we do not know how to get the ship going is telling the truth. We do not want to further embarrass ourselves. The *North Point* is a sad example for any international shipping. It does not have, as I said before, a self-supporting crane.

3.05 p.m.

When the *North Point* leaves Barbados and goes to Trinidad or Jamaica without a supporting crane, Trinidad or Jamaica does not have dock-side cranes, so how is the cargo going to come out of the hatches of the *North Point*? Was this consideration not gone into before? Who are the experts that said this sort of ship is suited for clinker? Where in Guyana is the ship going to unload the clinker? How is it going to be unloaded? It is all right for the former Minister who perhaps had a good share of the lumber that came down from California on the *North Point* to build a few houses in the New Orleans to talk like that, but, Mr. Chairman, we want some advice and we would be willing to take good advice from hon. members over there. How can it run? Do you realise that if this ship leaves Barbados and goes into an American port that it would have to pay a fee of \$1 million because it does not meet international requirements for sea travel? As a matter of fact, it cannot leave Barbados because it does not have a seaworthy certificate. The *North Point* has to go on dock and it has to produce at its next port of call a certificate of sea worthiness from its last port, and its last port is Barbados. We do not have a dock to take the *North Point*; so it is doomed in the waters of Barbados.

We are only asking for some money until the Government can decide what is best to do with the *North Point*. We are working on the *North Point* to see how best we can serve the interests of Barbados, perhaps in finding some jobs. I have my own personal views and I would suggest that it be turned into a nautical college. A lot has been said throughout the Caribbean about shipping and ship building and so on, but

nothing has been done in Barbados to alleviate this problem. It has got all the equipment and facilities on board to go into a full nautical training college. You can put it on the beach and let some of the boys and girls in fifth form who might want to study navigation to go and study it there.

Mr. Chairman, I think this Resolution is a reasonable one. I believe a lot of money has been wasted on the *North Point* and we do not intend to waste any more time discussing the *North Point*. When hon. members come in here and try to fool the country that the Government is incapable of finding a solution to the ship, I think they are right because the ship never had any value whatever. It was unsuitable from the outset, and I am sorry that the former Minister of Finance has gone because I think he owes this country an explanation as to why he so suddenly in the dying hours of the last Government acquired that white elephant.

The Resolution is a good one to get some money to get the Cross Berth done and to pay the skeleton crew, and I am asking all hon. members to support the Resolution. We are going to support it. If the former Government had ideas of going into shipping I think they should have consulted an expert, not the former Minister for the Port who is a self-styled master mariner in every sense of the word. He said it was a good buy. Good for what? Good for nothing! So Mr. Chairman, we are just trying to give a few supporting views and to show the other side why the *North Point* cannot run. It is a vessel which was never built for commercial trade. A few of them have been tried for commercial trade and have failed. It was built as a war going concern and if we in this Government are saddled with this ship, it is unfortunate, but from the outset no constructive thought was ever given to the purchase of the vessel. It was just a hurried buy and I think we should be sympathetic with this Government until the Government can find a workable solution to that white elephant.

Hon. L. S. CRAIG: Mr. Chairman, I have listened once again on this occasion to a debate for the amount of \$102,000 of which Item 11 — Contingencies, is for \$11,220 to pay the wages of the skeleton crew employed to maintain the ship *North Point*. To my mind, with great respect to you, there were a number of irrelevancies in which Parliamentarians are inclined to score points against each other, but there are times when one must buckle down and let the facts be known. I have heard absolutely nothing from any hon. member on the other side that would even stir the hearts of the ministerial bench. All I

understood from the Leader of the Opposition is that he was in a Government and did not even know that Barbados had a small navy, because in his debate he said that we had the *North Point* and that we had some ship in the Harbour that was burnt out and he wanted to know if we had acquired that ship and if we had a navy. To the best of my knowledge the Leader of the Opposition was a member of the Cabinet who sought money from the Consolidated Fund for the purchasing of four or five Coast Guard ships. I am told that is the Barbados Navy. He is asking if we are going to form a navy. That was his contribution.

The contribution of the hon. member for St. Lucy is one that we are accustomed to in here, a kind of harangue contribution. All of a sudden, after five years, the hon. member for St. Lucy sat on that side, and I set out to have his speeches checked and he made nineteen in the five years, and since he has been on the Opposition bench he has made about twenty-seven nuisance contributions to all the debates in here.

The hon. member for St. Michael South West — I can hardly see him today; he has a black valise, has on a black suit and black glasses and all he talked about was utter nonsense. His contribution was a criticism of the member for St. Philip North that he should not get up and ask any of the Government members questions. We salute the back benchers for the simple reason that no Prime Minister in any Government that I am in is going to tell his back benchers that the Lord giveth and the Lord taketh, and no Prime Minister as I sit in any Cabinet is going to tell any back bencher as far as I am concerned or any of my colleagues that you cannot have an enquiry because the second most powerful man was there, and no Prime Minister as far as I am concerned is going to tell any member of this party who is a sitting member that he is not going to run for a constituency when the man wishes to run. It is clearly a democratic principle on this side. This is now we operate. The hon. member for St. Philip North can get up, say what he has to say, keep the Government on its toes, or draw to the attention of the Government the things which he sees are going wrong in the interest of the country. That is how we operate on this side, and that is the contribution which the hon. member for St. Michael South West made.

3.15 p.m.

That was the contribution which the hon. member for St. Michael South, or wherever he is from, made. That was his contribution.

Mr. SANDIFORD: On a point of elucidation, if the hon. member will give way, I did not say that the hon. member for St. Philip North should not ask questions and keep the front bench on its toes, or feet, or whatever position they should be on. In fact, what I did say was that I was welcoming the intervention from the member for St. Philip North and the very brave expression of his views which is termed as independent, I was not critical of him.

Hon. L. S. CRAIG: You may be welcoming him but I think it is a novelty for him because he has never seen it on his front bench. What I believe is now a classic example of circus clowning I have seen in here is this. We have heard this said from the time he took the oath and from the time he came in here repeatedly, Tuesday after Tuesday. You can recite whatever the member for St. Michael South West or wherever — I do not pay him much attention, I do not even know where he is from — but you can sit down and start by saying that you are going to get some big words, all the Americanisms and the promises which he was going with the Deputy Prime Minister of Barbados, and when you hear about the cement, if I were in the hon. member's position I would not talk about cement, because I believe a lot more is going to be heard about this cement issue and I believe the Prime Minister himself is really tying down by asking some of his colleagues not to really get into this, because I suspect you will go to prison.

The member who I miss most of all is the member for St. John who came in today at roll call, paid a brief visit as he was in town this morning. That is his contribution and his representation of the people in St. John. He paid a brief visit after four sittings, and there is a Standing Order which makes it very clear that a member not present must get leave of absence. It is a Standing Order and no member of St. John, Sparrow or Barrow, is going to come in here when he feels like and draw the taxpayers' money which he is drawing, I consider, by fraud, because he is making no contribution, he does not make any contribution in here, and I am only giving you the lead up to what I have to contribute to the debate.

Mr. GREAVES: Mr. Chairman, on a point of order. The hon. member for St. James has said that the member for St. John is drawing the taxpayers' money out of fraud. I am submitting that this is improper and imputing improper motives to the member for St. John and the hon. member should be made to withdraw it.

Hon. L. S. CRAIG: I am going to withdraw that, but the public will judge that, not me. The public of Barbados has already judged the member for St. John and his colleagues. What have we been hearing about the North Point? A simple Resolution is here, you have to pay the people who are working on the North Point. The Barbados Government is saddled with this kind of expenditure because the former Government did not pay any kind of respect to the taxpayers of this country, and therefore they really put the cart before the horse. For almost fifteen years they have been talking about a cement plant and all of a sudden they decided to go and buy the North Point. They bought the boat to put it there and then build the cement plant. I would challenge any member on the other side about this, what did they intend to do with the boat while they were building the cement plant? Would they not have to pay the people? They bought the boat first then to build the plant, so they would have had to pay the people just as we have to pay them. There is no cement plant, it was another vicious, wicked deal by the former administration by putting money into the Dr. Jerry Bulls pockets, as the Attorney General made very clear.

Then we heard from the members on the other side that something must be done immediately, they want to tell us whom we should make Speaker. The people told us who we should make Speaker, they are telling us who we should make Speaker, who should be Minister of Education, who should be Deputy Prime Minister and all these things they are saying we should do and do immediately. Let me start with what we have done. Between October, since they talk about people being laid off and a lot of nonsense – and last Tuesday we had four hours of debate on how a Clerk of Parliament should be tried. They agreed with the principle but what they did not agree with is that we have 45 people to do the job, it should be less. The people said we are the Government, we say 45. If they had said the principle was wrong we might have looked at it. We said a joint sitting of Parliament, they said no, the Debates Committee, pure clowning on the other side, and I have looked at the Order Papers for four months and there is one single Resolution and about 20 questions on it. There are seven members on the other side, and in 1966 when we came in here, Hansard will reveal that with eight of us on the Opposition bench there were 76 questions in the first month and 11 Resolutions. That is what you call an Opposition, the watch dog of the people's business, but all you do out there is to tell us we should do something immediately.

In 1975, between October and December, statistics reveal that a United Nations expert down here carrying out a household sample survey found that there were at that time 113,400 persons that Government claimed was the labour force in this country. In 1976, since this administration took over the reins of Government, a United Nations expert revealed by way of a household sample survey

Mr. SANDIFORD: On a point of order, Mr. Chairman. I wish to draw to your attention Standing Order 28(2) which reads as follows:

"A member must confine his speech to the subject under discussion and should not introduce matter irrelevant thereto."

I am submitting for your ruling that the member for St. James is in breach of that particular Standing Order, and I am certain that now it has been drawn to your attention you will ask him to stick to the matter under discussion.

Hon. L. S. CRAIG: Mr. Chairman, this shows you a classic example that they do not know what is going on.

3.25 p.m.

Now these are persons employed. We are seeking to vote money to keep people employed. Do you not see that they are clowns? Listen carefully, Sir. (*Aside*).

Mr. CHAIRMAN: The hon. member for St. James is not out of order, he is commenting also on the question of employment and on matters raised by the other side.

Hon. L. S. CRAIG: I read the Addendum for them. I do not believe that they have time enough to read these things. They have to find time to write in the newspapers and get money. What he should have looked at is that this is to provide wages for the skeleton crew employed; so there is employment relating to this. It turns out that a United Nations expert made it very clear that the labour force in Barbados consists of 107,400 persons. Of these, 7,500 persons are employed. Now between the 19th October, 1976 to date we have carried the labour force from 87,000 to 91,000 a record for employment figures in this country.

This is what we have been doing, and they are talking about laying off. One of the members who addressed the Chamber some time ago said that they had persons in their constituency asking for jobs. This is a U.N. expert survey which

showed that there were 197,000 persons employed in the month of December; and we have not started to harvest the sugar crop yet.

All of them were too busy planning wicked and vicious things — I mean the DLP — not in the interest of the country. I hope that those members who have not been here longer than other members sitting to the north of the Opposition bench would be advised to pay more attention to what is going on. (*Asides*). Mr. Chairman, this Resolution has the support of this side, and I am quite sure that members on the other side must vote for it or they will be demonstrating that they do not want people to get their money.

When we were in the Opposition we backed up our arguments with positive and constructive criticism, not half baked, dog eared arguments about cement at 82 cents more a bag. Tell us about how he took money from the cess fund and used it to subsidise cement probably in his own interest. Stop pursuing a matter which is delicate and which can be detrimental to him.

Mr. Chairman, I am sure that my colleague, the Minister is going to reply. I just want to draw to your attention that this Resolution was not one on which it was necessary to generate so much heat; but they have absolutely nothing to contribute. Between October and today I have heard no constructive criticism or argument, and therefore the front bench is running stale because we have had nothing to test our mettle.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I only want to make a very small contribution relating to the North Point. I recommend to hon. members the passing of this part of the Resolution regarding payment to the skeleton crew on board the North point. We had unfortunately to reduce the level of the staff because after many attempts were made to find a use for this vessel we realised that it is simply not in the condition that have been told to us. We had to carry a skeleton crew, but even a skeleton crew costs money.

The captain, I understand, still belongs to the space research programme, and he is paid otherwise. He has assisted us with this vessel. There is no point leaving the public in the dark. The Government has conducted negotiations to sell the vessel to the Space Research Corporation. We have not been approached either through Jerry Bull or Carlton Brathwaite, who, I understand, is no longer employed by the Space Research Corporation in Barbados. We have been

approached by a respected officer in the USA, Colonel Rodgers Gregory. We have settled on a price and he is coming to Barbados this week by which time I hope that negotiations will be complete. The Government is prepared to sell this ship on instalments at a price of \$1.75 million.

We have come to this conclusion because we think that it was a mistake to have bought the ship in the first place. It was most misconceived, and there was a serious lack of documentation available to the Cabinet. I want to absolve members on that side including the member for St. Michael South West because they have had no information other than that provided by Cabinet Papers on the purchase of the vessel.

There was the excuse that it was bought to facilitate the joint Barbados — Guyana cement scheme which has reached no serious stage which would justify the purchase of a vessel to carry clinker to Guyana. The vessel has a very serious draw back in relation to its bow doors and bulk head, and it is impossible at the moment to consider its viability in those terms.
3.35 p.m.

The Government was also advised about that. I think it was canvassed in the House already. So far as the *North Point* is concerned, I had to climb up the side of the vessel with the aid of a rope. I believe other members were able to enter through the bulk doors. We considered proposals for it to be used as a timber carrier. We are well aware that it has been useful in carrying about eight hundred or nine hundred feet of timber for the Barbados Lumber Company. We analysed all of these things and we invited tenders from persons interested in cement and so on. We received a firm offer which was analysed by the Ministry of Finance because the Ministry of Planning has dealt with it, but the Port Department looks after the vessel. The Economist looked into the matter, and the best offer we received was just enough to pay the wages of the crew and it would not have been able to pay for the maintenance of the ship.

We have heard all sorts of ideas. There is an idea that it could be used as a Nautical College, and it could be used to train seamen. American Officials indicated to us that there might be a desire for the Caribbean to use this ship. It has a big capacity for carrying supplies and transporting people. It has accommodation for a large number of people, and it will be remembered that it used to carry soldiers who took part in the Vietnam war. I think the best thing we could do is to sell it to the Space Research Corporation, if

the Corporation would give us part of the money which we have paid to them so far, and some of the money which we have not yet paid.

I suppose that if the previous Government was still in charge of the ship they would have found no difficulty in paying the skeleton crew, and Barbados might have had another load of cheap lumber while awaiting the cement plant, and some time later the consultants would have said that the ship was no use for carrying cement. I feel that the money we can get out of the sale of the *North Point* could be a useful contribution for upgrading the primary schools, and give our school children education that would be useful for serious road construction in Barbados and other Capital Works Programme which the Government has in mind for the coming year.

I commend this Resolution to hon. members.

Hon. L. B. BRATHWAITE: Mr. Chairman, I take it that all hon. members have made their contribution, or what seems to be a contribution, or a non-contribution. It seems to me to be the wont of the member for St. Michael South West and the member for St. Lucy that whenever I bring something to Parliament there will seek to see how well they can dispute what I have said. I want to tell them that if it is their hope that they will succeed in bringing fear to me, that they must have another shock. It is unfortunate that they have always, because of their failure to listen to what is being said, acted like mullets at the foot of a line. They do not seem to realise that they have always been baited. I, certainly, took this action on this occasion, and I hope that they would fall into the trap.

The member for St. Michael South talked about not giving information when he made a speech. When he was in the Government, the members of the Government gave no information. (*Asides.*) Mr. Chairman, in my short time in Parliament, I have grown accustomed to the interruption from the hon. member. I would feel that there is no Parliament if he did not make interruptions. We can tolerate him. That type of behaviour on the part of the member for St. Michael South Central is something we will get in Parliament whenever he is here.

Mr. Chairman, we have always said that our Government is an open Government. We have come here today to put matters before Parliament. We have come here to discuss the purchase of properties in Canada and so on. We have nothing to hide. The *North Point* was

bought by the previous Government. They bought the *North Point*, and they should know the circumstances surrounding it. We have, in a short time, tried to remedy the defects of that wicked and spiteful administration. Before we can get on with the task ahead, before we can do the task of reconstruction, we have to clean up the mess which they have made in this country. That is all they have given us to do. They have given us enough mess to clean up in three to five years, and if we are not careful it will take us five years to do so. The *North Point* is merely a part of the mess which we are seeking to clean up.

The Hon. Prime Minister mentioned just now that there is a move to sell the *North Point*. The hon. member for St. Michael West wanted to know whether we are getting rid of the *North Point*. I believe that the best thing this country could do is to get rid of the *North Point*. The purchase of the *North Point* was an ill-conceived idea, and we should never have spent all of that money on it, because we now have a financial rope around our neck. The name of Mr. Jerry Bull, who is connected with the space research, is involved in the properties in Canada as well as in the purchase of the *North Point*. You are going to find this name in all of these projects. (*Asides.*) Do not appeal for light, because we are not going to accept your appeal. You will have to stand there and bat on a wicket until you are bowled out.

3.45 p.m.

It is as simple as that and I want to assure you of that. The hon. member for St. Philip North asked a question and the hon. member for St. Michael South jumped at the idea. The acting Leader of the House made it very clear that no person in here is inhibited by fear on this side of Parliament. Members are given freedom to speak and express their feelings. We are not like the hon. member for St. Michael South West. Do you know what is surprising to me? I believe the hon. member for St. Lucy is the happiest man today. He is so free that he jumps up like a sparrow moving from fruit to fruit in a tree. Every minute he is up because he likes to be up and he likes to be heard. I promise one day to bring in a tape recorder to record him if possible so that he can hear himself when he goes home and be able to enjoy himself or make fun at himself. I hope to be able to give him that opportunity.

I find that hon. members on that side can always be amazingly quiet even in Opposition when the hon. member for St. John is in his seat, but when he leaves they behave differently. He was not in here for long today. (*Asides*) And not

only when the hon. member for St. John was in here, but when Frank Walcott was also a member in here, nobody heard anything at all from the hon. member. I used to ask myself if he were a member of that party.

Mr. Chairman, let us be very serious about this matter. The North Point is the property of the Government; it has got to be maintained or otherwise it is going to run to ruin. All we seek to do is to pay the skeleton staff. The item I thought would have caused the greatest fire under this Resolution was another item, not the item on the North Point, because it is the baby of the other side. (Hon. F. G. SMITH: It is yours now.) You have caused it to be so. As a matter of fact, the whole set of mess is our mess. We are not trying to divorce ourselves from our responsibility; it is our responsibility and we accept that responsibility, therefore we would hope that you accept the consequences of your indifference, because we are going to make sure that the public is made aware of all the factors involved in the various projects that led up to these problems which we now have.

I do not know if you are aware, Mr. Chairman, but the North Point came to Barbados on a temporary certificate, coming through the Panama Canal. It did not come here with any proper certificate of seaworthiness, but yet you heard when it came here a fanfare of what a noble ship it was and what a brilliant thing we had done. We heard that we did this to take cement. The hon. member for St. Michael South West referred to the question of cement. The question of a cement plant is two years away from us. Since then, he may not be aware that Guyana has gone ahead looking into the prospects of its own cement factory, completely forgetting Barbados. (A VOICE: Only after you have come to power.) It will have to be after you.

Mr. TAITT: On a point of order...

Hon. L. B. BRATHWAITE: On what point of order?

Mr. TAITT: The question of Guyana making their own cement only came in after that Government came into power.

Hon. L. B. BRATHWAITE: Mr. Chairman, that is an important revelation. What he is trying to say is that Guyana is not particularly concerned of working with this Government, but they were willing to work with them, therefore he may have a point there. They were willing to

work with that Government for some reason or another, but not with this one. Guyana cannot work with this Government because it will not be dictated to. This Government will have to have its own policy. Our regional policy is not going to be based on the dictates of Guyana, Port-of-Spain or Jamaica. It is going to be how we feel here, and we will negotiate that policy with them; but they are not going to foist their policy upon us. They withdrew after this new Government came into power because what would have suited you would not suit this Government. You certainly were jokers as a Government and as negotiators. The arguments are there to be seen.

Mr. Chairman, I did not think it was necessary after all the points raised on this side to have a reply from me, but the Opposition likes to hear me reply, and because they like to hear me reply I have replied for their benefit.

Mr. TAITT: On a point of order, the hon. member said there was no need for him to reply, and he has not.

Mr. CHAIRMAN: No point of order.

Hon. L. B. BRATHWAITE: Mr. Chairman, with those few remarks I beg to move that Head 2 stand part.

The question that Head 2 — Annexed Estimates — Port Department, stand part, was put and resolved in the affirmative without division.

SUPPLEMENTARY ESTIMATES 1976-77 No. 30

Head 113 — Ministry of Education — was called.

Hon. L. S. CRAIG: Mr. Chairman, the Minister of Education, as you may be well aware is not in his place; he is not in the Island. I would therefore like to have this matter postponed.

I beg to move that this Resolution be postponed.

Rt. Hon. J. M. G. M. ADAMS: I beg to second that.

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

On motion of Hon. L. S. CRAIG, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN

reported the passing of two Resolutions in Committee of Supply, and Mr. SPEAKER resumed the Chair and reported accordingly.
3.55 p.m.

On the separate motions of Hon. L. S. CRAIG, seconded by Hon. L. B. BRATHWAITE, the resolutions were read a first and second time and agreed to.

Hon. L. S. CRAIG: Mr. Speaker, Item No. 3 on the Order Paper is the next Order of the Day. It stands in the name of the Rt. Hon. Prime Minister, a Bill to amend the Registration of Business Names Act.

Mr. SPEAKER: Item No. 3 is the instant Order of the Day.

THE REGISTRATION OF BUSINESS NAMES (AMENDMENT) ACT, 1977

Rt. Hon. J. M. G. M. ADAMS: Mr Speaker, this is really a very simple amending Act. It is related to the recent Order which I laid, it relates back to earlier budgetary proposals raising the fees for registered business names. It is now desired to raise also the fees for non-registration and to carry out one or two supplementary matters to give persons the right to certify copies.

It is a very simple measure which relates to earlier revenue matters approved and I beg to move that the Bill be read a second time.

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

Hon. F. G. SMITH: The Opposition is certainly not opposed to this Bill, but I do not like the idea of the Hon. Minister of Finance giving the impression that any measure to increase or impose taxation on any section of the people is just a simple matter. Certain measures of increased taxation perhaps, but the Opposition has to scrutinise these things. Of course I warned the people already about these little increases and I told them they will feel some of them later this year when his budget is introduced.

You will notice in the Second Schedule for Registration the Minister has already made the Order increasing these figures, but as I say we have to pay, as Jackie Opel said, you have to pay. As I understand it, the method used for small businesses is different from that for incorporated companies, but this increase is certainly going to affect the small businessmen, and there is coincidentally on the Order Paper of this Hon. House a Resolution by the hon.

member for St. Michael North Central urging Government to set up a Commission of Enquiry.....

Mr. SPEAKER: We will deal with that when we come to it.

Hon. F. G. SMITH: I am not dealing with it, I am saying that it is coincidental that there is on the Order Paper a Resolution calling for this Enquiry when there is before this House today legislation increasing the fees which small businessmen must pay under this Act. The weight of this increase, small though it may be, in terms of a large company is going to fall on the small man who is using this method of registration to establish a business in this country. That is all I have to say.

Rt. Hon. J. M. G. M. ADAMS: Sir, I cannot stand people who come into the House of Assembly and make speeches like this, people who come in here without the slightest idea of what they are talking about. This dates back to October 1975 when the Registrar petitioned the then Minister of Finance to raise the fees. In his budget speech the former Minister of Finance, the Rt. hon. and hon. member for St. John, said fees in various departments have been upgraded from time to time and he proposed an upgrading of fees payable to the Registrar as set out in the Appendix which was being circulated. That included these fees, we are carrying into force the policy of the former Government and we are accused of hurting the small man. We are keeping the old age pensions at the level where you put them and you say we will make the people starve.

Hon. F. G. SMITH: On a point of elucidation, when we introduced it he criticised the same budget so how he is going to do the same thing which he criticised when it came before the House? He does not have to follow it if, as he said, it was a wicked budget.

Rt. Hon. J. M. G. M. ADAMS: I will agree with the hon. member, and there are certain things I have not followed, I have not followed the policy by which more money was extracted from travellers, nonetheless I fully accept that this particular measure is a good and wise and proper measure. These fees were last upgraded in 1967, and while there is great force in the argument that it bears hard on the small man and the small man deserves encouragement, there is great force in that argument, and if that was the only argument I might hearken to the words of the Leader of the Opposition, but since this budget

and this measure which I did not criticise in detail, this Government has pledged to remove the trade tax and we are going to remove the trade tax, and the only tax which the same small business men to whom he is referring will then pay will be this tax here.

4.05 p.m.

While he will have to pay more for this, he will have the immense benefit if he is properly incorporated he will not have to pay trade tax. I believe that there is a virtual rule of thumb that they do not pay less than \$50 trade tax, and there are many small businesses which pay more trade tax than personal income tax; and I believe that in abolishing the trade tax that they will get more than was called for in the speech of the Leader of the Opposition.

I make no apologies for introducing this Bill which seeks to introduce penalties under the Business Names Registration Act. I could only wish that those who come here to criticise us would try to grasp a little more of what they are in fact criticising.

Mr. WARD rose.

Mr. SPEAKER: The Hon. Minister has already exercised his final right of reply.

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 this Bill.

Hon. L. S. CRAIG: 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.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that Clause 1 stand part.

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

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

Clause 2 was called.

Hon. F. G. SMITH: Mr. Chairman, I notice that Clause 2 increases the fine from \$24 to \$50. When the Democratic Labour Party was in power we heard about percentages. We heard that an increase in water rates from \$1.75 to \$6.00 was an increase of 400%; but now you do not see how the increase from \$24 to \$50 is on a percentage basis.

Hon. L. S. CRAIG: Mr. Chairman, the Leader of the Opposition seems to be sleeping. We are moving it from \$24 to \$50.....

Hon. F. G. SMITH: Mr. Chairman, do you really take that as a point of order? I sat down here and heard the Minister of Agriculture refer to me as Minister for tar roads. They are now increasing these fees by so much percentage.

Mr. TAITT rose.

Rt. Hon. J. M. G. M. ADAMS: On a point of order. We had better regularise this debate by letting me move that the Clause stand part. Let them talk as long as they like.

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

Mr. TAITT: Mr. Chairman, I heard the Hon. Prime Minister on the second reading say that it was his intention to remove the trade tax once this tax comes into force. I am not sure if I heard him correctly.

Hon. L. S. CRAIG: On a point of order. This is not a tax, it is a penalty.

Mr. TAITT: There is no need to fulminate.

Hon. L. S. CRAIG: I do not understand nonsense, and that is what I hear coming from him all the time. It is a penalty that we are dealing with, and not a tax.

Mr. TAITT: I heard the Prime Minister say words to the effect that once this tax comes into force he would remove the trade tax. I am merely asking him if he would just repeat what he said so that I can tell business people in my constituency that they may expect that their trade tax will be no more if this measure becomes law.

Hon. H. deB. FORDE: Mr. Chairman, the purpose of Section 2 of this amending Bill is to revise the penalty which becomes payable where people are in default of registration of business

names. As I said earlier today the hon. member for St. Michael South Central comes into the House very unsure of what the debate is about. His comments on this debate are another instance of his not doing his homework. I hope that the hon. member will read the sections of the Bill if he has the time; but do not waste time on matters such as this. The purpose of this section is simply to increase the fines. The hon. member said under the last Government that this was going to be done in the Attorney General's Chambers, but that there was a lot of pressure. I can find no reference to it in the files, and I have never seen the draft Bill. (Hon. F. G. SMITH: Ask Oliver Browne.)

4.15 p.m.

I will go back and ask for more information next time and make a careful search regarding this matter. I want to tell the hon. member that we are looking at the whole question of fines. In terms of nominal value the difference between the amount of \$24 and \$50 is certainly very small, having regard to the decrease in the nominal value of money between 1967 and 1976.

Mr. WARD: Mr. Chairman, I will like to make a very small point. (*Cheers.*) That is a very nice welcome from the Opposition. There is one Clause I have read in this Act relating to the removal of names, and there is a penalty attached to it if you fail to comply with the law. I believe that the Prime Minister would do well to ask the Registrar to send out notices to that effect to people concerned. I believe there are hundreds of business men who have not been to the Registrar regarding this matter, and they are breaking the law. If one breaks the law, then these penalties will be imposed on him. I have two Companies registered, the names of which I have never removed, and I believe many more business men are in the same position. I would, therefore, ask the Prime Minister to ask the Registrar to send out the necessary notices.

Rt. Hon. J. M. G. M. ADAMS: In replying to the debate, I too, welcome the speech made by the hon. member who has just sat down. It is not often that you find a political Party so glad to rid itself of one of its former members that it has to applaud him...

Hon. F. G. SMITH: It is traditional for the House to pay tribute to any member who makes a maiden speech. The Prime Minister knows that it is traditional in the House of Commons to welcome any member who makes a maiden speech. He was in here for 5 months, and in making his first speech the members of the Opposition applauds him, and the Prime Minister

gets something in his mind. He is a political animal. We are being generous.

Hon. L. S. CRAIG: On a point of order. It is not fair for the Leader of the Opposition to say that they have a way of being generous. When the member for St. Philip North came into this Chamber, I remember quite distinctly that even the Press had to say that members of the Government stood stony-faced. How generous are you now? You did not applaud him on that occasion.

Rt. Hon. J. M. G. M. ADAMS: I hope that this type of behaviour towards the hon. member will pass unnoticed. The hon. member for St. Michael North East, the hon. member for St. Michael West, His Honour the Deputy Speaker, the hon. member for Christ Church East, and the hon. member for St. Michael South East were not given that type of treatment when they made their first speech. I am only led to conclude that hon. members on the other side were not sorry to see Frank Walcott lose his seat, but equally glad to see Morgan.

Mr. Chairman, these percentages are too much for me. The original cost of registering a business name in 1967 was \$20, and that was raised to \$50. That was done in the Budget Speech of the hon. member for St. John. At the same time the penalty for not registering a business name was £5 a day during the continuance of an impropriety. The £5 was translated into \$24 when the currency was changed, and there it remained for a long time. I do not believe that \$50 is an unreasonable maximum to pay as a fine in these circumstances.

In dealing with the speech made by the hon. member for Christ Church North Central, I can indicate how thoroughly I agree with what he said. The new Minister of Finance and Planning has indicated on the file that the penalties under the Act should be increased and a programme of enforcement instituted by the Registrar. The Registrar, I understand, has already invited persons who are carrying on Companies, or who are taking steps to wind up those Companies, to take the necessary action. I will certainly pass on the suggestion of the hon. member for Christ Church North Central to the Registrar, and ask him to circularise traders who no longer appear to be using business names. I think it will be found that this sort of thing happens in certain areas where people change the name of a business and forget to do anything about the matter.

There is now, in my opinion, some need for legislation to prevent those who register a

business from using the same name as they had on a former business. There are, to my knowledge, certain Companies registered by one group of persons that have the same name as a registered business name and this can cause a lot of difficulty. The remedy at law is that the Company, faced with such a problem, should change its name. I can give the Attorney-General the name of at least one such Company. It will be necessary to have legislation to take care of this. I am sure that the legal Draftsmen in the Legal Department, now that it is headed by a man of undoubted calibre and carrying the respect that the Hon. Attorney-General carries, will be able to have the necessary legislation drafted in a short space of time.

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

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

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

Clause 3 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, Clause 3 deals with a similar matter. It increases the nature of the penalty. This relates to culpable misbehaviour where you make a deliberate false statement as to a business name. The penalty is a fine of \$200 or 3 months in prison.
4.25 p.m.

In my opinion when you consider the alternative is imprisonment for three months, I think there is hardly anybody in Barbados who would not prefer to pay the \$200 than go to prison for three months, and I hope the Leader of the Opposition will not say we are bearing too hard on the poor public of this Island by charging them as much as \$200 for the crime of making false statements in the nature of fraud for which they are liable to be imprisoned.

Hon. F. G. SMITH: I am not going to say what the Prime Minister thinks I am going to say. All I would like to say is that I am particularly alarmed to hear that you cannot find a file or something on it. I would like to tell the Attorney General that even when I was Attorney General we were working to increase the fines for every single law in Barbados, and there is a document somewhere, unless the civil servants swallowed it, which should be in the Attorney General's office which started to be drafted by Mr. Waterman when he was here and I am sure I saw that document when Mr. Moe was Attorney General.

There has got to be somewhere copies of it because we even set up a Committee of which I was a member with the other legal members in the Cabinet, to see what a reasonable fine would be. If the Attorney General would go back and call on his draughtsmen to search the office properly he must find copies, or he can check the files of the Ministry of Home Affairs when that Ministry had to do with the police, and find the document there. The schedule should be somewhere either in the Ministry of Home Affairs or in the Ministry of Legal Affairs, and there should be a stencil too because stencils were rolled off, because the matter went before Cabinet.

I am particularly alarmed to hear you cannot find one of what must be countless copies with stencils which should still be there, and I am sure if a diligent search is made you will find that the last Government, having looked at the value of money, even the question of road traffic etc. decided that the time had come in order to make penalties meaningful that there should be an increase. I would counsel the Attorney General to make a search or make his officers who may be hiding from him get it because it has got to be there. It is not the type of file any Minister would run home with. Nobody would run home with a file talking about increased fines, so it must be there. You cannot accuse a Minister of carrying away that file because there is nothing in it. It is a file dealing with penalties.

Hon. L. S. CRAIG: If the hon. member would give way.

Hon. F. G. SMITH: I am not giving way.

Hon. L. S. CRAIG: On a point of order. The Minister did say that they are not files that a Minister would carry away. Is he implying that Ministers carry away different types of files?

Hon. F. G. SMITH: It is not the type of file your Government would accuse a Minister of carrying away.

Hon. L. S. CRAIG: But you carried away some files.

Hon. F. G. SMITH: What would I carry away files for? When I was leaving the Ministry I called in the acting Permanent Secretary and I went home and parked my car. I did not even touch my personal files. You can go and ask Burke or one of the Permanent Secretaries.

Mr. SIMMONS: Mr. Chairman, I shall not be long coming after the hon. member. Although

this Bill purports to deal only with unincorporated associations, I think that the Government must also pay attention to the situation with corporate bodies or incorporated associations. Some time earlier this year in a previous debate, I think it must have been during the time of Estimates, I drew it to the Government's attention that there were several companies which were not keeping their records up to date, and that under the relevant legislation, the Companies Act Cap. 308, there are certain fines which would be imposed on the directors of those companies. I hazard the guess that if we attempted to collect the outstanding fines in respect of defaulting companies we would probably get nearly \$1 million. But even though one may not want to do that at this stage and perhaps take the advice of the hon. member for Christ Church North Central and perhaps send one of the letters or publish a general notice to companies that by such and such a date they must have their records in order and pay up all their arrears, it is important that we as a developing society where several of us are largely unaccustomed to financial and economic matters and to that extent inefficient because we have not been accustomed, must start now to introduce into the corporate system of Barbados some efficiency.

The Attorney General is now in a position to put pressure on whoever is responsible to let us have an up-to-date Companies Act as soon as possible. Other Caribbean territories are making noises; I believe the Attorney General of Trinidad suggested last week end that they in Trinidad are going to try to upgrade their legislation. Their Companies Act is 1929 and ours is 1910, and in England they have had three substantial amendments since 1908, in 1929, 1948 and 1967. We have got to realise not only as politicians, but I think the lawyers realise it in their practice, that the device of establishing a company has been used, can be used and will continue to be used as a method of not only avoiding tax, in some cases, evading tax, but it can be used as a legitimate device for several purposes in assisting people to run their affairs to the best advantage. If we are going to have a proper companies structure in Barbados or a proper structure involving both unincorporated as well as incorporated associations, my feeling is that some policy will have to be introduced into the legislation, because I think we all appreciate that a company is a capitalist phenomenon; it is one means of aggregating wealth and then using the wealth for other profit and collateral purposes. And so in any new legislation I would like to see some socialist thinking reflected in the terms and provisions of the Act, and it is simply that of disclosure. We want to see companies give the

fullest possible disclosure not only about the Directors, but about the directors' fathers, brothers, sisters and so on as is done in England in the 1967 legislation.

In the area of unincorporated associations of which from my experience the small businessmen make the greatest use, I would like to see the Government in due course try to assist in providing basic courses in business education wherever they like, at the Community College, the Polytechnic, wherever. The Government would have to determine where, but I think it is about time that we start to teach our small business people, many of whom have not been like the merchants in Bridgetown who have come to work along in the company and have been left the companies by their fathers or forefathers and have got an idea of running the business and have developed some modicum of expertise by association in the business over a long period of time.

4.35 p.m.

Our people, black people in Barbados, have not had that kind of experience and it is time that we make the expertise available to the small business people through relevant courses at the appropriate college. That is all I want to say on this, Mr. Chairman.

Hon. H. deB. FORDE: Mr. Chairman, a point has been raised about a revision of the Companies Act and I think I ought to take the opportunity to make a statement for the information of hon. members and for the House on this matter.

The former Government several years ago set up a Committee to revise and look into the whole area of the Companies Act. I had the honour to head that Committee and we held upwards of 84 meetings, and the Minutes of those meetings are still in the possession of the Government. The problem which we had at the time was the problem of getting someone to draft the relevant legislation. Mr. Justice Williams was given a special assignment to do a new Companies Act and it has taken him, working reasonably steadily in his spare time, two years to have produced the first draft of that Act. That draft was handed to the Solicitor General about six weeks ago, probably a little over that time, and Mr. Justice Williams has promised us his covering report since he has departed, according to his statement to me, in some ways in some substantial measure from some of the recommendations of the Committee which I had the honour to Chair.

I want the hon. members who are lawyers on both sides of the House, particularly on the

back bench and on the Opposition bench, to appreciate a few things. One is that we are finding it very difficult in the legal services in Barbados and in the Caribbean, and indeed in both the developed and the developing world, to retain the services of legal officers, and particularly legal draftsmen. I have left the Bar only three months ago, and I can say that the most junior of lawyers, of three years standing and sometimes less, happen to be earning substantially more than people in the public legal service. I can say this without fear of contradiction, I have been at the private Bar, I know the sort of levels of earnings of the former solicitors and I know the sort of earnings of other members of the Bar. I am disappointed myself in the reactions that I have so far had from the Bar on one or two matters. Fees for legal aid, I am waiting for the debate on this to deal with this.

I have had to invite individual members of the Bar to sit on the committees to help me in town planning appeals, and the general view in the Bar seems to be that you are going to use some magic wand, because I have gone up there as Attorney General that I should work 18 hours a day doing drafting in order to push certain things that have taken 18 years to do, and several members at the Bar are going to make no contribution. It would not be that at all. We have a shortage of staff, I am going to work as hard as I can in the public interest, but I think the time has come when the Bar must give me less talk and more action. I am appealing to members of the private Bar to use their initiative to draft legislation. When I was in Opposition I spent hours drafting Bills which came before this House, I spent hours working on Statutory Boards for which there was no remuneration, in fact in one case I sent back the cheque, I spent hours working on reports for which I have never been paid, not that I asked for payment, indeed the first draft of the Legal Profession Act was done by me and the report was done by me. The only other hon. members that I know took the chance to draft any Acts were the Hon. Prime Minister and the then hon. member for the City, Mr. Elliott Mottley.

I am making these points because I believe that we have a wealth of legal talent not only in our party but in the country as a whole at the private Bar, but unfortunately the urge to get on has become so predominant that there is very little public sacrifice coming from the Bar, although a wealth of very constructive criticism but no muscle put to it in order to help with that constructive criticism. I speak as one member of the Bar who knows this, and I am not running down lawyers at all, so I am telling the hon.

member now that the Companies Act is a massive Bill. We have looked at the Canadian precedent, the New Zealand precedent, the Australian, the Ghanaian precedent, the English precedent, we have looked at our own circumstances. That Bill is going to take some time for my legal officers to look at. As Attorney General and someone interested in this subject I have to find the time to read it first to advise the Minister of Trade, under whose portfolio the subject comes, and finally to advise the Prime Minister on any matters that have financial importance, as well as the Minister of Labour who is interested in the whole concept of industrial democracy. It takes time, and members must clearly understand that I appreciate everything they have said.

I doubt there is any member in the House who has read as much as I have on company law, both inside and outside of this House, but I have not got the manpower resources to do this, and the thing is that we are not going to hold the manpower resources either. We have a request now for one of our legal officers to be seconded to CARICOM. It is a question for him of promotion and it is a question for us of having to give up our scarce resources. So I want the Bar to make a special effort, and I am appealing to the Hon. Leader of the Opposition as First Vice President of the Bar, the hon. member who has just spoken as a member of the Committee, if the Bar would give up some of its high-priced time and spend a little effort helping us, that is all I am asking for.

The drafting of legislation. There is an area of legislation that is no Government secret, there is no party division on, but I cannot start law reform without money, and we are scarce of money, and even if I got the money I have not got the resources. I feel ashamed that I have to go to the United Nations under the UNDP Technical Assistance Programme to be asking them to find an expert from outside of Barbados and if necessary outside of the Caribbean to come down here to start a law reform project for Barbadians. I think the Bar should make a contribution in this respect, but it is not forthcoming, and I want to be candid having just left the Bar. I am not accepting any criticism from any member of the Bar on this aspect of the matter until I see the Bar making a contribution as well. That is the position. We will work as fast as we can in the public interest but I am not listening to any special pleading from the Bar on any issue of legislation at all regardless of whether they are M.Ps or as barristers because I feel after getting a letter from them telling me the sort of fees they want under the Legal Aid Scheme that they must be much more genuine

than this. I would have to ask the Government for half million dollars to work the Legal Aid Scheme and we cannot afford it now, and I have said I will seek outside to get the money.

I am asking the Inter American Foundation to finance the Legal Aid Scheme, and if the Bar is not prepared to put in its effort much more I am prepared to hire lawyers to work as a legal aid corporation in order to do the work that would go to the Bar. That is my statement on the issue.

Mr. ALLEYNE: Mr. Chairman, it is very rarely that I speak in this Chamber on matters relating to the legal profession, but quite frankly the first time I discovered that there was any appeal to the Bar was this afternoon, and I give the Hon. Attorney General the assurance...
4.45 p.m.

Hon. H. deB. FORDE: On a point of explanation. I have written to the Solicitor General with regard to fees. Mr. Blackman, quite rightly, replied to me as quickly as he could. I am sorry if the hon. member is not attending his meetings.

Mr. ALLEYNE: I was about to say that the matter has not been drawn to my attention, and as a member of Parliament and one who is interested in the administration of the law, I will give him the assurance that if he needs my assistance on Company Law drafting I will assist him.

Very often what bothers me is that we find it difficult to obtain pieces of legislation under the same Company's Act. I can only hope that when the report is published and when the new Act is published that all these will be available.

Hon. H. deB. FORDE: On a point of explanation the hon. member is again misleading us. The Companies Act has been replaced in the new laws; but there are several volumes at Cave Hill and there are other volumes in the Courts. I can lend the hon. member one of my volumes if he wants it, and I am sure that there are other members of the Bar who have volumes.

Mr. ALLEYNE: I was making a serious point in the public interest. We do not have individual copies of the legislation. That is the serious point that I am making, and I am not trying to criticise anyone. Students need individual copies so that they can study the appropriate legislation. You cannot Xerox 300 copies of the Companies Act; and so the point that I am making is that we need separate copies

of the relevant statutes so that we can study those in detail and principally study them at the Law Faculty.

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

Clause 4 was called

Rt. Hon. J. M. G. M. ADAMS: I beg to move that Clause 4 stand part.

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

Hon. F. G. SMITH: Mr. Chairman, I will not be very long. I am not opposing it, but I was very interested to hear what the hon. member, the Attorney General has said. When I was Attorney General of this country I suffered the same draw backs that are now experienced; and he has had only four months of it. I have had five years. We had the same problem of being unable to retain draftsmen. We had the same problem of not being in a position to pay a high powered Law Reform Committee like the Ontario Law Reform Committee; but as President of the Bar Association, I pledge to him our support in such areas as we can.

I have not reached the stage where he can refer to me as a high priced attorney yet. Maybe one day. I am hoping and aspiring. Be that as it may I think that the Bar as presently constituted is committed to making a contribution to the administration of justice. What I would like the Hon. Attorney General to do, since he has just left the Bar is to try to honour some of the promises for which he is particularly responsible in terms of accommodation and comfort of the courts.

I have not heard about these fees at all. I have only just got on the Council, so I do not know if they dealt with it or not. In any case I think that he will agree that the fees are ridiculously low; so there is no question of threatening anybody that he is going to hire counsel because if you hire counsel at these fees you will still have to hire counsel that will not be of any use to anybody. I did a murder case for \$290 and spent three valuable days in court. I cannot see anybody in Barbados doing what they have in America — a public defender. You might have a public prosecutor, but I do not think we have reached this stage where you are going to get a man to publicly defend, plus the fact that in a small community the client himself would not want him.

So, do not let him worry about threats. I know that he means well and I think that as first vice president of the Bar Association we can pledge our support in the areas in which he requires our assistance. Perhaps we will not be able to draft legislation to the extent that you require because we cannot even get the Rules of the Supreme Court by which we have to practice. You cannot even get copies. That is an area in which I would like to see him use his influence to get the Rules of the Supreme Court in the various jurisdictions – Admiralty, Divorce etc. available to young practitioners. This is an area in which you can use special draftsmen right now along with the Chief Justice to get the Rules of the Supreme Court up to date. How young barristers ever practise? I want to know.

I sympathise with the Attorney General. He has got his work cut out because he is going to suffer from the fact that there is so much to do in the Attorney General's Office in terms of updating legislation; and especially now that he has the women on his brain and in his mind he needs to increase the number of draftsmen to meet the needs of the community; and I pledge my co-operation from the Bar.

Hon. H. deB. FORDE: I am not threatening anybody. I am always willing to answer. I would only like hon. members to know that if necessary, we will have a Tanzanian form – they believe in a democratic system of socialism – and all such business as goes into legal aid will be done by a Tanzanian corporation. They will be paid, and the balance will go back to the treasury.

The Hon. Prime Minister, his Permanent Secretary, the Chief Establishment Officer, myself, the Solicitor General, and the Chief Parliamentary Counsel will be meeting on Monday afternoon to discuss the reports which were placed before the last Government with a view to seeing what can be done to put right some of the problems confronting the administration of justice in this country. I believe, and I think that you will accept that within four months we have begun to attend to some of the problems, and we are serious about putting all of them right.

Before I became Attorney General, I found that there was a team of two people reviewing the subsidiary legislation, including the Rules of Court. It will not be financial feasible to do a separate printing of the Rules of Court at this stage for two reasons. (1) We are going to reprint all subsidiary legislation and we hope that this will be available by next year. (2) In any event, one of the recommendations from the Bar was

for a revision of the Supreme Court Rules and the making of rules in this area of legislation.

The Chief Parliamentary Counsel and myself have met, and subject to certain exigencies of the Service and of the Government which are pretty urgent at the moment, we intend ourselves to draft the Rules. I have said that I will do it myself although, frankly speaking, I do not believe that it is the function of the Attorney General, any more than I believe that an Attorney General should go down to the Court in any rate case hearing only to satisfy political people outside who want to make nuisances of themselves and criticise the Attorney General because he did not turn up; and it gives me the opportunity to allow the public to know that in the last rate case hearing myself and the Deputy Solicitor General, Mr. Tulloch gave up evenings and weekends of our time in preparing the case and trying to present the public case.

I do not want to brag about this, but it is really disheartening to hear carping criticisms made when one is making a sacrifice. I did not go into politics to make money, nor did I become a Minister to make money; and I am telling not only this House, and not only the Government, but the public that I am not going to take unfounded criticisms about the work that I am trying to do in circumstances where I do not have to take it. That is what I want to make clear at the earliest opportunity; because I can leave being a Minister tomorrow and make as much or more than anyone else at the Bar. I want that clearly understood; but while I am doing the job I will try to do it as properly as I can within the limitations of human resources that are available.

I wish to take the opportunity to appeal to hon. members to put pressure on their colleagues, and not only the Attorney General's Chambers at this stage to give some help and assistance; and I am indebted to the member for St. Michael North West for offering his services; and at the earliest opportunity I will ask Mr. Justice Williams to consult with him to see what input he can give on the matter.

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

4.55 p.m.

Clause 5 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that Clause 5 stand part. Clause 5 is there for the very minor reason

that it relates to a fee. The old Section 17 used to impose a fee, and that fee has now been transferred to the Schedule because we do not want to have any fees in the Act. We want to be able to have the fees changed as the responsible Minister wishes without having to delay Parliament. Interesting though this debate has been, I think we have got a little bit far from the right of the public to apply for certificates of business name registration.

The question that Clause 5 stand part was put and resolved in the affirmative without division.

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

Hon. H. deB. FORDE: 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 the Rt. Hon. J. M. G. M. ADAMS, seconded in each case by the Hon. H. deB. FORDE, the Bill was read a third time and passed and cited as the REGISTRATION OF BUSINESS NAMES (AMENDMENT) ACT, 1977.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that Order No. 5 be the next Order of the Day.

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

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

MARRIAGE (AMENDMENT) ACT, 1977

Hon. H. deB. FORDE: Mr. Speaker, this Act has become necessary to correct a practice which has grown up in the Attorney-General's Chambers prior to my becoming the Attorney-General — a practice which I have ruled is not well-founded in law. In 1975 the present Honourable Prime Minister introduced a Private Member's Bill to amend the Marriage Act, the purpose of which was to make illegal a marriage solemnized between persons under the age of 16. The Bill duly passed this Honourable Chamber and also passed the Senate, and was finally, assented to by His Excellency the Governor-General the late Sir Winston Scott. Before such a Bill is assented to,

the practice is that the Attorney-General must certify that the Bill is in order for signature by the Governor-General. The then Attorney-General certified as follows:

"In the Act to amend the Marriage Act, 1904, the year 1904 should be dropped from the long title. In Section 2 the figures 1904(9) be deleted. In paragraph 2 of the arrangements of sections should read insertion of new Section 17(a) in Chapter 214. The Section should bear the marginal note set out in the arrangements of sections including the suggested amendment in paragraph (c) immediately preceding this comment. Subject to the above amendments being made, the Bill is in Order for the Governor-General's assent."

This matter came to my attention when another Bill was brought to me with changes being made therein by officers outside of Parliament, and I queried the legal validity of such a practice. For the benefit of members of this House, who may not be familiar with law, I should explain that after a Bill has passed this Chamber and the Senate and certified by Your Honour the Speaker and the President of the Senate, it should be assented to by the Governor-General as it stands, because there is no person outside of Parliament who has the authority to make changes in the laws as passed by this Parliament. The only case in which this can be done is under powers given to the Law Revision Commissioner who can, at the end of the year under the Law Revision Act, make certain limited changes, and, therefore, it is the opinion of my Chambers that the changes made in this Bill as in another Bill on this Order Paper were improperly made. It is my opinion that the correction of the errors in the Bill that has passed both Houses of Parliament can only be effected by the introduction of an amending Bill, or in an annual supplement prepared by the Law Revision Commissioner. In those circumstances, indeed, when I was asked to certify that this law could be proclaimed, I refused to give my certificate and advised the Cabinet that it was necessary to repeal the 1975 Act and to bring in amending legislation.

I have not been able to discover how many laws on our Statute Book have suffered from the fate of changes made outside of Parliamentary authority. That is why, Sir, today when I was hearing hon. members make the comment about the front bench not knowing what to do and about the front bench not getting on with the people's business, I smiled because I recognised

that one of the first things we are being asked to do as Ministers is to correct the mistakes of the past Government before we can get on with doing what we want to put forward as a vibrant programme for governing the country for the next five years.

5.05 p.m.

If an Attorney General must come in here and sit down on what I would have thought is an elementary legal principle and advise that they were wrong, they are wasting my time in this way. There is no person who has the power of Parliament to amend a law after it has been passed by Parliament, even to put in a "comma" in circumstances where Parliament may not have intended a "comma" should have been placed, and I regret to say that we are still spending some time to try to see how many other Bills have suffered from this fate. I may have to come down with amending legislation.

On the substance of the matter I want to assure hon. members that there is a comprehensive Marriage Bill which came before the last House and which was subject to criticisms by the hon. member for St. Joseph, the Hon. Prime Minister and myself when we were in Opposition. That Bill is now being redrafted. In fact I think the drafting has been finished and it is being submitted to interested persons and organisations for their comments. It will incorporate most of the criticisms which we made of the Bill when we were in Opposition, and I trust that I can bring the Bill down to the Chamber to make a complete reform of the law of Marriage very shortly. I trust that hon. members will not think it is a waste of Parliamentary time, but the practice apparently has been a practice that has grown up in these Chambers and it seems to have gone on unnoticed by other legal luminaries before me, and it is my good fortune to be able to correct it for the benefit of future legal luminaries who may come after me.

Mr. SIMMONS: Mr. Speaker, I have a little difficulty with this Bill. Was the Attorney General saying to this House that prior to his holding the office of Attorney General when a Bill had passed here and had been signed by the Speaker and the President that the Attorney General — and it would have to be Mr. George Moe at the time — sought unanimously and by himself to over-rule and over-ride what the two Houses of Parliament had decided and had been sanctioned by the presiding officers? Is the Attorney General telling me that is what he meant? He has nodded his head in approval. The

present Leader of the Opposition would not have done that. The Attorney General spoke of legal luminaries and included the Hon. Leader of the Opposition, and I do not think he would have done that, because he would understand that as a constitutional principle he could not seek as an individual — I do not care who you are, Prime Minister or Attorney General — to override what has been decided and make any alterations, changes or emendations to a Bill. If that is what he is saying, it is a serious thing. Mr. George Moe must know the law, and if he does not he must be presumed to know the law. I cannot believe that. He is presumed to know he should not have done that. I do not believe that is what the Attorney General is trying to tell us. This is ludicrous and scandalous.

Hon. F. G. SMITH: I just want to say that as Attorney General there is nothing wrong in changing "thu" to "the". If "thu" passed the House, do you mean you are going to come back to amend a section to put "the" instead of "thu"? There are cases like that where typographical errors have occurred. That is what I have come across as Attorney General. If there is an obvious typographical error like "thu", must I come here and waste your time? I would say to change the "thu" to "the". I agree that to change the substance of a section is wrong, but I can find nothing wrong in an obvious case where an "n" is left off. Suppose you had a section with "a enemy" and you put "an enemy", what is wrong with that? I am only saying that typographical errors can be corrected by an Attorney General where it is obvious that the House assumed it was correct.

I agree with the Attorney General that it is wrong to change the substance of a section, but I must admit that in cases where it is obviously a typographical error, where an "n" or a "d" is left off, I would authorise that in the printing it be put right. There is nothing wrong, illegal or unconstitutional in that being done.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, this takes me back to when the late Garry Sargeant of honoured memory, Sir Theodore Brancker, Elliott Mottley and I constituted a Select Committee of the House to go into certain amendments to the Magistrates Jurisdiction and Procedure Act and we found in the Malicious Injury to Property Act, if I remember correctly, but whatever it was that there was an obvious typographical error that had been introduced into the legislation in 1961. The same George Moe admitted to me that he might have been responsible for it when he was a junior legal

draughtsman, so this is really going back now in years. Anyhow he told me he had noticed it. Now the effect of this has been to cause the Government of Barbados great expense over a period of time with the trial of malicious damage cases, because in 1961 I think it was intended to read Section 36, but by some mistake he gave a "9" for a "6" and it read Section 39, and it was intended to remove from Sessions the requirement to try all malicious damage over the value of £5. The sum of £5 was fixed in England back in 1861 and it was copied in Barbados in 1967. Below £5 a magistrate can try and above £5 only a judge and jury can try. This is general malicious damage; this is not special malicious damage like arson or various forms of arson or damaging works of art and so on. If two men fought and one licks off the other's glasses and the glasses cost \$25.50 to repair, that case has to go to Sessions, and it is a great inconvenience. If you throw a stone and break a window in a house and the whole repair of the window comes to more than \$24, it is a Sessions matter, and it has caused a good deal of trouble. So under the chairmanship of Sir Theodore Brancker, Garry Sargeant, Elliott Mottley and I tried to correct this which was admitted to be a typographical error. George Moe was then in Government service and told us it was a typographical error and we tried to correct this, and we sat down in that Committee room and drafted a lot of amendments which would have improved that Act greatly. We corrected that; we had other simplifications — this is in the year 1969 — and far from the then Attorney General, then Senator the Honourable F. G. Smith who is now the hon. member for St. Michael South Central helping us to carry out these corrections, we heard a big noise right there in the Lobby of the House of Assembly when the Committee was sitting "man what they doing in there" and so on. I cannot remember if I came out and saw him, but I asked the Clerk to ask the Marshal to put that noise maker from the Lobby. It turned out to be the Attorney General. I said he was a Senator and he had no business to come down here to disturb the deliberations of the Committee.

5.15 p.m.

What was the cause of his disturbance? He said that we were practising barristers and we did not tell the Chief Justice or tell him that we wanted to change the law and we interchanged it. This is the same typographical error that he talks about, it is not a typographical error like "the", "thee" or "thou", it is a serious typographical error, because the section which can now be tried by

a Magistrate happens to be a section which relates to the putting out of a light at a lighthouse, and putting the light up somewhere else. In other words, a section which in fact, I believe, could cause 14 years in prison. It is a very very serious offence, because it can cause death. Interference with a lighthouse can cause a shipwreck, but that can be tried by a Magistrate, but two little children throwing stones across the highway and a stone goes through some jalousie flaps and breaks a glass window has to go to Sessions. That is what we tried to correct and that is what the then Attorney General quarrelled and said we could not correct, and he comes in here and says that to correct a typographical error is no more than an Attorney General could do. Why didn't he do it?

Hon. F. G. SMITH: On a point of elucidation, I am saying to correct it before you give your assent to the Governor General. That is what I mean, I do not mean after it has been passed, after it has been passed you are finished with that, but when it comes to you for your certificate as Attorney General and you find a typographical error of the type I have mentioned, not changing the sections, the Attorney General is entitled to do that. Once it is assented to by the Governor General you are finished, *functus officio*, and then you will have to come to Parliament. That is my assessment of the position. Up to that point you can change the "the". That is my view.

Rt. Hon. J. M. G. M. ADAMS: I now understand the hon. member. What he means is that there is some special magic in a Governor General. If the House of Assembly says it is to be such and such it does not matter, if the Senate says it has to be such and such it does not matter, the Attorney General can change it, but once the Governor General says it should be such and such the Attorney General cannot change it. As far as I know, constitutionally the Senate, the House of Assembly and the Governor General are all equal parts of Parliament for the purpose of legislation, and I am very sorry that the Leader of the Opposition should subscribe to so obviously wrong a doctrine as that the Attorney General can decide what is a typographical error and what is not. That is what it comes down to, it is not the changing of a typographical error, it is the decision that something is a typographical error, and I believe it is on record that far from changing typographical errors the Hon. Leader of the Opposition when he was Attorney General once changed a marginal note to a Bill.

The Attorney General will deal with you in due course.

I am not surprised that the Leader of the Opposition has forgotten, I have never thought memory or logic or letting your left hand know what your right hand does, far less letting the left side of your mouth know what the right side of your mouth says to be a strong point in the Leader of the Opposition's favour. I would indeed congratulate him, it is wise that a blessed veil of forgetfulness has descended over his past misdeeds in this particular respect. He has heard the words of a real Attorney General and he is very wisely secure in the knowledge that he also used to make a mistake, conceded only such parts of the mistake as not to reflect too seriously on him. I am reminded of the words of one of the Permanent Secretaries with whom I was having a friendly discussion over a legal opinion, and he said, "you know, a number of us are having the opinions which we got on some points re-submitted now to Mr. Forde," begging the hon. member's pardon. I said, "oh, yes?" He said, "we were not always happy with the opinions that we got from Mr. Moe." I said, "what about Mr. Smith?" Begging your pardon, Sir. He said, "you know, some of us don't really take Sleepy very seriously, at least we thought George Moe had more pretensions but it took two or three years for us to find him out too." The Hon. Attorney General whom we have now must not allow his head to grow too big with all the praise which we are heaping on him in this regard, but I do not think he is any stranger to it and I do not think it is by any means undeserved. Even if he asks nothing else, just to correct the mistakes of the past five years, he will be doing a great and major service to Barbados.

We have had so many infelicities in the legal office to deal with, so many opinions, so many mistakes made, things that have to be revised, opinions which I hesitate to say, but always seem to me to come down on the side which the former Prime Minister wanted. I have hardly ever seen in these controversial opinions one given by the immediate predecessor of the hon. member for Christ Church West which in any way conflicts with the wishes of the hon. member for St. John. I think that the present Attorney General has to be congratulated for his attention to details such as these, because these are important.

Hon. C. L. BOLDEN: Mr. Speaker, it is indeed strange to hear the Leader of the

Opposition talking about correcting what he calls typographical errors in matters which passed this House and the Other Chamber. It seems as if members of the Opposition today have lost their memories since September 2, because you and I well know that when we sat in Opposition and attempted at that time to point out to the Government certain errors which were occurring in Bills they took no notice of them and the very Leader of the Opposition used to sit in this seat and say that we can talk as much as we like they had the numbers and they would do what they want, and he is typical of doing that. I well remember when he was Attorney General and the Bar Association was discussing legal aid, as the Hon. Prime Minister has just said, he came in the back of the civil court in Bridgetown and sat down, listened to the argument on legal aid and what should be paid junior barristers for doing the work, because the senior barristers were not doing legal aid, and he would sit down and say that whenever they were finished down there when it gets up there they would do whatever they liked. They carried it through in every Bill and most significantly, and I say here and now, if anybody on the Debates Committee on this side decides to change the Standing Orders, that person and I will be at war, because if a Select Committee sat on the Standing Orders of this House, produced what was a draft acceptable to a Committee comprising Government and Opposition, they took it up there, butchered it and brought it back down here to the House, contrary to the rules at the time, forced it through in the order that it is now. The Succession Act was a similar exercise when Select Committees decided what was wanted they took it in Bay Street, butchered it and brought it back down how they wanted it.

5.25 p.m.

The Bill that Frank Walcott talked about, the Severance Pay Act, was in Select Committee. I sat in the Select Committee and pointed out errors in the Bill and what would happen if you passed it that way. They brought it back out and the same Frank Walcott sat behind and got the ayes of the day because an election was around the corner. Now they get up talking about errors and Bills when each one of them including the Leader of the Opposition was part and parcel and the main instigator in the suspicion that one had in this Parliament for the last 15 years, and coming here now and talking about changing typographical errors.

It was typical of the Government of the day to pass Bills through this House and then come and change them. The medical Bill came to this House, and when I pointed out errors in it I remember Talma telling me that I wanted to gain all my laurels in one day. It went to the Senate, and when they sent it back the member for St. John got up here and criticised his own members for letting the Bill pass with errors while non lawyers in the Senate could point them out and send it back down here.

As I have said, the Leader of the Opposition talks with two tongues. He speaks with a forked tongue. Everyone over there has two tongues. After he has talked in here he will meet me or meet the Attorney General in the gallery and ask "how did I sound"? (*Asides*).

Mr. TAITT: Mr. Chairman, I wish that he would withdraw the remark that everybody over here speaks with a forked tongue. That is a statement which in my view means that everybody over here is a liar, and while he may believe it, I am sure that he would wish to withdraw it as unparliamentary.

Mr. CHAIRMAN: No point of order.

Hon. C. L. BOLDEN: Thank you, Mr. Chairman. You see they are playing to the gallery. They know well that the things they have done for the last 10 years have been wicked. What used to happen was that they used to sit down in Cabinet and when the member for St. John said do this, it was already privately decided without one of them making a decision, and it had to be done. Not one of them could query it or say do not do it. So do not try to come now and defend the defenceless.

It is clear that the Attorney General has gone to Cabinet and after Parliament has passed a Bill you will find that it has been butchered. As practising lawyers we have been able to get them thrown out of court time and time again because somebody butchered them and did not understand the law; and I doubt that if anyone is charged, as the Prime Minister has said, under the Malicious Damages Act and gets a reasonably good lawyer that you could get him convicted, since it has been butchered. As far as I can recall, only those persons who went to court and tried to defend themselves, or pleaded guilty, as the hon. member for St. Philip North has reminded me, have been convicted because you

will find that most of the legislation passed in the last Government from 1961 down contains errors. You find that Clause 1 disagrees with the final clause etc.

I am not telling people to go and break the law and get a good lawyer and get off. I am saying exactly what happens. I am not saying that you should be harping over the past, but before you can get to the future you have to set a decent foundation on which to build. It is like the houses at Wildeys and at Lodge Hill with everyone of them cracking because there is no foundation. I took up a little girl giving her a lift and she told me that she is now asking Mr. Brathwaite to move her from one house and put her in another. She said that she went ahead and bought a house and the house cracked in the four corners and when they sent somebody to look at it it had no foundation.

Go to Silver Hill and you will find that the Houses are like the Leaning Tower of Pisa, going down on one side because they have no foundation. If it started with the Attorney General and comes down to the Prime Minister and all of them you will find no foundation either. Before we can start to build mansions we want to build for a purpose and we have to put in good foundation. If the foundation is too bad you have to pull the house down and start it fresh. For it to be supported you have to put in your bore holes and set in your steel beams and reinforce the bottom and then build on the structure.

So, the Leader of the Opposition need not get in here and get away about correcting an "e for a u" etc. When they injected into or pulled out something from Acts which made them completely different from what was passed by Parliament. I nearly said that he knows that, but that would be saying a bit too much. I would say, Mr. Speaker, that tampering with Government legislation in a private manner will certainly not go on while I am a member of the Cabinet and a member on this side. I believe that if you elect people in Parliament as a law making body it should be so; but as I have said, they have forked tongues.

I well remember Mr. Lowe sitting in that Chair during the Estimates when we tried to point out to him from that side and the Attorney General sitting in his chair aiding and abetting the Chairman. He jumped up and said "when I rule, I rule. This is the highest court in the land".

Hon. F. G. SMITH: Mr. Speaker, on a point of elucidation. I was never Attorney General in the House. I sat as Attorney General in the Senate. I just want to keep the record straight because it is not true that I was Attorney General in this House.

Hon. C. L. BOLDEN: I am sorry. I withdraw the term "Attorney General" because if you make the mistake of appointing a man as Attorney General who does not know the law and then you have to make him a road builder, then you will appreciate the mistakes. I now see why they made him a road builder, but when he came and aided and abetted the Chairman, I will have to accept that it was Mr. Road Builder who was then instructing the Chairman of Committees.

There is no problem. The public now knows why there were these mistakes because no Attorney General who knows the law would make these mistakes; but if you employ a man who does not know the law and put him in that position then that is what is likely to happen. He talks about people having to pay. The public has paid for putting people in Parliament for the last 15 years. They are paying now having to review what should have been done 10 or 15 years ago. That is what they are paying for.

Mr. TAITT: Mr. Speaker, I lay no claims for being a legal luminary, but I lay claim to being a person who is familiar with certain practices in certain parts of the world; and I am indeed surprised, and somewhat saddened that this House of Assembly should be used as a ground or vehicle for what appears to me as the emasculation of a person who subsequently or formerly served his country to the best of his ability.

The question of law, Mr. Speaker, is not something absolute. You are aware that under the system of Government we have, we have magistrates and judges and we have more judges at the higher level and eventually we have what is called the Privy Council. You are aware that one judge reading the law interprets it in one way, and as it moves to another court those judges will interpret that same law in a different way and if it goes to the Privy Council or to the High Court it may be interpreted in a different way.

In the United States of America there is a Supreme Court beyond which there is no appeal. Very often decisions have been made by a five to four decision where five justices

have found one set of facts and one interpretation of the law to be one thing and four have disagreed with them completely.

What I am saying is that I cannot pretend to speak on whether changes should be made, or should not be made or what changes are capable of being made. It is obvious to anyone who has studied Constitutional Law — and believe it or not, Mr. Speaker, I have studied a lot of it — it is obvious to a number of persons who are familiar with Constitutions around the world, that if you have an upper House and a lower House and a Governor General constituting a tripartite system then to make substantive changes after one of these sectors have pronounced would be obviously wrong.

5.35 p.m.

So if the previous Attorney-General, or any previous Attorney-General, should have made that kind of error, then he is inherently wrong. But I wonder, Sir, if it is absolutely necessary for us in this Parliament to set out to prove beyond the slightest shadow of doubt, to set out to suggest that the errors which might have been made by an Attorney-General were not errors *per se* so much as a lack of either legal knowledge or, perhaps, a lack of integrity. I use the term "a lack of integrity" because I heard the Prime Minister say that in his perambulations through the files it did seem that most of the decisions made by the former Attorney-General seemed to lean invariably towards the wishes of the Prime Minister. I think that is a very strong statement to make of an Attorney-General, and I hope to God that that is not really the case. If it is, it suggests that the former Attorney-General was a man lacking in integrity. It suggests that, in the face of certain legal knowledge, the Attorney-General would have made a decision only to please the wish or the wishes of the then Prime Minister.

Mr. Speaker, I have worked with that Attorney-General, and I have not gained the impression, from working with him, that he is a man without integrity. I feel sad that, here in the House of Assembly, what will tend to happen is that the man's work as Attorney-General is going to be used, not only today but maybe for the next five years, as a weapon that will work against him, not in terms of his public life only, but clearly in terms of the profession which he must follow. If it can be demonstrated to the layman who, after all, is not familiar with all of the intricacies of the logic and the language which the legal luminaries, all of whom seem to be in this particular House use, he will tend to

interpret what he hears in a very straight-forward, simple manner. He will interpret it as the man knows no law, and he is not the kind of lawyer he should go to. What I got up to say, Mr. Speaker, is that I am very concerned, and I hope I will not see this as a continuing practice where the honest mistakes, which a public servant might have made in the course of serving his people, can be used against him in such a way as to suggest that he was a man without integrity, if not a man without total knowledge.

I shall not touch too much on the houses at Lodge Hill. With regard to housing in the private sector, houses from time to time will show cracks in four walls. I know of one person who borrowed money and built a house in one of these exotic areas in Christ Church, and for the last seven years she has been having extreme difficulty because the foundation was not properly laid. I do not think that the Democratic Labour Party would lay claim to having built every single house of the thousands of houses which the Government built as perfect. I do not think that each one was perfect, but I think by and large the houses which the Democratic Labour Party built were good houses.

Finally, Mr. Speaker, I admit to some sorrow for my former colleague. The manner in which his professional colleagues seem ready to tear the skin off him is something which saddens me, and in some way I am glad that I was not a lawyer at the time and the Attorney-General of this country. I hope it is not an indication of what happens all of the time among this noble profession. I hope that hon. members in here who recognise errors that have been made by the Attorney-General, if there are errors, will recognise that at the time when those errors were being made he must have believed that he was doing the right thing. I go further, Sir.

Hon. C. L. BOLDEN: On a point of order. Mr. Speaker, I was looking at something here, and I heard something about, "At the time when the errors were made he must have made them" — what, Sir? Can the hon. member repeat that phrase for me?

Mr. TAITT: At the time when the action was committed, which has subsequently been described by the present Attorney-General as an error, it is my belief that the then Attorney-General must have been acting in good faith. If he were not acting in good faith, then it is for the Attorney General now to draw to the attention of the appropriate authorities that he did not act in good faith. All I am saying, Sir, is that it is a tragedy to have a man castigated,

drawn down and quartered, figuratively, of course, Mr. Speaker, before us. I am sure, especially for you a non-lawyer, it must be a spectacle which you would rather not see again.

Hon. L. S. CRAIG: Mr. Speaker, surely the parliamentary exercise on the Bill which is before us is one which the legal luminaries on this side were, to my mind, showing off their legal knowledge. The member on the other side who has just taken his seat, of course, would have to get into something of this nature, and he made it very clear that he is not a lawyer. Mr. Speaker, so am I, because you will recall in this very Chamber the present Leader of the Opposition said that the union of lawyers was the strongest union on the face of the earth. This evening I heard my colleagues making sure that a George Moe does not eat at all now. From what I have heard here this evening, I am confident that nobody in here, in the Gallery, or outside, would even attempt to give the former Attorney-General of Barbados a case defending a chicken against a fowl.

Now, I did not have the opportunity to salute the people in St. James and to thank them for returning me to this House. I would say now that I want to salute them for removing from their backs one of the most incompetent lawyers ever to adorn a gown in this country. I am confident that it is not only the former Attorney-General, but the present Leader of the Opposition, I am inclined to believe, made such errors, to. I am sorry he is not in his place. It is merely that my colleague on my right would not like to say these things now. The people of St. James and of Barbados must be very grateful for the hard work I have put in to save George Moe from their backs as well as the taxpayers' money.
5.45 p.m.

Sir, you will appreciate the fact that my colleagues have said there were errors, but I would have to say there were bad practices that after you pass legislation in Parliament and it is assented to by the Governor-General, it becomes the law, and for an Attorney General to be changing parts of that law whether by putting in a "d" or an "e" is nothing less than malpractice that the Democratic Labour Party has been indulging in for the past ten years as a classic example even at that level, and I am glad I have heard the Attorney General. We now have an Attorney General, and I think Barbados is blessed to see that they have a commission for the dotting of "Is" and the crossing of "Ts", and the country will know that any legislation coming down from the Attorney General's office in Barbados can be well spelt

out and the lawyers would have to determine who is right or wrong when this Attorney General is there.

Mr. Speaker, that is my contribution and I want to thank the people of St. James for taking George Moe off the taxpayers' backs.

Hon. H. deB. FORDE: Mr. Speaker, I wish to thank hon. members for the contributions they have made to the debate. I expected some political blows would have been shared as indeed they have been shared, but I want for the benefit of hon. members to make a few things clear. Whenever draughtsmen are called upon to draft under positions of stress and haste, there is always the increased danger of mistakes being made not only of a typographical nature but sometimes of a reasonable substantial nature. It is a fact that draughtsmen in the Attorney General's chambers in the last ten or fifteen years have been working under considerable stress and strain. There is no doubt at all about this in my mind. The draughtsmen would be pleased if the Clerks of the respective Chambers who are legally trained as well as members of Parliament would use the opportunity to assist in making any necessary corrections of obvious errors that sometimes creep into Bills, sometimes due to the mistakes of ourselves as lawyers, at other times of course due to the typographical errors at printers' level as you would so well understand in other spheres.

The reason why I bring this is not to provide hon. members with an opportunity to compare the respective Attorneys General at all, but really to correct what I think has been an incorrect practice which we have now straightened out in the Department, and I think all the officers clearly understand that in advising me about Bills, if they see these errors we will try to get the Law Revision Commissioner to correct them at the end of the year where he has legal power to do so if they are of an unsubstantial nature, or to come to Parliament and ask the Government to forgive us sometimes for our mistakes, forgive itself for the mistakes of its members and to pass amending legislation.

I want to say I do not see any bad faith, but I see evidence of bad practice, and I do not want the debate to end on the note of hon. members believing that I am alleging that either of my predecessors in office were guilty of any bad faith in acting on a practice such as this. The hon. member for St. Michael South West

has said that from time to time there are errors which will be made. That is true. We are all none of us perfect and I want to say that I do not believe that there will be any lawyer in Barbados, be he Sir Conrad Reeves, Mr. Edward Keith Walcott, Mr. George Moe, Mr. Gladstone Frederick Smith, Mr. C. A. Burton, Mr. Wiley, Mr. Denis Malone, any of the distinguished gentleman who have held this office prior to my time, who will not make a mistake. I think each one of us will make an error from time to time. Our advisers in the Department who do the bulk of the work will make errors from time to time. I want the House to recognise this and although the debate has scored its political points, I want to say in all fairness that it is a difficult task being Attorney General of Barbados; it is an onerous job and in many ways it is a thankless job, but it is an interesting and responsible job and I believe those of us who hold the office are conscious of the fact that there are difficulties in the job and we try to act within the constraints of our ability. Our abilities vary, Mr. Speaker. I may have some ability at civil law and none at criminal law. I may be good at commercial law and I may be hopeless in dealing with crimes of violence; so I am not comparing ability in this debate. I am glad the House has appreciated the error and whilst appreciating the comments of the House I certainly do not want it to be thought that I for one am setting any standard of attacking people in their personal capacity, because I do not think that members would admit that this has been done in the debate, and I want to make my position clear on this. I would trust that as lawyers we will all in future try to lead the House well and if I make mistakes in the time I am holding the office, I am asking the House ahead of time to realise that I am just a normal human being like anybody else. With this I ask that the Bill be read a second time.

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

On motion of Hon. H. deB. FORDE 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.

Clauses 1, 2 and 3 were called and passed.

On motion of Hon. H. deB. FORDE 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.

5.55 p.m.

On separate motions of Hon. H. deB. FORDE, seconded by Hon. L. S. CRAIG, the Bill was read a third time and passed.

ADJOURNMENT

Hon. L. S. CRAIG: Mr. Speaker, that concludes Government Business, and I beg to move that this House do now adjourn until Tuesday, 8th February at 12.00 noon.

I may draw to your attention that it may be necessary when we return to ask Your Honour's leave to deal with a number of items in all their stages, and I assure all hon. members, on both sides of the House, that the papers are all going to be circulated in time.

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

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

6.00 p.m.