
THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 -- 81

HOUSE OF ASSEMBLY

Tuesday, 19th December, 1978

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

PRESENT

His Honour W. C. B. HINDS, J.P., (Speaker); Mr. R. ST.C. WEEKES, J.P.; Hon. L. S. CRAIG, (Minister of Housing, Lands and the Environment); Hon. C. L. BOLDEN, LL.B., (Minister of Communications and Works); Mr. L. E. SANDIFORD, M.A. (Econ.); Mr. D. A. C. SIMMONS, LL.M.; Hon. Miss B. A. MILLER, (Minister of Health and National Insurance); Hon. L. B. BRATHWAITE, (Minister of Agriculture, Food and Consumer Affairs); Mr. J. G. ODLE, B.Sc., (Chairman of Committees); Mr. M. C. C. WARD; Mr. V. L. JOHNSON, M.A.; Hon. L. R. TULL, M.A., (Minister of Education and Culture); Mr. DeL. O. BRADSHAW; Mr. L. L. SISNETT; Dr. R. L. CHELTENHAM, M.Sc. (Econ.); His Honour E. E. ALLEYNE, LL.M., (Deputy Speaker).

Prayers were read.

Rt. Hon. J. M. G. M. ADAMS entered the Chamber and took his seat.

MINUTES

Mr. SPEAKER: The Minutes of the Meeting of Tuesday, 12th December, 1978.

Hon. L. S. CRAIG: Mr. Chairman, I beg to move that the Minutes for Tuesday, 12th December, be taken as read if there are no omissions or errors.

Mr. SANDIFORD: Mr. Speaker, I rise to raise a matter in relation to the Minutes as far as their accuracy is concerned. On page 3, the third line from the bottom of

that page, it reads: "Mr. L. E. Sandiford rose on a point of order."

Mr. Speaker, I am not going into the details of last week's incident, but at that stage there was no disorder in the House. The hon. member for St. Thomas had moved the motion as is accurately reported here except for the grammatical point. I would suggest that the word "reports" in the preceding line should be "report". "Rt. Hon. J. M. G. M. Adams moved seconded by Hon. L. S. Craig that Mr. Chairman reports progress", I think that must be a typographical error and should be "report". So that is the first amendment I am suggesting to the Minutes, that the word "reports" should be "report". And then "Mr. Sandiford rose on a point of order." I did not rise on a point of order; I rose to speak on the motion, and that is the amendment I would wish to indicate.

Mr. SPEAKER: I take it you made it known that you had risen to speak on the motion at the time of rising.

Mr. SANDIFORD: To the best of my knowledge. I tried to speak on the motion.

Mr. SPEAKER: The question is "did you indicate that you wanted to speak on the motion?"

Mr. SANDIFORD: I rose to speak on the motion, Mr. Speaker, and I tried to make that clear as best I could at that stage, but I was told to take my seat.

Dr. HAYNES entered the Chamber and took his seat.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I do remember the incident very well and since it has been misrepresented in the Press and gave rise to some heat in the hon. member who has just sat down whose honesty in this matter I think is beyond reproach though his memory may not be, I would just like to suggest that what actually happened was this. I entered the House, moved that the Chairman report progress to Your Honour and ask for leave to sit

again. The motion was put, the Chairman called for the "Ayes" and the voices of the "Ayes" were taken. The Chairman then called for the "Noes" and the hon. member rose. The Chairman, after the hon. member rose, said "All those against the motion". The hon. member then said I want to speak. The Report will show what happened. The Chairman may have said "Take your seat" or the hon. member may have said something else. The report will show what happened, but the "Ayes" had been taken and the "Noes" were in process of being taken when the hon. member rose. I remember it quite distinctly beyond any peradventure. The hon. member then lost his cool and began unusually to raise his voice and quarrel and say he was not being given the right to speak. Hon. members on that side then lost touch with what was going on. The hon. member for St. Michael South Central then rose on a point of order, and I do not see that. Oh yes, I do see it on the next page. He then rose on a point of order and said "if you do not let me speak we will walk out". In fact, he just got up and said so. The hon. member for St. Michael South Central then began to leave. The Chairman said something else, and the hon. member for St. Michael South left. The hon. member for St. Philip South took up his bag, and the hon. member for St. Lucy remained in his seat. None of this appeared in the press. We just got headlines saying "Sandiford walks out because he was not allowed to speak". The hon. member for St. Michael South Central stood up there and said "Greaves come, come" and pulled with his hand like that. The hon. member for St. Lucy looked away, smiled and made a deprecating gesture. The hon. member for St. Michael South Central continued to signal and the hon. member for St. Lucy then followed him out.

I think that any hon. member who was in the House will recall that what I am saying is an accurate account of the matter, and then while the going out was going on, the hon. member for Christ Church South Central, the Leader of the House, said all that has to be done is to recommit it, and I said "Why you don't let me withdraw my motion". This appears in a Clerk's style "Rt. Hon. J. M. G. M. Adams sought and obtained leave to withdraw his motion." That exchange is reflected in that and that is exactly what happened. But I must say I heard the hon. member for St. Michael South use the words "on a point of order" at one point. He did not use them when he first got up. He did not say anything when he first got up because after he got up the Chairman said "All those against the motion", having put those in favour of the motion before he got up. The Chairman had put the "Noes" and the hon. member then began to quarrel and then said "on a point of order." So I do not think he is right when he says he was not on a point of order, he was rising to speak. As far as the House is concerned he rose in the middle of a division when speech would normally have been out of order. He may have risen to speak, but the House could not see him rise to speak because the division had started and the "Ayes" had been taken.

12.25 p.m.

He may have risen to speak but the House could not see him rising to speak because the Division had started and the "Ayes" had been taken.

Mr. SPEAKER: I think you have said enough to clarify the point in the Minutes complained against.

Mr. WEEKES: Mr. Speaker, sitting on this side I think I can reminisce on what occurred on that particular day. I am not here to defend any person, I am only here to report to this House what I saw occur. When the hon. member for St. Michael South rose to speak on the motion that the Chairman do now report progress and ask for leave to sit again, it does seem to me that when the hon. member for St. Philip South rose to speak on the motion that the Chairman do now report progress and ask to sit again, I observed that during the time.....

Mr. SPEAKER: Is the hon. member suggesting that the Minutes have omitted to record that the hon. member for St. Philip South rose to speak

Mr. WEEKES: Not St. Philip South, I apologise for that, and you are aware of what I do mean, Sir, so I hope you would not try to make a mountain heap of a small issue.

Mr. SPEAKER: I am only trying to take the hon. member at his word.

Mr. WEEKES: Sir, I have no doubt that you are aware that I am referring to the member for St. Michael South and therefore I regret very much having made that error, and for you at this particular moment having to draw it to my attention. But I am saying this now, that I saw the hon. member rise and during that time he rose to speak on the motion that the Chairman do now report progress and ask to sit again, but what did happen, Sir, during the time that the hon. member was speaking the Chairman did not cast his eyes on this side, he kept his eyes away, and I am not in a position to say if he heard the hon. member or if he did not hear him, but I am sure that it was on that particular motion that the hon. member on this side rose to speak, and therefore when this matter had to be recommitted I was a bit amazed and was flabbergasted to see or to hear or to read in the Press that the matter was recommitted. For what purpose. It was nonsensical to recommit that matter when it was a matter which we were dealing with and the Chairman was to report progress for the House to sit again on that particular matter, and therefore it was quite out of place for this House to give the impression to the public that the members of the Opposition were not on the right path and that a number of them were, I must say, mushroom politicians.....

Hon. L. S. CRAIG: Mr. Speaker, on a point of order. As I understand it, the hon. member for St.

Michael South drew to the attention of the House that there is a typographical error in the Minutes. Out of this the Prime Minister himself started — I am not challenging your conduct in the Chair — but the Prime Minister started a speech, the member for St. Philip South is now on another speech, and from what I am hearing from both the Prime Minister and the member for St. Philip South one will conclude that what they are actually saying can be done by a motion of no-confidence against the Chairman of Committees, for which there is provision in the Standing Orders. I do not see the need for going through all this when they can bring a motion if they do not agree with what the Chairman of Committees did.

Mr. SPEAKER: That is no point of order. The hon. member for St. Philip South.

Mr. WEEKES: Yes, Sir, when I consider the number of years I have spent in here and then I can see what is being done in here by people who do not have any experience, and many of them have come here for the first time and they must learn the Standing Orders of this House and not to defend issues when they are not in order, and therefore, Mr. Speaker, I rise to associate myself with all that this hon. member has said. As you are aware, I am neither pro nor con, and when I see things are going to the extreme I have to draw it to the attention of this House, because it will happen in the very near future that the members of the Opposition will not be able to get up in here and say one word, they will be stifled, and I know you are not going to allow that to happen.

Mr. SPEAKER: I take it that the hon. member for St. Philip South, knowing the Standing Orders very well, is fully aware of the fact that a member may rise but that he is not entitled to speak until called upon to do so by the Speaker or the Chairman of Committees, whoever is presiding at the time. I repeat, a member may rise but he is not entitled to speak until called upon to do so by the Presiding Officer.

Mr. WARD: Mr. Speaker, firstly I would like to say that I am in complete agreement with the Prime Minister, having given you the details he did, because you are being called on.....

Mr. SPEAKER: All we are debating is whether or not the entry "Mr. L. E. Sandiford rose on a point of order" should remain in the Minutes or whether there should be a correction thereto.

Mr. WARD: That is correct, Sir. I do not think the impression should go that the Prime Minister is incorrect, because in your position, not being here, it was just courtesy to you to give you the facts as they occurred, and what the Prime Minister has said is correct, that the motion had been put and the AYES had been mentioned

when the hon. member for St. Michael South began to speak, but what I think is the important point — and the hon. member for St. Michael South is correct — that when he stood up to speak he did not say "on a point of order", he wanted to speak on the motion, but he did get up to speak when the vote had been put.
12.35 p.m.

But the point of order is quite correct. He did not say point of order, so we can only assume that he wanted to speak on the motion.

Dr. HAYNES: Mr. Speaker, it is my view that every effort must be made to explore what took place at that point and the Minutes corrected because we on this side regard what took place as a gross violation of the rights of the Opposition.

Mr. SPEAKER: The hon. member must understand that is outside the scope of what is before the House at the moment; there will be ample opportunity to deal with that aspect of the matter.

Dr. HAYNES: In addition, Sir, I would like to confirm that the events took place as set out earlier by the hon. member for St. Michael South, because I distinctly recall that he indicated to me that he had to get up right away and speak on this motion. He rose to speak, and while he was on his feet — and the hon. member for St. Philip South said that the Chairman was looking in the other direction and did not see the hon. member for St. Michael South who should have been allowed to speak.....

Mr. SPEAKER: I think the point is covered. As I understand you, the hon. member for St. Michael South gave you an indication of his intention; he did not give that intimation to the Chair.

Mr. SANDIFORD: Mr. Speaker, may I be heard?

Mr. SPEAKER: You have already been heard.

Mr. SANDIFORD: Yes, but it concerns me and I refer to the accuracy of the Minutes not only in that regard but in another.

Mr. SPEAKER: Another regard? Certainly.

Mr. SANDIFORD: In the second last line on page 3 it says that the Hon. H. B. St. John rose on a point of order. It is not my recollection that Mr. St. John rose at that point. After I rose to speak on the motion — and not on a point of order as recorded — the Chairman told me to take my seat and he proceeded to put the question. Inasmuch as it was on the very question that he was putting that I wanted to speak, I rose again. No votes

had been collected, no Ayes or Noes up to that point and he told me to sit.

Mr. SPEAKER: I appreciate your attempt at cleverness. You rose to draw the Chair's attention to another point and not the point already dealt with; that is, you rose on this last occasion to draw attention that the entry referring to Mr. St. John is incorrect; you have not yet made that point.

Mr. SANDIFORD: Mr. Speaker, I think I did make the point that Mr. St. John did not make a point of order at that stage but later on. I was putting the whole matter in its sequence relating to Mr. St. John's rising on a point of order. With all due respect, I do not know what is intended by the reference to attempted cleverness. In all due modesty, I do not have to attempt cleverness; I can be clever like anybody else. But I am just trying to set the record straight and I would like these Minutes to reflect accurately on the proceedings of that occasion, and as they now stand they are not accurate, and it seems as though this matter should be deferred for clarification. That is what I would suggest to the House at this stage.

Mr. SPEAKER: I am sure the acting Leader of the House will so move.

Hon. L. S. CRAIG: Mr. Speaker, in the light of what I have heard from hon. members on the other side as well as on this side, I beg to move that confirmation of the Minutes of 12th December, 1978, be deferred.

Mr. SPEAKER: If there are no further observations, the Minutes of the Meeting of 12th December, 1978 stand deferred.

I have to announce that I have received a letter from the hon. member for Christ Church West. The letter is addressed to His Honour the Speaker, Chambers, House of Assembly, and reads as follows:

His Honour the Speaker,
Chambers,
House of Assembly,
Bridgetown.

Dear Mr. Speaker,

I shall be obliged if you will be pleased to accept and convey to the House my desire to retire from membership of the Committee of Privileges.

As my Constitutional position includes the function of legal advisor to the Government, I feel it would be a wiser course if I did not sit as an ordinary member of the Committee which from time to time I might be required to advise on matters under reference.

H. deB. FORDE,
Hon. Member Christ Church West.

PAPERS

Hon. L. S. CRAIG: Mr. Speaker, I do not know if during the course of the debate we may get Papers from the Cabinet Office. I have not yet seen any and I therefore beg leave that this Item be deferred.

PRIVATE MEMBERS' NOTICES

Mr. SPEAKER: The hon. member for St. Michael South, his Notice of a Motion.

Mr. SANDIFORD: Mr. Speaker, I beg to give notice of the following motion:

WHEREAS at a meeting of the House of Assembly on Tuesday, 12th December, 1978, the House being in Committee of Supply on Item No. 1(a) of that day's Order Paper, the Honourable Member for St. Thomas move the dilatory motion "that the Chairman do now report progress and ask for leave to sit again."

AND WHEREAS the Standing Orders make provision for Members to speak upon such dilatory motions, subject to the proviso in Standing Order No. 35-2 that: "debate upon such a motion shall be confined to the matter of the motion;"

AND WHEREAS the Honourable Member for St. Michael South was prevented by the Chairman of Committees from exercising his right to speak on that dilatory motion;

AND WHEREAS the action of the Chairman of Committees was contrary to the Standing Orders of this Honourable House, and constituted a grave infringement of the rights of the Honourable Member for St. Michael South and indeed of any other Honourable Member who may have wished to speak on that motion;

BE IT RESOLVED that the House of Assembly dissociate itself from the action of the Chairman of Committees on that occasion.
12.45 p.m.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, would the Opposition give us some idea as to when they will like to debate this motion?

Mr. SPEAKER: I think that they will deal with it very soon from now.

Rt. Hon. J. M. G. M. ADAMS: The records of the House should be available because the records will surely show what came first. That is the only point. If the hon. member did not hear the question put to the "ayes" he is wrong. Let us debate the motion now.

Mr. SPEAKER: Do not let us debate the motion now.

COMMITTEE OF PRIVILEGES

Hon. L. S. CRAIG: Mr. Speaker, at this stage I would like to move that the Hon. Prime Minister be a member of the Committee of Privileges to take the place of the hon. member for Christ Church West.

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

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

ORDERS OF THE DAY

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that Order No. 1 be the first Order of the Day.

Mr. SPEAKER: Order No. 1 is the instant Order of the Day.

Order No. 1 was called — to move the Second Reading of a Bill to amend the Parks and Beaches Commission Act, Cap. 233A.

Hon. L. S. CRAIG: Mr. Speaker, in moving the second reading of this Bill to amend the Parks and Beaches Commission Act, I would say that it to make further provision respecting the maintenance of discipline in public parks and on beaches. This arises out of a number of problems which both visitors to the country and Barbadians suffer primarily at the hands of some of our known "beach gentlemen". Very often, visitors as well as Barbadians themselves, while enjoying the facilities by way of the sea and sun are approached either to buy goods or are offered goods for sale by some of these "gentlemen of the beach". Many of them as a result of refusal are abused — both visitors and Barbadians when certain other things apart from what they might have to expose are offered.

Mr. SPEAKER: I take it that you mean that they are offering services.

Hon. L. S. CRAIG: Sir, I said "other things". I myself have had very unpleasant incidents with people from overseas. Even my daughter on one occasion was molested by some of those "gentlemen of the beach" who sometimes roam the beaches by day and by night. We sought the comments of this Commission, the Tourist Board and the Commissioner of Police; and they have since given their views. I think that we are all very well aware of the matters which trouble people who use the beach; and it is Government's responsibility to protect both visitors as well as our own people at home, Sir.

I believe that hon. members on both sides of the House at sometime may have experienced a similar situation of hearing complaints by visitors from overseas

or maybe from their families of being molested by some of these people who offer their goods for sale. We are hoping, therefore, to provide a bit of comfort for many of these people. We have had instances where wardens from the Parks and Beaches Commission where many of them were not island constables, and therefore did not have the power of arrest; but there are a number of legal technicalities in this, and other details which I will not go into because I am not a qualified legal luminary. I will not go into these details lest I may say something which might cause the eyebrows of the back bench to rise. Sir, I would like to move that the Bill be read a second time and leave it to the Opposition and my legal colleagues both on the front bench and the back bench to give the legal input. I have just outlined the purpose of the amendment, Sir, and I would like to move that the Bill be read a second time.

Mr. WARD: I beg to second that.

Mr. TAITT: Mr. Speaker, what I have to say on this Bill should not take very long. The Parks and Beaches Commission was established for the purpose of assisting in maintaining the natural beauty and other ancillary services around our coast line and our parks. Enough has been said in praise of the Commission as not to warrant repetition of such.

Now, the Minister in introducing this matter, indicating that there are certain problems being encountered by visitors and inhabitants of Barbados alike when they visit the beaches; and he referred to the "gentlemen of the beach". Mr. Speaker, I do not believe that anyone who lives in Barbados can fault the attempt to have some measure of control over certain practices which were bound to have sprung up once we had the kind of burgeoning tourism which we now have.
12.55 p.m.

Now, Mr. Speaker, Sir, there is a tendency in our country and most of our countries to view ourselves and our people in a somewhat different light from that in which we view people who come from overseas and especially those who come from the cooler climes, and, Sir, in that regard we have to be very careful in Barbados that we maintain a balanced perspective when we seek to correct certain imbalances in our social behaviour.

Mr. Speaker, the concept of the gigolo is one that is well known all over the world. As a matter of fact gigolos have been demortalised in song and dance and literature so the idea of young Barbadian men, not very many, being a professional companion to visitors, young women,

and some not so young, who come into Barbados. It may be new to Barbados but certainly it is not a new phenomenon in the world of visitations of one group of people from one part of the world to another part of the world and I think it would not be unreasonable to say that in the majority of cases a large number of visitors come to our shores seeking such companionship.

Be that as it may, Mr. Speaker, the argument of my contention as far as this Bill is concerned comes in the area where the power of arrest is being broadened in Barbados and being given to persons whose training, so far as I know, is not to any kind of element with which we have become familiar in the Police and Island Constables, and so on.

Mr. Speaker, at anytime where the freedom of an individual is being threatened, however mildly, one has a duty to draw to the attention of the authorities the inherent nature of such a stage. Mr. Speaker, I find it totally unacceptable to me that the intention is to widen the power of arrest to a number of persons who may be described as wardens and/or Park Rangers. They have the responsibility for all the beaches and I am not casting any aspersions on them as Barbadian citizens, but what I am saying is, Mr. Speaker, that I do not believe that at this point in time it is desirable for us in Barbados to extend the power of arrest without warrant to any group and I do not believe that the Parks and Beaches Commission is an agency which ought to have this within its ranks, unless these were going to be special people, trained specially to carry out these duties in conjunction with the para-military forces in this country. I cannot myself in all conscience agree that we ought to extend the powers of arrest as it were to all and sundry.

Mr. Speaker, the question of arrest without warrant is not a matter that ought to be passed just after a casual discussion and then it is put into the books. We have on our social laws in Barbados a number of nationalistic provisions which do nothing and say nothing about the humane or indeed the humanity of a country like Barbados in 1978 and far from our giving a greater power of arrest to more citizens, we ought to be taking a careful look to see how we may curtail the growing tendency, not only in Barbados, but everywhere to restrict the freedom of the individual.

Mr. Speaker, all of us who are in this Honourable Chamber must have gone to the beach at some time or another. There are all kinds of contentious activities which can go on at a beach. You may well recall, Sir, in your younger days playing beach cricket and running into trouble merely because somebody moving within striking distance found that beach cricket was annoying and I recall very well, Sir, on one such occasion, a man who at the time was working for a private concern had indicated that if he had his way, he would lock up all of those little youngsters playing beach cricket on the beach.

Now, Sir, that may seem another trifling instance to recall in the context of a serious Bill, but the feeling that people have from time to time that they would like to lock up somebody else is something that is heard very commonly in Barbados, and I am saying, Mr. Speaker, that if we are to give legally the ability to other people to arrest Barbadians especially on the beach without a warrant, we would need very carefully to examine what is recommended.

I do not believe, and I do not feel it in my heart to accept that this is the answer to the alleged beach bum problem. I recognise that the authorities responsible for Tourism would wish to curtail some of the activities which go on and as I said at the very beginning, no one can hold it against the authorities for attempting a solution but I would like to appeal to the Hon. Minister and ask him to hear the views from all of us. I should like to appeal to the Hon. Minister and the Government to give some further consideration to this question of extending the powers of arrest.

Basically, Mr. Speaker, I believe that if this matter is examined in great detail that they might cut it and I hear the Hon. Minister suggesting that he would like to extend it even further. (*Asides.*)

Hon. L. S. CRAIG: Sorry, Sir, it was an aside I made to my colleague.

Mr. SPEAKER: On what point do you rise?

Hon. L. S. CRAIG: On a point of order, Sir. I know they like being noticed, Sir. They cannot help, but I never said anything like that, Sir.

Mr. TAITT: Mr. Speaker, Sir, I will not dwell on who wants noticing now. As I said, Sir, I believe that on this question of the extension of the power of arrest without warrant that it is a very serious matter and I invite the Government to reconsider their position on this to give it a deeper and serious thought before they make it as a final decision because once this is passed, every ranger so-called, every warden so-called would be free to do as he or she pleases with people on the beach under the guise of they being arrested for an alleged offence.

A policeman as far as I understand only has to have reasons to believe that an offence is about to be committed and I have some doubt as to whether the Parks and Beaches rangers and wardens would have been trained sufficiently to form the kind of opinion which traditionally it has been armed to form before such an arrest has been made.

1.05 p.m.

I have some doubt as to whether the Parks and Beaches rangers and wardens would have been trained

sufficiently to form the kind of opinion which traditionally it has been assumed is formed before such an arrest is made. So, Mr. Speaker, I myself would find it very difficult to support that aspect of this Bill.

Mr. WARD: Mr. Speaker, this legislation which is before Parliament today is indeed a very interesting piece of legislation, but I would like to speak and at first I would like to say that I differ with the opening remarks by both of the previous speakers in this respect. They started out on the secondary matter, this matter of gigolos. That is not the main issue in this Bill. This Bill springs out of certain progress that has taken place in Barbados over the years. We have a very fast developing industry in Barbados under the name of tourism, and a number of people who formerly would not be able to sell merchandise have found themselves in a position where they can go to the beaches and sell merchandise, and this is to be welcomed by us all. Any industry that comes to Barbados should not only be beneficial to those who can afford to build apartments and hotels, but should go out to people working in water sports, taxis and vendors on the beach, and this is why I differ from the previous two speakers, because they started talking about gigolos. Gigolos are in any line; they do not only perform on the beach. They are in the night clubs.....

Mr. TAITT: If the hon. member would give way on a point of elucidation, I would merely draw to his attention that my reference to the gigolos was only in response to the Minister's concept. The Minister seems to have suggested that the Bill was brought primarily to deal with the gentlemen on the beach and mine was really a response to the Minister.

Mr. WARD: You could still have put it better. You could have started off with what is positive instead of what is negative. The Bill is a good piece of legislation, Mr. Speaker, because if people are to sell on beaches or in any public area, they need regulation, and this remarkable piece of legislation here starts out by doing what is right, not looking at the negative points of who gets arrested or who does not get arrested. I would hope that when it comes into effect that nobody would get arrested knowing the law as it stands. It is a fact that people who sell have no training in selling and in their enthusiasm to sell a shirt or a dress can encroach on people's rights, as the former speaker has said. A person may be lying on the beach carrying on a conversation with a friend, but he becomes interrupted by an over-zealous vendor and it irritates them because as soon as one vendor leaves another is on them and a third is on them. So all the Government is setting about to do is to make sure that the hundreds of people — I am perfectly certain there are hundreds by now — who are benefitting from tourism in this sphere of being vendors in various kinds of merchandise, shirts, souvenirs, dresses, sun tan oils, and what is referred to as black coral and what have you

come under regulations. There is a regulation and people will now know that they can go on the beach and if a person does not want to be interrupted and they say do not interrupt me, you cannot abuse such a person.

There have been cases where vendors have slapped people because the lady would say she can get that cheaper in town, and out would come a hard slap. Therefore, Mr. Speaker, such legislation as this must be looked at as a very progressive step as a result of the remarkable progress of tourism in Barbados. As far as this matter of giving people power to arrest is concerned as the former member spoke, I think he is a bit prejudiced in mind to assume that the people would not be properly trained. Why should we assume that Government would employ people at Parks and Beaches without first having given them training to know when to arrest and when not to arrest? After all we do not know of any training yet, but I should certainly hope that we would not start next week going around without authority to arrest. I would hope that they would be given proper training. I do not see how the hon. member can dwell on this matter. I understand that an Island Constable can arrest somebody. I am not a lawyer, but I understand that an Island Constable can arrest anybody for doing what is wrong. We are not to assume that the Island Constables do not get some kind of training, so I do not agree with that.

As far as the gigolo is concerned, Mr. Speaker, it is a universal custom that wherever tourists are found, they are on holiday, and they even require gigolos or prostitutes. This does not mean that it is in abundance, and I do not believe that the hon. member who spoke once to indicate that this in tremendous demand, but it is in demand in every tourist resort in the world. I would like to say, Mr. Speaker, and I would just draw a figure to give my impression of it; 95% of the people who come to Barbados are not interested in either, and this is where regulation comes in. A youngster must not feel that every woman he sees is interested in buying his services, and this is where we get trouble, that a lady walking the beach gets into a conversation and a fellow bluntly suggests what she is not interested in and then uses foul language.

Mr. SPEAKER: Not bluntly; pointedly I believe you mean.

Mr. WARD: Pointedly, Mr. Speaker, but some are blunt too. But the point is, Mr. Speaker, that it is very important to get hold of this.

Another thing I would like to say, Mr. Speaker, and it springs out of this, is that this term "beach bum" is a very ugly term and should not be applied too freely, because all over the world tourists like to meet local people. One of the remarkable things that tourism has done for Barbados is that it has shown the world that

people of all colours, classes and creeds can mix together, dance together, eat together, swim together and enjoy life together. We are enjoying something in Barbados and Barbadians should be proud of it, to see tourists come to Barbados. Yesterday evening I saw tourists walking in the strangest places and without any fear of being interfered with, and it is something that we should cherish and protect. But I do not believe that anybody should every time they see a young coloured man with a white woman assume that he is a bum. Some of them are school teachers, school children in the Sixth Forms in some of the schools and are carrying on a very interesting conversation with the visitors and must not be branded as beach bums, because then you are driving these fellows who could have interesting discussions with the tourists into fear, because we are so prejudiced in our minds that the minute we see the two of them together we assume he is looking for money, and it is a very wrong and prejudiced view.

I personally, Mr. Speaker, am timid to stop and pick up a tourist and give her a lift in my car lest the fellow behind may say "you see that fellow there he is trying to make contact." We Barbadians must overcome this, because having heard of these beach bums and gigolos, we are now inclined to withdraw from the tourists instead of letting them overcome this silly idea that every man and every woman is looking for sexual relationship, instead of viewing it as an interesting discussion. So, Mr. Speaker, I view this legislation as very progressive and it is in view of regulation. The theme of this legislation is regulation and having law to enforce this regulation.

Mr. SIMMONS: Mr. Speaker, I would support what the hon. member who has just sat down has had to say in relation to the basic principle behind the Bill, that it performs a regulatory function initially, in that it seeks to better control the use of the beaches by any persons who have the occasion to use the beach. The fact that we are here at all debating this piece of legislation is only testimony that there are a number of side effects of tourism, especially social consequences which may not all be beneficial to this country.

1.15 p.m.

I feel that the role with tourism plays in the lifeblood of this country, in its economy, is of such magnitude and importance that it requires that we treat it almost as a commanding height to the economy, and to that extent not only seek State interference at relevant points but also to ensure that the greatest gain from tourism accrues to the masses of people in this country. We are all familiar not only in Barbados but abroad in those countries which prosper from a tourist trade — Spain, Majorca, Jamaica — that tourism will bring with it all and sundry from foreign countries with different backgrounds, different attitudes

and different values to intermingle with the local population, and some of the problems which our local people get into with tourists are not all of the making of our own people but are contributed to by some of the tourists and their attitudes and their values, yet if there is a problem it is the function of Government to face up to it and regulate it.

I know it is a problem with those who ply their wares on the beaches, and that they often operate to the annoyance of persons using the beach for other than commercial purposes. I would like to see as a long term project that certain parts of some of our larger and more popular beaches are sectionalised where there is a row of space in which persons who have things to sell can go and use premises for the purpose of selling their Afro shirts or black coral or whatever it is they sell on the beaches. I am not a beach person nor a beach gentleman, I do not go to the beach very often, I keep far from the sea, it has no back door, but from reports coming back to me we have people who make some kind of living out of selling various curious and other things to foreign visitors, but I would like to see the Parks and Beaches Commission, or the Government, or whoever is responsible hive off a portion of the beach where the people will have their little shops and visitors can go and buy from the shops rather than having the men walking up and down peddling their wares.

I hope that that can be introduced, if it finds any favour with the Government or the Parks and Beaches Commission, at the appropriate time, but before we reach that stage we have to take intermediary preventive action such as envisaged by this legislation before us today.

I have one or two criticisms, even though they may be stylistic, of the Bill. I notice that in clause 14 — it is not a Committee point, Sir, because it deals with the fact that you are trying to catch people who sell goods or services — and I believe it is a provision that the lawyers will have great play with if it remains like that. I believe that the first speaker for the Opposition will already have read in his contract law — I think it is a case called Fisher and Belle — in 1961 dealing with the offering of a knife for sale, and the difficulty in this is that they will have a problem of determining the time of the sale and whether a sale was entered into or not, and you cannot get the man for selling. The draughtsman should have been aware of the great inroads which Fisher and Belle made on the English legislation dealing with the sale, offer and invitation to trade, and the Act which gave rise to Fisher and Belle was a similar piece of legislation dealing with displaying flick knives in a shop window. It is some time since I passed the stage of contract law, but I am speaking from memory. The general principles I am trying to elucidate are correct, and it would have been happier to have included in the clause that any person who offers for sale any goods, because it is a question of the proof of the sale, but I may get a little berry out of

it representing somebody, but I am drawing to the Government's attention that, speaking as a lawyer, a coach, as I said last week, and some horses will be driven through that and I would like to be the first to destroy it.

Mr. Speaker, there is some disquiet expressed by the hon. member for St. Michael South West about an extension of powers to the general public to arrest without warrant. There was a portion of his speech in which he referred to an extension of the powers to members of the public. I am not saying he was irresponsible, and I am not quibbling, he is really concerned with clause 15 at this stage. As I understand it, the powers are being limited to Rangers or Wardens, but I have tried, certainly within the last six months, to refuse to look back at what the former administration did and to seek to justify it that because they did so and so we are entitled to do it. I believe that the country wants us to set our own standards and operate in our own way without harping back to the days of the former administration, but one cannot at all times deal effectively or efficiently with legislation unless it is looked at in its historical context, and one of the historical consequences of the Parks and Beaches Commission Act, Cap. 233A is that as it is well known to the members of the Opposition Wardens and Rangers of the Parks and Beaches Commission even today, before the passing of this Act, have the power to arrest without a warrant, so what is here is not some new concept introduced by the Barbados Labour Party Government, is is only carrying on what was done by the former Government, and I am sure they would have seen many times Parks and Beaches Commission people holding you by your hand or the back of your pants and walking you across Prince William Henry Street or Coleridge Street to the Charge Office. The gentlemen who operate in the car parks in Independence Square and Hincks Street arrest people from time to time, because they are made Island Constables and vested with certain powers of arrest without warrant, and I have every confidence that certain Parks and Beaches employees will be made Island Constables — I think an Island Constable gets a little black book setting out his powers, when he can arrest and what he can arrest for — and they will be given the basics to allow them to perform their public function without the infringement of private and individual civil rights.

1.25 p.m.

So I do not believe that we need to fear Clause 15 as an intrusion of the rights of the individual or, as put by the spokesmen for the Opposition, a Clause restricting the freedom of the individual. Indeed, a close reading of Clause 15 would show that the powers of the warden or ranger to arrest without warrant are limited and circumscribed by a previous Clause 14(1)(e) and subsection 2 of Clause 14. Put another way, it is not for every offence that a ranger can arrest; he can arrest for assault, resisting, obstruction, indecent abuse or insulting language; and in paragraph 4 of Clause 14(1) where somebody is offering goods or services for an

immoral or unlawful purpose, thereby soliciting. So that the area of arrest is very narrowly confined under the terms of the Act.

There is an interesting comment I have to make, unless the Minister of Education is going to speak. The fine of \$1,000 for indecent abuse and insulting language makes an interesting comparison and perhaps shows that a number of our laws need to be standardized. For abusing on the highway or in a public place the fine is \$10; for abusing a policeman I think it is \$15. But for abusing a warden of the Parks and Beaches Commission it is \$1,000. So it may be cheaper if you want to curse a policeman that you do it on the street and not on the beach. But that is only a side matter and only goes to show the need for standardization where offences are basically similar.

These are the comments I wanted to make. I think the Bill has important positive features but I have one substantial criticism of Clause 14(a) which I will deal with in Committee.

Hon. H. deB. FORDE: Mr. Speaker, I think some points have been raised that I should reply to as the principal officer of the Government. But I want to deal specially with the powers of arrest under Clauses 15 and 16.

It is necessary from time to time that legislation be given teeth, and what we are doing here in Clause 15 is limiting the powers of rangers and wardens to arrest without warrant persons committing offences in a very limited category of cases. You will note that we have been at pains not to extend the reins of powers too far beyond the common law powers granted to the average citizen at present under our laws. In addition I think wardens and parish constables do have powers of arrest in accordance, I believe, with Cap. 166 legislation, the Parish Constables Act; but to put the position beyond doubt we thought we would deal with the matter here in this particular section. We have not, for instance, included policemen in the section as it would be unnecessary since they have that power of arrest under the Police Act. That is the reason for these particular provisions. We have been at pains not to give them any exemption from liability where an unlawful arrest has taken place, and you will therefore see that if they arrest a citizen unlawfully, with or without a warrant, they will be actionable for wrongful arrest or false imprisonment if the person is imprisoned.

Mr. TAITT: On a point of order, if the hon. member will refer to Clause 15(2), it seems to suggest that a person arrested would be treated as when done by a policeman. It certainly seems to suggest that the Parks and Beaches ranger would be covered as if he were a policeman.

Hon. H. deB. FORDE: Policemen can be sued; we have not put any limitations in the Police Act on the right of the average citizen to bring an action against the Police Force for false imprisonment or wrongful arrest; so they are treated similarly in these circumstances.

The hon. member for St. Philip North has raised the point about if the Minister so desires to extend the offences under section 14. We said any person who sells goods or services. I am prepared to accept the amendment who sells or offers for sale, but remember it would be a wider category of offences which would be caught by the particular section 14(a) "who sells or offers for sale". I would say that this was drafted according to the instruction which we had.

I want to say that this Bill is only one of two Bills which we will be bringing to Parliament to deal with problems that have arisen in public parks and on public beaches in this Island. It is intended to bring down an amendment to the Petty Trespass Act to take into account those persons who at the moment unlawfully remain in the premises, where the powers of the police to deal with them are limited. The problem on the Worthing Beach, for instance, is such that we are having people putting up hammocks; people are defecating on the beaches, abusing persons on the beaches — citizens and non-citizens; and this is a trend we will have to deal with, otherwise not only will it affect the economy but the local residents who own these premises will eventually believe that the law is not adequate to remedy the situation and they may be forced to take the law into their own hands.

1.35 p.m.

We have had several complaints particularly about conduct on the Worthing Beach which led us to look at this sort of amendment. With regard to the level of penalties, raised by the hon. member for St. Philip North, wherever possible we are taking the opportunity to rationalise the level of penalties in our existing legislation. The hon. member is quite right; and if you look at the penalties for offences on the highways and under the Vagrancy Act, they still carry penalties that are too low.

They have not been revised in some cases since 1891. All that we did in the revised laws of Barbados is to change the sterling currency into the equivalent of the Barbadian dollar; but we have not taken into account that there have been tremendous changes in the value of money since the 19th and 20th Centuries. My Ministry is at present carrying out a comprehensive review of all of the similar statutes in Barbados. We have an expert, Mr. Mayne, who has been assigned to the project for a period of one year; and during that period of time he will not only revise, but get rid of some of the laws that are archaic; and we will try to reform similar laws as a whole.

Rather than creating an anomaly, I think that this represents a sort of levelling of fines which we would want to establish for these types of offences, so that in due course both the Vagrancy Act, the Highways Act and the Police Act will be amended to reflect this sort of penalty rather than the existing penalty of \$9.60 in one case and \$50.00 in another case, to which the hon. member for St. Philip North alluded.

Dr. CADDLE: Sir, there is a small point that I would like to raise on this Bill. I might be wrong to have believed that at this time there is a form of registration for people who offer for sale commodities carried around on the beaches. I think that most people who sell nuts and sweets and things like that are required to obtain a hawkers licence; and I would also like to know if it would apply to these people who operate on the beaches.

Quite recently another Bill was passed in this House where professional people and other people who carry on businesses are also required to register. This causes me to wonder if there is any necessity for this particular Bill at this time, whether there is need for this type of legislation. While one can accept the argument that there is need to regulate the behaviour of people on these beaches, is it necessary to have this type of legislation? I want to be satisfied that it is necessary for these people to have to register a second or third time. I would like to enquire about the benefit to these people who will be affected by this Bill, and who are being asked to pay a fee for this licence or registration. It is not stated specifically in this Bill; but there is no reason why we should believe that because it has not been mentioned in the Bill they will not be asked to pay a fee for registration under this Bill; and that is something of great concern to these people.

I would like to believe that if you want to regulate the behaviour of these people on the beaches, that there is another way of going about it; but that is a matter for the Government. I think that for the benefit of everybody concerned, I would like to get an answer on those points that I have raised. Generally I think that in Barbados as in other countries which depend heavily on tourism, at times we over react to the behaviour of tourists and often we find that we put our own citizens into a second class position vis a vis the tourists. It is not unlikely that some tourists are offended by the approaches of some people who go around the beaches. I have travelled, and I have been offended by people annoying you for things; but I wondered if we have to go to this extreme of creating this type of law to regulate this type of thing because you hear if it is not done the tourist industry would be affected.

Obviously, there are not a lot of people engaged in the tourist industry, and there are not a lot of people who will be affected by it. However, what is more important is the general condition of the beaches and the general behaviour of those who go to the beach — that we should

be in keeping with the expectations of the citizens of this country, not only in keeping with the expectations of the tourists. I think that people in Barbados who go to the beaches have a lot of complaints about what obtains on the beaches; and I think that the responsibility of the Government and Parliamentarians is to see that remedies are made to suit the citizens of this country rather than reacting over much because of some complaints made by tourists who might at sometimes be right, but certainly not on what would be the general tone of behaviour of the people of this country.

I hope that the Hon. Attorney General, if not now, at some future date, will be able to enlighten me as to the legal necessity particularly with regard to people who, as I have said already, have to obtain a licence; and bearing in mind the recently passed Bill which set about to ask professional people and people conducting businesses in this country, if it is now necessary to have these people registered, and if there could not be another way of regulating the behaviour of these people on the beaches rather than through this piece of legislation.

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

Hon. L. S. CRAIG: Sir, I beg to move that you do now leave the Chair and the House go into Committee on this Bill.

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

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

Clause 1 was called and agreed to.

Clause 2 was called.

Hon. H. deB. FORDE: Mr. Chairman, I would like to reply to the points made by the member for St. Michael North Central on the second reading. This section contains almost all of the major provisions. Firstly, I would like to say that the section deals with the selling of goods or services not only on beaches, but in public parks; and to that extent the hon. member will be satisfied that it is not only for the tourists trade that one has to cater for amenities at our public parks and public gardens; and with the information that has come before the Ministry of Tourism as well as the Ministry of Housing and the Commission, it shows that people have been complaining — a large number of Barbadians have been complaining about the attitudes being shown by, admittedly, a small segment of persons, but sufficiently significant as to the cause annoyance to them in enjoying the amenities of our public parks and our public beaches.

Hence, we felt that while not preventing anyone who is properly covered and who is interested in selling their services or goods in a public park or a public beach, there should be some proper control and regulations so that the Commission knows the people, and that it will be easy to separate the sheep from the goats. In some instances the complaints are not really affecting the general seller. It is affecting people who when they are doing something wrong on the beach or in a public park say that there are selling something. We have examined the legislation as is being used in other countries, particularly in Florida, in the Bahamas, in Bermuda in the Cayman Islands, in Jamaica, in Australia, in New Zealand and other parts of the Commonwealth to see how their jurisdiction have dealt with this kind of situation.

1.45 p.m.

We thought by having a licensing system those people who are lawfully conducting their business would still be able to carry on their business without any problems at all but those people who are merely trouble makers would be controlled and if necessary all other steps taken from a sociological point of view to deal with that and it is because of that the legislation has gone through many stages. This is the ultimate Bill that we decided on but there are other drafts, some of them draconian in some respects which were put up to us and we did not take them in the light of our comparative study of how other jurisdictions have dealt with similar problems particularly in countries where there are several parks.

We are now beginning to get many more park areas and if you take for instance by the Garrison at the back of the Drill Hall, we have had complaints of Barbadians lawfully picnicking down there and chaps come up to them, some of them not only Barbadians but some of the very non-nationals who come here and give them a fit. They may be offering to sell dope for instance, telling them that they can obtain marijuana for them and they would say "go away" and then they become abusive and they want to be offensive and attack them.

Women have complained that they have been on the beaches and people have come up to them making all sorts of loose suggestions. We have had the position where our young citizens have complained of people stripping naked on the beaches, nothing probably basically wrong with this, but then not only displaying their private parts but coming up to our citizens who are there and making all sorts of loose and offensive behaviour and we have had some complaints about this occurring at the parks themselves particularly in areas like Farley Hill, although we have wardens there. There were wardens there for several years but yet they cannot control everything that goes on all of the time and in other areas where there are no wardens all of the time we are getting this sort of problem so we want people who are genuinely carrying

on business or who are genuinely on the beach for leisure or in the park for pleasure and leisure being allowed to enjoy themselves without being attacked by other people who may behave in an unseemly behaviour and hence we have set out to deal with that sort of problem.

We have exempted from the need to be licensed, people who have a valid Liquor Licence under the Liquor Licensing Act. If you already have a licence to operate a Bar in Queens Park, or you have a licence to operate a Bar on the beach in St. Peter, that little seaside beach there, the Magistrate can have sufficient power to attach conditions to your licence if there is a complaint or to revoke the licence so there is no reason why we would want to give the Commission that sort of power which has existed in our Liquor Licence Act from time immemorial so that you will note that in the new Section 11A.(3) there is an extension of that category of persons. When it comes to vendors of the fish market ...

Dr. CADDLE: There is only one point which I would like to inquire from the Hon. Minister. Can this be taken to mean that if a person who already has a Liquor Licence can go and sell liquor on the beach without obtaining another licence?

Hon. H. deB. FORDE: Yes, because a Hotel or Restaurant in receipt of a valid licence, you cannot carry on that business on the beach but a person who has a Liquor Licence to sell liquor for instance in Dayrells Road cannot go and sell that liquor on the beach because of the fact that the licence under the Liquor Licence Act always specify the place of sale, if you see what I mean.

Now the fish vendors were a special category of persons who were not excluded. In relation to other persons with other kinds of business the intention is that the Commission in prescribing a fee will take into account that category of persons who carry valid licences under other Acts. Hawker licence is what, \$10? Not more than that and it has been in the law since eighteen hundred and ninty something. Obviously you will probably find that this is not a revenue earning statute. It is regulatory. It is not for revenue.

I have not seen the draft regulations on this point but the intention was that you would deal with that situation under the Regulation because the draftsmen could not envisage every situation that would arise. We want from time to time to be able to change the Regulations with the full knowledge and consent of Parliament but without having to change the actual statutes of the law and that is the way we put the other provisions in the new 11B.(1) under this Act.

Sir, I wish to say to the hon. member that it is not only dealing with the visitors to the Island that we are concerned, but we are concerned about the ante-social

conduct that is unreasonable if it occurs in our public parks, or public places, or on our beaches and unreasonable and not only intolerable towards visitors but towards our citizens as well and a lot of the complaints the Ministry has had recently have been from local people, and I am not talking about big landowners but a simple person who goes into the park to enjoy himself and somebody, be he a Rastafarian from overseas or something of the sort, or one of the people who come down here only with a ransack on their backs, if nothing else. They are supposed to be visitors to the Island. We have been having trouble from them particularly in the Bathsheba Coast, and the people in St. Joseph have been crying out. We want to be able to deal with those situations as well to allow a genuine person who wants to sell to go ahead and ply his trade.

The Ministry also has proposals to establish on all of the main beaches as in all of the park areas a set area where there will be shops and stalls so that a person does not have to be running up and down the beach or through the park plying his ware and that these will be available not at excessive but very reasonable charges. I think already at the Bridgetown Harbour they have constructed a series of these shops and some attempt has been made down in St. James to do the same thing, I think. I am not sure what has happened to that facility but it is envisaged that the Parks and Beaches Commission will in due course in every public recreational area and every public park be able to provide enough facilities so that people can actually sell goods, or sell services. It may be somebody for instance providing the service of a barber, that is quite possible. You see this in some parks. A shoe shine person providing services so that things can be provided with comfort and without too much hassle to anyone.

Mr. CHAIRMAN: It is now two o'clock.

Hon. L. S. CRAIG: Mr. Chairman, I beg to move that you do now report progress and ask for leave to sit again.

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

SUSPENSION OF SITTING

Mr. SPEAKER: The Chairman has reported progress and has asked leave to sit again. This Sitting is suspended until 2.45 p.m.
1.55 p.m.

On Resumption:

Mr. SPEAKER: This sitting is now resumed.

QUESTION TIME

Mr. SPEAKER: It is now Question Time. I am advised that there are no answers ready to Questions, so we go on to Private Members' Business.

PRIVATE MEMBERS' BUSINESS

Mr. SPEAKER: I understand that the hon. member for St. Michael South who gave notice of a motion earlier during the day is seeking leave of this Honourable Chamber to dispose of this motion. I think I am right in saying that the Chairman of Committees is very anxious indeed to have this matter disposed of, and I am confident that on the side of the Government benches there is a greater anxiety than ever to have this matter disposed of. I learned too that even the hon. member for St. Michael South would like to see the matter brought to a conclusion as speedily as possible. Now if there is the feeling of the House that this matter should be dealt with at this moment, I would like to hear what are your views.

Hon. L. S. CRAIG: Mr. Speaker, I am aware of the fact that the hon. member for St. Michael South did hand in a Resolution earlier today and I am quite sure that my colleagues on this side are all as anxious to have this matter dealt with, but I can assure you that there is no objection from this side.

Mr. SPEAKER: The hon. member for St. Michael South has obtained the leave of this Honourable House to debate what purports to be a notice of motion, but I would be failing in my duty if I did not draw to the attention of this Honourable House that the motion as such does not express a lack of confidence in the Chairman of Committees at all, nor does it seek to pose a direct challenge to the authority of the Government. I must say further that it does not seek to condone any aspect of Government in relation to its affairs.

I believe this is an appropriate occasion for me to remind hon. members that when I was elected to the Chair I was requested to submit myself for the Queen's approbation. On that occasion I petitioned for the ancient and undoubted rights and privileges of hon. members of this House and amongst those prayers was that the most favourable construction should be placed on all the proceedings of this Honourable House. In the light of this, therefore, I believe that the hon. member for St. Michael South is the type of person who has never yet set about to act with animosity. He is the type of person who would never ever put himself in the way of preventing any hon. member from functioning, hence the tenor of the motion which he has attempted to table. But in the light of this motion being a failure, in itself a breach in that it does not set out any of the conditions of which I have made note, I am to wonder if the hon. member for St. Michael South does not now feel himself

that his cause has been properly ventilated in the light of what transpired earlier during the day when we were attempting to set the records relating to the Minutes in their right perspective. I believe that under the circumstances it would be left to the hon. member to... I cannot urge the hon. member to withdraw, but I would prefer to say that I see no basis upon which the hon. member can initiate debate. The matter however is left entirely with the hon. member for St. Michael South.

Mr. SANDIFORD: Mr. Speaker, I am indeed grateful to you, Sir, and to this Honourable Chamber for giving me permission to proceed on this Resolution, notice of which was given earlier in today's sitting. I am also grateful to you for indicating some of the parameters within which this debate may be conducted.

I wish to state from the start that I have never once felt that the Chairman of Committees deliberately set out to prevent me from speaking during the proceedings of this House on Tuesday last. I do not believe there was any deliberate attempt on his part so to do, and indeed you yourself referred to the wording of the motion, and I would say, Mr. Speaker, that I spent a considerable time on it ensuring that it was so carefully drawn as to indicate that I was not setting out to indicate that the Chairman of Committees deliberately set out to prevent any hon. member from speaking on this particular occasion, because I do not believe that is the character of the conduct of the Chairman while presiding over the House in Committee, and so that accounts for the tenor of this motion. I believe however, and this is the purpose of the Resolution, that there was an error in proceedings. I make it clear again that I do not believe it was a deliberate error, but I believe there was an error in proceedings, and I believe that that error had a definite effect on me in depriving me on an occasion when I desired to speak, of speaking, and I therefore considered that I had no recourse but to draw this matter in this way to the attention of this Chamber. Were it not that, Mr. Speaker, I believe I had suffered on another occasion in which my rights to speak had also been unfortunately, I believe, curtailed when through a motion for the closure of the debate I was prevented from making my contribution; but here again I do not wish to go into that. I simply refer to it as the background for a somewhat uncharacteristic situation last Tuesday when I believe that for the first time in this Honourable Chamber I have had to raise my voice in a matter that I have not done previously either to you, Mr. Speaker, to the Chairman of Committees or to any other presiding officer.

In the history of other Parliaments and indeed of the mother of Parliaments at Westminster there have been a number of occasions on which the rulings of the presiding officer have been challenged, and these have been occasions for acrimonious debate and sometimes for

debates which do not reach any level of acrimony. I believe that in this Honourable Chamber this particular motion is in the latter category in that I am not proceeding on the basis of any acrimony. I believe that an injustice has been done to myself as a member of this Assembly.

3.05 p.m.

I wanted an occasion on which to express my deep concern over this matter, but in a long tradition of co-operating with Presiding Officers it is certainly not my intention — and I make this clear at the outset — it is not my intention, provided there are appropriate words and signals and indications from the Government side that some wrong was done to myself on that occasion — and if there is any such indication or an appropriate form of wording, I am prepared, as you yourself have indicated, Mr. Speaker, and I believe you have set the tone for this particular debate — I myself am prepared not to press this motion here for a Resolution or a vote, I am prepared after appropriate verbal amends to withdraw this motion.

I do not wish to speak in extended terms on it, I believe the motion is quite full and refers to the appropriate Standing Orders, and on that particular matter I believe I will rest my case at this particular point.

Hon. L. S. CRAIG: Mr. Speaker, it is on occasions such as these that one can see the soundness of the hon. member for St. Michael South. I have been in Parliament with him now, I think this is my seventh year in the Lower House, if I put it that way, Sir, and he has always shown a very calm approach during all the years I have been in here with him and he has always been as calm as he has always been sound in his arguments.

I myself was a bit upset, I must confess, to see that both himself and the Chairman of Committees, people of similar nature and calm persons who do not get off their rockers very easily, and I myself became a little concerned when the hon. member lost his cool. I am quite sure that he must have been upset, and I can assure him that no hon. member on this side was encouraged or tried to stop any member at all on the other side from putting his case in here. I am quite sure that you, Mr. Speaker, and the Chairman himself would never attempt to do this, since you have claimed the ancient rights and privileges for this Hon. House.

I feel very happy that the hon. member for St. Michael South has indicated that he is prepared to withdraw the motion, but in the meantime he wanted to express his views. I can say on this side that we are all particularly sorry for what I consider a rather unfortunate incident, including the Chairman of Committees, and I sincerely hope that it will never happen again, but we are all prone to error at some time and I would like to assure

all hon. members on the other side that as long as I am in here I am going to encourage them to speak as often as I can. Some at times speak with a degree of soundness and some rather intelligently, and at other times not as sound and as intelligent, but I appreciate that the hon. member for St. Michael South has indicated his willingness to withdraw the motion and I am quite sure my colleagues on this side share my views.

As I understand it, the hon. member said he would withdraw the Resolution, that he is not going to put it to a vote, and I believe he can just get up and ask the motion be withdrawn. I do not know the actual procedure, I think the Clerks at the Table will be able to advise how best this can be done.

Mr. SANDIFORD: Mr. Speaker, I take the indications from the Acting Leader of the House, and in the terms that he has given concerning the incident on Tuesday last, and I accept his words and his statement that it was an unfortunate incident which we all regret, and in those terms I am seeking the leave of the House to withdraw the motion.

Mr. SPEAKER: The hon. member for St. Michael South is seeking the leave of the House to withdraw his motion.

Hon. L. S. CRAIG: Sir, there is no objection on this side.

Mr. SPEAKER: There is no objection, leave is granted. The motion is withdrawn. This brings us to the end of Private Members' Business for today, I am advised.

Hon. L. S. CRAIG: Mr. Speaker, you may recall that earlier in the day I mentioned that papers from the Cabinet Office did not come down and I had indicated that I would like to give notice of whatever papers came later.

Mr. SPEAKER: Leave is granted.

GOVERNMENT NOTICES

Rt. Hon. J. M. G. M. ADAMS: I beg to give notice of a Resolution to grant the sum of \$58,526 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1978-79, Part I — Current, as shown in the Supplementary Estimates 1978-79, No. 22, which form the Schedule to the Resolution.

The Standing Orders do permit me to say a word in introducing a supplementary, and I would very briefly do this. This is a supplementary which contains, amongst its Items, a supplement for the funds relating to the Item — Commissions of Enquiry — one of which will be the

Duffus Commission, and I think the hon. members who consider that they have anything to contribute to a debate on such a subject may wish to be advised that buried in this notice is such a subject, and when we resume after the vacation I expect hon. members will take the opportunity to say a word or two about the matter.

Hon. L. S. CRAIG: Mr. Speaker, I beg to give notice of a Resolution to approve the compulsory acquisition of land at Roebuck Street, St. Michael, for the establishment of a pipeline system for the Bridgetown sewerage project.

3.15 p.m.

ORDERS OF THE DAY (RESUMED)

Order No. 1 resumed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. H. deB. FORDE, the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clause 2 was called.

Mr. TAITT: Mr. Chairman, just one or two points on Clause 2. Section 11B.(1), I would like to express the hope that those persons who have been plying their wares would be given priority in any licencing. That is a discretion which the Commission now has. I believe it is very important that no one who has been practising his trade or business should suffer because of a requirement of licences. Obviously if the requirement is there and the person does not obtain the required licence, that is the person's fault. But I wish to say on 11A.(1) that I do not understand why for the purpose of selling on the beach it will be necessary for a person when applying for a licence to present a police certificate of character and two recent testimonials. It seems to me that anyone who is going to engage in the business of selling should be able to go and get a licence. I hope it will be fully explained to me the need for two testimonials in order to sell. If you take all the other Acts, e.g., the Liquor Licencing Act, it is true that a person must be of a good character but no shopkeeper has to get two testimonials to get a liquor licence, and I believe that inadvertently they may be imposing a requirement on persons who wish to exercise their free rights. I hope the hon. Attorney General will be able to see that this Clause is not particularly necessary for the objects and reasons which they have given. There is no need for two testimonials. Furthermore on this business of a police certificate, what it may mean is that when a person at an earlier stage in life might have committed some indiscretion and may have had a term of imprisonment, such a person might be embarrassed to apply for a police certificate. (ASIDES) You have to get a police certificate to go to America, but you do not have to get a police certificate to sell on the beach; I cannot accept that this is something which is necessary.

But, Sir, when you look at Clause 11E.: "The holder of a licence shall within fourteen days of a change of his address or the address at which the business is

being conducted....." As I understand it, the persons who will be registered and controlled will include those persons equivalent to itinerant travellers on the beach and I am not certain that I understand this business of change of address at which the business is being conducted because they go from beach to beach; sometimes they are working in the South, sometimes in the St. James area; sometimes you will be over on the East Coast. "Where the business is being conducted" is a phrase which I am not quite sure can apply to people who go back and forth, and I think some explanation is necessary in that regard.

Now when you look at Clause 11H.: "A vendor exercising the trade or calling in respect of which a licence is issued under this Act shall display that licence in a conspicuous place so that it may be easily seen by any customer, officer or servant of the Commission...." I believe that the draftsman who was copying these Clauses might not have kept in mind the type of activity which was being envisaged under this Act, because when we talk about displaying in a conspicuous place you are usually talking about a fixed place. It is true that over on the following page you have that notwithstanding that a police officer or the appropriate authority may ask for the licence to be shown. Now picture a man or woman who is selling up and down the beach. You say the licence must be displayed in a conspicuous place. One must assume that the person would have to stick the licence on his forehead and walk up and down with it. I am not sure that is what is intended, and I think that the language may be a little indelicate at least. This is legislation for ordinary citizens, not sophisticated citizens, and I cannot understand how the draftsmen could have made what seem to me to be contradictory provisions in the same amending piece of legislation. I am sure the hon. Attorney General must know some reason why this is so and will tell us. I hope the hon. Attorney General would indicate his answers to the questions I have raised on this matter.

Hon. H. deB. FORDE: Sir, I must confess that the content of the Bill is not, largely speaking, a matter for me, but for the Ministry concerned. But let me deal with the hon. member's position re the two testimonials required.

From my perusal of the file, the Committee that sat on this Bill recommended that it would be best if the Commission knows from the start who are the people who wish to sell on the beach, to ensure that people of reputable character are allowed to engage in this exercise.

The hon. member raised a wider issue when he touched on the question of people with police records. I think I said in another place that it is the intention of my Ministry to recommend to the Government a Bill which would write off the offences committed by people over a

certain number of years; what we call a Rehabilitation of Offenders Bill, and I have already given directions in my Ministry to draft the necessary legislation so that convictions prior to a certain year will not be shown on the police records of those persons. There will be a few exceptions, including mainly offences involving things like murder or robbery; but apart from that, the hon. member can rest assured that there will be legislation dealing with this.

But the reason why Clause 11(2)(b) is drafted as it is is that it is a recommendation from the substantive executive Ministry. If they want two testimonials and believe this is desirable, then they will be allowed two testimonials; I do not think that poses any problems.

Mr. TAITT: If the hon. member will give way. He seems to be making a point that the reason why this is here is because some Committee or the executive Ministry recommended it.

3.25 p.m.

Now that they have recommended it, we in the House have got to look at it and see if the recommendation makes sense. I am drawing to the attention of the Hon. Attorney General that the recommendation, however well intentioned, is not either necessary, does not make sense, or both. Indeed, a point that he made that there will soon be legislation — which I myself welcome — because I do not believe that a person who has paid his dues, whatever they are, needs to pay for the rest of his life, which happens in Barbados. I know of a person who had to go to prison when they were 11 years old, or perhaps it was Borstal, or whatever it was for throwing a bomb in Barbarees Hill and got five years and he became a criminal. All that he did in the 1940s was to throw a bomb on Barbarees Hill; and that has been haunting him and affecting his occupation as an entertainer; and every time that he has to leave Barbados he has to go through a series of tests in order to get a visa to go and earn a living.

So, I will welcome the promise of the Attorney General, but I will have to ask the question that if he intends to bring this up, I cannot see why we should have legislation which would include provision for a certificate of character. With all due respect to the hon. member, I would submit that calling for a character reference to engage in commerce is an infringement of the right of an individual. It may be very slight, but nonetheless it is a reduction of the amount of freedom which one should be able to exercise. I merely want to draw it to the attention of the Hon. Attorney General since I cannot do anything about it.

Hon. H. deB. FORDE: Sir, with all due respect, I heard the hon. member saying that by being asked to produce a character reference you are reducing the rights

of the citizen. Nobody has any rights reduced by being asked to produce a character reference, any more than to provide an application form signed by a Justice of the Peace in order to get a passport. I think that the hon. member is stretching the point too far. Basically, there is a little inconvenience in having to get a character reference, I would have expected that a kind of application such as this, having regard to the nature of the licence and application form — a Police character reference and two testimonials — which is the standard form even when you are applying for a scholarship, far less anything else.

I do not see anything obnoxious about it. The legislation was looked at, and we did not see in it anything which would infringe the peoples' liberties by such a requirement; and therefore we had no legal objections to it as it stands; and I do not believe that it is too much of a burden to have someone to provide that type of information.

Now when it comes to the other point raised by the hon. member about licences, I believe that the hon. member is proceeding from the assumption that in future it is the intention of the Parks and Beaches Commission to allow people to walk up and down the length of the beaches in order to ply their trade. That is not the intention. The intention will be that on every beach there will be designated areas which the Parks and Beaches Commission will have a duty to provide stalls for people to display their wares. Now, this is for the protection even of the sellers themselves; because I know of instances on Rockley Beach where a lot of people have started to come in, including itinerant traders who do not belong to Barbados, and illegally homing in on local people who have the right to sell on these beaches.

It does not mean that man cannot carry on his business at Rockley as well as at Speightstown or Six Mens Bay. He may well be given permission to operate at three places, having regard to the business that he is carrying on, providing that he is not preventing another Barbadian — providing that he is not getting the whole hog and somebody else is not getting a part of it. That is not the intention at all.

I think that where the Commission does have a strong point is when they say that in almost every country where you have that level of activity on the beach, people are asking to conduct it in such a way that everybody has a reasonable chance of selling. Suppose you had a stall for drinks, Sir, suppose a man is selling from his cart, selling coconuts. There is a particular area in which you are allowed to operate and you know that here is the coconut vendor and here is your nut seller; and it generates business for everybody else. It seems that this is a much more sensible way of organising business on a place like a beach.

What I would like to urge is that the Minister in charge of the Parks and Beaches Commission makes sure that from early there can be attractive stalls provided. In the meantime I will draw to the attention of the legislation that nobody would expect a person to carry around a licence in his pocket when they are moving from place to place. They have a badge which they can pin on their pockets or some part of their clothing so that people will recognise that they have a licence from the Parks and Beaches Commission. A badge is no problem. It is simple.

Mr. TAITT: Mr. Chairman, on a point of order. I have no way of knowing how it is proposed to administer this; and I am sure that you will appreciate that in the light of the absence of information, it is my duty to point out the areas where ambiguities may occur so that at least we can get information from the Government; because there may be a problem when it comes to giving powers of arrest. Not everyone who is employed by the Parks and Beaches Commission will have the capacity or experience of the Hon. Attorney General or even the Prime Minister or an ordinary member of Parliament for that matter.

It is important when we represent ordinary people that it is quite possible for ordinary members over there to forget how difficult it is for ordinary people to battle with bureaucracy, not only here, but any where when you have to apply for licence to get a living. You have to get two testimonials and you have to get a police certificate. Any hon. member over there, or perhaps over here who has had to go for a police certificate would understand the problems of ordinary people.

While it may seem pedantic, these questions are being raised because the problems of small people are very difficult and very big to them. If an hon. member had to get a police certificate he would take up the telephone and say that he wants to get a police certificate and would get a police certificate.
3.35 p.m.

Over there too, Sir, hon. members will get one and people from the senior ranks of the Civil Service, and Barristers and professional people. They do not have those kinds of problems but when you have ordinary people who have to go and spend half a day waiting outside an office to get a police certificate or when they have to run down their MP or some other "prominent" person to get a testimonial letter to go and sell shells on the sea, I feel that hon. members might not now be putting this in perspective because it seems to be a simple Bill but I warn this Honourable House that that is an approach which is undesirable at this time.

The hon. Attorney General suggested that I might have been proceeding from a certain premise. Let me

enlighten him on the premise. We must at no time in all the history of this country allow ourselves, and I am not talking about us in this Honourable Chamber, but I am talking about ourselves as Barbadians to feel that we have to go over-board to prove that we are more amenable to visitors to this Island than anybody else and I detect in the instructions which led to the co-ordination of this Bill, I detect it is cleaner and which would suggest that you have to be "Mr. Clean" in order not to offend the tourist on the beach.

Mr. Chairman, I will leave at that point. I have one other thing to say when the other Clause reaches here.

Clause 2 was put and resolved in the affirmative without division.

Clause 3 was called.

Hon. L. S. CRAIG: Mr. Chairman, I beg to move that Clause 3 stand part subject to an amendment. Put in the words after "sells," "offers for sale". It now reads:

"Any person who —

- (a) sells or offers for sale any goods or services in a public park or on a beach without obtaining a licence under this Act."

Hon. H. deB. FORDE: I beg to second that, Sir. We have taken the point made by the hon. member for St. Philip North.

Mr. TAITT: Mr. Chairman, I allude to requirement of the offences under this Clause which says anyone who fails to display a licence according to Section 11A. is liable to a fine of \$200 or 3 months in prison or both, but Sir, what I wish to deal with now is this very interesting requirement. If you look, Sir, at page 6 "any person who, without authority or excuse" and you look at (b) Sir, any person who "deposits any waste paper, waste matter, rubbish or litter" and then you look at the penalties you will see \$500 or imprisonment for a term of 6 months or both, and in addition etc.

Now I have no doubt that the Government must have meant that anyone who brings large quantities of litter and dump it on the beaches, in other words, turning the beach into a dump will be eligible for this large crime of \$500 or 6 months but as it stands here, Sir, and with all due respect to the Magistrate to whom it may go before in the Court, as it stands here, Sir, a person can have a fine of \$500 or 6 months in prison for disposing of a piece of paper. In fact, you can go to (a) "wilfully damages any tree, shrub or grass planted or laid out". —

Mr. Chairman, when you are making laws like these, in New York for example if you drop litter on the streets

it costs you \$25 or \$50. In Trinidad for littering it is \$20 or \$50. It is usual, Mr. Chairman, in those types of litter where people might commit in essence a crime inadvertently, that the crime is not as punitive as this fine here. I find this \$500 or 6 months for any wilful damage draconian and unnecessary. I do not understand these fines, Mr. Chairman. They seem to me to be rash and draconian.

Are you going to tell me that somebody who goes on the beach and have a picnic — let us suggest for argument sake you go to a picnic. Now it is desirable that people clean up after they have had a picnic on the beach. I have no quarrel with that, but it is desirable that anybody who does not so clean up should have to pay some penalty. But can you imagine that it is possible that a man may have to pay \$500 and go to prison because he drops a beer bottle in a particular area on the beach. This is very dangerous legislation. I do not agree. (*Aside.*)

Mr. CHAIRMAN: Order please, order.

Mr. TAITT: Quite seriously, Mr. Chairman, the Government has tried their best to come up with some legislation to deal with the Parks and Beaches problem but I am suggesting quite seriously, and I am not barely saying it for the sake of saying it, I am suggesting quite seriously that this legislation has draconian measures under which are fines for offences which are not normally treated that way. Perhaps there is some underlying reason which one does not know but I have not so far heard it.

It is possible, while undesirable that people ought to relieve themselves in certain areas. It is quite possible. Anyone who has lived near a beach, who has been to a beach, and has run up and down on a beach know. The hon. member for St. Philip North was very clear. He said he does not like the beach and he does not go there. That is fair enough but if you have lived near a beach and you have run up and down on a beach you know the things that you do on beaches. Five hundred dollars or 6 months, Mr. Chairman? You know that a Government if they want to lock up half of the population can take any bank holiday to lock them up? Mr. Chairman, I am finished with this.

Mr. SIMMONS: Mr. Chairman, I just want to raise a little point under this Clause. I think it can be made more specific than present. If he deposits this waste, paper or whatever, in a place other than a receptacle provided for that purpose because I think that there must be an obligation on the part of the Parks and Beaches Commission people to set up bins or whatever so as to preclude the act or the dumping of litter in these places. I think a phrase could be put "other than in receptacles provided for the purpose" or some such phrase. I can work on it now.

The question of the fine — that is only a maximum fine and would probably only be imposed as a maximum

fine if you found that a fellow was persistently doing this but this is just a sentencing policy for the Magistrate.
3.45 p.m.

If the facts of the case disclose that the matter is really trivial and the man just opened a cigarette box, as all of us who smoke cigarettes are wont to do, and took out the piece of paper from inside, balled it up and threw it down and a warden or somebody took him in for that, I really feel that a magistrate hearing those facts would be inclined to simply R.D. on the grounds that it is trivial, not even C.R.D., just R.D. and call it a day. So I think that the use of language only imposes the extent of the fine without saying that it must be \$500. They say they have new drafting forms and styles of draughtsmanship, but it put beyond doubt when the old legislation uses the phrase "not exceeding", but this says "a fine of". It should really say "not exceeding" and put it beyond doubt. We will have these quibbles in here all the time as some of us have the argument that it is not clear and the Attorney General would defend his department by saying these are the modern forms of drafting, but I would like not "exceeding" and to that extent I would prefer to see the phrase "not exceeding".

Hon. H. deB. FORDE: Mr. Chairman, I am in the process along with the assistance of Mr. Ryan of providing a drafting convention for the benefit of my Ministry. Government Ministers and members of Parliament because I think if that drafting convention is shown to be available here readily, some of the queries which hon. members with the utmost of good faith raised on some of the phrases in legislation would disappear. The Interpretation Act which is Cap. 1 governs the interpretation of every statute. To use the words "not exceeding" in any legislation today achieves nothing other than wasting paper.

Mr. TAITT: On a point of order, Mr. Chairman, with all due respect to the Hon. Attorney General, for him to say that to use the words "not exceeding" wastes paper, if you can say that to use "of" is the same as "not exceeding" and "not exceeding" will satisfy a number of persons, why can't you use "not exceeding"? Do not say it will waste paper; it cannot waste any more paper than "of".

Hon. H. deB. FORDE: The hon. member is reading law. I am really not his teacher today, but if he would listen to the debate he would understand what I am trying to explain to him. If the hon. member goes on like this he would not pass the exam; so he had better listen to his teacher. He knows more than we do.

Mr. TAITT: On a point of order, if the hon. member passed, anybody can pass.

Mr. CHAIRMAN: That is no point of order.

Hon. H. deB. FORDE: The point is, I am only telling the hon. member. I have not only heard the hon. member; I have heard well qualified lawyers arguing with me about this and at the end of a year as the law revision commissioner for the country I take out the words "not exceeding" out of every Bill because there is no jurisdiction anywhere in the world who knows about drafting that is going to continue to eat up paper putting every section of a penal statute including the words "not exceeding" when the interpretation of such clauses is well recognised and well known to the law of the country.

Now it is the magistrate that has to sit down and adjudicate on this case, nobody else, and the magistrate knows the provision of the Interpretation Act. There is no such thing. If he does not know, there is a three tiered system of justice in this country, and if we are so frivolous ourselves as lawyers on the other side of the prosecution to insist that there can only be the maximum and almost mandatory fine when this form of words is used, we would not know anything about the law at all, and I am sure the Director of Public Prosecutions would never sanction anybody making that sort of submission before a court of law. I have had this out before from the Government benches, that both from the front bench and the back bench somebody has raised the query. Are hon. members going to be guided by us or not on matters such as this? What is the point of my putting in a form of words "not exceeding \$500" which does not achieve more than a form of words that we have brought down in drafting has achieved here. I cannot spell it out any more clearly, Sir. That is the advice I had from my Chief Parliamentary Counsel that I know myself in my mind, and that all the experts will tell you, and that is the interpretation before Parliament.

This never removes the right of the court not only to award any money penalty at all or any form of imprisonment. The court also has powers that it can send you to probation or it can reprimand you and discharge you, or it can convict, reprimand and discharge you on any of these. I was criticised most vehemently in the Other Place by two Senators, one on the Government Benches and one on the Opposition Benches for this form of drafting coming from my department. I met them later and explained to them that they were mistaken about the legislation. I was criticised recently on a public platform, and when I say "criticised" I mean practically abused for bringing down a Cane Fires Bill, and I am told that I brought that Bill down to lock up black people for burning white people's canes. That is the nonsense I have to put up with, Sir. That is the nonsensical comment I must put up with in this country from day to day with people who do not understand what the devil they are talking about and who get up to mislead the public on a lot of things.

I am saying that under this legislation as it is drafted and as it stands the court can do one of several

things. Assuming that it finds the person guilty, it can award a penalty up to \$500 or it can award no penalty at all in terms of money, it can merely reprimand and discharge, it can award a penny, \$2.00 or \$5.00 as the legislation stands, and I give my word as the law officer of Parliament that that is the pure intent of that legislation, and there is no necessity to put in the words "not exceeding" in the legislation. That is clear in my mind. I would not mislead this Committee on a matter such as this, because I would not bring down here for an offence of this nature a sentence that a magistrate had no choice to exercise his discretion. It is not so, and hon. members really must believe us when we tell them so. This is not a big issue of Government policy that I have to go back to Cabinet. (*Asides*) Sir, I am hearing about a magistrate like Mr. X, but Mr. X is a draughtsman who drafted the law. He is a draughtsman and he did it very competently too. That is the whole point. But, Sir, before it even gets to this stage, actually I have people who advise. It would have passed the Chief Parliamentary Counsel, it would have passed me and these matters are matters which we looked at.

The hon. member raised the other thing about putting in a form of words about "other than in a receptacle". Perhaps we could put those words in, but I am saying that without authority and excuse are very valid qualifying positions for the person to be prosecuted. It is a distinction which I thought the hon. member was going to raise between a person acting negligently and damaging a tree, shrub or grass, and a person acting with criminal negligence in depositing waste paper, water matter or rubbish. The distinction is contained in the word "wilfully", and if it is the intention of the Minister and the House that they wish to forgive criminal negligence in depositing waste paper, then we would merely transpose the word higher up, but as I understand it we want to deal with the mischief of people who with gross negligence go around and spread litter.

Now the level of penalty. Assuming that \$500 is the maximum penalty, the hon. member raised whether that is an adequate penalty for this type of offence. I think the hon. member for St. Philip North has given part of the reply about the discretion which the magistrates have. The other part is this. Legislation dealing with litter is already in Barbados in which the penalties are more severe than this. That is a fact. The maximum penalties in that legislation are more severe than this and the hon. member is thinking that the only person who may deposit waste paper or waste matter or rubbish is the small person. It is not so.
3.55 p.m.

It is not so, Sir, one of the reasons why we put the penalty even to a maximum is that some of the people on the coastline, some of the big hotels and shops who are deliberately doing things like this. What are you going to do with them? Fine them \$25? You cannot fine them \$25, so

therefore you leave your discretion in a Magistrate to decide between the person who is a constant offender, who may be a big offender, and someone who does something trivial, and that is reflected in the discretion which he has under this section. That is how we draft. When we are drafting we think not only of one person, the hon. member obviously makes his political point by making it sound as though this Attorney General . . . (Asides). I have to answer because the hon. member for St. Michael North Central is in here, not yourself, I will have to deal with his side of the argument where they are telling people that I passed laws to lock up black people for burning white people's canes. When the hon. member for St. Michael North Central will get on the public platform and make that type of comment which is unworthy of an hon. member, and I am not in the audience, I am not even there to reply to the suggestion that I ignored my mother when she was alive; I am not even there to do that, but I can deal with them in here, and any time I get an opportunity I am going to spell out my position on the legislation, because when you pass a law it applies to everybody and I must take into account not only the small man, not only the black man, not only the white man, not only the brown man, but I must take into account all the citizens of Barbados and what are we dealing with, and we are trying to deal with all of them and not only one set of them. I do not mind, I must represent my position, after a while history will prove that when I speak on issues such as this I speak correctly so far as the law is concerned, and certainly with the best *bona fides* that is intended.

In this instance I see nothing wrong with the legislation. If the hon. member for St. Philip North wishes us to look at a form of words to deal with receptacles and to have another clause which will qualify that, once the Minister who has conduct of the Bill, not me, wants me to do this, we can pass it in the Committee and in the House he can take a separate amendment or he can postpone consideration of it and we will redraft it, but it will be for the Minister to make that decision. In my view it is not necessary, there is sufficient redrafted legislation to deal with the circumstances, but if it is sent back to me from this House, except the House passes it overwhelmingly, that they want the words "not exceeding", I will not recommend to the Committee to put in those words. Even if the Committee puts them in, at the end of the year under the powers that I have under the law I will try to standardise the law properly by taking out the words.

Mr. TAITT: Mr. Chairman, I have one last point. You know, in the Bible you find the phrase "And God spake these words and said" and every time the Attorney General gets up in here to reply to a query he has to deliver a lecture as if he is the only person who has ever learned anything regarding certain aspects of the legislation that comes to Parliament. He might have read the latest put out by some international agency, or he might have heard the last third rate adviser who comes out of a developed

country, but we are talking about legislation about Barbados for Barbadians and it falls on deaf ears when he gets up and starts trotting out who he talked to and who advised him. I am totally disinterested in who advised him if when he comes in here the advice turns into nonsense. I am saying, Sir, that if there were no lawyers, if there were no Magistrates who were fools there would probably be no appeal cases, and it is nonsense for legislation to talk about the Magistrate will do this and a Magistrate will do that. We should not pass legislation and then leave it for Magistrates to be swimming around in no man's land, if you can make it clear by using the words "not exceeding" you leave no area of doubt in the mind of the Magistrate. It is nonsense to come here and say that in Australia they have worked it out, or in Britain they have worked it out, and therefore it is the law, and therefore I have spoken and therefore anybody else who says anything is a fool.

I do not understand this attitude which we get time and time again. Persons get up in here offering suggestions because we know that we are legislating for ordinary people, and then he gets up like if he is the only person. If you hold a pint pot under a pipe for fifteen years you can only get a pint in it. Mr. Chairman, I maintain that as this now stands.....look, Mr. Chairman, it is not usually said and it is not normally known, but if you read some of the statements that have been made by people at higher levels about what some Magistrates have interpreted legislation to mean, if you recognise that at no time does anyone send for the legislation to see what the parliamentarians had to say, you will appreciate and understand that in so far as it is possible the legislators should make the law as clear as any normal human being could understand. When you say, Mr. Chairman, "is liable on summary conviction to a fine of \$500" there are Magistrates who have not perhaps or who will not perhaps have seen the Interpretation Act for some time, and if they do not have a keen advocate they will interpret this to mean what it says, and the law ought not to be framed in such a way that a person can use the law for his own purposes. That is what this kind of framing of legislation will suggest. When you couple with this that a person can now be fined \$500 or given a prison sentence for failing to display a licence, for wilfully damaging anything, for depositing any waste paper or waste matter we do not wish the Attorney General to give us a lecture, we wish the Attorney General to pay attention to the points that are being made, because in the end even if some lawyer is able to prove the point before the court, it will cost that poor, ordinary person money, and that is what the Attorney General does not seem always to understand or to appreciate.

I do not appreciate his coming here week after week and behaving as if he is the repository of all knowledge, that somehow God contacted him personally and directed all that there was to be directed straight into his head and from time to time he will divine to share it

with us ordinary mortals. I do not accept it, I do not feel that way, and I want him to understand that when he comes in here he has a responsibility to answer queries that are asked of him, because he is sitting there to do that.

Hon. H. deB. FORDE: Sir, I do not intend to get into any row with the hon. member, never mind the personal remarks he always directs to me.

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

Hon. H. deB. FORDE: I am not giving way now.

Mr. TAITT: On a point of order.

Hon. H. deB. FORDE: I am not giving way, you believe you can lecture me all the time too.

Mr. TAITT: On a point of order.

Hon. H. deB. FORDE: And you are going to provoke me to the stage where I will tell you a few home truths.

Mr. CHAIRMAN: The hon. member is on a point of order. Will you state your point of order.

Mr. TAITT: The hon. member indicated that I made personal remarks about him. That is unparliamentary because you are in the Chair, Sir, and if I had made personal remarks about him you would have guided me not to do so and I would have withdrawn the remarks. For him to get up and indicate that I am making personal remarks, his problem is that anything that is said about him he takes it as if you have somehow.....(ASIDES).....Another Minister is going to tell you now what a point of order is. No Minister can tell you what a point of order is, Sir, you are in the Chair.

Mr. CHAIRMAN: That is not a point of order.

Hon. H. deB. FORDE: This is the second occasion in less than three weeks in which I am told that I come in here and I am like God speaking to somebody. The only god that I know that used to speak like this is the hon. member for St. John, and he used to tremble. He has no fear of trembling when I speak, because I listen to his point of view, whereas the hon. member for St. John never taught him anything, I am trying to teach him a few things, but if his head is so hard and he does not want to listen, what must I do? I have told the hon. member to look at the legislation which is contained in Cap. 1, section 22(6), that any court must interpret the legislation according to how it is written. What more can I do for the hon. member
4.05 p.m.

I have never pretended that I know all the law.

Mr. TAITT: You behave so.

Hon. H. deB. FORDE: I have to behave so to the hon. member because I know a little more law than he does. When the hon. member had had the opportunity to study the laws of Barbados and wants to write a thesis on them he can do so; but until such time he must accept that we are not going to mislead him on simple things like this. I have explained to the hon. member, as I have to this House on three occasions, that there is a reason why we do not use the phrase "not exceeding" any longer, and that we have provided that reason in Chapter 1 of the laws of Barbados in Volume 1. What more can I tell you. If he refuses to believe me he can disbelieve me; if he does not want to hear it he need not hear it. It is like his party which goes around all the time misrepresenting my position on matters. (ASIDES) Go easy on your party. You had better get rid of your Leader because all he can do is to curse people. (ASIDES)

Mr. CHAIRMAN: Order, please; no cross talking.

Hon. H. deB. FORDE: I do not make sport with you all. The position is that the hon. member does not want to understand what I am saying. If he wants to join the bandwagon of some of the nasty mouth people in his party who go around cursing people, he can do that. I am explaining the legal position as I see it. (ASIDES and CROSS TALK)

Mr. CHAIRMAN: Order please; the hon. member must contain himself.

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

Clause 4 was called and passed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

REPORT OF SELECT COMMITTEE ON PROPOSALS FOR THE REMUNERATION OF PARLIAMENTARIANS

Order No. 2 was called — To move that the Report of the Select Committee on the proposals for the review of remuneration of Parliamentarians be adopted.

Hon. L. S. CRAIG: Mr. Speaker, I think we are now reaching an item which has become a political football. Whenever there is an increase in the salaries of Parliamentarians there is some argument as to how much they should get and when they should get it, and I

believe whether they should receive it. I have made my position quite clear on the floor of this House since 1971. As a matter of fact, in 1969 I made my position abundantly clear on the floor of this House that we are doing a public service. The country must be administered and the people who administer the country must be paid. I have also contended that if a man is employed to do a job and the job is to be well done the man must be well paid, and the day that man refuses to do a proper job there should be no pay for him.

I have heard some nonsense, utter nonsense, on this whole aspect of salaries, and I want to make my position very clear. If they increase the salaries it is immaterial to me; if they pay them next year it is immaterial to me. But my contention is that Parliamentarians must be well paid as they are well paid all over the world.
4.15 p.m.

We have always sold ourselves too cheap to the public; and that is why you can hear about bank managers in Bridgetown and sub branches; and you can hear about salaries for the Chief Justice, the Governor General and all those people and there is no debate and no argument about whether they should get more money; but whenever a politician seeks to get an increase there is always some political football, in most cases from the opposition. I was in the Opposition too so I know both sides.

I have always said that where a politician does a job, let him do the job well. Where you find a politician corrupt as I have found — I am going to make this very clear — the last administration was corrupt — where you find this, it should be sheer and unadulterated prison for them and keep them out of politics. Mr. Speaker, I have not even studied the White Paper. I have not managed to study; but I am making out a case for an increase for members of Parliament.

A few weeks ago, a man who was my understudy in 1967 as an insurance underwriter told me that I should be still with the company because he was carrying home about \$4,000 a month. Now the Prime Minister of a country, employing the most people, and faced all the problems left by members of the Democratic Labour Party is forced to fight off these issues. He must straighten out the country's economy. He must provide for the education of the people's children, for proper housing, proper roads, proper buses, proper telephones and provide the country with its own National Bank; and somebody is telling me that \$5,000 a month for the Prime Minister is too much money.

You do not hear anybody talking about the Governor General's salary. I have said already that the General Secretary of the Barbados workers Union earns approximately \$7,000 a month. All I heard was that it is

not true. When it comes to the Prime Minister who is the Chief Executive Officer of the country, a house is too much for him. His salary is too high; but in the meantime the Prime Minister must find himself in a position to face up to a rebel invasion of our beautiful island. That alone, Sir, is worth more than \$5,000 a month.

The bandits of the Democratic Labour Party who move this Resolution said in 1966 that there would be acid, blood and fire and there was a true friend of the member for St. John — in 1978, a friend indeed. He was given a licence to put up a bank. The bank never had a teller or messengers or even its own furniture. It had some antique furniture from Owen T. Alder.

Every time that this Government settles down to do something for the people of this country, there is always some ugly head that you can see. Here it is that at the beginning of the tourist season, when some 300,000 people would come to this country, we hear that Sydney Alleyne plans to invade this country. This is money which would go towards giving old age pensioners more money, repairing roads, and so on; but the Leader of the Opposition can only talk about no traffic lights; and the aspiring Leader of the Democratic Labour Party can talk about — I am sorry that the Leader of the Opposition and the member for St. Michael South Central are not in here. It is their bounden duty, since they can make speeches on platforms, to come here and tell the Government why they should not increase the salaries of members of Parliament. We have heard them saying that they are not voting for it. I know the member for St. Michael South Central who has been the principal officer of political pollution in this country along with the Napoleon of corruption who does not draw money from certain concerns. I heard him say that he does not draw money from Caribbean Airways either; but he is entitled to a free trip anywhere in the world that Caribbean Airways is flying to; and he made 29 trips last year and did not pay a single cent. We know all of these things.

Here we see that in the past weeks since October, we have been hearing "poor boy" about \$5,000 for the Prime Minister. We had to go to Select Committee to review the report of the prior Committee. It came down to a sort of cheap chat. Let me warn you this; do not think that you are going to get up in here and just vote no. I am calling for a division. I want to see how you vote. I want to see where you come from. Those who vote no should not be drawing at the end of the month. I am going to challenge them today. I will challenge them to get up and say that they will not draw a cent of the people's money because it would be wrong if you voted against it. I believe that members of Parliament did not get a raise since 1973 — that is for five years. The Permanent Secretaries, the Head of the Civil Service, are drawing more money than any Minister.
4.25 p.m.

They draw more money than the Ministers of Government. Can you imagine this, but I am telling the Permanent Secretary what to do, but he is telling me I cannot draw as much as he. Why, do you believe that Mr. Harold Hoyte is drawing less than his Reporter. What nonsense I am hearing at all. Do you believe that Mr. Neville Grosvenor is going to give Mike Hinds or Hall, the photographer or Miss Springer, or Miss Wiltshire or Miss Burrowes, or Miss Greenidge or Mr. Rice less money than he is drawing and try to get as much allowance as possible? You know why he is doing that? He is the Chief adviser. He is the principal officer and the Prime Minister is principal officer here.

The Chief Executive Officer is entitled to buy good food and wear good clothes and provide his family with a good quality of life so that he can relax outside and have ideas to run the country for all. I do not care whether the other side challenges this Government. I go to their meetings, you know. I do not stand up and listen to second hand reports. I go and stand up and hear what they have to say. I have not heard them challenge the economic policies of this Government yet.

From 1976 until now you have not attacked the economy. You cannot say that the country's economic position has worsened more in 1978 than in 1976 when they left it. You cannot say that. You know why? We know that it is very good. That is why we can ask for an increase now. We are the last to draw, except for the Police and the Teachers. I can remember well the member for St. John, he used to send down here for the Teachers. I remember very well. He was the Leader of the Opposition then. He used to send down here asking how much you would have.

Mr. Walcott too, I remember him very well. He was Deputy Prime Minister you know. He said that you have to deal with Mr. Walcott because he has the air of the P.M., not him, and he had to draw up some fancy figure out of the blue but when you came down with salaries, you said how much money you were going to draw. Now we have set up an independent Commission. We have set up a Select Committee and ask for representatives from both sides. You refuse to sit on this Committee.

There seems to be no Leader of the Opposition and since the person who appears to be the Leader of the Opposition has indicated that he is ready to draw, I know that the member for St. Michael South wishes to give us a speech today and the member for St. Michael East has always been a member of better judgement having served in the Opposition. I do not know if there is any person representing Mr. Banks here today, but they can if they want to. We have friends all over the world.

Sir, I beg to move that the Report be adopted.

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

Mr. SPEAKER: The hon. member for St. Philip South.

Mr. WEEKES: Mr. Speaker, today I intend not only to make a speech for this House but for the public and for posterity to plea the righteousness of my case. I have come here today, Sir, and I think you are aware that I am not against increases for Parliamentarians but what I am against is the method in which it was done and I am against certain recommendations of the Select Committee.

I will say, Sir, that people who have just entered this House for only a term, and I have no doubt, Sir, that you will agree with me that from time to time they will get experience. It does not come overnight, Sir. Education does not come overnight regardless of whoever you are, regardless of whether it is a Ph.D., regardless of your background, regardless of your legal profession, you do not get political sense overnight.

Mr. Speaker, I want to remain cool and calm and not to do anything, Sir, which I feel is against the Standing Orders of this House. Secondly, I have no doubt, Sir, that you will listen attentively to me and in fact anytime I go astray I am quite willing to adhere to your ruling and to carry out your instructions.

Now, Sir, I want to say this, Mr. Speaker, it is with mixed feelings and doubt and sorrow that I rise to speak on this Resolution here today. On the one hand it is a joy to see the excellent and favourable recommendations submitted by the Committee for the approval of this Honourable House in respect of the salaries of the Prime Minister, and Ministers, Parliamentary Secretaries and all those Parliamentarians who hold certain positions in this House.

4.35 p.m.

I am also happy to know that the Ministers and those who served in the former Government can be happy today in mind to know the sacrifice they made, including myself, for the benefit of the community by having rendered faithful, dedicated service to this country for very meagre salaries which could never meet their needs. We can also be proud to know, Sir, that members of the present Government travelled throughout the length and breadth of this country telling the people of this country that we the former members of the Government were receiving fat salaries, that we received those fat salaries at the expense of the taxpayers and had forgotten the poor old age pensioners. I repeat, that we had received those fat salaries at the expense of the taxpayers and had forgotten the poor old age pensioners.

Mr. Speaker, that deals with the joyful part, something which I can be proud of today to know that

members of the former Government did all they could possibly do at very small remuneration, and Sir, you have not got to go anywhere to prove my statement. The authenticity of my statement can be proven by the recommendations of the White Paper and by the recommendations of the Select Committee. Mr. Speaker, in dealing with the salaries of backbenchers I have no doubt that when the Government was considering the White Paper the Cabinet was fully aware that their increases for backbenchers were inadequate, but they were shrewd enough to bring it to this Assembly knowing that certain members of the Opposition would see the big difference in salaries and would criticise the salaries percentage-wise and then they would get the opportunity to tell the public that the Opposition was involved in the whole exercise.

Now Mr. Speaker, I repeat I am in favour of increases for parliamentarians. I want you to realise that I am not here to say that parliamentarians should not be paid fully for their services, but what I am saying, Sir, is that when one considers it possible to win an election by misleading people by telling the people that the former Ministers, Prime Minister, Parliamentary Secretaries and everybody who had official jobs were receiving big salaries, it is time that we be honest in future in our method of approach to the people of this country. On the other hand, Mr. Speaker, I must express my sorrow at the treatment meted out to me as a senior member of this House. You will remember, Sir, that the members of the Opposition including myself who are members of the Democratic Labour Party did not find it possible and convenient to serve as members of the Select Committee. Mr. Speaker, this is nothing new. It is known in most countries throughout the world that members of the Opposition do not get themselves involved when it comes to revision of salaries. (A VOICE: Not true.)

Mr. SPEAKER: Let us have some order please.

Mr. WEEKES: But, Sir, what did I do? I condescended, and I repeat, I condescended to go before people who have done nothing for the improvement of this country and who have been there for two years. Your humble servant.....

Mr. SPEAKER: The hon. member must withdraw that remark. In other words, he must not in his speech belittle the Committee.

Mr. WEEKES: I am sorry if that is the impression which you got and I beg most respectfully to withdraw it. At any rate, Mr. Speaker, after discussing all aspects of the amendment to the Pensions Act with you whom I respect by virtue of your office, you suggested to me that I should write a letter to the Committee.
4.45 p.m.

Mr. Speaker, I have a copy of this letter here now and I will read it for the public to hear, because at no time did I mention to the Committee that I would sit in to deal with the revision of salaries, I mentioned one particular point and that was dealing with an amendment to the Pension Act. Consequently, Sir, I am prepared to read a copy of the letter which I sent to the Committee. The reason for doing this is because it was published in the Press on numerous occasions that I expressed a feeling and a desire to come to the Committee but the air was not cleared. As I said, I went before the Committee and I think I owe a duty to the public to read a copy of the letter which I sent to the Committee. Mr. Speaker, this is after discussing all aspects of the matter with you, and it was through your influence that I wrote this letter.

Mr. SPEAKER: I think at this stage it would be proper for me to let this Hon. House know that the hon. member for St. Philip South did discuss his problem with me and expressed a desire to put his case in person before the Select Committee. All I did was my duty to the hon. member, as I owe it to all other hon. members, I directed him what was the proper course to take, that was to address a letter to the Chairman of the Committee requesting permission to be heard by the Committee. That is all I did to the hon. member.

Mr. WEEKES: Thank you, Mr. Speaker. If that is all you have done for me I am glad that you gave me that representation as a member of the Committee. The letter reads thus:

"Reyn-Hill View,
Gemswick,
St. Philip.
24th November, 1978.

The Chairman,
Select Committee,
House of Assembly,
Public Buildings,
Bridgetown.

Dear Sir,

I deem it my duty and in my interest to draw your attention to what can now be seen as an oversight in enacting hasty legislation re pensions for parliamentarians. It does seem to me that careful consideration was not given to those who are still members of Parliament when increases are given to parliamentarians and who will receive pensions and gratuities on their retirement.

During my four terms I held the position of Parliamentary Secretary for ten years, and also served as Temporary Minister on several occasions. On a few occasions I was paid the salary of a Minister, this depending on the duration of my acting appointment.

Taking into consideration my long years in Parliament and the defunct Local Government, and my contribution to my country, and in view of the fact that I am still in Parliament" – and I will emphasise on that – "and due to the fact that I am still in Parliament, I am asking that favourable consideration be given to the proposal that when the time comes, approximately three years from date, my pension be calculated and computed on the basis of the salary which the post of Parliamentary Secretary carries at the time of my retirement and not on the basis of the highest salary I received in Parliament. This proposal would require an amendment to the relevant Act and in my view is reasonable and would assist the parliamentarian in his retirement to meet with dignity the demands and needs of daily life.

I strongly urge the members of the Select Committee to give this proposal careful and sympathetic consideration in the interest of the dignity of Parliament and the person who has over the years contributed to the stability and advancement of this country."

Mr. Speaker, I am no professional and therefore if I were professional everybody on the other side would want to listen with rapt attention, but you hear some of them over there whistling, but I am going to take my time and I am going to put over my case fully, and I have all the time to put it over because I am going to rip the whole thing to pieces and I am going to tell you all that the Select Committee has done.

Mr. SPEAKER: I take it you are addressing the Chair.

Mr. WEEKES: Yes, Sir.
4.55 p.m.

Mr. Speaker, you will remember that after the Committee held its first Meeting, I called at your office and asked you if the Committee had received my letter. You immediately replied in the affirmative and suggested that I should write another letter to the Committee requesting permission to explain all aspects of my letter to that body. I regret to say it, Sir, but I was most subservient and obedient to you and sat in your presence and wrote the letter and gave it to you immediately.

Mr. SPEAKER: In other words, you are telling this Honourable House that I extended to you the same accommodation I would have extended to any other hon. member.

Mr. WEEKES: If you put it that way, Sir, I accept it; I am willing to go along with it. But Sir, the authority which you have as Speaker your humble servant does not have.

In the second letter I again mentioned that I was willing to meet the Committee to discuss orally an

amendment to the Pension Act which was not included in the White Paper. I was notified by the Clerk about two or three hours before the meeting was held that the Select Committee would meet at 10 a.m., and that I was summoned to attend the meeting. Mr. Speaker, I attended the meeting of the Committee and at that meeting I raised other points which were not mentioned in my letter and which the Committee has found it possible to treat with such scant respect that they have only attached to their recommendations two paragraphs on the matter at the end of their report. And I go further to say that they were so unkind to me, to posterity and the public that they have not stated their reasons; they have stated a reason for everything except their reason for not granting my request. I will read part of their recommendation:

"SUBMISSION OF R. S. WEEKES, ESQ.,
J.P., M.P.

By letter to the Chairman of the Committee dated 24th November, 1978, Mr. Weekes proposed for the consideration of the Committee that favourable consideration be given to the proposal that his pension when the time comes be calculated and computed on the basis of the salary which the post of Parliamentary Secretary carries at the time of his retirement, and not on the basis of the highest salary he received in Parliament.

Mr. Weekes gave evidence before the Committee on 4th December, 1978. He amended the above proposals to include a provision whereby a member would pay contributions of the same rate as the substantive holder of the post to qualify for a retirement allowance based on the same salary of that post on his retirement. Mr. Weekes made a second proposal whereby a member who had served more than three full terms would be eligible for retirement benefits based on the highest salary being paid at the time of his retirement for a post held by him as a Parliamentarian at any time. Under this proposal the member would contribute towards retirement benefit the appropriate sum in respect of the substantive post being held by him."

Now listen to what the Committee had to say and how they summed it up in a nut shell. This is the respect they have given me after serving my country for such a long time:

"The Committee found itself unable to recommend the acceptance of either of the above proposals."

And Mr. Speaker, they gave no reason. But I am going to tell you now what the Committee found it possible to do.

Mr. Speaker, you will remember that approximately two years ago some hon. members on the other side were back benchers and they would have been entitled at that time to a pension of approximately \$250 a month and a gratuity of about \$10,000. In the recommendations that they have submitted to this House, their recommendation for one particular officer is for a salary of \$1,560 a month, and for nine months retroactive payment it is \$1560 X 9. Now, Mr. Speaker, that very person who would have been entitled to a pension of \$250 a month and \$10,000 as gratuity — (Asides) — I do not mind who skin and laugh, because I had no right to humiliate myself to any member of the Select Committee — that person will now be entitled, as soon as we pass this legislation, to a pension of \$1,320 per month and a gratuity of \$66,000. This is what the Select Committee has done for some person or persons.

Mr. SPEAKER: I think it is in the interest of this Honourable House and in the public interest that the hon. member be asked on what does he base those figures?

Mr. WEEKES: Mr. Speaker, it is known, but if you want me to divulge it I can divulge it. (ASIDES)

Mr. SPEAKER: Let us have some order. I have merely asked the hon. member for St. Philip South on what does he based the figures.

Mr. WEEKES: Mr. Speaker, there is a method of calculating and computing pensions. If those people who are lawyers, doctors, professionals, school masters, Ph.D.'s. M.D.'s, all kinds of D's — if they do not know how to compute pensions that is not Reynold Weekes' fault. (ASIDES)

Mr. SPEAKER: Let us have some order. What I merely want to warn the hon. member about is this: It is quite all right for any hon. member to come here and trot out any amount of figures that are meaningless, likely to cause confusion, bring Parliament into disrepute and things of that sort.

Mr. WEEKES: Mr. Speaker, I am going to ask you this and put it to hon. members: If a member who received \$2,000 in the past received a gratuity of \$50,000 and a pension of a \$1,000 a month, it is simple arithmetic, only an ignoramus would not be able to calculate what a person going from \$2,000 to \$3,300 a month would receive. But that is not the highest pension, Sir. As soon as this legislation is passed there are certain members who are going to receive — even if they leave immediately — a gratuity of \$80,000 and a pension of \$1,600 a month.

Hon. L. S. CRAIG: Mr. Speaker, if the hon. member will give way for a moment, I believe I am going to reply when the hon. member has finished speaking.

But I would be grateful if he could say who these members are, because this talk about leaving immediately and getting money may give me second thoughts.

Mr. SPEAKER: The hon. member is making a statement for posterity; he must not be disturbed.

Mr. WEEKES: I am not disturbed, for I can vouch for the authenticity of all I am saying today, and the Prime Minister knows it. Any member who serve three terms in this House.....

Mr. BRADSHAW: On a point of order, Mr. Speaker. Nowhere in the recommendations here would a member of Parliament or an officer receive \$33,000 a month. 5.05 p.m.

Mr. SPEAKER: The hon. member for St. Philip South — the Hon. Prime Minister is on a point of order.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, the hon. member has called on the Prime Minister to support his argument. I am unable so to do according to what I have read in the report of the Select Committee which is that no hon. member and myself can retire and receive maximum pension. The hon. member for St. Philip South and myself will be the only persons eligible to retire on maximum pension as of today. Other hon. members' periods will be extended by two or three years sessions in Parliament.

Mr. WEEKES: Mr. Speaker, I beg to differ. That is not in the White Paper. The White Paper has not said three terms.

Mr. SPEAKER: We are debating the recommendations of the Select Committee.

Mr. WEEKES: Mr. Speaker, since the Prime Minister has refuted my statement, would you give me a chance to make my point? With three terms we will find that a member qualifies for full pension and gratuity, and that has not been changed. Therefore how can the Prime Minister get up here — I respect him very much — but how can he get up here and say that only he and I and you and I

Mr. SPEAKER: You are reminding me of the Rastas — "I and I".

Mr. WEEKES: The hon. member for St. James is in his third term, and there are others who are in their third term. I cannot allow the hon. member to get up here and try to give the wrong impression. Any member who has rendered three terms of service — 15 years — is entitled to all the benefits which I have mentioned in here today.

Hon. C. L. BOLDEN: Mr. Speaker, the hon. member, I believe, is not *au fait* with the Act. I believe that I was the first person to draw it to his attention on our way to Mauritius. He is missing one cardinal point. You must first attain the age of 50 and serve the period in order to qualify for the maximum pension. I do not believe that with the exception of probably one person on this side today that there is anyone who has attained the age of 50; but no other hon. member on this side, including the Prime Minister is of the age of 50, and therefore has served three terms. I understand that one may be the hon. member for St. James; but that is the situation. He must not mislead the gallery. I am sure that the newspapers will pick it up.

Mr. SPEAKER: The hon. member was addressing the Chair. He said that it was stated for posterity.

Hon. C. L. BOLDEN: I agree, but he was looking towards the gallery.

Mr. SPEAKER: That is the hon. member's privilege.

Hon. C. L. BOLDEN: Mr. Speaker, all of us in here are about 47 years old and have not served three terms yet. So, we will have to wait.

Mr. SPEAKER: The point is well taken.

Mr. WEEKES: Mr. Speaker, I regret to say that the point is irrelevant. The point is that as soon as a member renders three terms in here, whenever he reaches the age of 50 he is entitled to all the money that I have mentioned in here today — every cent, and not a cent less. So to get up and say that he has to reach 50 is a minor point. We are dealing with the amount that he is entitled to when he reaches the age of 50; and even if the people kick him out you still have to pay him all that I have said.

Mr. Speaker, I am going to say this. You know, Sir, that if you did not give yourself the trouble to work it out, Sir, and our present salary and you had to go out, you are entitled to \$1,350 a month as pension and \$66,000 as gratuity.

Mr. SPEAKER: I am only going forward.

Mr. WEEKES: Therefore, Sir, regardless of their education, it seems that they do not understand simple arithmetic, and therefore, they will have to go back to school. Their brains are too big for these simple things, but Reynold Weeks has to think about them because you all have given him the wrong treatment, and you have given yourself and your colleagues all the treatment they deserve in the world.

Mr. SPEAKER: I do not think that that is a fair accusation against the Committee.

Mr. WEEKES: Sir, are you telling me that when they upgraded certain people's salaries by over 100%, which increases their pension by over 100% — are you telling me, Mr. Speaker, that some members of this House of Assembly are not going to carry away \$8,000, \$12,000 or \$14,000 in backpay?
5.15 p.m.

It is not the fantastic salaries which I feel to a certain extent that legislators deserve but it is the fantastic salaries which will give you fantastic pensions and gratuities.

Now, Mr. Speaker, I, Sir, have made my point but I will continue. Now it is alleged, or it has been intimated to me that, "Well you got that treatment because you did not serve as a member of the Select Committee". Mr. Speaker, I know, Sir, that the Committee never meant any harm to me but if they had given careful consideration they would have realised that I deserved better treatment for the years service I have rendered. I deserve better treatment for having paved the way over 36 to 38 years ago when I fought the plantocracy in the Vestry and other places for people....

Mr. SPEAKER: On what did the hon. member base his claim that the Committee did not give careful consideration to his request?

Mr. WEEKES: Mr. Speaker, it is as simple as ABC, Sir. The Committee found itself unable to recommend the acceptance of either of the above proposals. Is it favourable on my behalf?

Mr. SPEAKER: It is after careful consideration that the Committee found itself in that position. That is all.

Mr. WEEKES: That is careful consideration after dealing with what fact, Sir? With what aspect of the matter, Sir?

Dr. CHELTENHAM: On a point of order, Sir, I served as a member of the Select Committee and I feel that it is only fair that I should reply to the implications of the propriety which he is making about the Select Committee and I want to tell the Honourable House that the Committee gave anxious and prolonged consideration to the review of the hon. member. In fact we had to refine the very crude proposals which he brought before the Committee and we took many hours and we even treated him with the utmost courtesy and in the end even invited him to sit with us for lunch

and that should be made clear for the records. The utmost courtesy and respect was given to him and it is not fair to tell the public and to tell hon. members that he was treated with disrespect.

We even helped him to refine again the very crude proposals which he brought before the Committee and we spend many long hours with him and treated him with the utmost courtesy and respect and decency and fair play.

Mr. SPEAKER: The hon. member knows that the Committee extended to him every courtesy, and every consideration. The Committee tried to do whatever could have been done for him under the circumstances and he is aware of this. With all his speech of posterity this is in the background that he is conscious of all the Committee did for him.

Mr. WEEKES: Mr. Speaker, not that I take it as an offence but to come in here and to tell this House of Assembly that I had lunch with them, that does not in my opinion worth a raw cent because at least I could have gone outside and paid \$5 to get a lunch. But if you all did not give me a lunch and you had given me a fair report I would have appreciated all that you had done, but you know what you have done.

Mr. Speaker, I am saying here now today and in the interest of all concerned and as far as I am aware the only thing a Government cannot do is to breathe in a man. So when the Committee comes in here and say that they gave my letter favourable consideration, they gave me VIP treatment, they did this, that does not move me. That does not prevent me from coming to the conclusion that what they have written here will go down too to posterity.

What they have written there and to me whether they believe it or not, I have taken it as an offence because I know that it is possible for it to be done. When the Committee or this Government or the House of Assembly when they have to introduce legislation, in many cases they do not consult no civil servants, but what I have been told scapegoats. I have been told, from a reliable source that the Civil Servants say that it is not workable. Now imagine a number of intelligent people sitting down there discussing a matter for a brother Parliamentarian who has rendered inestimable service for the community and they had to get information from civil servants to tell them that it is not workable.

Another thing I find very interesting is a Committee meets and they said it is a unanimous decision. In the House of Assembly it is never a unanimous decision. If a few people agree, if a number agree, it is carried, but why was all of this done? It was not

done because I am quite satisfied with what they have done for themselves.

The little pittance they have upgraded the backbenchers and so on, but you, Sir, Mr. Speaker, can be a very happy, proud and satisfied man because by virtue of your office your salary has been raised from \$1,112 to \$2,640 per month so you have no quarrel, Sir, but it is the poor man like me, who has rendered more service than you, who has made a greater contribution in Local Government and in Central Government than you, Sir, because at that time, Sir, you were Editor of the "Truth", and the "Truth" would never tell lies.

I am not displeased with you because I know, Sir, that you are a man with dignity, with honesty of purpose, a man with exemplary character and when I saw you, Sir, sitting there as Chairman of the Committee I had come to the conclusion that my interest would be represented but little did I know that my interest would not be represented and that others interest would be represented.

Mr. Speaker, I regret that I have to speak in such.... (Asides.)

Mr. SPEAKER: Let us have some order in the Government benches. This is an address for posterity and I would not have the hon. member interrupted by any hon. member.
5.25 p.m.

Mr. WEEKES: Mr. Speaker, regardless to what you think, I have said so and it will be recorded, so you have not got to comment on that. You, when the time comes, can make yours for posterity. Now, Mr. Speaker, while those over there are in a jovial mood, while those over there have come to the conclusion that they have rendered justice to all except one person, I am going to tell it as it is to those who have just come through for the first term: I am predicting that no half of you over there will make the second term furthermore four terms. I am predicting that today. Half of you who are making the first term will not make the second term furthermore four terms, and therefore.....

Mr. SPEAKER: Well, the Lord giveth and the Lord taketh!

Mr. WEEKES: If you want to know whether you are going to make four terms, go around in the country and you will get the consensus.

Mr. SPEAKER: Salaries or not.

WEEKES: I am not dealing with any salaries.

Mr. SPEAKER: Well this is about salaries.

Mr. WEEKES: Sometimes many of us do not know the problems that we face even to render two terms, and I regret very much that the Rt. Hon. Prime Minister should have found it possible to remind me about efforts, because I am aware that those people whom he spoke of have rendered services to this community, and therefore I do not think it was necessary for him to draw that to my attention. But I can see that he did it in a vexatious spirit. But I want to say this.....

Mr. SPEAKER: I believe the hon. member is aware that whilst his troubles remain or whilst his problem remains, he has told us that he was a Parliamentary Secretary and that he also acted as a Minister whilst his problem remained.

Mr. WEEKES: Mr. Speaker, I cannot challenge your authority, but sometimes I wonder why it is necessary for you to make such comments on certain occasions to certain people and not to others.

Mr. Speaker, I want to say this; regardless of how I have spoken here this afternoon, I have expressed my feeling and my grievances, but I want hon. members to know and be aware that I carry no animosity, no ill-will for anyone, and that I am always willing and ready to cooperate in anything that is possible and in the interest of the masses of this country. While my grievance still remains, I do hope that when the time comes for the amendment to the Pensions Act that the Cabinet will take into consideration all that I have said here today, and I can only hope that they will find it possible not to place any obstacles in the way in enacting legislation with the amendment to the Pensions Act and to give careful consideration to all that I have said here today.

Finally, I would say, Sir, that regardless of what I have said, I feel that the time has come that legislators should be remunerated reasonably well for the service which they render, and I hope that although I do not agree with all the recommendations that we will all unite and cooperate in the interest of the people, and that we will all enjoy a happy Christmas and a prosperous New Year.

Hon. Miss B. A. MILLER: Mr. Speaker, I was a member of the Select Committee whose report is before this Honourable House. I am glad that so far, Mr. Speaker, the hypocrisy which we heard in recent weeks and recent months about salaries and pensions for parliamentarians has not found its way into today's debate so far. I think that we are all agreed, Mr. Speaker, that parliamentarians must be paid. The days, some of those days that the hon. member for St. Philip South has been pointing out, when being a member of Parliament was a part-time sideline, hobby-type business are long

gone. Parliament is a full time business, Mr. Speaker. Some people might even say big business.
5.35 p.m.

Now in Barbados, Mr. Speaker, the Cabinet and the Parliamentary Secretaries are not permitted to have other jobs, are not permitted to be employed other than as Cabinet members or as Parliamentary Secretaries. In other parts of the world we can see Cabinet members carrying on practice as lawyers, as doctors, as hoteliers, as contractors, whatever. That is not true in Barbados, I think it is properly so that it is not permitted. It is a function which is observed in Barbados and I am of the opinion that it should continue to be so.

Also, Mr. Speaker, in Barbados we do not have a system where members of Parliament, and particularly Cabinet members and Parliamentary Secretaries, are paid low salaries with the full understanding that they will take part in bribery and in deals and such like in order to top up their salaries. Mr. Speaker, I think you well know that in other parts of the Caribbean, I am sorry to say, and in other parts of the wider world that is what obtains and no fuss is made about it, people expect it to be so. It has never been so in Barbados and I trust that it will never be so in Barbados. I would hate to see a situation arise in Barbados where only rich people would become eligible to run for Parliament.

Parliamentarians must be paid, Mr. Speaker. The Cabinet and the Prime Minister have — and I underline that word "have", Mr. Speaker — to entertain in the course of doing the Government's business, they have also got to travel, some more than others, but they have got to travel in the course of the Government's business, in the course of the people's business, and provision must be made for their doing these things. There is absolutely no merit, Mr. Speaker, in claiming to be unable to do it, in beating your breast and talking about how poor you are, it does not do when your counterparts come here from other parts of the world and you have to duck entertaining because you cannot afford to do it. You go to a funeral, as I have done as a Minister of Government, and the muffler falls off your car, your constituents will smile and say this Government is not a grabbing Government, but the second time you go to a second funeral and the muffler falls you hear that you should have a car befitting your status. You wear the same suit or the same dress to three funerals in a row and your constituents will tell you that they expect better of you, so there is no merit in it, it does not impress anybody.

There is a certain style of living, there is a certain status which parliamentarians have to live up to whether you like it or not. Some of us who come in here are better off than others, Barbados is a small community, the men of means among us are well known, but we

should not have a situation obtaining where those of lesser means should bear ill or envy for those who have plenty. Mr. Speaker, I am a member of the Cabinet and I am of the opinion, that we can no longer have the position where Cabinet members have to contend for heavy responsibility. This Cabinet has just had two of perhaps the roughest weeks in its just over two years in office. The news that broke at the weekend, it had to leave that and contain and manage in the interest of all of Barbados. At a time like that I should not be worrying about if I can pay my electricity bill or if I can pay the mechanic for fixing my muffler. It cannot be, the people who put us in here to represent their interest do not expect it of us, and I cannot carry that kind of complaint to my constituents.

I do not believe, Mr. Speaker, that we as parliamentarians can stand up in here and make the boast that we are the governors of all Barbados and therefore we should be the highest paid in all Barbados, I do not support the view that we can stand up here and say that we are the highest committee or the highest court in the land and therefore we should be the highest paid. I do not believe in that view. I do not believe that we can stand up in here and say that we are handling the biggest proportion of capital in Barbados and therefore we should be the highest paid. I do not support that view, and that sort of view has been aired, but I do believe that the kind of responsibility which the Government carries — and I speak now of Government and Opposition — which parliamentarians carry has got to be recognised for what it is. I believe that the Select Committee sat down and tried to look and see what in Barbados was obtaining in the private sector and in the public sector and came up with what we consider to be a reasonable remuneration for parliamentarians.

Now, Mr. Speaker, everywhere in the world a certain percentage of the national budget is provided to pay civil servants, which is a large part of the machinery of Government, and a certain percentage of the national budget is also put aside to pay parliamentarians. In Barbados I believe that close on 40% of the national budget is put aside to pay the civil servants of this island. I believe that this is in keeping with what is obtaining in most countries in the world today.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: Mr. Speaker, I am seeking leave to suspend the House for ten minutes and I should be very grateful if there is no objection on the other side. (A VOICE: No objection on this side).

Mr. SPEAKER: The Sitting is suspended for 10 minutes.
5.45 p.m.

On Resumption:

Mr. SPEAKER: This Sitting is now resumed.

Hon. B. A. MILLER: Mr. Speaker, I was pointing out to this Honourable House that in most countries a percentage of the national budget is put aside to provide for the salaries of Civil Servants who are a part of the machinery of Government. In Barbados that percentage, is, I believe, in the area of 40% of our national budget. It is also quite true that in most countries of the world a percentage of the budget is set aside to provide for the remuneration and pensions of Parliamentarians. The Select Committee's Report, if the arithmetic is done, will show that the percentage of our national budget which is being contemplated to provide for salaries and pensions to parliamentarians is less than half of one percent. I believe that in many countries one percent is regarded as a reasonable figure. What the Select Committee is proposing is less than half of one percent — I believe something in the region of 0.42 of one percent of the budget.

I want to say a few words in respect of an innovative measure which is being proposed at this remuneration and pensions review, and it is a matter of secretarial assistance for all Parliamentarians, Government and Opposition alike. Now, Mr. Speaker, Parliamentarians are persons elected to represent the 24 constituencies of this Island and the business of the constituencies must be done. Nearly every week we can see in the newspapers or hear through the media meetings announced of the various constituency groups agendas have to be drawn up, discussions take place and decisions made. That is only a small part of the constituency work which members of the Parliament are expected to do and most do it in the interest of their constituents. The constituency has to be run like a business. Constituents come to us, their representatives, about myriad problems on various things — jobs, illness, a road needs fixing, a standpipe in a country district, something about housing; something about garbage etc. In the constituency in the City of Bridgetown the member of Parliament for that constituency has a fund going because school shoes have to be bought, school bags have to be bought, you have to see about bus fares, so and so is sick and you have to pay so and so to cook and clean for him till he gets better. We have seven social agencies in this country, but they cannot do all, just as the Government cannot do all; and some times the first resort — not the last — is the member of Parliament. All of these things have to be done in the constituency, and I think that it is fitting and proper that constituents should feel that their business is being well looked after. I want to make it clear because I think there is a certain amount of misunderstanding about this business of secretarial assistance for

Parliamentarians. Those salaries, — and I will be hoping to nominate at least three persons in my constituency who should receive a salary for looking after the secretarial business which my constituency demands — those salaries will not be paid to the member of Parliament to pay to anybody, let us get that clear. There is no possibility of an M.P., taking that money and supplementing his own salary. Those salaries are intended to be paid directly to the person who is nominated by the M.P. to carry out those duties. The Accountant General will make direct payment to those persons nominated.

Mr. SPEAKER: The Clerk of Parliament will pay.

Hon. B. A. MILLER: Yes, Mr. Speaker, the Clerk of Parliament will pay directly to those persons. We will be in a position then, Mr. Speaker, to see those Parliamentarians who do not take their constituency duties seriously. Where a Parliamentarian neglects to nominate a secretarial assistant, his constituents will be in a position to take him to task about it.

Now, Mr. Speaker, on the matter of pensions, it grieves me greatly as a member of the Select Committee that the member for St. Philip South.....

Mr. SPEAKER: I think you mean the hon. member for St. Philip South.

Hon. B. A. MILLER: Yes, Mr. Speaker, the very hon. member for St. Philip South, the much respected member for St. Philip South — it greives me Mr. Speaker, that he should seek to make this Honourable House believe that he was treated with disrespect and that his submission to the Select Committee was.....

Mr. WEEKES: Mr. Speaker, on a point of order. I said that the Report was not a favourable Report.

Hon. Miss B. A. MILLER: Mr. Speaker, I have total recall of the matter. The hon. member said that he was treated with scant disrespect, and that he was humiliated by the Select Committee.

Mr. SPEAKER: And he was corrected to say "with scant respect".

Hon. Miss B. A. MILLER: Yes, Sir. Obviously I would not say what I now feel constrained to say. The hon. member came into the Committee to make his submission. I saw that he was having great difficulty in articulating that submission to the Committee. The hon.

member can stand up here now and deny that I was the member of the Select Committee who took his case, who articulated his case and made it make sense to the Select Committee. It is true, that I put his case more than he did. I do not hide my mouth here, Mr. Speaker, to say that I had great sympathy, and perhaps the greatest sympathy of all the members of the Select Committee with the case put by the hon. member for St. Philip South.

It has been said already that so great was the sympathy for his case, that consideration went on for the entire morning that we sat; and when it was finished we invited him to have lunch with us. It grieves me now that he should turn and give the impression that the fullest consideration was not given to his case.

Mr. WEEKES rose.

Mr. SPEAKER: On what does the hon. member rise?

Mr. WEEKES: On a point of elucidation, Mr. Speaker. I would like to express my sincere thanks to the Hon. Minister for the way she put over my case; but I would like to say that I lost my case. *(Laughter)*

Hon. Miss B. A. MILLER: Mr. Speaker, I could do no more with the case than what I had in my hands.

Mr. SPEAKER: You were not properly briefed.

Hon. Miss B. A. MILLER: I was not briefed at all, Mr. Speaker. It was only out of the greatness of my heart that I took it on myself to try to help him. The trouble is that the hon. member is being unfair to the Committee. What the hon. member is saying is that the Select Committee should have agreed with him. He cannot come to this Hon. House on that premise. A case is put and will be won or lost. It was lost. I still have great sympathy for the case of the hon. member for St. Philip South; but it is hurtful to hear it said that he was not fully considered and not treated with respect. The Select Committee took up more time and had more discussion on the case of the hon. member for St. Philip South.

Mr. WEEKES: Sir, they took up so much time, that it was a waste of time.

Mr. SPEAKER: I am taking it that the hon. member is merely interrupting this Committee.

Hon. Miss B. A. MILLER: Mr. Speaker, I put it to the hon. member for St. Philip South that if he had had the courage of his convictions he would have allowed himself to be nominated as a member of the

Select Committee, and he would have been in at all the sessions of the Select Committee. If that had been the case, it might have been a different story today. It does not now behove him, having declined membership of the Committee, to say that the Committee treated him with disrespect.

Mr. Speaker, I am satisfied that the proposals, the recommendations of the Select Committee with respect to remuneration and pensions for Parliamentarians are reasonable. We will still have a situation in this country where some Civil Servants will be receiving salaries well in excess of what a Minister receives. That was so before, and it will continue to be so. I do not necessarily have any quarrel with that. It is still true, Mr. Speaker, that in the private sector members of Cabinet would be still at the grade of perhaps junior managers. In fact, when it boils down, I think that Ministers will find themselves somewhere between Civil Service Grades A and B; but I feel that having considered all the points, including those put by the hon. member for St. Philip South, that the recommendations are reasonable.

Mr. SIMMONS: Mr. Speaker, I am glad to hear the Minister say that the case of the hon. member of St. Philip South was lost, and why it was lost was due to the existing law which precluded the Committee's acceptance of his request, and that law was passed by him as a Parliamentarian in the 1960s.

Mr. WEEKES: Mr. Speaker, I went to the Committee and asked that the law be amended. It has been said that the only thing that a Government cannot do is to put breath into a human being. I regret that the hon. member has mentioned the existing law, because it was dealing with an amendment, and the Committee could have recommended that the law, the Pension Act could be amended. That is all.

Hon. Miss B. A. MILLER: I think that the member for St. Philip South needs to be instructed again if the hon. member is himself asking for a law agreed to by himself when in Government should now be amended to allow certain benefits to accrue to him. If I am asked to explain in detail what the case for the hon. member for St. Philip South was, I am willing to do so. The member for St. Philip South was a Parliamentary Secretary in the last Government; and that was the highest post which he enjoyed. He today, yesterday, last week or last month is entitled to draw pension when he becomes eligible to do so at the highest salary which he enjoyed as a Parliamentarian, the salary of a Parliamentary Secretary; and the pension would be computed at the Parliamentary Secretary's salary obtaining at the time that the member ceased to be a Parliamentary Secretary.

What the member was asking the Committee to do was to amend the Pension Act so that when he retires he would draw a pension computed at the rate of salary being enjoyed next year, two years or 10 years from now as a Parliamentary Secretary. Mr. Speaker, I need to explain to this Hon. House that Parliamentarians contribute to their pensions unlike Civil Servants. The case for the hon. member for St. Philip South was in fact that he was asking to be paid a pension to which he had not contributed. The hon. member saw the point and amended his submission to the effect that he will be willing to put up the contribution.

Now, Mr. Speaker, that formula is fraught with all sorts of actuarial and other difficulties; because it would not be only the hon. member for St. Philip South. Let me use myself as an illustration. I am now a Minister of Government. If next week I ceased to be a Minister of Government, and 25 years from now I am still a member of Parliament, what the hon. member for St. Philip South is in fact asking is that I, 25 years from now, should have my pension computed on what Ministers would be drawing 25 years from now rather than what I contribute now.

Mr. WEEKES rose.

Mr. SPEAKER: On what does the hon. member rise?

Mr. WEEKES: On a point of elucidation.

Mr. SPEAKER: Has the Hon. Minister misrepresented any point that you made?

Mr. WEEKES: Sir, I want to point out that the point was in relation to those who had put in service for four terms; and I did say to the Committee that it is harder for one to run four years of four terms than to get to heaven. That is what I told the Committee. 6.20 p.m.

Hon. B. A. MILLER: Mr. Speaker, the hon. member for St. Philip South has run four terms and I am sure he is going to get to heaven. I have not put his case other than how it was. When I deliberately show 25 years I was trying to show the something. Twenty-five years can be an excess of four terms. A position in which the hon. member now finds himself. This point was considered. It was looked at in every possible respect. The matter of contributions to be paid was gone into. We had to consider the fact that between September 1976 and now the hon. member would have been paying contributions and would then have to make retroactive payment of contributions. All of these things were looked at. We looked at the possible avenues for bad management. Even the possible avenues for corruption because you might find yourself really in a position where a Parliamentary Secretary, or a Speaker, or

a Minister with two or three years to give him a chance to get in that position.

Mr. SPEAKER: I am sure the Hon. Minister would now like to wind up her debate.

Hon. B. A. MILLER: Yes, Mr. Speaker, I am in fact winding up. Having looked at all of these things, Mr. Speaker, the Committee could not agree to the recommendations, and that is the essence to the case put by the hon. member for St. Philip South.

Mr. Speaker, I consider that the recommendations are reasonable. I would like to remind us all that there is an element of tax involved here. There is a feeling in Barbados that members of Parliament and in particular Ministers do not have to pay duty on anything and that they do not pay tax and this kind of nonsense and it is time that the public disabused of these ideas.

As recently as this week I went into a shop to buy a certain item and the person behind the counter said to me "but you do not have to pay duty." I said to him, "Skipper you have it all wrong. I have to pay duty." The only time I do not have to pay duty is when I am at the Airport like anybody else and all of these misconceptions have to be corrected. There is nothing free coming to us.

Mr. SPEAKER: When you said you did not have to pay duty at the Airport you mean you did not have to pay departure tax.

Hon. B. A. MILLER: No, Mr. Speaker, if I buy cigarettes or liquor, Mr. Speaker.

Mr. SPEAKER: Duty free goods?

Hon. B. A. MILLER: Yes, Mr. Speaker, I am speaking about duty free liquor like anybody else. If I go to the Airport and I am going away and I buy a bottle of rum to take for somebody away I get it at the duty free price and everybody in Barbados is entitled to that. Every visitor who comes to Barbados and leaves is entitled to that but there is this feeling that if I go into town and I want to buy a pack of cigarettes or a bottle of liquor ...

Mr. SPEAKER: Which you will smoke at the end of this debate.

Hon. B. A. MILLER: Yes, Mr. Speaker, somehow people feel that Parliamentarians, and Ministers in particular, and the Prime Minister more in particular get a special price. That is not true and the public must be made to understand it. We pay taxes on our salaries like everybody else pay taxes. In fact more than a lot of other people pay in taxes and people must understand this, Mr. Speaker, and when they look at these gross figures must not be led in believing that we are carrying home a pocket full of money.

Mr. SPEAKER: So the Minister concludes her debate with an empty pocket.

Hon. B. A. MILLER: Yes, Mr. Speaker.

Mr. SANDIFORD: Mr. Speaker, I believe this matter was before us a few weeks ago when this Honourable Chamber decided to refer this matter to a Select Committee. That Select Committee has now reported and we are deliberating upon the Report of that Select Committee. Let me clear the ground from the first.

I believe there comes a time in political life when one must speak with courage, when one must try to ignore narrow political gain and examine matters from as broad a point of view as possible. Regrettably on the question of remuneration for members of Parliament it is ever so easy for persons to lose perspective. I would like to deal with this particular Report in relation to the Public Service in this country because I would have to take some objection to the premises from which the Report starts.

I think the whole question of talking about the position of a Minister or the legislation *vis-a-vis* the private sector is a red herring because in all of the countries in the world that I know of, except the socialist countries of Eastern Europe, I believe that the members of Parliament and Ministers draw considerably less salaries than those in the private sector. I believe it is true of the United States, I believe it is true of West Germany, I believe it is true of the United Kingdom. There are Directors of Companies who draw larger salaries than the Prime Minister or any Minister of Government.

Rt. Hon. J. M. G. M. ADAMS: In West Germany?

Mr. SANDIFORD: Yes, in West Germany. I believe so and you will forgive me. I do not know the case of the Bahamas as well as the Prime Minister may know it but I do not know if there is anyone there who draws more than the Prime Minister in the Bahamas although be it so I would believe so being a private sector.

Rt. Hon. J. M. G. M. ADAMS: Does the hon. member know of any country besides one or two ex-British colonies where perhaps Managers of Commercial Banks draw more than the Prime Minister? We are not talking about the top people in the private sector, we are talking about ordinary salaried employees of a run-down branch of a Bank employing 30 people drawing more money than a Prime Minister with a Civil Service of 13,000.

Mr. SANDIFORD: Mr. Speaker, I do not understand. I was not attacking the Prime Minister's position. Why does he have to speak with all that feeling? I do not know which run-down branch of a Commercial

Bank in Barbados he is talking about because I am sure he is not talking about the Barbados National Bank. That is not run-down. I assume that is not run-down so I do not know which of the run-down Commercial Banks.

As far as I can recall only marginally a little more time is devoted to this particular premise in the Report than was devoted in the way in which the case for the member for St. Philip South was dismissed, but I am making a general point that in essence, that question in the relationship between those in public political service and those in private enterprises that there is a gap, sometimes a wide gap and that matter could only be dealt with when there is a national income policy relating not only to the public sector but to the private sector as well and we have not reached that stage because we do not even have a clearly enunciated income policy in the public sector as such, something that any member of the public could take up and say this is a document as I am holding proposals for review and remunerations of the Pension Scheme.

6.30 p.m.

Well having set that particular premise out of the way, I would like, as I said, to look at this question in relation to the public service, because — and we must start with the Ministers of Government — I view the Ministers of Government — I view the Ministers of Government as the full time political heads of the major departments of state in this country. The public political officers who administer these ministries are the Permanent Secretaries, and if we are looking in this country not on cheap political advantage but looking at this matter realistically, I think there is a principle which all of us could accept now, that the political head of a ministry should earn more than the public officer who is responsible to him for administering that ministry. I do not think that anyone would quarrel with that particular principle, at least not now.

When you were on the Opposition — I am talking about you the Barbados Labour Party Government — you were quite right in pointing out that the Ministers in Britain did not draw as much as some of the Permanent Secretaries in the Treasury. That was pointed out. It was pointed out to the detriment or in opposition to arguments being advanced then for an increase in salaries, but I believe you are a little wiser now... (Rt. Hon. J. M. G. M. ADAMS: The position in Britain has been corrected now.) that you are holding the position of the Government, but I accept the principle as I have always accepted it and if you are now latter day converts to that particular position, I welcome you in the interest of the advancement of public administration in this country, and I welcome the turn around in position of the Barbados Labour Party Government in this particular matter. That

is the only problem or the major problem as far as I am concerned in this particular issue.

Now if I start from a basic premise which I believe can find general acceptance between those of you over there and some of us over here that the political head of a ministry should draw a higher salary than the person who is responsible to that political head for the administration of the department, I believe everything will fall into position. The only question that comes up then is the differential which should exist between the Permanent Secretary in a ministry and the Minister in that ministry or in any ministry for that matter. Now we have developed a situation in which we have Permanent Secretaries and super Permanent Secretaries. I believe as a principle that no Minister in this country should draw a salary that is inferior to that of any Permanent Secretary. I believe that no Minister whether he is super or he is ordinary should draw less. So we start from that particular position, and I look at the differential. The question therefore in my mind is what should be the differential between the position of the Permanent Secretary and the position of the Minister, and I look at the differential in terms of the recent revision of salaries for the public officers in this country, and I believe that there is approximately a 30% differential. You can correct me if I am wrong in my statistics. Since the Prime Minister has listened attentively to a talk on computers he might have speeded up his own calculations and computations; but I believe there is a differential of about 30% between the Senior Assistant Secretary and a Permanent Secretary on the basis of the recent revision, and I am saying that approximately the same differential should operate between the Permanent Secretary and his Minister. (*Asides*) What have I said that is wrong? I will tell you what is wrong.

Mr. SPEAKER: I am sure the hon. member for St. Michael South is still addressing the Chair and he is really going to tell us whether the Committee's recommendations are right or wrong.

Mr. SANDIFORD: I will certainly come to that. When I do the computation on the basis of that type of differential, I find that the salary of the Minister in relation to the Permanent Secretary is slightly higher than 30%. It is my understanding that the basic salary of a Permanent Secretary is \$30,000.

Rt. Hon. J. M. G. M. ADAMS: If the hon. member would give way for a second, he can be satisfied that the differential between the Select Committee's proposals and the super grade of Permanent Secretary is almost exactly the same, a couple of decimal points, as the differential between super Permanent Secretary and Senior Assistant Secretary. The difference might be \$10 a year or \$5 a year.

Mr. SANDIFORD: Precisely; that is the point I am making. (*Asides*) Mr. Prime Minister, don't mind the criticisms from over here. We can agree on these matters, because we have studied them and we can calculate them, and when I used my words about shaving, I knew exactly what I was talking about. As I said, I am not looking for any narrow political gain on these matters. I am saying that there should be a differential of approximately 30% between the Minister and his Permanent Secretary, and I am satisfied, having done the calculation, that there is approximately that differential although in my view they need shaving to get to that particular amount. That is my position on this and when I spoke I chose my words very carefully, I believe a little more carefully than the hon. member for St. Thomas, although he tries to choose his very carefully as well.

I believe they needed shaving in that particular regard. I would like the people of this country to examine that particular principle, and if we start from there all of the problems that concern the salaries of members of Parliament will fall into position, and that is why I am speaking... (*Asides*) In this matter each member over here can express his view on the matter. I hope over there you have the courage to do so as well because in 1973 we heard one member who now adorns the front bench..... I am sorry, not the front bench; who adorns this Honourable Chamber said "he can leave *unna* but he can't leave me" on the question of remuneration of members.

6.40 p.m.

That happened in 1973, so I am free to speak my views as a member of Parliament on these matters and when I speak I am speaking from a particular premise of principle, so I have no quarrel, I for one, the member for St. Michael South, have no quarrel with the principle of the differential, I believe however as I said on the previous occasion that in accordance with that particular principle there is need for a shift. I believe when we do that calculation the amounts will come in a little higher, I think the Prime Minister's salary falls somewhere within that differential as well. I believe we may come out a little worse, I think so.

Personally, within that particular context I see the matter — and I for one with all the political courage I have, it is not going to bring me any votes, but I am not looking for any votes — I am speaking on this matter as I see it and I have no quarrel, you are supposed to do full time work in Parliament and you should be remunerated in relation, as a front bench member, to the persons or to the departments which you administer, and I have no quarrel with that, so to that extent I am in agreement with the principles outlined by the Chief Establishments Officer for remuneration as adopted by the Select Committee. I am asked, however, to accept a proposal in this particular Paper, we are asked to adopt these

proposals for the review of the remuneration and pension scheme of parliamentarians, and I find myself in a little difficulty in accepting the report as written in another respect, and that relates — and I am talking about the premise from which this report starts — I am a convinced parliamentarian, I believe that Parliament is an important institution in the total political system of this country, and I believe that we should not adopt any type of political philosophy which might tend to derogate from the importance of Parliament as the intermediary or the broker between the electorate and those who constitute temporarily the Government of this country.

There are certain statements in this particular report over which I have grave reservations, because in it I believe it can represent a threat to parliamentary democracy in this country. I refer to the position of the Prime Minister, and I am not talking about any individual, this is on page 2 and the third paragraph on that page. It reads, Mr. Speaker: "Within the ranks of Ministers there are varying burdens, that is, the Committee recognises the pre-eminence of the Prime Minister as the ultimate repository of the responsibility and power of the Government." There is no special mention of Parliament or anything like that, it goes on to talk about the Deputy Prime Minister, and I am saying that I would find it very difficult without some amendment to this report to accept it because of those words. I am not looking for a way out, I do not have to find any way out, I am saying to all of us who are legislators if we sit down here and underwrite a theory of Government which is talking about the Prime Minister in terms of ultimate.

Mr. JOHNSON: Mr. Speaker, I would like to rise on a point of order, because I think that the member for St. Michael South might be inadvertently misleading the House. I should like to quote the first page of the report which the hon. member would have had to pass in order to reach page 2. It is fair to say that the State is under no obligation to compensate any member for his efforts to secure election to Parliament and for his acceptance of a nomination to the Senate. However, when once the member is in either House he is a member of the central arm of Government as a servant of the people and subject always to the will of the people of the country. That, Sir, includes the Prime Minister about which he is now quibbling.

Mr. SANDIFORD: I have no quarrel with that particular formulation, my quarrel is not with that, and I have passed that, I am delating with page 2. Mr. Speaker, if you think it is important enough I would have no quarrel with that, because we have seen too often in this century where we have tended to move from parliamentary democracy to some type of prime ministerial dictatorship. (*Asides*) Mr. Speaker, I am not referring to Barbados, if you would like me to refer to the period 1976–78 and give a commentary on the

trends I can do so, but I am not even referring to Barbados, and I take that as a kind of political trap. I am not talking about Barbados.

6.50 p.m.

I am saying that this type of formulation here is not as tight as it should be. That is the point I am making. (ASIDES)

Mr. SPEAKER: We must have some order.

Mr. SANDIFORD: I believe, Mr. Speaker, I have made my position clear on that particular section, and inasmuch as we are dealing with a Report, I am suggesting there should be some amendment on the floor of this House which would make that particular paragraph more acceptable to those like myself who believe in the position of Parliament and who believe that if we are not careful as Parliamentarians the powers of Parliament will be eroded and those of the Executive will increase. That direction spells trouble.

Mr. Speaker, if I may deal with the question further, I come down to page 13. Again I welcome the proposal as has been outlined in the White Paper in respect of the assistance given to members of Parliament in terms of secretarial assistance for the running of constituencies. I am not certain about the amendment that has crept in here that you can nominate up to three persons for an allowance which is proposed at the level of \$4,200; that seems to me like some — I do not know how you start dividing in such a case, about \$350 a month, and if you are suggesting up to three persons it seems to me we are getting into an area which suggests a little helping out of somebody or something like that, because the amount becomes so small in terms of a person's daily requirements that it appears to me to be a rather trifling amount to be divided into three; but if a Parliamentarian is unwise enough or believes he is exercising great care in picking out three persons and giving each a little berry, that is for the Parliamentarian to decide.

In terms of franking privileges and tax relief and the other matters which come under the broad heading of "Conclusions by Government", I think any person interested in the further advance of democracy in this country would generally tend to welcome these proposals, so I have no quarrel with them. There are other leading democratic countries in the world which give assistance along these lines and indeed in other respects to the whole business of the running of constituencies by Parliamentary representatives and I think this will gain some measure of support. As in all things this is some breakthrough and I make no apologies for this. I have said it in this House on more than one occasion that when the Government brought something new I would say it was new; and these are new developments and I

believe they should lead to some improvement in the democratic process in this country.

If we look at the question of differentials, we see now that the Prime Minister is just under a 30% differential between himself and the other Ministers. This Report has proposed the same differential and I would like to hear the arguments for this, because I see that the Leader of the Opposition now figures not in terms of a 30% differential or anything like that, but over 100% more than an ordinary member of Parliament.

Mr. SPEAKER: The hon. member is bordering on his time; you have less than two minutes to wind up.

Mr. SANDIFORD: I respect your ruling, Mr. Speaker, but would ask this Committee, as I am entitled to do under the rules, that I be granted an extension of time if the House approve. And I am so seeking that my speaking time be extended on this matter.

Mr. SPEAKER: The rules do not permit this, but if it is the wish that you speak for another five minutes there will be no objection from the Chair if there is no objection from the House.

Rt. Hon. J. M. G. M. ADAMS: But, Sir, he must get his figures right, I took the trouble of going to Government Headquarters to see whether we really would have to shave the Minister's salary to make the question as he said. You would have to increase it by \$19.65 to get the exact ratio that prevailed between the P.S. and S.A.S, not shave it.

Mr. SANDIFORD: I thank the House for the extension of time and will wind up in about five minutes. Speaking as a member of Parliament it is my feeling that remuneration for an ordinary member of Parliament should be not less than the minimum for an Assistant Secretary in Government; that is my feeling and I express it here and now. I am speaking on principle and I believe that the Prime Minister is well aware of my views on this matter. I believe there should be a relationship, just as I have established a relationship between the Prime Minister and the Permanent Secretary. I believe that the salary of an ordinary member of Parliament should be no less than that of an Assistant Secretary. I do not believe that the work of an ordinary member of Parliament should be down to that of an executive secretary. I believe that for the proper functioning of democracy in this country we should have a higher valuation of the work that the ordinary backbencher does in this country.

And to refer to your own position, Mr. Speaker, I think it very strange that we have officers in this Parliament responsible to the Speaker, with salaries above that of the speaker's.

7.00 p.m.

It is my feeling that the Speaker's remuneration should be at the level of a Minister. That is my particular position on that matter. I am not speaking of any particular person because I do not like getting into personalities. I am speaking about position of Speaker *vis a vis* certain offices within Parliament itself; and the same principles which I have enunciated in respect of the Permanent Secretary and his Minister should apply, in my view to the position of Speaker. I will leave other members to deal with other matters arising out of this Report.

Finally, I raise the question of pensions. Mr. Speaker, the existing legislation, to my recollection, surrounding pensions refers to some three different periods for qualification for pension. I believe that it is six years, nine years and 12 years. This Report before us purports to bring in two qualifying periods which are 10 years, or two full parliamentary terms amounting to eight or more years; and the second qualifying period of service is 15 years or three full parliamentary periods amounting to 12 years or more.

Now, the particular legislation has reference to full parliamentary terms but does not go into the question of the number of years for qualifying for pension. I believe that if the amendments based on these recommendations in the Report are implemented, they will affect adversely members of Parliament in as much as we are talking about two full Parliamentary terms amounting to eight years or more years, and secondly to three full parliamentary terms amounting to 12 years or more years. The principle of eight years or 12 years or more years seems to be accepted; but this reference to full parliamentary term might be bedevilling the particular matter and I would suggest that it should be a simple reading of two periods. It should be a period of eight years for half of the highest salary of the contributor, and 12 years for two-thirds of the highest annual salary of the contributor. I believe that this matter could be looked at.

Now I believe that these proposals may be to the benefit of the Report; but please rest assured that in general terms, in spite of whatever may be said, I support in principle the proposal in this because I can find some principle in the statements of the Chief Establishments Officer and those of the Report of the Select Committee. I do hope that we can take another look at the proposal of my colleague, the hon. member for St. Philip South and see if his point can be accepted, but I agree generally. That is my position on this matter, Mr. Speaker. I will vote according to the Rules of this Hon. House.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I have very little to say about the Select Committee's Report. My comments will no doubt be heard in Cabinet in the fullness of time, and whatever is agreed will come down to Parliament in the form of legislation; but there are just one or two minor points. I would like to commend the comments of the hon. member for St. Michael South and what he has very cogently pointed out relating to the

differentials. These differentials were calculated in 1973, and they have been recalculated by my Ministry. They have been adopted by the Select Committee. I want to know how anybody could think that what was good in 1973 all of a sudden becomes bad in 1978.

The hon. member is correct in saying that the Ministers' differential over a Permanent Secretary is calculated at the same as the Permanent Secretary's differential is calculated over his Senior Assistant Secretary, and all to \$19.65. That is true, and it is in favour of the Permanent Secretary and not of the Minister. The Prime Minister's differential has in fact been eroded. That is a matter for me. The differential between the Permanent Secretaries, the Prime Minister and the Ministers is now much less than it was; but that is a matter for the Prime Minister.

The Prime Minister used to get \$40,000 more than a Minister. He will get much less than that of a Minister now. I make no objection to that. The Chief Establishments Officer put his reasons for that. He said that he was suggesting that in the White Paper, and I am quite prepared to accept it; but there is one final point that I would like to make because I am listening to my colleagues on both sides on this matter.

I would like to enjoin the public not to run away with clichés about members and their salaries. One of the most outstanding clichés was partly contributed to by the Press, and that is that we had a Commission which gave us salaries, and we did not like the salaries, so we are giving ourselves more. I suggest to hon. members to take again a personal equation. Mr. Nicholl's Commission recommended a salary of \$42,336 a year for the Prime Minister. That was in May 1977. He said that out of that, \$7,000 should be allowance against income tax. Now, an allowance of \$7,000 against income tax is worth at the tax level of that salary \$23,333 a year. So effectively the salary that Nicholls recommended for the Prime Minister was \$65,670, and the salary which the White Paper recommended is \$50,400 and it goes down proportionately through all the other Ministers. That is with the tax allowance, but I was calculating other salaries with tax allowance. It goes right down the scale to other members, including members over there. So it is not fair for hon. members on either side to say that we are rejecting Nicholls and setting up different salaries; because what we rejected in the Report of the Nicholls Commission was that a \$7,000 allowance off our salaries is worth \$23,000 to me and perhaps \$18,000 or \$19,000 to Ministers as we go down.

This is a wicked misrepresentation by hon. members of these recommendations. Even the *per diem* allowances work out to four. I see here \$1,000 a month to ordinary members. The minimum level of assistant secretaries in Government — the least he can get is \$14,856 a year.

That is, that the bottom of his scale and the top of his scale is \$20,000 a year.

7.10 p.m.

Members of Parliament are getting less than a Dietitian, Head-Teachers — Grade II, than Senior Dispensers, than Security Officers I. There are Security Officers in my Office who control — the Security Guards, Staff Officers, Senior Sports Officers, Deputy Chief Writ Server, all of these are getting more than members of Parliament. So I really do not know. I think I had better not talk. I will take a break, Sir.

SUSPENSION OF SITTING

Mr. SPEAKER: This sitting now stands suspended until 8 o'clock this evening.

7.12 p.m.

On Resumption:—

Mr. SPEAKER: This sitting is now resumed.

As hon. members know, we had taken a break until 8 o'clock, but we are seeking to compromise the situation to accommodate our Jubilee Singers on the balcony of the Senate and we are resuming a few minutes earlier and I am sure that hon. members are going to avail themselves of the opportunity not to disappoint the little children who have come from so far to take part in these celebrations.

The Hon. Prime Minister was addressing the Chair.

Rt. Hon. J. M. G. M. ADAMS: Yes, Sir, I was dealing with the points raised by the hon. member for St. Michael South. The matters which he said will require some consideration, certainly I will give some consideration to them. He cannot come to the Cabinet and have his case put, Sir. The hon. member for St. Philip South was able to have his put at the Select Committee but I will certainly put his case in respect to the Secretaries' salaries proposed to be divided into three and I will also give consideration to what is said about the pensions.

I just want to say about pensions that with the scheme you have they will be anomalies, and there will always be somebody at the margin. For the qualification system there is a hard case. Once there is a qualification, some cases have to be hard. At present, a man may die before he qualifies in which case he would not get anything at all. We are remedying a number of hard cases. We cannot promise to remedy all.

By calculation, Sir, I have tried to show that the relationship to the existing scales still continue and there is one thing I will ask of hon. members to bear in mind.

This is an exercise punitive in its nature because in future Parliamentary salaries can be expected to go up as those of Permanent Secretaries rise. It may be that there are one or two areas such as salaries of ordinary members of Parliament which you may wish to think in terms of re-grading to a Chief, which is that a member of Parliament to get at least a salary at the bottom of the scale of an Assistant Secretary.

I remember when I first entered Parliament that was the ratio then. I cannot remember the exact details but whatever it was it used to be argued and then people gradually began to climb up in front of us. First, the Deputy Clerks of Parliament got a new salary, then they got more and I believe, Sir, that the new salary arrangement would give the Deputy Clerks more than the members. I remember there was a big quarrel in 1968 and gradually other public officers have squeezed their noses in front of the grades that used to correspond in parliamentary terms and perhaps this is something that can be considered in 1980 when public servants will get another raise.

Mr. SPEAKER: Those who are part-time?

Rt. Hon. J. M. G. M. ADAMS: Some members of Parliament are part-time too, Sir, but they are some part-time officers, Sir, and I really do not see how a Part-time Deputy Clerk can get more than a member of Parliament. I really do not see it.

Mr. SANDIFORD: On a point of elucidation, I would like a reply, Mr. Speaker, in relation to the Clerk.

Mr. SPEAKER: Which Clerks?

Mr. SANDIFORD: Deputy Clerks.

Rt. Hon. J. M. G. M. ADAMS: The Clerks graded at salary point D which is the Head of Departments and there is an argument whether they should go to salary point C which is about 1,000 odd dollars below Permanent Secretary II and some thousands of dollars below Permanent Secretary I, so the Speaker has had some re-grading and his position to the Deputy Clerks is likely to be maintained. Even in the present regrading, it is a matter for the House when they come to deal with salaries themselves whether they can think in terms of another re-grading.

The Leader of the Opposition has also been re-graded. Even so, Sir, the Leader of the Opposition has only been put at the salary point of the Deputy Commissioner of Police. I think he is now somewhere between the Commissioner and the Deputy Commissioner of Police. At least he will now get more in his pension so he would not have to draw his pension at all and the argument he is having over the over-drawn pension which

he has refused to pay back and said we must collect it from the Accountant General will vanish. He says we must surcharge the Accountant General for the hundreds of dollars he has been receiving in excess of his statutory emoluments for 12 months. But anyhow, even at that I do not think we are over-paying the Leader of the Opposition. That was a re-graded exercise, Sir. I think he has been put at the same level, for example as the Deputy Solicitor General.

Mr. SANDIFORD: Mr. Speaker, on a matter of elucidation. I was never making the point that you are over-paying the Leader of the Opposition. I was simply making the point that you are under-paying the ordinary members of Parliament.

Rt. Hon. J. M. G. M. ADAMS: There may very well be something to that argument but one wonders whether the public is ready for it or not. It may very well be a matter which will be considered in terms of re-grading. Let us remember these things.

The Leader of the Opposition is being much better treated than Leaders in the Opposition were in the past but he is even now, I repeat, only coming to the level of the Deputy Solicitor General or the First Deputy Chief Parliamentary Council and there cannot be many countries where Leaders of the Opposition are paid as little as that. What they were paid before was scandalous. What they are being paid now is a little better than disgraceful, as a point of argument. The public might not be ready for all of that argument at one time.

There is just one very brief point — people can be looking at percentages. There are not aware of the enormous increases in percentage earnings that have existed in sectors in the Public Service. In the period under review the housing allowance of the Chief Justice has gone from \$300 to \$1,000 a month remember that. Some Permanent Secretaries allowances have gone from \$80 to \$300 a month and they do not have constituencies and there have been enormous percentage increases in particular areas that have passed unnoticed by the public. They only have eyes for our salaries. They do not have eyes for anybody else. We are the only people in the public eyes whose salaries are subject to the brutal scrutiny of a hostile public opinion every single occasion that they have come to be decided upon. That is my contribution.

7.55 p.m.

Mr. TAITT: Mr. Speaker, they say and it is recorded in the New Testament that the Master said "suffer the little children and forbid them not". I have no intention, Mr. Speaker, of engaging in a long discussion or a long statement which could subsequently be interpreted as a denial of the little children of their right to speak or sing from outside of the Senate. What

I have to say, Mr. Speaker, can be said in some very short sentences.

I have waited here all day so I could vote against this report. Every member on this side, as my colleague said, has the right to speak his mind, and as they say in constitutional circles, over here the whip is on and I believe I would be speaking outside of my conscience and indeed contrary to principle if I would come in here when the Bill received its second reading and make the statement I did, and then when the Committee reported support the Committee.

Mr. Speaker, I believe that one area in which the Committee ought to be congratulated is the alacrity with which it was able to bring in its report. I think that is a commendable practice which one ought to look forward to in the future with Select Committees. The Prime Minister in his remarks said that this exercise is definitive in its nature, and since I am speaking my mind, let me say that my own position on parliamentary salaries apart from what I said before is that some consideration should be given to the principle that has been tried successfully in other countries where the outgoing parliament votes the guidelines and principles on which the incoming parliament would receive its emoluments. It is entirely feasible, it does not create the kind of problem which at first appears, and it works in a number of countries, and there is therefore no problem of people saying that the Government raided the Treasury in broad daylight as it were.

Mr. Speaker, I am also amazed that the Committee was able in spite of comments made on both sides of the House to bring in a report which managed to upgrade the Prime Minister's position. Mr. Speaker, I must say that my own imagination, my own appreciation of the way in which the Committee would have received the sentiments of this House drives me to believe that they must have done a fantastic intellectual acrobatic stunt to have arrived at the position for the Prime Minister which they did. I shall for a long time ponder at the ability of the Committee to have reached that position on the basis of what I thought to be instructions which they got from the House.

Mr. Speaker, at this point in time, over the last few weeks and days the hotel workers have been locked in battle trying to raise a few dollars for their Christmas tide.

Mr. SPEAKER: That has nothing to do with this Honourable House.

Mr. TAITT: It has to do.....

Mr. SPEAKER: It has nothing to do with it and I will not entertain it. If the hotel workers are members of this Honourable House, I will hear the hon. member.

Mr. TAITT: Representatives in this Honourable House like myself must be concerned at this time that in this country, in the economic situation which exists in this country negotiations are going on for other persons in the community to be considered.

Mr. SPEAKER: I will hear no debate on what is going on here, there or otherwise.

Mr. TAITT: Mr. Speaker, with the greatest respect.....

Mr. SPEAKER: And if the hon. member is going to argue with the Chair, I will ask him to take his seat.

Mr. TAITT: I have no such intention. With the greatest respect, the manner in which I am seeking to make my presentation has to do with the burden which the emoluments must have at least in considering the economy of this country. Mr. Speaker, with the greatest respect, I submit that the salaries of all Barbadians, the wages of all Barbadians will have to be a consideration when one is considering the question of emoluments for Parliamentarians, and I am saying, Mr. Speaker, that in that context and given the guidelines which have been stated by the Minister of Finance, it is going to be extremely difficult for any group in this country, whether they are hotel workers, whether they are dock workers, whether they work in Broad Street or whether they are members of the Staff of Parliament to accept certain positions when given the situation as adumbrated in this report.

Mr. Speaker, I have to join with my colleague and raise a question which can be found on page 2 of the report, which if I may quote paragraph 3 says: "Thus the Committee recognises the pre-eminence of the Prime Minister as a repository of responsibility and power of Government" and it goes on to speak of the Deputy Prime Minister. It had been my belief always that the term *primus inter pares* meant that the Prime Minister was first among equals. This Committee report seems to suggest that over there the Prime Minister is far and away. (*Asides*) I can't understand why the Prime Minister has to be contentious and apprehensive. I am moving outside of the area.

Mr. SPEAKER: Let us have some order please.

Mr. TAITT: Mr. Speaker, as I was saying, it is obvious that the Committee's report suggests a new system or a new theory of Prime Ministerial Government, for the first time I have seen it articulated

was perhaps in the Gonsalvesian treatise which appeared not too long ago on the reason why Prime Ministers in developing countries so easily emasculate those who just a few weeks ago might have appeared to be within the footsteps of their colleagues.

Mr. Speaker, I have no intention of getting any further involved in the discussion of details on this particular matter. My colleague moved an amendment, as I understand it, when he was on his feet that this report be amended to deal with that section of the report and the question of pensions. In that regard I find it easy to second the motion put forward by my colleague, and I will say as I conclude that as I listened to the Prime Minister.....

Mr. SPEAKER: I do not want the hon. member to misinform himself. He will not mislead this Honourable House. The hon. member for St. Michael South did signify his intention to consider what should be done by way of an amendment; he never attempted to move an amendment in this Honourable House. Had he done so I would have called on the Clerk to take note thereof, so the hon. member for St. Michael South West is attempting to second something that does not exist.

Mr. TAITT: As Your Honour wishes. I myself have absolutely no intention at this time or at any time to challenge Your Honour while in the Chair.
8.05 p.m.

Mr. Speaker, as Your Honour wishes I myself have absolutely no intention at this time or at any time to challenge Your Honour while in the Chair. As I was saying, I cannot help but observe that the Prime Minister in putting the case for Prime Ministers — I cannot say he put the case for himself ... (*Asides*) ...Mr. Speaker, I am about to conclude in the spirit in which you asked us, and if the hon. member wishes to challenge my right to speak I will have no compunction at all ...

Mr. SPEAKER: Not as long as I am in the Chair, he cannot do that.

Mr. TAITT: The way in which the Prime Minister was able to put the case for Prime Ministers left me in no doubt that he believes that the people will soon forget. Perhaps that is the case. I am sorry, Mr. Speaker, that time does not permit me to deal with the whole question of part time Speakers and full time Speakers, I believe that this Committee report has had attempts to deal with that issue but it does not deal with the total ramifications of the suggestion of a full time Speaker as opposed to a part time Speaker, and I would have liked an assurance that when this report is accepted, as apparently it is going to be, that the

position of Speaker was clarified to the point where there would be no confusion about part time and whole time, because I believe, Mr. Speaker, the report does not do justice to the office of Speaker.

I said I sat here all day so I could vote against the acceptance of this report, and I believe as a matter of principle it should be recorded in Hansard that on this day at this time I found it impossible to support this Bill.

The question that the report of the Committee be adopted was put and resolved in the affirmative without division.

ADJOURNMENT

Rt. Hon. J. M. G. M. ADAMS: In moving the adjournment till January 16, Sir, I would like to offer the compliments of the season to Your Honour, to the staff of the House of Assembly, the Clerks at the Table, the Reporters and all the others who have served us during this year of 1978, and I would like to also extend the compliments to my colleagues on the ministerial benches, the Government benches, and the Opposition benches, especially those of us who have been faithful attenders and who have graced the House with our presence right up to this last meeting of the year 1978.

It has been a very turbulent year in some ways, Mr. Speaker, but I am glad to see that all of us appear now to be settling well into the routine of mutual self-respect without which we cannot invite the respect of the public at large. We are all Barbadians and for some years, a fair number of years, they will be looking across at us over here and we will be looking across at them over there. Some day the position may change and Barbados will still be alive and we will still have a democratic government, with good fortune we will still be one of the freest countries in the world, and with better fortune still the economic lift we have had in 1978 will continue despite unfortunate trends in our midst.

A happy Christmas to you and to the officers and the remainder of the staff.

Mr. WEEKES: Mr. Speaker, having heard the Rt. Hon. Prime Minister, I would like to say that it has been a pleasure for me to serve as a member of this ancient and honourable House of Assembly during this year, and regardless of the comments which I was obligated to make today owing to my grievances, I do hope that in the future Cabinet will find it possible to go into the ramifications of this ticklish issue and to come to this House with a favourable report, but I would be failing in my duty if I too did not wish all members of the Government and my colleagues who are members of the Opposition the compliments of the season, and I pray that the omnipotent will guide us in our deliberations for the coming year. Let us therefore leave this Chamber in peace, unity, co-operation and love, forgetting all the past and thinking about the future.

And to you, Sir, I extend the compliments of the season and I do hope that you will be spared for many years to perform the duties which you have so ably done during this year.

8.15 p.m.

Mr. SPEAKER: I take this opportunity to extend the Seasons Greetings to all hon. members, to the Staff of Parliament — the Clerks at the Table, the Hansard Reporters — to each and every one.

I would like to say that the year has been a very challenging one for me but I have enjoyed every moment of it and I look forward to greater challenges in the New Year. I pray that God will sustain me to meet these challenges as they come up one by one, to the success of this great institution of which we are all members.

A Happy Christmas to each and every hon. member of this House.

This Sitting now stands adjourned until the 16th day of January, 1979 at 12 Noon.

8.20 p.m.