

THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 - 81

HOUSE OF ASSEMBLY

Tuesday, 30th May, 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 Labour, Welfare and Community Services); Rt. Hon. J. M. G. M. ADAMS, M.A., (Prime Minister and Minister of Finance and Planning); Hon. C. L. BOLDEN, LL.B., (Minister of Agriculture, Food and Consumer Affairs); Dr. R. B. CADDLE; Mr. L. E. SANDIFORD, M.A.; Hon. Miss B. A. MILLER, (Minister of Health and National Insurance); Hon. L. B. BRATHWAITE, (Minister of Communications and Works); Mr. J. G. ODLE, B.Sc., (Chairman of Committees); Mr. M. C. C. WARD; Hon. H. B. St. JOHN, Q.C., LL.B., (Deputy Prime Minister, Minister of Caribbean Affairs, External Trade, Industry and Tourism and Leader of the House); Mr. B. M. TAITT, M.A.; Mr. DeL. O. BRADSHAW; Mr. L. L. SISNETT; Dr. R. L. CHELTENHAM, M.Sc.

Prayers were read.

Hon. L. R. TULL, the Rt. Hon. E. W. BARROW and Mr. GREAVES entered the Chamber and took their seats.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, 16th May, 1978.

Hon. H. B. St. JOHN: Mr. Speaker, I understand that these Minutes have been circulated and subject to any corrections by any hon. member, I beg to move that they be confirmed.

Mr. SANDIFORD: Mr. Speaker, I am referring to page three of the Minutes and I would like some clarification in the penultimate paragraph.

The Minutes as circulated read "At 12.50 p.m. the Hon. L. S. Craig abandoned quest". Exactly what does this refer to if there is some amendment, or is it a word that is intended? If it was intended I would say it is a bit quaint.

Mr. SPEAKER: Did you say at page 3?

Mr. SANDIFORD: I am reading the paragraph which says "At 12.50 p.m. the Hon. L. S. Craig....."

Mr. SPEAKER: Are you referring to the Minutes of the 16th?

Mr. SANDIFORD: I am sorry, Mr. Speaker. Those are the Minutes for Tuesday, 23rd.

Mr. SPEAKER: If there are no observations, to the Minutes of Tuesday, 16th, those Minutes will be confirmed.

There being none, the Minutes are confirmed.

The Minutes of Tuesday, 23rd May, 1978.

Mr. SANDIFORD: Mr. Speaker, if I may make the enquiry now as to whether that is the word that was intended where at that paragraph it reads "At 12.50 p.m. the hon. L. S. Craig abandoned quest". I am just querying if that is the style of wording that was intended. It does appear to be a bit of a quaint expression, and I would certainly prefer that there could be some clearer and more modern expression than this to suit the meaning of what transpired in the House.

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

Mr. SPEAKER: I think that the hon. member would wish to direct his attention to the last paragraph at

page 2 of the Minutes under reference where he will observe that the hon. L. S. Craig sought agreement of the whole House to move a suspension. If you were to relate this to the matter which you now seek to raise, I am sure you will find your answer there.

Hon. H. deB. FORDE entered the Chamber and took his seat.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that the Minutes of Tuesday, 23rd May, 1978, be confirmed, subject to any observations by any hon. member as to their accuracy.

Mr. SPEAKER: If there are no further observations, I declare those Minutes to be duly confirmed.
12.25 p.m.

PAPERS LAID

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I am commanded to lay the Customs (Goods Intransit or in Transshipment) (Restriction) Regulations, 1978.

GOVERNMENT NOTICES

Hon. H. deB. FORDE: Mr. Speaker, I beg to give notice of a Resolution to grant the sum of \$25,000 out of the Consolidated Fund and 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. 1, which form the Schedule to the Resolution.

CONGRATULATORY AND/OR OBITUARY SPEECHES

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, Sir, the West Indies Caribbean Community has recently suffered the loss of one of our greatest sons, and as one who knew Robert Bradshaw for 30 years, it is my sad duty today to seek to move a Resolution of condolence on his death, and if I may, Mr. Speaker, to add a few words by way of personal memoir on the man and on the vision that sustained him. Robert Bradshaw was a native not only of St. Kitts but of the West Indies in its widest sense, and throughout his life he remained firmly attached to the ideal of West Indian unity and West Indian nationhood.

I first met him during the conference of the Caribbean Labour Congress that was held in Kingston, Jamaica, in August 1947. Already the popular leader of St. Kitts-Nevis, he was one of those who addressed the mammoth crowds of 30,000 people at the Kingston Race Course and his subject, appropriately enough, was the burning issue of West Indies Federation.

Robert Bradshaw went on to attend the famous Montego Bay Conference on Closer Association of the West Indies colonies which was held a few days later, and two years later he was with my father with whom he had formed a firm friendship in London when the International Confederation of Free Trade Unions was formed. He shared in the honours of that occasion when he was elected a member of the Executive Board of the ICFTU. In the years that followed he played an active part in all the deliberations that led to the inauguration of the creation of the Federation of the West Indies. In 1953 and again in 1956 I remember seeing him in London when he attended the important federal conferences held in those years. It did not surprise me to learn in 1958 that he was appointed Minister of Finance in the Federal Government, and in spite of the colonial nature of the federal constitution and the limited funds at his disposal, he discharged the duties of that office with outstanding ability and distinction.

I well remember the qualities that set Robert Bradshaw apart from his contemporaries. I used to admire the way in which he reached out to young men bringing them into public life and encouraging them to develop their potential gifts. It was due to his prompting that men like Fitzroy Bryant and Lee Moore entered public life in St. Kitts, one to become the Minister of Education and the other the Attorney General.

I was intrigued by the fastidious care with which Robert Bradshaw dressed for every occasion. I recall at the Queen's coronation in 1953 he was suitably attired in full court dress and no one could deny that he carried it off with grace and dignity. He took pride in his ancient Rolls Royce motor car which he had purchased at a surprisingly low price, as he emphasised on numerous occasions, and he used to fly the federal flag from it to give it greater distinction. His personal charm was one of his most attractive qualities, although there were times that he could show as rugged an exterior as the occasion demanded. Who will ever forget the battle dress that he wore during that turbulent period when St. Kitts was faced with the crisis over Anguilla? These are some of the things that made him an arresting and at times picturesque figure.

As long as I live, however, I will always be grateful to Robert Bradshaw for his loyalty and devotion to my father, the late Sir Grantley Adams. At a time of great doubt and uncertainty, he was one of the men in whom my father was able to place implicit trust and confidence. Five days after Jamaica expressed its desire, through a referendum, to secede from the Federal union he and Sir Grantley Adams went to London in a valiant but forlorn effort to save the Federation from the tragedy of dissolution. And when C. L. R. James proposed that the West Indies Federal Labour Party should move in on the

Barbados election of 1961, Bradshaw responded to the call with characteristic enthusiasm. Unfortunately, the only other member of the Federal Labour Party to follow his example was Joseph Bousquet of St. Lucia.

Robert Bradshaw endured, like my father, the agony of the dissolution of the West Indies Federation. For some time after May 1962 he was afflicted with a spirit of despondency and near desolation. He had helped to kindle the imagination of the people of these scattered lands. He had worked unceasingly to inspire them with the vision of a West Indies, united and self-governing, independent, and now that he surveyed the West Indian scene he was appalled by the vast damage that had been done to the cause he had espoused for many years.

He had gone as a member of the delegation which made the last attempt to save the Federation from irretrievable ruin. But he was met with polite and cool indifference from the Colonial Office. Clearly it had all been in vain. He was bitterly disappointed with the attitude of the British Government and considered that it had betrayed the West Indian cause. The British Government which had saved the Federation of Australia in 1934, seemed to lack the will and the desire to save the Federation of the West Indies in 1962.

The years that followed were to bring Bradshaw further disappointment and frustration. He looked to see CARIFTA and then CARICOM salvage something from the wreckage of the Federation. He saw, instead, increasing signs and portents of West Indian disunity and fragmentation. His cup of bitterness against the British Government was filled to overflowing when Anguilla broke away from the State of St. Kitts-Nevis-Anguilla. Once again, as he saw it, Britain stood aside when the cause he cherished was desecrated. Disintegration was allowed to prevail and fragmentation permitted to win the day. Then Bradshaw undertook to follow the path of independence for St. Kitts-Nevis. He became involved in difficulties of procedure but he struggled on manfully until the illness that was to prove fatal brought an end to all his efforts for St. Kitts and the West Indies.

12.35 p.m.

Amid all the trials that beset him, Robert Bradshaw's spirit continued steadfast and invincible. He dipped into the treasures of English Literature and found solace in the things of the mind and the spirit. Even when the night, in the words of the poet, black as the pit from pole to pole, threatened to cover him, his hand was bloody and unbowed. In the fell clutch of circumstance, he thanked whatever gods there were for his unconquerable soul. And, in his favourite, Robert Browning, a kindred soul, because of his Kittitian connections, he found the cordial that refreshed his spirit and renewed his strength. Even now, one may well imagine him saying what Browning once said:

"I know not too well how I found my way home in the night.

There were witnesses, cohorts about me, to left and to right,

Angels, powers, the unuttered, unseen, the alive, the aware:

I repressed, I got through them as hardly, as strugglingly there,

As a runner beset by the populace famished for news — hell loosed with her crews

And the stars of night beat with emotion, and tingled and shot

Out in fire the strong paid of pent knowledge: but I fainted not,

For the Hand still impelled me at once and supported, suppressed

All the tumult, and quenched it with quiet, and holy behest,

Till the rapture was shut in itself, and the earth sank to rest."

Mr. GREAVES: Mr. Speaker, as one of the younger members of this Parliament who did not have the opportunity of meeting Mr. Bradshaw on many occasions except once as a representative of the Barbados Workers' Union with which Mr. Bradshaw had a very close association, I think I would be failing in my duty if I did not make a contribution on this occasion. This is an occasion on which we all feel deeply moved and very sad because there is no doubt that the Caribbean as a whole has lost a statesman and trade unionist who played a very important role in the political, economic and social development of his country. I just want to refer briefly to the fact that Robert Bradshaw made an outstanding contribution to the trade union movement in the Caribbean. He was one of the architects of the early trade union movement in this area when he founded the St. Kitts Trade and Labour Union of which he was president and remained president until his death. I think that his contribution in this field and also at the political level demonstrated clearly that he was able to combine the tenets of trade unionism and politics, thus giving the lie to those people who tried to put forward the view that the trade union movement and politics should not mix. He was able to demonstrate that the trade union has a political role to play in the development of the country and he was able to do that in a meaningful way. So we are very grateful for this important contribution and his contribution did not remain confined to the shores of the Caribbean because, as the Hon. Prime Minister indicated Robert Bradshaw made an impact on the international scene particularly in the trade union movement, when he was elected in 1949 as the first representative of the Caribbean on a newly formed international confederation of trade unions and remained until 1961, the year he was replaced. In all of this he demonstrated he had the ability to make an impact on the international scene. He was the kind of person with the quality which showed he was a

gentleman and a man of integrity, and I think that the way in which he was able to function in society and the contribution he was able to make in terms of his fervour for closer integration at the political and economic level in the Caribbean was a clear indication that he was a man we could hold up very high as one of our outstanding citizens of the Caribbean. I would therefore like to pay tribute to him and to the contribution which he was able to make in terms of Caribbean advancement and in terms of the important development and the coming of age and recognition of the trade union movement in the Caribbean.

Mr. SANDIFORD: Mr. Speaker, I rise to associate myself with the motion of condolence on the passing of Robert Bradshaw. I cannot speak with the same depth of knowledge as the Hon. Prime Minister. He has known him for some thirty years. I believe he must have been a stripling of fifteen or sixteen when he met Mr. Bradshaw at Montego Bay, I think the Prime Minister said; and I think that the tribute paid by the Prime Minister is most appropriate. The Prime Minister quoted from one of the twentieth century poets, in which he referred to the "fell clutch of circumstance and the head bloody but unbowed."

I believe that the characteristics of Robert Bradshaw which would strike me most would be the fact that he faced the past and the present as far as Caribbean politics and sociology are concerned, and perhaps the words of the poet T. S. Elliott "Time Past and Time Present," or even Thomas Carlyle in his "Past and Present" would perhaps be the essence of this great Caribbean man. I myself would refer not so much to his peculiarities which marked him out as a somewhat picaresque character; I would refer instead to endearing eccentricities, particularly in the area of dress which perhaps indicated that was an aspect which pointed him out as drawing on the traditions of the past and holding on to those things which for him were important and which time had established. But let no one think that this firm grasp and facing of the past was an indication of a fossilized or old mind.

12.45 p.m.

Those who have come into contact with the late Mr. Bradshaw would know that he was very much concerned with things present and things to come. He was very concerned with the development and growth of the Caribbean as indeed his attestation of his concern for the young nation which he was not to see in his life time. His work for the ill fated Caribbean Federation is well known, and I do not propose to record it. What I do recall is his pithy statement when he was Minister of Finance saying that he was presenting his Federal Budget as a Minister of Finance without any finance, or words to that effect.

I have had the honour of sitting with him at councils of the University of the West Indies; and perhaps this is an area in which contributions that have been paid to him, certainly in this country, have not so far been paid to his work in that area, as a firm believer in the University of the West Indies. I remember one council meeting in particular when an examination of the report of the Vice Chancellor of the University the whole question of the expansion of the University was raised; and characteristically, Mr. Bradshaw encouraged the development of that University for the training of the future minds of the West Indies; but he himself warned, ever mindful of the financial implications of such an expansion. He pointed out that the search — perhaps I can appropriately use the word "quest" here, because it is a very archaic word relating to the medieval search for whatever those knights in shining armour might have been searching for — is more appropriate to such activities than to the proceedings of this Parliament as such.

He did point out that when Caribbean institutions such as the University of the West Indies searched for overseas funding, that that funding had an important bearing on the recurrent contributions which the contributing territories would have to pay; and countries such as his own dear St. Kitts, Nevis — and to a certain point Anguilla which he was very careful to include — all of those countries which were facing deficits in terms of their contributions to the University would be faced with further financial difficulties if they had to make further contributions to the UWI. He went further, and while realising that expansion must take place, he did go on record as saying that perhaps the University would have to mark time for a period while other priorities in education such as at the primary level would have to be stressed.

I think that this was the character of the man — that while looking at the top of the ladder in the educational system, he was ever mindful that the base and the foundation must be truly laid; and it is that type of balance, that type of appreciation of the total aspect of the development of the area that perhaps marked him most from amongst his contemporaries.

Mr. Speaker, I think that the Caribbean has lost a son who has been truly devoted to the concept of a fledgling Nation of the Caribbean. I believe that it must have been hard for him when this incipient nation might be able to get established, that some factors would arise to dash that tender plan. We have heard throughout the history of the Caribbean from in the 19th century that the time is not yet ripe for federation or for regional integration. In spite of the set backs, Robert Bradshaw never lost his education towards the ultimate goal which, I hope, is the goal of all of us, that we may be able to deepen the regional integration movement, and that in so doing we might be able to create a better future for our

children and for our children's children. It gives me great pleasure to support this motion of condolence, and express to the people of St. Kitts-Nevis and indeed to his sorrowing relatives our heartfelt sorrow at the passing of a great Caribbean man.

Hon. H. deB. FORDE: Mr. Speaker, I think that the hon. members who have spoken so eloquently about the life and times and the passing of the late Robert Llewellyn Bradshaw have moved us to recognise the stature and achievements of the man. In many ways he was bigger than his native St. Kitts, Nevis and Anguilla, and indeed achieved for himself a reputation not only in the West Indies but which went beyond the narrow confines of this region.

I had the pleasure of being personally introduced to him for the first time in 1958 when I was still a student at Cambridge. I should like to recall that occasion because he was on a visit to London on financial matters concerning the Federation of the West Indies, and he took time off to talk to me about the possibilities which existed for the young people of the Caribbean. He struck me then as a man who had an abiding faith, and indeed a faith that would never falter, in West Indian unity. I was young then, and idealistic, and I possessed a similar faith.

I would like to say that my last encounter with Bradshaw face to face was in Washington in December, and again on this occasion despite all of the difficulties which have confronted us in the Caribbean, Robert Bradshaw proved an optimist about Caribbean unity, and not a pessimist. On the first occasion that I met him, Mr. Speaker, he was trying to get me interested in International Law and its particular reference to the Caribbean Territories; and he foresaw then that the Caribbean Territories and the Caribbean Nation would come to play increasingly an outstanding role in international affairs. He interested me in writing the first draft of a memorandum which formed the basis for the establishment of an External Affairs Department of the Federal Government; and indeed I was much encouraged by his comments. In retrospect, I do not believe the Paper was as erudite or as serious as it could have been; but his remarks were encouraging and I appreciated them.

I came face to face with him, Mr. Speaker, on an occasion when the State was faced with the break away of Anguilla and indeed a serious constitutional crisis. The Deputy Prime Minister and myself were among those lawyers who went to St. Kitts at the time to appear on behalf of some of the persons who had been placed in detention. I think that we regretted very much those circumstances; but regardless of what we thought was confronting the State of St. Kitts, Nevis, Anguilla, I think we were all impressed by the constitutional proprieties and the personal niceties which Robert Bradshaw showed at all times. I met him again at the time of the Anguilla

Conference in Barbados, and I was then the Legal Adviser to the Anguilla Delegation.

12.55 p.m.

Those were very difficult negotiations, Mr. Speaker. Indeed Bradshaw sometimes found it difficult to contemplate Anguilla being considered other than part of his beloved state of St. Kitts, Nevis-Anguilla. I think the comments of the Prime Minister are in place. He saw this as merely a repetition of what had happened to the Federation. I believe he has gone to the Great Beyond still hoping that the nation state of St. Kitts-Nevis-Anguilla will become an independent unitary entity, and I am sure that he has passed to the Great Beyond still deeply believing that the only correct answer for the problems of the Commonwealth Caribbean is by greater unity and definitely in a federal solution.

In December at the Conference of the Caribbean group for Economic Cooperation, the Caribbean was able to put up a regional approach to the problems at that conference. I would like to pay tribute here to the statesmanship shown by Robert Bradshaw and John Compton on that occasion. He took those of us who were new to such negotiations and he was able to show us the way, and what is more, and I think this should be recorded, the difficulties confronting the English speaking Caribbean on that occasion were solved by his very timely intervention with leaders from other countries. He came straight from the Airport to a caucus of Ministers attending that conference and within about fifteen minutes after being briefed on the stage of proceedings he was able to offer constructive suggestions which led to compromises and showed the Caribbean eventually as speaking with one voice. I certainly learned a lot from him on that occasion.

Mr. Speaker, I would like to close merely by making a few remarks about Caribbean history. It is a great tragedy that these territories are so bereft of financial resources that the history of many of our great people like Robert Bradshaw is not written, and a lot of the events in his life time and in the life time of our great people go unrecorded and forgotten. I think those of us who now are in the process of contributing to that history owe it to the memory of great men like Robert Llewellyn Bradshaw to put right this blot on our culture and our life style, and I would hope that one of our distinguished historians will in due course and in fact very soon make sure that whatever documents are left behind, his letters, maybe exchanges of correspondence with other people, even interviews with persons who have come into contact with him in his daily life, will be suitably recorded so that we will have some proper written record of the life of an outstanding West Indian. May he rest in peace.

Mr. TAITT: Mr. Speaker, so much has been said and said so well that it is not required that I speak for

too long in joining in the tributes to this great West Indian Robert Bradshaw. In the relatively short time that I had the privilege of knowing Mr. Bradshaw personally, I could not help but be struck by his commanding ease of expression in the English language, and one of the points that he would always insist on is a high degree of brevity.

Over the years through which the Caribbean Community evolved from what was the Caribbean Free Trade Area in sometimes arduous and always keen negotiations, Mr. Bradshaw's ready wit and quick mind together with his oratorical skill always helped to bring us to early fruition when it seemed that all was lost. I guess, however, Mr. Speaker, that I should best remember him as the Elder Statesman among us when we met on numerous occasions in Brussels trying to bring about something that had never happened before, the forging together of forty-six developing countries in Africa, the Caribbean and the Pacific into one body, and that we were able so to do. That we were able to confront the Europeans as a solid block and that eventually the Lome Convention was signed, was due in no small measure to the stature of the man who on many occasions would say to us "remember, the West Indies demand that we do not go back without a settlement".

Mr. Speaker, when finally one visited St. Kitts and one came to recognise the love which the people of that land had for this man, one could well understand how it was that this Leader who had started life as an ordinary factory worker and who through application of principle had risen to the highest possible level in his land could have so done. He was a leader of whom his people were justly proud. He was a leader who was prepared not only to push but occasionally to pull, a leader of whom it can truly be said that he was a man of the people. If clichés can be used effectively from time to time, there is one which appropriately can be applied to Robert Bradshaw; although he did dine complete in his full array with Queens, Kings and Princes, the man never lost the common touch. Thank you, Mr. Speaker.

Rt. Hon. E. W. BARROW: Mr. Speaker, I am going to be very brief. I have already on a public occasion and in direct communication with the Government of St. Kitts-Nevis-Anguilla expressed the sympathy and condolences of myself and the party which I have the honour to lead over the unfortunate passing of the Premier of St. Kitts-Nevis-Anguilla, Mr. Robert Bradshaw. Moments like this or occasions such as these are often chosen by many persons in public life to blow a little bit of their own trumpet, and I do not think sad occasions like these are occasions on which we should try to identify ourselves as the sort of props and supports of the departed and that kind of thing.

1.05 p.m.

I knew Mr. Bradshaw for a very long time. He was born on the same day, not only the same day, the

same date as the General Secretary of the Barbados Workers' Union. The two of them have had very much a paralld career, and I think that one of the features which I admired of Mr. Bradshaw more than anything else was, as the last speaker said, that he never lost the common touch. Too many of our politicians appear to have been born as Premiers and as leaders and that kind of thing, and they do not even have families sometimes. If you want to record their histories, as the hon. member for Christ Church West is suggesting, they start off from the time when they first appeared in public life, never at the time when they attended elementary school, and had to work in factories and did things of that kind. Robert Bradshaw was not a man like that.

I am very pleased that my first meeting with him was to offer my services to Mr. Bradshaw in 1948 when he had to write a report along with two of my distinguished colleagues as students, Mr. Michael Manley and Mr. Rawle Farley, both from the same educational institution which I was attending at the time, and we went to the Sun Palace Hotel and offered our services to do research to Mr. Bradshaw in writing his minority report on the state of the sugar industry in St. Kitts-Nevis and Anguilla.

St. Kitts, the oldest British settlement in the western hemisphere, beyond doubt, was at one time divided between the French and the British, not into three parts like our God, it subsequently became divided into three parts, but it was divided into two parts the French side and the British side. It produced not only one of the leaders of the Haitian Revolution in the nineteenth century — at the turn of the eighteenth century and the early nineteenth century — in Henri Christophe, the great slave leader, but it also produced one of the founding fathers of the American Constitution, Alexander Hamilton, and it produced the colony as it is now known, the territory of St. Kitts-Nevis-Anguilla, not necessarily Basseterre itself or Brimstone Hill. It produced the wife of Lord Nelson, and then it produced Robert Bradshaw, and that is a remarkable achievement for a small territory with a population of probably less than 50,000 people with a single sugar factory, yet it became one of the most productive areas in the Caribbean and at a time when it was considered more valuable perhaps than the whole state of Louisiana which was purchased subsequently by the United States of America, I believe in 1803, some 800,000 square miles, a fantastic area, but St. Kitts certainly has made its contribution to British history and to Caribbean history. It has an older settlement than Barbados, and Robert Bradshaw himself in the twentieth century carried on that tradition of making a great contribution.

The other members who have spoken before me have paid very eloquent tributes to this great leader of

the working classes. He was opposed by the middle classes and the plantocracy in his own country right up to comparatively recent times, but he stood firm in his convictions and he elevated the working classes of St. Kitts and Nevis, if not Anguilla — because that is a matter of controversy whether the people in Anguilla needed any elevation, they seemed to think they were well off already without it — but he certainly did a lot for the people of his native country, St. Kitts and Nevis, and raised them so that today they enjoy a fairly high standard of living when one considers the limited resources of countries such as ours, and we on this side of the House feel very deeply the loss which the West Indies has suffered, and join in the condolences which I am sure Your Honour will extend to his widow, daughters and other members of his family, and the people of St. Kitts-Nevis and Anguilla on this occasion.

Mr. SPEAKER: I, too, beg to be associated with the remarks and condolences expressed on the occasion of the passing of Mr. Robert Llewellyn Bradshaw. I would ask hon. members to stand with me in silence for two minutes in respect of the passing of Robert Bradshaw.

(Members stood in their places in silence for two minutes).

Rt. Hon. E. W. BARROW: Mr. Speaker, it is normal on an occasion such as this to have a formal message or address in which the hon. members on the other side would comply with the normal procedure.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I will move that the usual Resolution be transmitted to the Government of St. Kitts-Nevis-Anguilla and to the family of the late Mr. Bradshaw on behalf of the Government of Barbados.

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

Rt. Hon. E. W. BARROW: Mr. Speaker, perhaps you could advise him that the question of the usual Resolution, whatever that is, will be passed by the House at a later stage in today's proceedings when it has been properly prepared. You will so advise him, thank you.

GOVERNMENT BUSINESS

THE EMPLOYMENT LEVY ACT, 1978

1.15 p.m.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, the employment levy was envisaged in the 1977 Budget and it was announced in December, 1977 to take effect on January 1, 1978. At that time I stated that it was intended to take effect under the provisional collection

of taxes, and indeed although some months have passed since the announcement corporations have responded and have been paying the tax since the first month of the year. The bill therefore has a commencing date of January 1, 1978, so to some extent we will be regularizing retroactively what corporations have been doing.

The measure arose as a result of an in-depth analysis of trends in respect of decisions taken in the country about the employment of labour and capital and the levels of business activity in general. For some time the Income Tax Act has given very extensive capital allowances to companies which amount to 40% on capital equipment and there are annual depreciation allowances from 10% to 20%, and these allowances enable the cost of expensive labour saving equipment to be written off against the tax liability of corporations. It should be understood that these allowances are extremely generous, and indeed some critics have in the past questioned whether a country like Barbados with resources of labour rather than resources of capital or resources available for building capital equipment should have capital allowances on as generous a scale as those which exist in large manufacturing countries. The rationale in these countries is that if you give large capital allowances there will be a ship-off into employment because if you are dealing in terms of equipment, the equipment is going to be manufactured and people would be put to work manufacturing the equipment. Those who argue that the capital allowances in Barbados were too generous, point out that where you give generous capital allowances to buy labour saving devices, the labour saving devices are manufactured outside of Barbados and employment is given outside of Barbados to displace workers in Barbados. This matter is being considered by the Minister of Finance and Planning, but what cannot be gainsaid is that for years no particular incentive for increasing or maintaining employment has been given by means of the tax laws. In fact, there has been something that can be described as an unspoken conspiracy to allow all productivity gains in Barbados to be made at the expense of employment rather than by means of expansion of output and aiming at bigger markets either by export or increased local demand. It was therefore decided that some incentive should be given by way of taxation arrangement for the expansion of employment by the corporations of this Island. The trade tax was abolished so that the effective tax rate for corporations in Barbados became the corporation tax rate. The corporation tax itself had been introduced a few years before. Now the corporation tax rate was set at only 45%, and it is very important to realize when you hear the criticisms of the Barbados Employers Confederation and the Barbados Chamber of Commerce — I think there are the bodies that have been offering the criticism, and to a lesser extent the Sugar Producers'

Association — it is important to realize that 45% is a lesser rate than the corporate tax rate in the United States which is 22% on the first \$25,000 but 48% on anything in excess of \$25,000. The effective corporate tax rate in the United States is 48% and corporations also have to pay Capital Gains Tax, so many of the schemes in the issue of bonus shares which may or may not in Barbados escape corporation tax in the United States would pay either corporation tax or capital gains tax. It is also to be remembered that in the United Kingdom the rate of corporation tax was 52%, and so in Barbados the 45% corporate tax rate is a great incentive to corporations.

Now it is clear that what I have described as the slack in the tax liabilities of corporation has to be taken up by something, and as I have said on other occasions, we decided that the slack occasioned by the abolition of the trade tax was going to be taken up by the employment levy. Careful calculations were made over a period of months by Government officers, various rates of levy were analysed in relation to what is known of the wage bills of the corporations, and the rate of 2½% which was eventually chosen will make the effective tax rates on corporations somewhere between 54% and 55% of the total corporate profits. That is a matter of calculation. If any hon. member wants to know more of the calculation I will be glad to help if I can, but it must be understood that this is complicated and confidential information, because the accounts of various companies had to be made available by the Commissioner of Inland Revenue, but I can indicate that a rate of levy of half percent would have resulted in a corporation tax rate of approximately 46%. A rate of levy of one and a half percent would have brought a corporation tax rate of just under 50% and the 2½% rate comes to 54.6%; so that the employment levy plus the corporation tax means an effective tax rate on company profits of 55%.

Now there was clearly an alternative available to the Government, which would have been to raise the corporation tax rate to around that level of 55%, but this was rejected for a number of reasons. The first which I considered very important was that the psychological impact of a corporation tax rate of 55% would be a disincentive to investment by business companies. The figure of 55% is universally regarded by corporations as approaching the punitive level; 60% is regarded as beyond the pale all together. It is assumed that corporations go out of business when the tax rate reaches 60%. Fifty five percent is very high. We would not be able to advertise the corporate tax rate less than that of the United States or Great Britain, and I thought that this would be a burden, for example, on labour intensive industries which operate in Barbados which either cannot or have not sought substantial capital improvement in order to cut down on their

labour force or which are scratching along and making a profit.

1.25 p.m.

I see that one of these organisations — I think that it is the Chamber of Commerce, sir — has said that the Employment Levy bears too hard on labour intensive companies. I wonder if the authors of that criticism really understand that it is Corporation Tax that bears heavily on labour intensive companies. Companies which are labour rather than capital intensive and therefore do not earn the capital allowances that would enable them to avoid Corporation Tax altogether are the ones which benefit from a low corporate tax rate. That should be understood; and if you are labour intensive, you presumably have the possibilities of improving your marginal output by a suitable intensive scheme.

The next reason, sir, which weighed very heavily with me in not applying any incentive scheme to Corporation Tax was that the capital intensive companies which at certain times virtually paid no Corporation Tax would have no incentive to employ labour; and it is these very companies which should be fought. The situation, for example, with utilities — and I am not uttering any particular criticism, sir — is that the overwhelming amount of the utility companies' expenditure relate to the servicing of capital investment. The Electric Company obviously invests vastly more than any other company in Barbados. I believe that the last investment in equipment was something to the order of \$36 million. Now the Electric Company pays no Corporation Tax, has not for some years, and will not pay for some years. It would be useless to think of our biggest investor seeking some form of employment incentive, when almost by definition you would be excluding the biggest investor in Barbados; because if it pays no Corporation Tax you cannot give it an incentive on the basis of Corporation Tax.

I draw this example, but there are many other companies also in that position; and since I have selected the Electric Company, sir, I am sure that hon. members will be glad to hear that the Manager of the Electric Company has assured the Director of Finance and Planning and myself that in this year of 1978 the Electric Company will meet the target of the 8 per cent increase in employment which will qualify it — except for the refund — for the Employment Levy. In 1977 there was no such expansion of employment; but in 1978 there will be; and we regard that as one of the minor victories and benefits of the employment levy; but apart even from these capital intensive companies, there are many companies which do not make a taxable profit. Their books show a loss, but they still contrive to pay dividends to their shareholders. The reason is that the loss is a loss occasioned by depreciation

allowances. In the words of the Inspectors of the Income Tax, they are living in depreciation. There are certain individuals who live on depreciation, and there are certain companies that live on depreciation. The grandest example is the Electric Company which makes an accounted loss for tax purposes, but continues to be a good investment because it pays dividends serviced by the initial investment allowance and the depreciation allowance on a base, I believe, of — I am sure the Attorney General will recall — but a base, I believe of \$80 million in total investments over the years.

Those companies which pay dividends, but do not pay Corporation Tax, would also be able to avoid any incentive scheme, ignore any incentive scheme based on Corporation Tax; and it is to catch all these companies that a tax which applies, not on profits, not on gross profits, net profits or any calculation such as that, or on turnover, but a tax which applies to something which more or less all companies have to pay out which is pay roll, has been devised.

Now, sir, we have been asked, particularly by agricultural companies, why is it the Employment Levy applies only to companies, and why is it that certain plantations — I will not be so invidious as to name them — can get away from the Employment Levy, where certain other plantations have to pay. The answer to this is really a two-stage answer. There are many small businessmen — and I mean small businessmen, a man who has started life as an apprentice, become a mason, has shown some talent for reading plans, learned how to draw plans, become a small contractor and employs from job to job a few people. That is the sort of person I mean, by small businessman, or a man who has made a shop into a supermarket and employs a few people.

These small businessmen, sir, are not corporations. We took off the Trade Tax from these small businessmen to give them some encouragement; and we do not think that in their position, before they have reached the stage that they believe that they need corporate status that we should be seeking to put an Employment Levy on them. They are working from moment to moment. They are not sufficiently settled in business to feel that they must have high powered accountants or high powered lawyers forming companies for them and doing business on a corporate basis. That is the situation where they are concerned. We do not want to put any pressure on them. That is part of our assistance to the small man. Take off the Trade Tax and allow the small man a chance to lift some of the burden from his back so that he too can become a medium man, and eventually a big man.

The other part of the argument, Sir, relates to what happens when you do become big enough to think

in terms of going corporate. When you reach that stage, it is found that there is a great advantage in becoming a company. It is considered by the people that do business that the tax breaks you get as a company are more considerable than the tax breaks that you get as an individual. If an individual buys a motorcar, he has sometimes a lot of difficult justifications to make to the Commissioner of Inland Revenue about when he is using his car for pleasure or when he is using it for business, and he may get it apportioned.

I do not believe that the Commissioner of Inland Revenue goes with the same particularity into the use of every vehicle bought by a company. The individual gets taxed, it is true; but it is certainly felt by businessmen that they get a better scale of entertainment allowance, the use of vehicles, for the use indeed of buildings, of properties, if all of these derive from a corporate base than if they derive from an individual base. What you give with one hand, sir, sometimes you have to take back a little bit with the other. If a man takes the risk of doing business as an individual, and perhaps if he has a business loss and has to pull his personal pocket to make the business loss good — if he takes that risk we are not going to press on him with the Employment Levy. On the other hand, if he protects his personal pocket, goes for the more generous scale of allowances and goes corporate, — because when a supermarket goes bankrupt the company is bankrupt, sir, and very generally the managing directors of bankrupt companies get out of it very well indeed. Therefore we think that the levy should fall on companies, but not necessarily on individuals who take greater risks, not being corporations. Now, sir, it seems that a good deal of the criticism of the levy has arisen out of not analysing the theoretical basis of the levy.

1.35 p.m.

There have been some very shallow criticisms by businessmen. It is known, Sir, that the principal sports of Barbados are cricket and criticism, and no Barbadian politician can reasonably expect that all his deeds, all the deeds which the business community, the Church, anybody approves of will be met with instant hosannas. I think that all of us are too experienced to think that the cry of halleluiahs will go up from the Chamber of Commerce, the Barbados Union of Teachers or any of the Churches immediately you do something that pleases them; and we are also realistic to know that the slightest pin prick that annoys is going to be met by loud outcries and long exercises in special pleading. I never heard a word from the Employers' Confederation when trade tax was reduced; I never heard a word from the Employers' Confederation when Corporation tax was fixed at 45%, but when the workers were given a week's extra vacation, when dismissal of employees was made more difficult by reducing the severance payment that the Severance Fund would make from 50% to 10%,

rate of the levy and the rate for improvement of employment in 1979 and again in 1980.

The aim, Sir, is by means of the employment levy alone to halve the unemployment figure. I can only tell you, Sir, that this is the theoretical aim. It is a matter of seeing how far we achieve it. That is what those who have devised the details of the scheme have suggested and advised should be the aim, I am not making any pledges. I remember someone who occupied this position somewhat rashly, wildly and recklessly promised the country that there would be no unemployment by 1976. I can only say that my advisers have said that the target of the employment levy should be by this means alone. There are other means of job creation at which we are aiming, but by this means alone to halve unemployment by 1980. That is the target which is being set, whether we achieve it will depend on the co-operation of the business community, it will depend on the co-operation of the public in keeping Barbados stable, in creating a climate and an atmosphere within Barbados in which industry can feel secure, in which employment opportunities can be created by people with money to invest, secure in the knowledge that their money will not suddenly prove to have been thrown away by outbreaks of disurbance or by indeed mismanagement of the economy. All of us have to co-operate in these goals.

The other means of job creation, Sir, the traditional avenues of Government job creation through the IDC's plans of encouragement, through the Barbados Development Bank's plans of lending for investment, which in the first year of the new regime saw 1700 jobs created, and by Government's own scheme of capital works which will in themselves create jobs. These are our aims for the reduction of unemployment in this country.
1.55 p.m.

I have dealt, I think, exclusively with the principle of the levy as such. The Bill itself relates to the year 1977 as the base year and the levy is for 1978. However, it is possible that regulations will be made in due course relating to details for this year and subsequent years. The regulations which I propose to make, some of them are already known, but I will read out regulation No. 2 to assist hon. members in grasping the operation of the base year system. Regulation 2A reads as follows: "Five working days shall be deemed to be one man week" — and I must apologise to the hon. member for Christ Church West for calling it man week but man embraces women in this respect. Regulation 2B reads "In calculating the employment of persons employed on a monthly basis the number of months of such persons' employment shall be converted from man weeks by using the factor 52/12 and multiplying it by such number of months." This may be a little difficult

but it merely means that the week is the basic unit of employment in calculating the levy. Employers will need to know this, but they will get the regulations very soon. This is all mathematical and I may not be able to answer all the mathematical queries, but what I have said is the principle.

I think, Sir, I have outlined the principle of the Bill. It is a relatively short Bill that can be dealt with expeditiously in Committee and I beg to move that the Bill be now read a second time.

Hon. B. A. MILLER: I beg to second that.

SUSPENSION OF SITTING

Mr. SPEAKER: The time is now 2 p.m. This Sitting stands suspended until 2.45 p.m.
2.00 p.m.

On resumption:

Mr. SPEAKER: It is now Question Time. I have been advised that there are no replies to Questions.

I gave an undertaking earlier that I would allow the hon. member for St. Lucy to give notice of a motion.

Mr. GREAVES: Mr. Speaker, I would like to give notice of the following Resolution:

Whereas the ILO Conventions on Social Security make provision for the payment of unemployment benefits;

And Whereas in Barbados unemployment benefits are not payable under the National Insurance Scheme which has been in operation since 1967;

Be It Resolved that this House call on Government to take prompt action to ensure that unemployment benefits are paid for a stipulated period to contributors to the National Insurance and Social Security Scheme.

Mr. SPEAKER: It is now Private Members' Business.

Dr. CHELTENHAM: Mr. Speaker, in view of the crowded agenda for today I am asking leave to deal with the Resolution standing in my name on another occasion.

Mr. SPEAKER: If there is no objection, permission is granted. (*A Pause*) It is now Government Business.

GOVERNMENT BUSINESS

Mr. SPEAKER: When the luncheon adjournment was taken the Hon. Prime Minister had spoken and moved the second reading of a Bill on the Employment Levy. The question is that this Bill be now read a second time.

Dr. CADDLE: Mr. Speaker, unemployment has been a problem in this country for many years, and it goes back as far as the abolition of slavery around 1834. From the time onward we have been troubled by this problem and it sometimes appears to become easier and at other times to become worse. You will recall, Mr. Speaker, that in the early years of this century, especially in the 1930s, unemployment had reached such a high level that one of the consequences was the 1937 disturbances. For many years we relied on migrations of the people of this country to assist us in dealing with the problem of unemployment but one would observe that at the turn of this century when the usual avenues for migration became blocked, unemployment in Barbados rose to a high level and a state of affairs developed. We found at that particular time the building of the Panama Canal had come to an end, an end had come to the people migrating to Trinidad and Guyana, with the result that they were forced to stay at home, thereby contributing to unemployment in the country. 2.50 p.m.

After World War II we found that unemployment in Barbados was eased a bit by the emigration of people who moved from Barbados into North America, the United Kingdom and maybe other countries; and then again when these avenues became blocked we were again saddled with the problems of an increase of unemployment and all of the social evils that directly come as a result of the problem of unemployment. With this background sir, one must have sympathy with any Government which attempts to grapple with the problem of unemployment in the country; but there is the question of how far this sympathy goes with the methodology or the mechanics which the Government sets about to deal with the problem.

I have listened very carefully today to the Hon. Prime Minister while he was introducing this Bill, and while one could accept a lot of the arguments put forward by him as being nice sounding to the ear, one still has to address oneself to the question of the extent to which this employment levy will have on decreasing unemployment in Barbados. Noting what he said, I am left with the impression that this is just another pay roll tax. As he has pointed out in his introduction, there are firms existing in Barbados which do not pay Corporation Tax as a result of mechanisms going on within the business; and this may very well be aimed at those people or those concerns who now escape that type of taxation,

and it will be in keeping with the policy of companies in many parts of the world who introduced a pay roll tax rather than pay this form of taxation on employment.

If this exercise of the Government is again more money to pay for the various services of the country now and also for other areas which are part of their policy, one cannot seriously quarrel with that because you can conceive that since these things need more money, it is the responsibility of the Government to get it either by borrowing or levying more taxes; but when you attempt to link this tax proposal to unemployment, one is left to wonder in the long run how successful this exercise will be.

As to the merits or demerits of this exercise there have been a lot of argument put forward in the newspapers recently between the Prime Minister and the President of the Barbados Employers Confederation. I would like to make it quite clear that I am not here to defend any of the employers or those people who band themselves together in the Employers Confederation. I would like to make it quite clear that they backed the present party in power quite heavily in 1976, and if they now have quarrels among themselves it is a question of friends falling out. I am not supporting them, but at the same time, because of my interest in what is occurring in this country, I am not satisfied after listening carefully to the Prime Minister that this is anything more than a tax on the pay rolls of those companies and that it had nothing to do with easing the employment situation.

The people against whom this tax is directed have a choice. They can pay the tax or employ people. As they have a choice, it is for the individual firm to determine whether they are going to pay the tax or employ people. Whether or not they employ people will depend on a large number of factors over which we in the House of Assembly have no control. It will depend on the ability of a company, for example, to increase its operations profitably. It will also depend on some of the traditional attitudes of employers in this country who would rather think in terms that it is better to overwork certain individuals than to employ more people. There are people who still have those views; but when one goes further and looks at the question of unemployment in this country, and what has gone on over the years, one has to look carefully at how the Prime Minister based his argument; because nowhere along the line has he indicated beyond the shadow of a doubt that as a result of the imposition of this levy we are going to see any noticeable increase in employment by various firms and a consequent decrease in unemployment in Barbados.

There are firms in Barbados who, as a result of their expansion policies, or their programmes for future development, are going to employ more people in the coming years, not necessarily as a result of this levy but because of their plans for future development; and they

may very well find themselves in a position now to benefit indirectly as a result of this employment levy.

Now, the Prime Minister mentioned one of the Public Utility Corporations and it may very well be that you may not find them increasing their work force as a result of this levy, but purely as a result of the policy which they have for expansion between now and the next couple of years; and this employment levy is just an incidental thing which they are taking advantage of, but which makes us feel that as a result of this levy these people are now setting about to employ more people.

We are not quarrelling with the Prime Minister for making an effort to get unemployment down; but he has failed to impress upon this side in his long exercise this morning in introducing the Bill the real extent to which people can afford to look forward in this year or future years to any increase in employment, and hence a decline in unemployment. I would like him to assure us — and I believe that he will at some time in his reply — about the constitutional niceties of this Bill doing this. In a neighbouring country in the West Indies a Bill of this nature is now in the course of being questioned about the constitutional propriety of that Bill. If you are going to accept that employers, like other members of the society have rights, one must look carefully as to how you may circumvent or diminish the exercise of those rights. I want to assure the Prime Minister that this does not arise with me; but one may very well want to imagine that this Bill as it now stands is an attempt to force employers to increase employment against their will, and they may very well be paying them in terms of how their constitutional rights are being eroded. As I have said a Bill of this nature is being questioned in the Courts in a neighbouring island, and the Prime Minister may very well take the opportunity to give some attention as to the constitutionality of this Bill.

Sir, there are companies in Barbados, which as far as information goes have reached a level when it is no longer profitable for them to increase employment; because as the Prime Minister has pointed out — and we would agree — there must be a level at which any company can go on employing people; and when you employ people without limit, you are not increasing the productivity of the company or of the individual workers. In general terms you are decreasing it, and you can very well have a situation where you get people falling over one another if really people got around to the belief that to escape the levy they will have to set about employing more people.

3.00 p.m.

At the same time one has to look at this in the future. If you go on every day employing people, how soon will a particular company reach that point where it can no longer profitably employ more people, and what

will the Government be doing when that point is reached? This is a point which the Prime Minister has not explained to this Committee and maybe in his reply he will take time off to explain this because let us assume that some companies can employ people, they have not reached the point yet, but when that point is reached where they can profitably employ no more people, what will be the position of such a company? Are you going to insist that they continue to pay the employment levy or are you going to give them some form of relief. If as he has said in his address this bit is intended to get people who now, due to certain manipulations in the administration of their business, are able to avoid paying corporation and other taxes, we cannot quarrel with that, but we would like you to come out and say so. Come out and tell us that this is a payroll tax specially aimed at certain people and intended also for Government to get some more revenue, and not try to win us employment because as he has said, he can give no guarantee that unemployment is going to drop by this amount, all he can say is that the target by 1980 is to have unemployment halved. Whether or not this will happen will depend upon the attitude, co-operation and the view-point generally of the people who will have to do the employing, because after all it is not the Government that is going to do the employing; it is the employers outside who are going to give the employment, and unless you are going to have the Bill in such a way that they are forced to do it and they have no option, you have no guarantee that they are going to employ people as a result of this.

I have heard in other circles that some of the employers in Barbados have employed the services of an accounting firm to go into this matter and determine whether it is beneficial to them to pay the levy or to employ more people, and the findings indicate quite strongly that it is beneficial for them to pay the levy rather than employ more people. I would like to hear the Prime Minister's reaction to that because in his exercise he has attempted to assure us that it is beneficial to employers to employ more people rather than pay the levy, but I have heard other views outside, and I am wondering if he has heard that view and what is his answer to that contention.

Sir, we would like to set the Government at ease. We are not opposing them on their efforts to increase employment in this country. What we are questioning here is whether or not this exercise is going to lead to any worthwhile measure of increase in employment, or whether this exercise is the best method available to the community as a whole to tackle the unemployment problem of Barbados. We are not convinced on this side, and nothing the Prime Minister has said so far in his opening address has gone anywhere to remove the doubts which I have and which many other people in the society have about the usefulness of this levy. The usefulness of

this levy, I will repeat, can only be in that the Government finds that it needs money, and any Government will need money if it is going to carry on the type of services which we now have and seek to enlarge those services, and therefore it must look for avenues for revenue, and we would have no quarrel with that if this were just a straightforward fiscal proposal. What we are asking him to satisfy us with is the necessity to link that tax proposal or this new effort to find new money on to unemployment, and he has not satisfied us to any great extent that it is going to work. It is also open to serious criticism on moral grounds that a Government who in recent times has set about to lay off people, reduce people's work period, can now use legislation, bearing in mind the accepted contention of the Hon. Prime Minister, to force other people to find employment for the people or some of the people whom the Government has laid off over a period. One would want to know if this is morally just, and we would like to know why if you find it necessary to force other people by virtue of legislation to employ more people you exempt Government agencies from joining the exercise of finding employment for the people of this country.

These are things which the people would like to know, what are the moral grounds on which we set about to do these things because it is the responsibility of the Government and in the final analysis the Government comes out as the saviour of the community, and the Government has to assist in the finding of employment not merely by passing legislation to force other people to create employment, but Government has to participate fully in the exercise of reducing the unemployment in this country. What we have witnessed in recent times in Barbados, and we would concede to them that they have reasons of finance for doing so is that they have set about to reduce the work period of people, for example, in the Ministry of Communications and Works from five days to as low as three days. In other areas people have been sent home and we wonder if this is to be the role of Government which when it went about campaigning in the elections in 1976 promised the people of this country that they would tackle the unemployment problem in this country with such vigour, dynamism and things of that nature that they had no doubt that in a short space of time unemployment would not be a problem in this country; but to all purposes so far what we have seen in Barbados, and we are not saying that they are responsible, and what we are criticising them for is that contrary to their clamour during the campaign they have failed to deliver the goods. The Great Combination seems unable to combine. What we are saying, Sir, is that what has gone on in Barbados in recent times since they have taken over the reins of Government is that we are witnessing an increase in unemployment. Regardless of the figures which the Government has produced over the period that they

have held the reins of Government, we have had to admit and the Prime Minister has had to admit last year that unfortunately unemployment has gone up, and what we need in Barbados is not this type of dictatorial approach to get people to support Government in an exercise of reducing unemployment; what you need in this country is to get the people.....

Rt. Hon. J. M. G. M. ADAMS: On a point of order, the hon. member has repeated the same argument eight times over and when he made a new point I was not really paying attention, but I believe he said I was forced to admit that unemployment had gone up. That is not true. I said in the Budget Speech that it has gone down, but really I am not claiming it has gone down because it has gone down marginally, but so little that it matters hardly one way or the other; but he is misquoting. Neither was I forced to admit nor did I say. Employment has been virtually the same.

Mr. SPEAKER: You have elucidated your point.

Dr. CADDLE: Mr. Speaker, I thank the Hon. Prime Minister for his intervention. Employment has not gone up nor down. It has not got better, but what the people of Barbados have been expecting you to do is to reduce it because that is what you have claimed. You have claimed that that is what you are doing and for you to get up and say it has not gone down or gone up is clear proof that you have done nothing about it.

Rt. Hon. J. M. G. M. ADAMS: If the hon. member would give way, I honestly do not want this to be a debate about unemployment, but obviously it is within the terms of reference. The hon. member cannot say we have done nothing about it. We in Barbados are now at the peak of the birth that occurred in this country 15 to 18 years ago. There are over 6,000 people coming into the labour market every year and it is no mean achievement to maintain the rate of employment at the same level as it was a couple of years ago or slightly below. There are 6,000 people coming on to the labour market every year, and if nothing were being done, unemployment would go up. Remember that.
3.10 p.m.

Dr. CADDLE: But, Mr. Speaker, the Hon. Prime Minister has not made any new discovery, this is something that was discovered way back in 1976, and this is what he was contending in 1976, that unemployment was going up and nothing was being done about it, put them into power and they would do something about it, and he has just discovered that nothing has been done about it. You are now trying to force people by way of a levy to come to your aid, and I say that is a matter of conjecture, because as you have conceded this afternoon, you have to wait and see

if it is going to work, so we cannot give you any credit that you have solved or tackled the problem of unemployment in this country with the dynamism and enthusiasm you had in 1976. This measure indicates quite strongly that you do not know what to do with unemployment in Barbados, and you are hoping that some of the people in this country who now are the employers and who would have been your friends in 1976 will come to your rescue. That is what you are hoping, and the people who are looking for jobs have to stand back and wait and see if these people who have been your cohorts in 1976 will come to your rescue. If they come to your rescue, well and good, but I am saying that all around in Barbados right now among certain sections of the unemployed in this country, that they say it is more beneficial for them to pay the tax than to employ people, and some of them are saying that they can affect the economy by sending home people, because there is a lot of hidden unemployment in this country, you are employing people that you really do not need to employ. This is the argument that they put forward, that they are employing people that they really do not need to employ, and if they have to pay the tax they will send home these people, affect the economy and pay the tax quite comfortably without any bother.

So I am asking you in the light of all these arguments, are you satisfied that this is going to produce any appreciable solution to the unemployment in this country. I am saying that this is not the best method, there are other methods and you have not exhausted them, and this method you have introduced is a method which indicates that now you are a bit confused in your planning and your programme as to what to do with the unemployment sector in this country. I would like to put it to you that I believe you can do better, I believe so, but unfortunately I do not believe that you have exercised yourself sufficiently on the problem.

I want now to refute what you said in your opening remarks, because you stated that there are companies in Barbados who do not pay corporation tax due to certain things within the company like depreciation and things of that nature, and this will get at them. I am saying that it is nothing more than an effort to raise money, to supplement the money which the Government really needs. Nobody is going to deny that, but it has nothing at all to do with unemployment in Barbados, and we are stating quite clearly that come 1980 we will expect you to come and show us where this levy has helped to decrease unemployment in Barbados. If it does happen in 1980 I will be the first person to come and compliment you on it, but I am saying that we are left to wonder, this is a matter of conjecture, and all that is going to come out of this exercise is that the Government is going to get a little

more money when the year comes maybe to keep up some of the things they are now doing.

Mr. SANDIFORD: Mr. Speaker, this is a long awaited measure. It is one which has been promised for quite some time, and what is really surprising to me is that it has taken this long after having been promised in the budgetary proposals for 1977 and with a further statement on it towards the end of that year, it is really a matter of surprise to me that a measure which is supposed to be at the heart of the Government's package of economic policies should have taken this long to reach this Hon. Chamber. I believe the matter goes a little deeper than that, because not only was the proposal to introduce the employment levy indicated in the budgetary proposals, but employers in this country were urged and advised to start paying this employment levy from 1st January, 1978.

That brings us to a major problem, because we are now at the end of May, and what has happened is that there are some employers in this country who have been asked to pay an employment levy and in effect there was little legal provision for the payment of such levy, once the provisions of the Provisional Collection of Taxes Act had been exhausted, and I think that there is something basically wrong in asking persons in a country to pay taxation or to pay any impost for which the necessary legislation is not on the Statute Book. I believe there is something basically and morally wrong with such a position, just as I believe that there is something basically wrong with the introduction of retroactive legislation. This is precisely what is happening in this case in which we are having now some type of retroactive legislation, and I think that federal precedents should not be brought to bear — well, in the case of the Federation they were threatened and they led to severe strains in the tendons that kept that Federation together — but I think in the case of this one this is not a threat, we have the actual legislation here now which is retroactive and I believe, as I said, that there is something wrong in the arrangements of any country where a Government can introduce retroactive legislation of this nature. It is better for any Government to say this is what we intend and give warning, but we are not yet ready, we will be coming with the legislation soon, and when the legislation comes then people start to pay. It is my understanding that some employers started to pay and then they ceased paying because the concept of retroactive legislation is a particularly dangerous one. We never know where such a measure or such a provision may end, so I just raise my voice against a principle which seems to be embedded in this piece of legislation about retroactive legislation.

Let me at the outset, however, state that I believe — and I certainly welcome any proposal which would

lead to a reduction of unemployment in this country — I believe that unemployment is a major problem, and I believe that any measures genuinely calculated to bring about a reduction in unemployment is desirable, because the people of this country need jobs in order that they can provide food clothing, shelter and the other requirements of life for themselves and their families.

3.20 p.m.

Without that job they would be hard to put to make ends meet and I would say that any measure aimed towards bringing about a reduction in the rate of unemployment in this country is to be welcomed. What we have got to ask ourselves, however, is whether the particular measure which is before us will in fact have that end or whether it would achieve that particular objective; and that is a question which is buried in the womb of the future. This measure which is before us is at the heart of the Government's policy, because one of the major planks and one of the major carrots dangled before the electorate was the creation of 3,600 jobs immediately and the generation of other jobs as a result of those 3,600. To date we have not seen any strategies nor felt the impact of any policies which you can see as even a small step towards generating these new jobs. We have not seen it in this country and those who are unemployed know that these jobs have not been created and it is precisely because this particular measure attempts to lay the foundation by which we can embark on this particular process of creating these jobs that we have this employment levy. It is at the core of the management of the economy as far as the provision of more jobs is concerned, and we have got to ask ourselves is this really a measure that will bring this about. What effect would there be if the employment levy is successful? Will it create any additional jobs, and if so, how many? What will be the percentage reduction in the rate of unemployment? When the present Barbados Labour Party Government was in opposition they claimed that the employment rate was in the vicinity of 28–30%. Since that time by some strange re-arrangement of statistics and the basis on which these statistics are organized we have heard that the employment rate is now something in the region of 15% or 16%. Be that as it may, what we want to know by what percentage rate will unemployment fall in this country as a result of the imposition of this employment levy and how many new jobs does the Government anticipate will be created as a result of the employment levy?

There are a number of problems facing the economy of this country. One is inflation; another is unemployment. There is also the low rate of growth in the economy and the problem of balance of payments. These are the four major problems confronting the economy of this country and they are not the cold statistics which we can read in the writings of

economists. These have a human face, are of blood and sweat, because they represent the ability of the head of a family, whether male or female to meet the requirements for food, clothing and shelter, leisure and the other necessities of life. So they are not cold statistics we are talking about; we are talking about matters of life and any economy policy directed towards the solution of these problems must be made in terms of price stabilization, full employment, economic growth and balance in the international payment situation. These must be the objectives.

Now Government from time to time have attempted a series of policies largely in the areas of management of the economy with supply and demand, and have tried to attain these objectives by means of physical monetary policies directed towards these objectives. These policies have sometimes been contradictory because the measures which are aimed to keep down supply and demand sometimes may lead to a rise in inflation or an increase in the rate of unemployment by a slowing down of the rate of economic growth or problems in the balance of payments. What we have got to realize is that Government itself has tried a number of these policies in the area of the aggregate demand management in terms of the demand for goods and services. We have seen that credit is becoming more difficult both in terms of investment as well as in terms of consumption as a result of the monetary policies being pursued through the Central Bank of Barbados. Money has become tight and this is an attempt on the part of the Government to dampen demand in order to hold down the lid on the economy. It seems to me too that these policies have not so far been as successful as has been expected. Some results have been achieved, but I believe I am correct in saying that the results have not been as spectacular as anticipated, and so some further measures are indicated and thus we have the employment levy. Now the success of any policy, particularly where we are dealing with the economy of a country, depends upon the leadership from the Government and particularly in this case from the Minister of Finance, and above all it depends on the ability of the Government to set a good example and establish confidence in its policy. It is really surprising in this country that the Ministry of Finance has set great store on this particular plan of its policy but apparently there has been fairly widespread opposition to this particular measure.

3.30 p.m.

There are criticisms which we have heard of the Chamber of Commerce, and the rash and harsh way in which the Barbados Employers Confederation has been taken to task, and the way in which, although not quite as harsh, but a mild word of reproof has been given to those sugar companies for raising questions. All of these

indicate that there are great question marks when it comes to this employment levy. Those persons, who apart from the Government are the major employers of labour in this country, have raised considerable doubt about the efficacy, if not the ethics of this particular measure that is before us today; and so we have had a conflict, adversary politics par excellence between the Minister of Finance and the President of the Barbados Employers Confederation in respect of this employment levy.

Businessmen are traditionally termed as hard headed and if any measure comes before a business man he will quite necessarily try to do the calculus. He will try to decide whether it is in his interest to pay the employment levy or whether a programme of employing more people is indicated. He will obviously have to take that decision. He will have to examine the matter; and apparently that is what a number of the major employers have done, and they have been raising questions.

Now, what I fear for in this democracy of ours, is that if you have an interest group in this country or any body of people in this country who disagree with the policy of the present Government — or they need not disagree with it — they may have some doubts or uncertainties in their minds, and if they express those doubts and those concerns, it appears that the sledge hammer of criticism will come down heavily on them, and they will be beaten with many stripes. Now, that is not good for democracy; because we are talking in one breath about open Government, and when interest groups dare to utter openly criticisms or comment about employment policies or any other policies then they are taken to task in some very gruff and harsh terms, and I certainly would hope that the Prime Minister will be big enough to get up and say that he has been wrong in the way in which he has been attacking the businessmen of this country. I think that he should be big enough to get up and say that people simply offered criticisms of such a policy.

We have heard criticisms of the policy. Apparently when they come from the Government back benches, these can be mentioned without much recriminations, and I take my hat off to the member for Christ Church East who dared to get up in this Chamber and state that there was something wrong with this levy. I do not know if in the private conclaves of the Barbados Labour Party who was beaten with many stripes, but he seems in pretty good health to me. What I do know is that when the Minister of Finance responded on the first opportunity he got, to go down into an industrial estate, he told us, yes, the member for Christ Church East was right and he was wrong, and hence some of these new industries would be relieved of the burden of the employment levy. As I said, I take my hat off to

the member for Christ Church East. I think that it has to be realised, and I hope that the Prime Minister is realising it fast that opposition does not only mean opposition from Her Majesty's Loyal Opposition, but there is opposition from the backbenchers of the Government as well; but it raises a question, and the other question which should be raised relates to the discriminatory nature of this Employment Levy.

The very measure that is before us exempts a number of Statutory Corporations from the payment of the levy. Already we have heard that a number of the new companies are exempted, and we have got to ask why this selective exemption on certain companies to the exclusion of other companies. I hope that this matter will be adverted to as far as this measure is concerned in the reply of the Minister of Finance; because it does raise some fundamental questions.

The other area is the fact that while this Government is very busy encouraging private industry to do all in its power to increase employment in this country, the Government itself, one of the largest employers, is saying that it is not employing more people and that it has a policy of restraint as far as employment is concerned. So we have a Government saying do as I say, but not as I do. If we are to have a national policy as far as the generation of full employment in this country is concerned, the Government must be seen also to be out there in front leading the policies towards the generation of employment. It must not direct its Personnel Officers that it is holding back or keeping back Ministries from carrying out necessary and desirable expansions, but it must be out there demonstrating to private enterprise, from in front and not from behind, that it also is serious about the generation of employment in this country.

Mr. Speaker, this is a very important measure that is before us. We would have thought that if any measure comes before us for the stimulation of employment, whether it will be one which would give encouragement to those who are large employers to get on with the business of employing more people; but I fear that the question of the Employment Levy, framed as it is, will not lead to any spectacular increase in employment generation in this country. I fear that.

I do hope that it succeed. I am saying this genuinely as a national of this country. I hope that it succeeds; but from the reaction so far from large scale employers in private industry, and indeed from the reaction of the Government itself — which is the No. 1 employer of labour in this country — I wonder how serious we are about this question of the generation of employment in Barbados.

3.40 p.m.

Mr. Speaker, an example was given of the Barbados Light and Power Company indicating to the Director of Finance and Planning and the Minister of Finance — they were mentioned in that order — that they would certainly be meeting their particular quota and would qualify for some rebate under this measure that is before us now. One may get the impression that this.....let me not put it incorrectly. It is true that it was said that this projected increase in employment by one of the utility companies in this country when contrasted with 1977 would represent an expansion in employment opportunities, but let us not get any misunderstanding that this is the first time that the Barbados Light and Power Company would be embarking on an expansion policy which would involve not only an increase in its increment of physical capital but also in the labour force. The Barbados Light and Power Company has embarked on expansions before and have expanded its labour force and this is in the absence of any proposals for an employment levy or any incentives in that particular regard; so it is good to hear that the Barbados Light and Power Company will be taking on some more people. But let us get our argument clear and strip it of all the suggestions and possible misinterpretations which might be gleaned from any statement. You must make it clear from this side that the Barbados Light and Power Company Limited.....

Mr. SPEAKER: The hon. member must now wind up his debate.

Mr. SANDIFORD: Thank you very much, Mr. Speaker. They have embarked on expansion policies before and there was no employment levy in operation. Mr. Speaker, I have mentioned in winding up that there is an unemployment problem and that this particular measure that is before us is directed towards dealing with that particular problem. I hope that it will be successful, but from the criticism made so far there seems to be considerable doubt that it will so do, and later on the whole measure will stand in the full glare of publicity so that in time we will be able to see what effect this particular measure has had from the levels of employment and unemployment in this country.

Mr. GREAVES: Mr. Speaker, I think I should begin by repeating some of the comments which were made from this side particularly in view of the position which has been taken and the criticisms which have so far been levelled against the levy which we are discussing here this afternoon, and I would like to begin, Mr. Speaker, by saying that the Democratic Labour Party over the years has demonstrated this interest in creating employment in this country. We by our policies which have been pursued indicated this very clearly, so we are not at all opposed to any measures which can create and generate employment in this country because all of us live in this country and we

recognise that unemployment is a cancer which is eating away at the very fabric of the society, and that we therefore would like to see something done about it.

Sir, if we level some harsh criticisms against the present policy which is being pursued by the Barbados Labour Party, it is not that we are against creating employment opportunities, but we are against the measures which are being introduced which seem to us to be nonsensical and indeed non-productive. Now you will recall, Mr. Speaker, that the Rt. Hon. Prime Minister in 1977 when he introduced his Budgetary Proposals made reference to this employment levy. On the 13th December, 1977, the Prime Minister made a Statement in this Honourable Chamber concerning the employment levy. I want to make reference to two documents, one is the Financial Statement and Budgetary Proposals made by the Rt. Hon. J. M. G. M. Adams, Prime Minister and Minister of Finance on Friday, 15th April, 1977. You know, Mr. Speaker, one has to get chapter and verse of these things, because I do not want it to be said that I am misquoting or quoting from the wrong document, and on page 26 of this heavy document the Prime Minister has this to say: "Tax credits will be given proportionate to any increase in the number of workers employed during the income years will as far as possible be related to wages in such a way that lower paid workers will reap the greatest benefits from the implementation of an expansion policy by an employer."

I want, Mr. Speaker, to raise what to me is a very simple question and I would hope that the Prime Minister would be able in his reply to demonstrate where in this Bill which we are now discussing he is giving life to this particular statement, where in the Bill any attempt is being made to ensure that the category of workers whom he designates as lower paid workers are going to be able to reap the greatest benefits in this particular scheme.

It seems to me, Mr. Speaker, that the Rt. Hon. Prime Minister since he made the statement in April 1977, has gone through a number of changes in his point of view as far as this employment levy is concerned. As a matter of fact I dare say that this is a very clear example of the kind of confusion which is emanating from the mind of the Prime Minister as far as this particular matter is concerned, because all that he has said and what we are now seeing from him in effect is something which seems to be at variance with a number of things which have been said.

Now the Prime Minister today indicated in his opening remarks that this legislation is as a result of an in dept study. I think it would be fair if we are going to be able to examine the whole merits and demerits of this legislation if the Prime Minister had made available

to us that in depth study, because I have an inkling that the in depth study was not really an in depth study, but a rather superficial one, and there is no other way for me to regard it than that this supposedly in depth study was a superficial one, which is the argument advanced by the Prime Minister indicating that this Bill is going to create employment in this country. It is clear from what has been said that the traditional strategy and approach of employers to this situation is that this is an additional burden and therefore they are going to try ways and means of relieving themselves of this particular burden. As the hon. member for St. Michael North Central has stated, one has heard that the employers have been advised that it is easier for them to pay the employment levy than to employ additional people, because one of the things which the Prime Minister has not really made clear.....and certainly I just want to say very clearly that I have never yet defended an employer and hope I will never be in a position to take that particular stand, but I think we have to look at the commonsense approach to this thing when we see the kind of arguments advanced, and as people who are interested in the development of this country we have to be very clear about the kind of things that are being done.

3.50 p.m.

What the Prime Minister has not been able to make clear, he has indicated that the rate of increase in employment per annum would be in the region of 8%, and presumably this means that he would expect the employment figure to rise every year by 8%, so that every year it would seem to me that if employment rises the wage bill of a company will rise, and hence the employment levy if you maintain it at 2½%, so in truth and in fact this is a tax which will continue rising as long as additional people are taken on, so that when one hears the traditional response of employers to this particular additional cost one could at least see the logic in their position, but what I am saying is that we have got to continue to emphasise that employment creation is of extreme importance, and I am questioning the method which is being used in this instance to generate employment. I agree with the hon. members who have spoken on this measure, that this measure will not in any way increase employment in this country.

The Prime Minister used the example of the Electric Company, and in my view and my humble opinion, Mr. Speaker, this is probably the worst example the Prime Minister could have used. Why? The Electric Company, as you are aware, is to a large extent a capital intensive company, a company where in the field of technology new improvements are coming out frequently in this particular area, and if it is going to be able to maintain efficiency then it is fairly clear that it will have to develop and adopt some of the technological changes which are being developed from

time to time. So that it would seem to me that to expect that this company will just because the Prime Minister is offering the rebate that it is going to expand its work force in my view is not at all a legitimate and a proper argument, because as the member for St. Michael South has pointed out, the Electric Company has been embarking on a programme of expansion for some time now, and one has to remember that within the last four or five years, the Electric Company carried out a big expansion programme at Spring Garden, and there is another one on the fringe of St. Michael and St. George, so that this is an expansion which they have calculated that if they are going to meet the requirements for supplying electricity to this country they must of necessity undertake, and it is nothing at all to do with this employment levy or the rebate which they are supposed to be getting back when they expand, so that in the course of expansion with the amount of capital they are going to be investing they will obviously have to take on some additional people, because I do not believe that in every respect they would become so automotive that they will not have to use additional people, so that it is fairly obvious that some people will be taken on.

I have made a check here. The Electric Company has a work force of 385, and if one were to take an 8% expansion on that work force one would see that in this particular year, assuming that it remains at 385, this would be between 30 and 31 additional people who would be taken on. It therefore means, Mr. Speaker, that as far as I can see, with the expansion which they have planned before hand, that this would be a normal growth rate for the Electric Company. So that for the Prime Minister to come and tell us that they are going to expand and try to make us believe that this is as a result of the rebate he is offering is pure nonsense, as far as I am concerned.

The Prime Minister has indicated that none of the objectors so far has given any serious theoretical analysis to this employment levy. I do not think that one has to do a particularly serious — at least, a prolonged and detailed — analysis of this particular proposal to see that it is nonsense, not at all. If we are talking in terms of expansion in a company, we have to assume that first and foremost that there is room for expansion, that is, that there is unused capacity in the plant, and certainly if it is a company which is in the area of producing goods and services for the community, that there is a demand from the community for these goods and services. We have heard the Prime Minister talk about a restraint on wages and salaries which is designed to curb demand, and at the same time we are hearing the Prime Minister talking about forcing employers to increase their capacity, or at least increase employment, and we have this situation where he is asking to increase employment but he is creating an atmosphere

where there is really no kind of environment for this kind of expansion which he is talking in terms of

Mr. SPEAKER: Is it really a question of forcing, or encouraging?

Mr. GREAVES: Encouraging, Mr. Speaker, it is just a question of the language. So we have these kinds of situations which to me are contradictory and this is why I say that I firmly believe that the Prime Minister is really confused on this particular issue.

He used another example which again I think is a very bad example, and unfortunately for the Prime Minister the examples which he has used here today to substantiate or to give substance to the reasons for his employment levy are examples which really cannot stand the test of examination. Take, for example, the question of the small shops, these shops about the country, and he indicated that these have closed down either as a result of price control or wage increases. Mr. Speaker, you represent a rural constituency, I represent a rural constituency, the Hon. Prime Minister represents a rural constituency — at least he was elected to this House by a rural constituency — but I am sure that you would be able to have given him some guidance on this matter as to how shops in rural constituencies operate. I would have thought that by now the Prime Minister would know that generally speaking the small shops in rural constituencies are shops which are operated by families, a kind of family firm operation, that they really do not employ anybody in the general kind of employment situation that we are talking in terms of, so what is he really talking about? I find it really difficult to understand the kind of arguments he has advanced on this particular Bill.

There are other things, Mr. Speaker, which I think I would like to make reference to, particularly as the Prime Minister prides himself as being a person who is extremely careful and who does not leave a stone unturned in a number of things. He made a statement in this Chamber on the 13th December, 1977, and I want to read the last paragraph.

4.00 p.m.

Mr. SPEAKER: Was it in this Session?

Mr. GREAVES: Yes, Sir.

Mr. SPEAKER: You are not reflecting on it?

Mr. GREAVES: Not reflecting, I am quoting it: "A scheme is being prepared and will be ready for circulation in January, 1978, when it is expected that the necessary legislation will be introduced." What January 1978? That has gone a long time ago even with daylight saving time. Up to now we have not seen this

information booklet and today the Prime Minister in introducing this Bill has not shown the booklet and I think that this is a fair indication that the Prime Minister does not really know what he is doing in this particular measure. (*Asides*) I am informed that it is only for corporations and not for members of the House, but I believe that if it was ready, with the open Government they pride themselves on, they would have made it available. So we are therefore taking issue with the reasons advanced by the hon. Prime Minister on this particular matter, not because the employers are opposed to it, but we look at it from a logical point of view and we consider the measure he is presenting not the kind of measure to solve the problems of this country, and it is on this that our case rests.

Mr. TAITT: Mr. Speaker, enough has been said on this Bill before us to hopefully force the Government or encourage the Government to take another look at the Bill and see if it really can achieve the purpose which they have set out. If I may refer to what the Prime Minister had to say in the presentation of the Financial Statement and Budgetary Proposals on 15th April, 1977, in addition to the points which have already been quoted he said at page 12:

"The formula will be spelt out in detail when the relevant legislation is passed, but I have every confidence that it will bring the minds of the managers of corporations to bear on the fact that economising on employment levels when faced with wage increases may be a popular way of achieving "productivity" in North American or European economic conditions, yet in Barbados the consequent reduction in job opportunities will sooner or later make unemployment a social factor that will destroy the conditions under which corporations can operate freely or at all."

Now anyone hearing the Prime Minister then and hearing him today and considering the length to which he has gone to make what appears to be economic arguments, would come to the conclusion that what he had to say then and what he is saying today are in consonance. But when we examine what the Prime Minister has said today the only thing we get is a criticism of those persons who are involved in the productive areas of the economy and who have dared to raise questions about the employment levy.

Stripped of its fancy name this is merely a payroll tax. There are not many countries in the world that have employed a payroll tax and there is hardly any country that has suggested that the implementation of a payroll tax would contribute to employment; and certainly in those areas where it has been tried there is no indication of any increase of employment. No doubt the Prime Minister when he gets up would give us

Speaker, it exempts every quasi public corporation; it exempts all of the companies that come from overseas as it had to; it exempts all of the companies that were created at the export industries hands; it exempts all the companies which came in under the Industrial Incentives Act; it exempts every single company that came in here that is not a Barbadian company *per se*; so in the end he said that they had collected some \$300,000 and he projected there will be some \$6 million net. I think that was the figure quoted. He said if all goes well somewhere in the vicinity of \$5 million to \$6 million will be collected. It is another tax measure by a tax Government, a Government that is constantly bringing an additional tax measure almost every three weeks. Almost every time you look around there is another tax measure. Let them call them what they are. They are imposing taxes on the people; let them say so.

One final point, Mr. Speaker. We have not heard about this yet, but you know this levy is going to increase the cost of living. The price of the items which the persons who have to pay this levy distribute and sell will have to be taken into account. Mr. Speaker, you will not hear that. The Prime Minister is not going to remind anyone about that. He will probably say it will be insignificant, but if you add to this the 5% added on as a surcharge last year, and you keep on adding a little piece at a time despite the fact that he brags how he fixed corporation tax at 45%, when you add all this together and you say the effective rate of taxation is 54.6%, what it means is an additional burden on the people who can least bear it. It is not going to affect the Goddards or DaCosta & Musson; it is not going to affect any of these people; it is going to affect the ordinary man in the street.

Mr. Speaker, it is about time that this nonsense stops. When the price of butter goes up and it does not come out of the warehouse because the price does not suit the corporation in Roebuck Street, another price goes on and then it comes out, and that is only one of the many things of a similar nature, and this corporation tax far from increasing employment is going to lower it, and it is going to increase the cost of goods. Another view point. We have an inflation rate of 8.7% according to the Central Bank last year, but according to the Prime Minister 8%. When this financial year is finished, Mr. Speaker, our inflation rate will be nearer to 12% or 14%, and that inflation rate is the increased cost of living for the ordinary members of this society. Inflation is not something that is a special word drawn from some other language; it means increase in prices, and you have wage restraint pressing you down on the one hand, indeed in some instances no wages at all, and price increases butting you coming up, and he come in here and tells us that this is going to create employment. The only employment that this is going to produce is if you have to employ some additional people in the drafting department to help

bring out these nondescript Bills which come here almost every Tuesday. I cannot think of any other employment it will produce. As a matter of fact, Mr. Speaker, I do not think I have to say any more on this Bill.

Hon. H. B. St. JOHN: Mr. Speaker, it is a good thing that the hon. member said he does not have to say anything more because we have had enough of what he has said and it is very difficult to divine any sense in what he has said. He has talked about inflation increasing the cost of living, laying off, receivership and all these things and it is fairly clear now that when the hon. member speaks he indicated very clearly that he lacks understanding of a number of matters. When challenged to name the companies who have in the last 20 months gone out of business, he cited one in St. Lucy which went into receivership and I think the hon. member should know that the fact that a company goes into receivership does not mean that it goes out of business.

Mr. TAITT: On a point of elucidation, I made a clear distinction between those which have gone into receivership. I said they first went into receivership and then they went out.

Hon. H. B. St. JOHN: The hon. member despite all that he says will learn and understand that very often the creditors of a company have to protect themselves from the managers and directors because instead of spending the money for the company's purposes, they spend it for their own purposes, and that is the cause of many of them going into receivership. You displace the directors by a receiver who operates honourably and use the resources of the company for the purposes for which they should be used and not divert them to personal and other purposes.

The hon. member will have to do a very clear analysis in this country as to the causes and some of the reasons for companies going out of business before he can say that it is attributable to any act of the Government, because we know that many of the reasons why a few of them may have gone out of business is because the managers want to live in a grandiose style of life and indulge in activities which their business cannot bear, and it has absolutely nothing to do with Government. The hon. member is a teacher of management; he had better teach his students, and as a consultant, one of the first pieces of advice he should give them is to let them know that the revenue of a company should be spent for the company and not for ulterior things.

Now, Sir, hon. members on that side say that this is a tax on the one hand and on the other hand they say it is a waste of drafting time. None of the hon. members has looked at the Bill in the context of the totality of the provisions which the Government has said from the beginning they were going to introduce. When we

abolished trade tax it was said that it had to be replaced by a measure which in our opinion would give an incentive to people to employ more people, and that is the context in which you must look at this Bill. It is a substitution on the one hand for trade tax and on the other hand within the provisions of the Bill there are incentives to those who use the tax towards a social objective of creating more employment. That is what you must look at. In addition to that, the Government has pledged that proceeds of this Bill would be used towards funding the Export Promotion Agency and funding industrial training in Barbados, both of which matters strike at the heart of the problems of a greater generation of employment in Barbados.

4.30 p.m.

The hon. member knows, as an ex-Minister of Trade, that one of the problems that we have here with the generation of employment is the lack of markets, and the way you create markets is that you have to go out in the outside world and project your goods, so that you look at the employment levy in relation to the disposition of the proceeds also, and again I say that to the extent that the proceeds are used for funding a greater export drive which after all has to be funded, and the Government has said, rather than create a series of levies for particular purposes that you come down with a comprehensive Bill which will bring in revenue, part of which will go towards the other objectives which in other countries of the world they use the mechanism of separate levies for each activity. Why doesn't the hon. member say that? We have said that on more than one occasion, that part of the proceeds of this Bill is going to fund specific industrial training and and export promotion.

The hon. member gave an analysis also of one of the causes....

Mr. TAITT: Mr. Speaker, on a point of order. The Hon. Minister is saying that the Bill will do something. The Objects and Reasons of the Bill are set out very clearly here and nowhere does it appear that it will be used for export promotion or export market creation or any such thing.

Mr. SPEAKER: That is no point of order.

Hon. H B ST JOHN: Mr. Speaker, this is only a mechanism to achieve a result, this is all it is. We have said so on the floor of the House. It was also reported in the Advocate-News of Wednesday, 14th December, 1977. When the Minister of Finance made a statement about the new 2½% levy he said that one of the objectives of the levy was to create a fund which would go for export promotion and industrial training.

Dr. CADDLE: If the hon. member would give way, maybe he can enlighten me while he is on his feet in the light of what he has just stated.....

Mr. SPEAKER: On what do you rise?

Dr. CADDLE: The Minister has given way. In the light of what you have just said, can we take it for granted that the purpose of this levy is to get money to do these things and not to increase employment? Because if people employ more people they get a rebate.

Hon. H B ST JOHN: No, Sir, we cannot take it as that. We have to say that it is envisaged for those people who cannot qualify for the rebate and they pay the tax, that a fund will be created which will be used indirectly to create employment by the funding of agencies which in other countries have created employment. That is what you can take it as.

Rt. Hon. E W BARROW: On a point of order, Sir. I do not really like to interrupt people when they are speaking because I do not like to be interrupted.

Mr. SPEAKER: Come to the point of order.

Rt. Hon. E W BARROW: The point of order is this, Sir, that according to our Constitution all monies, rates, by way of taxation have to be paid into the Consolidated Fund. We do not appropriate special taxes for specific purposes. For instance, there is no education tax, there is the highways tax only for motor cars and that kind of thing.

Mr. SPEAKER: I appreciate your point of order. I think what you are saying now would be a good foundation for your second reading speech.

Rt. Hon. E W BARROW: You are inviting me to make one.

Mr. SPEAKER: I am inviting you to make a second reading speech.

Rt. Hon. E W BARROW: Well, on your invitation probably I will.

Hon. H B ST JOHN: Mr. Speaker, the Government has said that one of the areas in Barbados in which there is not enough provision, budgetary or otherwise, is in the area of industrial training and in the area of funding for export. The Corporation tax, the provisions of the employment levy when they were explained, one of the motivations of the Government was explained at the time. I don't blame the hon. member for St. John, because he was not here, he was out there, so he wouldn't understand what was going on here, he was not following what was going on here, he was more concerned with what was going on there, so I don't blame the hon. member if he is not *au fait* with the statements that were made around this period of time.

the alternative to the employment levy was to raise the corporation tax rate. I am quoting the hon. member I have it written down here, and the time that he said it too. He said that this would be regarded as a great disincentive by businessmen who want to invest in the country — and a 60% rate — he did not say “Oh Lord” but he nearly said it — that would be punitive. He said that that would be punitive and beyond the pale. So all the way, cycling through his brain all the time was to how to raise corporation tax and raise it in a way that people would not realise that he was raising it, doing it palatably; and he said that the best way to do it was to put on something called an employment levy. That is what the hon. member said. It is written down here. That is the gravamen of my statement. He made no bones about it at all. He has confirmed it. The state demands it and the law allows it, or the law allows it because the state demands it. The corporations will have to pay more. Just after the elections they had it good. Well, as the inimitable Jackie Opel said, I tell the people in the Chamber of Commerce you have to pay.

Rt. Hon. J. M. G. M. ADAMS: Since it seems that no other hon. member wishes to speak, I propose to wind up. I am very grateful for this debate today. It started out at a very straightforward level when the member for St. Michael North Central dealt with the Bill. Just to make sure that we understood the point that he was making, he made it ten times in the same language virtually; but this debate developed. The hon. member for St. Michael South made a speech which I think could well have been made by a backbencher for the Government. He started by supporting in many ways some of the things which the new Government is trying to do. I think that it was implicit in what he said that he was supporting the determination of the Government to conquer unemployment; and I am glad for what he said.

He spoke of Government carrying on contradictory policies.

Mr. SPEAKER left the Chair and Mr. DEPUTY SPEAKER took the Chair.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, there was good and sound economic sense in that comment; but unfortunately, in these days now “stagflation”, “subflation”, whichever you call it, you get situations where it is necessary to dampen the domestic demand, but at the same time you want to raise employment. The two demands are contradictory. Now, that is true in a large country which produces part of its own consumption. That is not so true in Barbados. The Government's measures for dampening demands are related to the demand for imported goods. Only incidentally is that dampening of demand is going to have a spin off in the domestic activity. It is going to have a spin off only at the distributive angle. If you dampen the demand in North America, you dampen it at the manufacturing angle as well.

The hon. member spoke generally; and I can say that from the figures for imports for the first quarter of this year which are to be published soon, it appears that at long last it appears that we have begun to turn back the trend towards constantly increasing imports. I believe that the Central Bank is satisfied that at last the import control measures are beginning to bite, and that they are biting without any adverse effect on the domestic economic activity. This is something to look forward to shortly.

Another point which the hon. member made related to discrimination. He spoke of only picking out selected companies. The reasons why the enclave industries were not selected for this form of taxation is one which I gave last December. Briefly speaking, it is that they made representations, and these representations were supported by the Industrial Development Corporation and the Minister responsible for industry. They have come to Barbados on a no tax basis and they would see the levy as indeed a tax. What we considered was that the enclave industries themselves were expanding faster than Barbados' own domestic manufacturers, and we decided not to apply the tax to these industries.

As far as Government corporations are concerned the hon. member should realise that many of the Government corporations, even those in the semi-commercial areas, do not pay tax. I believe that the only two who do not pay tax are the Natural Gas Corporation and the Caribbean Broadcasting Corporation who ought to pay tax; but due to the way in which it was run in the old days this seems to have escaped the notice of its accountants; and they are now having a long and complicated series of re-accounting to satisfy the Commissioner of Inland Revenue over a period of some years.

5 p.m.

If you look at the list of corporations it will be seen that some in themselves are not corporations which are carrying on a labour intensive operation: the Agricultural Credit Bank; A.D.C. is neither here nor there; the Child Care Board; the Central Bank. You are not going to make the Central Bank pay an employment levy in order to increase its employment. But certain of these Boards like, for instance, the Transport Board, which are carrying on semi-commercial operations have in fact since the change of Government in the last 20 months increased their employment very considerably. The Transport Board indeed, and I would like to pay public tribute to the work done by the Minister of Communications and Works, has managed in 20 months not only to give the Barbadian bus going public greater satisfaction than it has ever had. It has not only managed to consistently run under the estimate of the subsidy which it will require in order to maintain the constant bus fare, it has not only managed in other words to draw less money from the Treasury than is budgeted for it, but

it has actually managed to increase the number of its employees by 800 excluding the Clerks; 900 including the Clerks.

Now I pause and I hear the hon. member for St. Michael South West and the hon. member for St. John, both encouraged by the hon. member for St. Michael North Central who on this occasion has more sense than they, he merely encourages them to say in asides, but he does not say any of this "by taking over the Rocklyn and Elite Bus Companies," but the jobs taken over from these bus companies amount to only 149 of that total. (Rt. Hon. E. W. BARROW: Because you dismissed all the rest.) I am enjoying the hon. member for St. John, honestly. The hon. member for St. John is over there, he is making asides. The fact is that the Transport Board has made a net addition of nearly 400 jobs to its employment, in fact 389 jobs — that is the net over those taken over. In other words, new employment in the Transport Board industry is nearly 400 and we are getting a better bus service and we are not paying any more money for it than under the old regime.

Now I do not believe that the hon. member for St. Michael South will criticise a statutory corporation for not playing its part by increasing employment in this country when we say that one of the biggest employers of all, the Transport Board, has taken on that number. At the National Housing Corporation there is an extra 130 employees; I hear the hon. member for St. Philip North reminding me it is 131. I do not think that any such criticism would be justified.

Now the point about retroactive legislation which was made by the hon. member for St. Michael South who should know better and the hon. member for St. John who does know better. Both of them know perfectly well that this is not retroactive legislation in any sense in which that word is used in constitutional matters. Both of them know that perfectly well. This levy was foreshadowed in April 1977; it was announced in the Provisional Collection of Taxes Act in December 1977 to come into force on 1st January, 1978. It has taken some time to prepare because we have gone to intense trouble to circulate this to the Society of Accountants who made their comments, their comments were given due weight, we considered them and I believe made one or two emendations as a result. This is not retroactive in any sense in which retroactive is used pejoratively by the constitutional historians and it is only mischievous to try to persuade businessmen and others, some of whom I gather from speeches and indeed conversations outside have been encouraged not to pay the tax. It is only mischievous to try to persuade them that it is a retroactive tax. The Hon. member for St. Michael North Central.....

Mr. SANDIFORD: On a point of order, I would submit that it is imputing improper motives to any

member to indicate that he is mischievous in making comments in this House. I submit that is contravening the Standing Orders.

Rt. Hon. J. M. G. M. ADAMS: I do wish to withdraw the words unreservedly and say I would never under any circumstances impute improper motives to the hon. member for St. Michael South in that speech, certainly not; I do not think he had any improper motives in that speech; and I cannot impute improper motives to the hon. member for St. John according to the Rules of the House.

Rt. Hon. E. W. BARROW: On a point of order, you never imputed improper motives to me. The hon. member quite apart from our knowledge of dates and that kind of thing which must be taken to be public and general, in introducing this Bill said that we are regularising retroactively what the corporations have been doing. There has been a hiatus between the expiration of the Provisional Collection of Taxes Act and the date within which this was supposed to come into force. Technically speaking it should have come into force in April last year and then last for four months, but the Hon. Minister made a statement in December that he wanted it to come into force on 1st January; and there is a retroactive aspect of this legislation which I think is undesirable and the hon. member knows it because he himself said so; but his excuse for it is that the merchants or corporations have been paying, so now we are going to regularise it for them. That is what he said.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, I am not going to be led into any little semantic byways. That suits the University; talk to students like that, not to me. We know perfectly well the merchants knew from December. Everybody knows what "retroactive" means or if they do not know they can look it up in a dictionary. They knew before 1st January that they had to pay the tax. Are you still saying they are being taxed retroactively? Deal with the students, not with big men who have to deal with matters of State. We deal with matters of State on this side, not matters of semantics. And I also said in case anybody wants to hear it repeated that although a technical offence may be committed by some of the companies that I am sure that the Commissioner of Inland Revenue is not going to pursue them for not paying the levy for April. I said so. So I am not going any further on that.

The hon. member for St. Michael North Central did also say that he thought on moral grounds it was wrong to reduce people's work period and then use taxation to force other people to employ the ones that were put on short time, but Mr. Deputy Speaker, I would not hide from you that the Government very much hopes that private business throughout Barbados will be able to take up some of the slack that the Government has had to

carry over a number of years. We will all benefit. Look, honestly, Mr. Deputy Speaker, I believe that if construction was at such a level in this country that the construction firms came to the Government and said, please let us have some of your MCW workers to work on this project or the next project that Barbados would be a much better economically organised place. We would then be getting somewhere because we would have some money to use to spend on the social services that may now have to be going to provide employment, because there is additional employment outside, and I am glad that the hon. member discerned so clearly that the antithesis or the corollary of the four day work week is the encouragement of economic activity which can take up the slack that the Government is no longer able to maintain unless you wind up, as the hon. member for St. John suggested, in the hands of the IMF within the next 18 months.

5.10 p.m.

Now, the hon. member for St. John made a speech that was typical and atypical. It was typical in so far as he cannot speak in this House without finding some class of persons to abuse, and today it was the girls who work in the shops in Broad Street, the mercantile delinquents. I am using his phrase: "who work in the shops in Broad Street."

Rt. Hon. E. W. BARROW: On a point of order, Sir. I never said anything about mercantile delinquents, I explained an experience I had on going into a shop and having to stand up, and I said if you are now going to encourage that kind of mercantile delinquency, but any time I say anything at all, Sir, you get this sort of thing. I said mercantile delinquency, Sir, and they are not merchants, bad manners come from bad management, and the delinquents are the merchants who encourage that kind of thing, but the hon. member always twists everything I have to say but I know that I can explain to my constituency.

Rt. Hon. J. M. G. M. ADAMS: The hon. member may soon find himself having to explain to the electorate of another constituency. All right, he didn't say mercantile delinquents, he said persons practising that type of mercantile delinquency. I withdraw the accusation that he said mercantile delinquents, I withdraw that, I am sorry I lied on him, look how I lied on the hon. member, I said he called the girls mercantile delinquents. He says, no, not mercantile delinquents, people practising that type of mercantile delinquency. Look what a wicked man Tom Adams is, you can't trust him, he twists everything you say. Dear me! Oh, dear me! (*Asides*)

Mr. DEPUTY SPEAKER: Order, please.

Rt. Hon. J. M. G. M. ADAMS: Now, Mr. Deputy Speaker, apart from the ladies in Broad Street, the

gossiping persons practising a type of mercantile delinquency, I must say that I appreciated many of the things which the hon. member for St. John said in his speech. There are one or two things that he genuinely did not understand in this case. He should know that revenue has to be shown, even if you are spending all the revenue as a result of something which you are appropriating, discharging that revenue, it has to be shown. This is not income tax where a refund should never have been collected, this is not that kind of thing, this is a Bill which produces a revenue, and that revenue will in due course have to be appropriated depending on how the Regulations go to effect the refunds. That is the reason for showing it there. I do not know why hon. members are getting into this state of saying this would be all right if it were a tax but you must not say it is for employment as well. That is an argument I cannot really get into my head, Mr. Deputy Speaker, I cannot believe, no matter what people say about dismissing staff, that the net effect of the employment levy will be negative. It is theoretically possible but I cannot believe it will be negative, I cannot believe that. I believe, and the officials who have analysed this indicate, they have an idea, they brought it down to the numbers of individual jobs at different levels of the levy — 1,450 jobs this way, 1,440 another, and so on — I mean, it is all here in the file in front of me, but I keep hearing hon. members say that I should have said it is a tax and don't worry about the employment aspect. That is what their arguments amounted to, no matter how they sought to gloss them over, and it was a theme that ran through the speech of every hon. member.

As far as I am concerned, if the Government gets all the money and there is no refund, then the Government has money to spend on its Capital Works and create employment that way, but if the Government has to refund half the money that has been a job creation programme well worth the two and a half or three million dollars. It can be calculated exactly how many jobs are going to be created out of it. The point about this Bill is that it is a new departure, a new break intended to introduce the credit system for employment creation. That is not unknown in other countries, but they do it one way or they do it another. In some countries they do it by a credit of corporation tax, in Barbados we are doing it by means of credit on what they call a payroll tax. The methodology has been analysed, and I am satisfied, the same advisers who might have run to the hon. member for St. Michael South West and called it economic madness, and I give them an assurance that unlike the previous regime I do not even want to know who they are. They are welcome to tell the hon. member for St. Michael South West whatever they know of the Government's secrets, this is open Government and he will not understand them anyhow, so they can do whatever they like, I am not interested in that, but those same economic advisers have sat down with me, the

Deputy Prime Minister has been a part of this, and we believe that this is a three year job creation scheme which should be given a chance, and we are giving it a chance.

A final point. There are other methods and they have not been exhausted. The hon. member for St. Michael North Central made this point, an excellent point, a first class point, and he can rest assured that we know they have not been exhausted and we are also pursuing the other methods. It is not only the employment levy, we are pursuing other methods.

There is one point which the Minister of Labour asked me to emphasise. Hon. members go on and they talk about these 3,600 jobs and they talk about employment and unemployment. They have not heeded the criticisms made by the hon. member for St. John of the economic report laid last month in the House, particularly the criticisms of the statistical method being used to publish unemployment figures in the country, for the very reason that they have never worked out what is called in the statistical jargon, satisfactory ratio estimation methodology, because I believe the Indian gentleman was withdrawn before all the methods were complete. I think he left soon after the change of Government. They are operating in a partial vacuum. On the one hand they have a system that can give them accurate unemployment percentages, but on the other hand they do not have a system that can give them an accurate resident population count, and these two systems have to be brought together, there has to be an interface between these two systems before you can get the absolute numbers of which the hon. member for St. John spoke in his budget reply, and they have not adequately been brought together.

Now, we know certain things. We know that over 7,000 children were born in 1960 and that most of them are still in Barbados. We know indeed that, I think, 6,800 children were born in 1961, over 7,000 were also born in 1958 and 1959, and we know that these, say, 24 or 25 thousand children born between 1958 and 1961 have come on to the labour market in the last few years. In 1975 the unemployment rate at the end of the year was 22%. These are the figures after — perhaps it was 28% after you include the voluntary idle and so on, but we won't go into all that — these are the best figures now available to us, 22%. The rate fell to 15%, indeed it fell to 13% about six months after the change of regime, but it rose again in the middle of the year and it has levelled off apparently at 15%. It is important to understand that unless you are creating jobs those people who come on to the labour market, the 24 thousand that come on, balanced at the other end by only perhaps a thousand or 1,100 people becoming old age pensioners every year, if so many, those people who come on have to enter the labour force, and it is only by migration or by employment that the unemployment statistics can remain

constant, and therefore we are still in fact either emigrating or employing 85% of the people who enter the work force every year. This is not anything that you have to go to the Statistical Office to understand, there is nowhere else for them to go, the children must either die, emigrate, or be employed, or else swell the unemployment figures, and we know they are not dying in any large numbers — the death rate is negligible at that age — we know that they are being employed.

5.20 p.m.

And if we know they are now swelling the unemployment figures and we know that they are not dying in any large numbers then we know that they are being employed; and the exercise is currently under way to bring together the statistics in exactly the form the hon. member for St. John is asking, so that it will be seen what the resident population is, how many people entered the labour force, how many people left it whether by age, death or migration, and therefore how many people are working every year. As a matter of fact, I remember that the Minister of Labour and myself when we were trying to find out in December, 1976, how many jobs were in fact created, we asked the National Insurance and they said there were over 1,500 new registrants for work in December, 1976. This figure surprised me because I could not see it at the time, but these are facts that we need to understand because of the paucity of statistical material available in the country, and I am certainly going to reserve my pronouncements on unemployment and jobs until the statistics are in a form that can be understood and read, until we have the absolute numbers that the Leader of the Opposition has called for, and I am sure he will support a temporary moratorium on positive statements which are based fundamentally on insufficient information.

Rt. Hon. E. W. BARROW: If the hon. member will give way. Is the hon. member saying that the rate of natural increase of the population in 1961 was 7,000? I do not think that at any time in the history of Barbados we have had a birth rate of 7,000 or 8,000, and if the hon. member does some calculation he will see that he has miscalculated the figure.

Rt. Hon. J. M. G. M. ADAMS: The hon. member is mistaken; I am sure it is a genuine mistake. If he wishes I can send him a list. The Statistical Services bulletin will give the recent numbers, but he will find that in the years 1904, 1905, 1906 the number of children born was over 7,500. I think 1960 was actually the peak year for births barring 1904, 1905 and 1906. I had a table made showing the births over a long period of time, and it may surprise some people to realize that the peak of 7,000 children who were born then and the numbers being born now have gone right down. The numbers born in 1973 were 5,000, in 1974 the figure was 4,800, in 1975 — 4,600,

1976 — 4,500, 1977 I believe fell to 4,300. The number of births is getting smaller every year but there was a peak in 1958, 1959 and 1960. I do assure the hon. member that he will find the 7,000 figure accurate.

But as regards the rest of the hon. member's speech — he spoke about the IMF and the Orion Bank; he said it was run by some English people — I believe it was run by Canadians and Germans, but I am sure they have some English people in it too. Some of them were down here and some of them met me in Vancouver and some met me in London. I am dealing with this in my particular way which includes killing two birds with one stone, and Thursday I will sign an agreement.

But I must confess that I was extremely glad to hear someone who has occupied a responsible position in this country, who occupies the seat of power for fifteen years and who is the observer of the Caribbean scene, joining with at least one other member of his party the hon. member for St. Michael South, in warning the people of this country that Barbados cannot continue on a basis where too much of what we produce goes into current consumption, and that there is considerable danger that if we do not curb our ways of falling into the hands of the IMF, and that when the IMF runs a country the country can fall into civil commotion and unrest. I hope that is not a threat, because if it is a threat we will know how to deal with it.

Rt. Hon. E. W. BARROW: The Hon. Prime Minister is really exceeding himself. I pointed out there is a book called "The Death Trap" which I recommend to him to read if he has not already read it which says that every country into which the IMF has moved has had civil commotion; and that is what we should try to avoid at all cost. I was not issuing any warning to the people of Barbados; I only said that the hon. member is taking us there.

Rt. Hon. J. M. G. M. ADAMS: The hon. member's remarks do not have to be addressed to these benches but to the hon. member for St. Lucy and to the people who say that wage restraint is terrible and that the Government can print money to pay people. These are the ones to whom his remarks must be addressed, and to the Jamaicans who in the face of a warning that you cannot carry on a Government by allowing people to stand up by the side of the road but still insisted in doing so with what is called an impact programme; and this impact programme led to the heavy hand of the IMF in the neck of every Jamaican. I am glad the hon. member has taken up this point to make everybody in this country understand that stern measures are necessary for stern situations. And I look forward to hearing him in the forthcoming bye-election repeating this warning to the people that if you carry on a situation where you insist on current consumption with the exclusion of the

investment, where you are living beyond your means, you will fall into the very situation of some of our unfortunate CARICOM partners who have found themselves in the hands of the IMF. The hon. member said you must have productivity before you can have wage increases — at least that is implicit in what the hon. member said.

5.30 p.m.

That is nothing that any sensible politician should be ashamed to say. All of these points are points which the hon. member in his days as Leader of the Opposition has made in here, and which the Government welcomes and is glad to hear from him, because we know that we can carry out sensible policies before it is too late and that we can get nothing but a bipartisan approach especially in the over heated personal atmosphere that sometimes prevails in here. When you can get a bipartisan approach to the serious economic problems of this country, we as Barbadians have to know that we have the means and the will to fight through our present difficulties.

Mr. Deputy Speaker, I beg to move that this Bill be read a second time.

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

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

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, I beg to move that this House do now go into Committee on the Bill.

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

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

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

On separate motions of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. L. B. BRATHWAITE Clauses 1 to 7 inclusive of the Bill were called and agreed to.

Clause 8 was called.

Rt. Hon. J. M. G. M. ADAMS: Sir, in moving that Clause 8 stand part I would like to give the House the assurance that any penalties relating to payments before the date will be given very favourable consideration.

The question that Clause 8 stand part was put and resolved in the affirmative without division.

Clause 9 was called.

Rt Hon. J. M. G. M. ADAMS: Under Clause 9, Sir, I will just say very briefly that the increase in employment this year — the regulations will be changed, and it is not necessarily or indeed very probably going to be increased by 8% for 1979. New regulations will be made every year because we are planning for a progressive lowering of unemployment; and if you made it 8% this year and 8% next year would be something impossible because there would not be 8% left in unemployment. So we will reduce this every year.

The question that Clause 9 stand part was put and resolved in the affirmative without division.

On separate motions of Rt. Hon. J M G M ADAMS seconded by Hon. L B BRATHWAITE Clauses 10 to 13 inclusive of the Bill were called and agreed to.

The Schedule was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that this be the Schedule of the Bill.

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

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

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

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

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

On separate motions of Rt. Hon. J M G M ADAMS seconded by Hon. L B BRATHWAITE the Bill was read a third time and passed

BILL TO AMEND THE REPRESENTATION OF THE PEOPLE ACT

Order No. 2 was called — The second reading of a Bill to amend the Representation of the People Act, Cap. 12.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, this is a Bill.....

Dr. CADDLE: Before the hon. member proceeds, I would like to have this matter postponed until next week. We have been circulated with a number of amendments today which in fact make it seem to be tantamount to a new Bill. I would appreciate very much if for the benefit

of all hon. members consideration of the Bill can be postponed; and in the interim I wonder if the new amendments cannot be consolidated and be printed as a new Bill.

Rt. Hon. J. M. G. M. ADAMS: I regret very much that it will be difficult for me to oblige the hon. member, although I will give the hon. member an assurance that any difficulties that arise out of the circulation of the amendments will be dealt with very fully in Committee. As I understand the Rules, a Bill may be amended by notice in Committee.
5.40 p.m.

The principle of the amendments is in no way outside the Objects and Reasons of the Bill. The Bill has three purposes, to authorise the cessation of publication of monthly supplementary registers; to make certain provisions respecting the appointment of polling agents; and to authorise the Supervisor of Elections to investigate returns of the expenses of candidates. After the Bill was first circulated it was discovered there were certain consequential amendments throughout the Representation of the People Act which had not been dealt with in the original draft, and if hon. members bring a little patience to this matter as opposed perhaps to whatever political point may be involved in it, they will see as we go through that all the additional amendments relate only to these particular points, and I think we have given hon. members more perhaps than the Standing Orders require, though you will guide me on that, Mr. Deputy Speaker, by way of notice of the particular areas where we intend to offer amendments.

Rt. Hon. E. W. BARROW: Mr. Deputy Speaker, there are six pages of amendments. The Representation of the People Act which has served us well is one of the cornerstones of the Constitution of this Island. We meet together as members of Government and the Opposition to discuss all the legal and other implications of any amendments made to fundamental cornerstones of the Constitution.

It is impossible for me to accept what the hon. member has said, that as we go along in a kind of cavalier, *port manteau* kind of way that we can sort of pick up these amendments which are six full foolscap pages. I do not know what the rush is about getting this matter through but we ask for a postponement of this Bill for at least one week or until the next sitting of the House if it is tomorrow or the day after tomorrow or whatever the date is so that we can sit down and study the amendments. We have studied the original amending Bill; we have not had an opportunity to even look at what the hon. member has said about these being consequential amendments. Six pages of consequential amendments! It is absolutely impossible for us to discuss

this matter here today, and then I understand another page has just been circulated or recently been circulated which I myself have not seen.

Rt. Hon. J. M. G. M. ADAMS: Sir, moral indignation has its greatest flowering close to election time. There is no doubt about that. In my view if there was no by-election pending we would not hear a word about this. Hear me out. Let us get the issues clear. The Government is under no obligation to give notice of an amendment. Standing Order No. 23(1) says that when any motion or Bill is under consideration in the House or a Committee thereof, an amendment may be proposed to such motion or Bill if it is relevant to the question or matter then under discussion. Just get this clear. As a courtesy we have sent out the consequential amendments. Get it clearly, it is a courtesy because we believe in open Government and not surprising people. Do not let us have any phoney I withdraw the word; do not let us have any South Central indignation in this matter. The Government can go into Committee and as long as it keeps within the Objects and Reasons of the Bill under discussion it can offer any amendments it wants, and it is my view that if we did not circulate any amendments but merely moved them in as we came to them that hon. members would accept it without question.

Now having said all that and bearing in mind indeed that I will not be here, I will tell hon. members it is an urgent matter. I will tell hon. members that quite freely; make your own conclusions; draw your own conclusions, but I will tell you quite freely it is an urgent matter.

Now I am going to say this and I do not want any misrepresentation of what is said. The Opposition has not behaved to us with the courtesy that we used to offer the Government in the last session. We have not behaved to the Opposition with the oppressiveness which the Government behaved to us in the last session. In this matter we do not need to give any concession; we do not need to circulate the amendment; we do not need to give you a postponement. We would be absolutely within our rights according to the Standing Orders and according to the practice which hon. members opposite used to put on us when you were in the House to assist on going ahead with the Bill now. Proper notice has been given of the Bill, notice has been given by the Senate which intended to debate it tomorrow. We have gone out of our way to circulate certain amendments within the meaning of the Bill so that hon. members cannot say they are surprised. We did not have to do it, we could have moved them in verbally here and now, but the matter is urgent.

I do not know what hon. members are really seeking a postponement of; I do not know what hon. members really want postponed, whether they want this postponed or something else postponed because I will tell you quite freely that this Bill has to pass before a notice of election is going to be issued in St. Michael South Central. I tell you that quite freely and if what you really

want is a postponement of the election, then all I will say is that this is urgent.

Mr. TAITT: Mr. Deputy Speaker, I really cannot understand why the Prime Minister considers it necessary to get up and make this large long speech about what he can or cannot do. We are aware that they have the numbers. He says there are consequential amendments. Mr. Deputy Speaker, a few minutes ago we were handed a piece of paper in which they are changing an entire Clause, and he comes here and says he does not know why we wish this postponed. If he does not wish to have an election, he does not have to have one, that is his business, but do not come in here and try to give the people some impression. I do not know if he is talking to the Gallery; I do not know why he is talking. This is six pages, Mr. Deputy Speaker, and he believes he can come in here and look at us and tell us about what used to happen. I was not in this Parliament before and I do not really care what used to happen. I represent 5,000 people in St. Michael South West and they expect me to represent them, and I cannot represent them if he comes in here and says he has open Government and that this is democracy, gives me six pages of amendments and then another page of amendments and then gets up and starts talking about politics.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, just let us get this clear because I do not want any precedent set. Standing Order No. 23 is still in force. Just let us get this clear. Twenty-five pages of amendments if they are relevant may be moved orally in Committee. It is still in force. There is no necessity. The hon. member is a novice in the House. He has just admitted, and therefore he may not be familiar with the Standing Order. There is no need for him to wax so warm, and I accept the reproof if I waxed too warm. I accept his reproof and I hope he will accept it in the same sense.
5.50 p.m.

The Government is going to concede in this matter, the Government is going to give you a postponement at some disturbance to the parliamentary timetable and to the Government's arrangements, and we are giving a postponement because we want to lean over backwards even where the rules are on our side, even where right is on our side, we want to lean over backwards to ensure that fairness, integrity and sincerity play some part of the parliamentary process in this country. That is it.

Mr. DEPUTY SPEAKER left the Chair and Mr. SPEAKER resumed the Chair.

Rt. Hon. J. M. G. M. ADAMS: We will give an adjournment to this and I will in a moment move that

further consideration be postponed. On that understanding I hope I will be allowed just to explain this so you will be able to attack – I don't mean attack – so that you will be able to attack the intellectual problem of weaving them together. That is all I mean.

Mr. Speaker, the new amendments relate to sections which were overlooked when purpose A was being effected, which is the cessation of publication of monthly supplementary registers. It is a great nuisance to the Supervisor of Elections to have to publish monthly electoral lists for every polling station, in many cases without a new elector, all he publishes is a blank sheet of paper, and so we are seeking to go back to the system which was in use I believe up to 1969 – certainly it was used for the City bye-election of that year – of publishing special register as soon as there is a notice of elections. Other than that the annual register remains the register in force, but at the electoral office as people are recorded their names will be entered in the computer. I think that hon. members will derive – I hope hon. members will be helped by a little of the thinking that has gone into this. The effect of ceasing to publish the monthly register in fact is spread throughout the Act and it was not realised at first, but what will happen is that within a certain time after the publication of a notice of any election, a general, bye, whatever, there is a special electoral registration period in which last minute registrants can register. There will then be another period for objection to the last minute registrants, and there will be a few days for compiling the register. This was, I believe, done in 1969 for the City bye-election, and I am informed by the Supervisor of Elections that it worked well, that he has the machinery to carry out the reform and that this in the end will be a superior system to that now in force, because at the last General Election there was no such provision, so the Supervisor of Elections without legislative sanction still had to bring together the monthly lists from January to August and circulate them for the election.

This was done, and it worked, but I think one or two people did find themselves deprived the right to vote on election day in 1976. We think this is a better method, our advice is that this is a better method and that we now have the equipment, it will be computerised, and everything will be done quickly. Hon. members in Committee will no doubt analyse the details, but we think that the time we have given this, the Governor General will declare a 19-day special electoral registration period, within three days after that a preliminary list of electors will be issued, additions and changes in the list will be made, subject to proper safeguards.

In regard to polling agents, I am advised by the Chief Electoral Officer that there have been difficulties relating to the appointment of polling agents by the political parties and by the candidates, that sometimes

you get a situation where a man turns up at the polling station and says that he is the agent but his name has not been given in before. It is intended.... (Asides) whatever the situation is – I cannot even find that in the Act – oh, yes, that is the new section 43A. Now the Objects and Reasons do not refer to the amendment to section 41 and this is quite an important amendment, because there was a prosecution after the last election and the prosecution failed because a person who had been appointed an election agent had not signed to indicate his consent to be appointed. There was no provision for that, and therefore though he broke the law, although he appeared to have broken the law the Attorney General's Office gave an opinion that nothing in effect could be done without such a section, so we are introducing a section insisting that just as a candidate has to sign his acceptance of nomination, so has an election agent got to sign his acceptance of appointment.

Now, the section which seems to have excited a great deal of attention is the new section 55A. This seems to have excited a lot of attention, and it is this section which has been the subject of two circulations of amendments. The other amendments relate to consequential amendments to effect the preceding purposes with which I have dealt and which were overlooked at the time, the new section 55A is intended to give a new power to the Supervisor of Elections, and hon. members perhaps will care to hear why there have been these additions. The section 55A in the printed Bill gives the Supervisor of Elections power to make such investigations as are necessary to discover the truth of a return of election expenses. This arose because subsequent to the last election the Supervisor of Elections made certain enquiries of a manufacturer of shirts with party slogans on them that had not been declared, and the manufacturer declined to say who ordered the shirts, paid for them or to whom they were delivered, and I may say that the shirts contained a legend with the name of an hon. member of this House on them. I see the hon. member laughing, I happen to know that the hon. member – well, I happen to be in possession of an explanation relating to the hon. member which certainly would discharge him from any apparent liability under the Act, but that is only by the way, Sir, the point is there is a principle. If you have a system of election expenses it must have some teeth in it. I think that election expenses have been very widely ignored in the last two general elections. That is my impression, but I do not know, because there is no evidence in the files of Government, I know that some returns are unrealistic.

In my view, Mr. Speaker, you must put some teeth into this situation, and the teeth will be that the Supervisor of Elections will now have power.... (Asides). I am making a speech, I am making a second reading speech. At the end of my second reading speech I am going to move that further consideration be postponed.

Either that, or you can speak and later move that further consideration be postponed, or we take the second reading and move it, however, it suits, but I am making a speech because I am the Minister for election and I just wish to be on record as to these facts. Get it clear, you can either finish with me or take the whole of second reading and postpone Committee, or however. That is entirely up to consultations between the Leader of the House and the Leader of the Opposition, but I am telling you now about these election expenses. We are putting some teeth into it, the Supervisor of Elections will have power to question anybody who manufactures shirts as to whether they manufactured shirts for this election.

6.00 p.m.

The supervisor of election will have power to question anybody who manufactures shirts, anybody who prints and puts the name on the item, as to who was the artist, how much and who paid for the material; he can question public relations companies, the people who drive motor cars to the polls with electors; he can ask if they were paid for driving the electors. He can question those who sent out circulars as to who paid for them and whether they were sent out under section 47 or section 52. And I am saying that this is for the benefit of the general public and not only of the candidates. I am not saying this as a threat to anybody and I am not intending to intimidate any of the three persons whose names have been bruited as candidates, but I have given a warning as Minister responsible for elections in certain directions that the law is here to be observed, and the law is the same for everybody, and I have told the supervisor of elections to be prepared to make the investigation envisaged under this section.

The reason why there are more amendments under this Section is that when section 55A was first drafted it was overlooked that the Act also has in section 47. Section 52 deals with the returns of a candidate. There are penalties for not making returns — you can lose your seat, that is the ultimate penalty and that is the end of the matter; but section 47 also forbids any person to spend more than \$2- on procuring whether by advertisement or otherwise the election of any candidate unless authorised by the candidate or his election agent, and a return is required to be made under section 47, and this is related to events before notice of election, between notice of election and nomination day, after nomination day, and in some case after the election itself. Honourable members will have to read the electoral laws. Section 47 deals with expenses incurred by persons other than a candidate or election agent. It was observed that the operation of section 47 did not appear in section 55A; in other words, the supervisor of elections would not have the power to investigate where somebody should have made a return under section 47, or if he made it whether it was a true return. So the amendments are designed to correct this situation.

There is nothing more I can say whether the Bill is to be done today or at a later stage. I hope that shorn of the hostilities, hon. members will appreciate that this is merely a Bill seeking to correct some of the holes through which not bicycles and motor cars but also jet bombers have been driven by certain people in the last election and to some extent the election before that. Hon. members must understand that if there are 5,200 electors in St. Michael South Central that they must spend \$2,600 and no more, and that is the end of the matter. If there are circulars, cars on election day, polling agents, linesmen etc., all that has to be fitted in within the \$2,600; it is as simple and straightforward as that. In the Shakespeare play both Portia and Shylock agreed on one point — "The law allows it and the court awards it" — or something like that; the hon. member for St. Michael South will tell you the exact quotation. The law says this and we intend to make the law operate as it should. It is as simple as that. There is nothing in this Bill about constituency boundaries, about rigging — there is nothing in this Act about such things. Everything in this Act derives from professional advice in the Ministry of the Attorney General or professional advice of the supervisor of elections. Everything in this Act has its origin in something which seems to have gone wrong in the past and something which we are correcting. And I am sure that on Friday — my colleagues tell me it will be dealt with on Friday — hon. members will give their support to a tidying-up Bill designed to make the electoral process the fair instrument it was intended to be when the original Representation of the People Act was passed.

If I could have an indication of the desires of hon. members whether they want to speak now or whether they prefer a postponement... *(A Pause)*

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

Hon. H. deB. FORDE: Mr. Speaker, in seconding the motion I ask that further consideration be postponed and I reserve my right to speak on the resumption.

Dr. CADDLE: Mr. Speaker, I beg to second the motion for postponement of the Bill and reserve my right to speak.

Mr. SANDIFORD: On a point of order, Mr. Speaker, I would like to know what is really happening. As I understand it there is a Bill which has been circulated and there have been some amendments to that Bill and there has been a request for the postponement of consideration of that particular Bill. I am now hearing some motion that the Bill be read a second time and that further consideration be postponed. If that in fact is what is happening it means that the second reading would have been finished and all that would happen is to go into committee on the Bill.

Mr. SPEAKER: Until a motion is accepted and put to the House by the Speaker there is no motion.

Mr. SANDIFORD: And what would be passed then, Mr. Speaker? I would like to be clear on this. Maybe there can be an explanation.

Rt. Hon. E. W. BARROW: There is an understanding that the Hon. Prime Minister would make a second reading speech. The Bill was seconded by the hon. Attorney General and he made a motion that further consideration be postponed. This was seconded so the second motion has to be put, Sir, not the second reading motion. I think you know that Sir, so will you explain to the hon. member?

6.10 p.m.

Hon. H. deB. FORDE: Sir, I am rising on a point of order.

Mr. SPEAKER: The Leader of the Opposition will teach them at home first.

Hon. H. deB. FORDE: I was merely saying that the hon. member for St. Michael South would understand that if the hon. member for St. John is still in didactics, we have to appreciate it.

The question that further consideration of the Bill be postponed was put and resolved in the affirmative without division.

Mr. SPEAKER: Hon. members, in concluding the matter relating to condolences earlier this morning in respect of the passing of Robert Llewellyn Bradshaw, the following Resolution is here now for the consideration of this Hon. House. It reads as follows:

Barbados,
House of Assembly.

"BE IT RESOLVED that this House places on record its deepest regret at the passing of Robert Llewellyn Bradshaw, a distinguished West Indian and Premier, and extends its deepest sympathy to the Government and people of St. Kitts, and his Widow and other relatives.

"BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Government of St. Kitts and his Widow and other relatives."

Dated today's date.

Mr. TAITT: Mr. Speaker, just one point. The Resolution speaks of St. Kitts. I believe that we should

make a constitutional correction to the Resolution — at least stating St. Kitts, Nevis, which the Kittitians have always insisted upon. I am sure that the Hon. Attorney General will confirm that when you are sending a communication to that Government, constitutionally it is still the Government of St. Kitts, Nevis, Anguilla.

Hon. H. deB. FORDE: Mr. Speaker, as far as I recall the words State of St. Kitts, Nevis, Anguilla are correct, and it would be correct constitutional protocol to name the complete name of the State because it may be misconstrued. In further explanation, I asked the Clerk whether the motion had been ready after the remarks had been made by hon. members. He assured me that he had a draft done at the Table. The draft had been ready, but at the time the Clerk was not at the Table, otherwise the matter would have been dealt with at that stage. I agree that it should have been St. Kitts, Nevis, and Anguilla.

I beg to move that the Resolution as so amended do now pass.

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

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

BILL TO FACILITATE THE AMALGAMATION OF THE CHRIST CHURCH BOYS' AND GIRLS' FOUNDATION SCHOOLS

The third Order of the Day was called — A Bill to facilitate the amalgamation of the Christ Church Boys' and Girls' Foundation Schools.

Hon. L. R. TULL: Mr. Speaker, the Government has taken a decision to amalgamate the Boys' and Girls' Foundation Schools. There has been a fairly long negotiation period before the decision has been brought forth, and this is because I am aware of the very delicate nature of this exercise. It is not an easy thing to weld together properly two schools with different backgrounds, different traditions and different ethos; and indeed even different philosophies; and it is for this reason that I have put off the implementation of the decision of Government for a reasonably long period.

During that period I have had consultations with a number of groups and individuals to better effectuate this welding together. I have had numerous meetings with the Governing Body of both Schools, with the Headmaster of the Boys' School, and the Acting Headmistress of the Girls' Foundation School. I have spoken with the staffs of both schools, also with the Barbados Secondary Teachers Union and with the Parent Teachers Association of both

schools. After my discussions I have decided that rather than rush the amalgamation, we will have it from the 1st September, 1978, but the *de facto* amalgamation will be started partially in September, 1979; and the whole amalgamation will be phased over a period of four years.

I felt it necessary, Mr. Speaker, to consult with these organisations because I appreciated that an attempt was made at an earlier stage to combine these two schools and it met with a fair amount of hostility from the union, teachers, parents and a number of children. I believe that I have been successful in my discussions with them to iron out a number of the problems, and to solve a few of the difficulties that were pointed out to me. This Government is committed to the principle of co-education in all of the schools in Barbados. This has been stated in the Manifesto of the Barbados Labour Party in 1976. We believe also, Mr. Speaker, that implementing co-education in the schools, serious consideration must be given to the background of the schools before you tackle it.

6.20 p.m.

I believe that co-education will develop in the children of these schools an early respect for the sexes. Amalgamating a co-educational school will be a psychologically healthy community. I believe that an amalgamated or co-educational school will teach children from an early age the inter-relationships between male and female that would help to lead to a stable and well adjusted life as adults. But there are several considerations in the amalgamation of the Boys' and Girls' Foundation Schools and in this regard perhaps, I could mention the principle of the economies of scale. In 1957 when the present schools were constructed they were constructed as a single unit building with the girls on one side of the compound and the boys on the other side. In other words, there was one connected building on one campus, and from my research I have found that the intention at that time was to have one school under a common principle and with two Deputy Head teachers, one supervising one wing of the school and the other supervising the other wing. It is clear that it was the intention of the policy makers at that time and at the right moment that these two schools would be amalgamated.

There have been a number of other considerations and perhaps a very compelling one at this stage is the principle of the economy of scale, and that in brief means that wherever you have expensive education facilities and equipment and the costs per pupil are likely to decline, and I will say with no loss of quality or effectiveness, and as things get larger in the economy of scale until you reach a point where these economies set in. In the case of the Foundation Schools, they are two relatively small schools by Barbadian standards. The combined roll is just over 1,000. We have in Barbados a

number of secondary schools with well over 1,500. It is not that I am trying to put forward an argument for schools of that size. Indeed I consider schools of 1,500 as a bit unwieldy and in some ways unmanageable and I am looking forward to some time in the not too far off future when I can syphon off from these oversized schools the excess numbers and bring them down to a more manageable level.

I have been told by the Barbados Secondary Teachers' Union that the figure of 800 is a more suitable figure for the size of a secondary school. Although I respect the professional wisdom of the Teachers' Union, I myself have done some research and found that schools of 1,000 and more in the cities of big industrial countries where societal pressures are far greater, many of these schools are indeed manageable. I have seen the Achimoto School in West Africa with 2,300 children one of the finest schools in West Africa, indeed where most of the leaders of West Africa are educated which is a model of discipline and order, and I do not believe that a school of just over 1,000 is an unmanageable and unwieldy school in the context of Barbados today. I have managed to express this in very candid and open discussions and in my consultations with these groups which, I should add parenthetically are the hallmark of the new Ministry of Education. I say this because I intend to consult at every stage in any new policy in education, and I intend to consult fully with the people who are expected to carry out the policy when they are implemented.

I want also to mention in this regard as one of the reasons for the amalgamation of the schools at this stage that in view of the high cost of our educational facilities and equipment, there must be a principle of optimising those facilities. There must be an optimum and maximum utilisation of all expensive school plans in Barbados, and I believe that in many respects this principle will be met through amalgamation. As I said, Mr. Speaker, I believe that a mixed Foundation School would be a psychologically healthy community that will provide an education that is scholastically sound as well as socially complete. I believe that an amalgamated Foundation School will produce graduates with a disciplined social experience and a free growth of personality that is unstinted by the hypocrisy of an outmoded puritanism.

I say this, Mr. Speaker because I have had one or two letters, not too many, from parents of girls at the Girls' Foundation School who seem to feel that an amalgamation of these schools will pull the standards of the girls down to, as one of them said, the undesirable level of the boys. On the contrary, it is my view that the refinement of the fairer sexes will probably rub off on the boys, and I believe that the healthy rivalry between the boys and girls in the classroom will ensure

to the benefit of both the boys and the girls I believe that an amalgamated school will create the kind of atmosphere that will encourage a mutual respect between the sexes and will offer an opportunity for pupils from an early age to understand and live with people of the other sex.

Mr. Speaker, in discussing the amalgamation with the various groups, I have mentioned, I realise that there are a number of problems attendant to and consequent on the action we are about to take. This Bill that comes before the House today is seeking to facilitate the amalgamation. It is enabling the Minister to set up an interim Governing Body that will be in a position to make appointments to staff for the coming academic year. It is entirely reasonable for us to see that the existing Governing Bodies of the two schools cannot legally appoint staff for an amalgamated school, and this Bill is enabling a new Governing Body for the amalgamated school — an interim Governing Body — to make the very necessary appointments to staff for September, 1978. It also makes for proper transitional control from the two schools to the one amalgamated school.

A number of problems pointed out to me by the teachers I have given a great deal of consideration to, the usual argument given by the Unions of Barbados that it will result in the loss of promotional opportunities for members of staff by reducing the number of schools. Of course the counter for that is that we are building more secondary schools. We have already opened a new secondary school since I was in the Ministry, and we have under construction a second secondary school now in St. James, so that even though we are bringing these two schools together, we are increasing the opportunities for headships and senior positions in secondary schools. Anyhow, I have managed to work that one out with the members of staff who I believe are perfectly satisfied with the arrangements. There will be under the new arrangement or under the new dispensation as we are wont to hear in this Chamber a headteacher.

6.30 p.m.

There will be a Head Teacher, there will be two Deputies, and we will phase out gradually the Heads of Departments as they retire or seek other jobs. In other words, nobody will be made any worse off than their current position is. We will work out the details, and as I said, the staff seems reasonably satisfied with the arrangement. I want to make it absolutely clear that I am not unmindful of the difference between making a co-educational school and the welding together of two existing schools. I am very conscious of the problems involved in such an exercise and it is for this reason that I have decided, as I said earlier, that rather than

force a wedding of these two schools with any haste that I will allow them a period of courtship and finally to have a union after a four year period. In other words, the final amalgamation of all forms and classes of the schools will come after a period of four years.

I have had to advert to the problems of synchronisation of curricula and syllabuses and so on. I have also had to consider the difficulty in getting about 1,000 to 1,100 children to that part of Christ Church on mornings, and in this respect I am appealing to the Minister of Communications and Works to lend his support to me, in this regard to put his weight behind the Transport Board so that they will lay on enough buses to get all the children to Foundation School in good enough time for classes on mornings. This is one of the major problems in our current system of education, allocation at secondary level, that people travel past two, three and four secondary schools to get to one at the other end of the island, and it is causing a lot of problems in transportation logistics and so on, and I am appealing to the Minister of Communications and Works to give me a hand in assisting the pupils of the Foundation School to get them to school in time.

I have also had to turn my attention to the question of facilities. At the moment the two schools enjoy a number of common facilities. They have a common hall, a common science laboratory, a common library and so on. As a matter of fact, last year I spoke at the Speech Day of the Boys' Foundation School, and if my memory serves me correctly, the prize for the best actor in the school play of the Boys' Foundation School was a girl from the Girls' Foundation School, so that there has been up to now a fairly substantial nature of co-operation if not amalgamation between these two schools.

There are a number of other issues of a normal nature involved and I do not propose to go into them unless they arise out of questions raised and points made further in this debate.

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

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

Rt. Hon. E. W. BARROW: Mr. Speaker, on this side of the House I think that the whole system of co-education is one to which we have been committed, and the Minister of course will agree that the movement towards the amalgamation of the two schools is one which was initiated in his predecessor's time, the hon. member for St. Michael South, so I do not really have much to say. I think it was the very first school, the very first place that I ever taught, the Boys' Foundation School, and it was spectacularly bright, if I may say so

myself. There are other products of the Boys' Foundation School, some of whom did not turn out as well as others, but be that as it may, I do not think we are against the amalgamation, but what I would like to find out from the Minister is the authority under which he is amalgamating the schools. I will tell you why.

Under the Education Act of 1890, Cap. 12, most of the secondary schools in Barbados were established, and under that Act schemes for the establishment of the schools had to be laid before the Legislature. Two were done properly, one was the Grassfield School (better known as St. Michael Girls' School) due to the initiative of Mr. John Beckles in the St. Michael Vestry, and a scheme for the establishment was brought before the Legislature and then after that rules for the government of the school were formulated and also approved. When your old *alma mater* Sir, was being amalgamated with the *alma mater* of my immediate predecessors — that is, the amalgamation of the Coleridge and Parry Schools — it was also done under a scheme for the establishment of the Coleridge and Parry School.

Now, all that this Bill says is that the schools shall be amalgamated. There is no reference, for instance, to the Act which was amended in 1947, which had vested the hundred acres of Glebe land in the Rectory and the parish of Christ Church, which was with the support of fellowships and so on, but that is now vested in the Government, and nothing has been said about that. I do not see how if the two Governing Bodies were established under the Education Act under a scheme for the establishment under the Education Act, how without putting up a new scheme for the establishment of the school you can come in and say that the two Governing Bodies are abolished. These are only questions I am asking, I am enquiring from the Hon. Minister under which particular legislation is he doing the abolition. If he is doing it under the old Education Act, then I think that somewhere in the Bill they ought to make reference to the legislation or the Resolution of the House under which the two Governing Bodies were established, and that those Resolutions or legislation should be hereby repealed by this Bill, and this Bill should then enable the Minister to set up a new Governing Body.

My argument is not against the principle of the Bill, it is strictly probably a juridical kind of argument which I am putting up which is causing me a certain amount of difficulty. There may be some enabling legislation which gives the Minister this kind of authority, but it certainly is not in the Interpretation Act, it certainly is not in the Constitution, it certainly is not in the Education Act of 1890, and it certainly is not in the Bill of 1947 which amended the Williams' Trust under which the schools were being supported

before. I do not understand though why it should take four years. If the science facilities are amalgamated, the playing fields are commonly available, the science laboratories are also at the disposal of both male and female students, I do not understand what this four year integration movement is about, it seems to me this is something that should be accomplished by next September. That is the only other difficulty I have.

Dr. CHELTENHAM: Both as an old boy of Boys' Foundation, Sir, and as the representative of the Constituency of Christ Church East, which I believe is one of the major catchment areas for these schools, I wish to make my contribution to this debate. I will begin by saying that it was particularly refreshing to hear the Hon. Minister of Education speak,....because much as he is in control of some \$60 million, the largest spending Ministry in this country, in my view because of the ineptitude of the Opposition to a large extent he has not been called upon to justify his expenditure from time to time or to pronounce upon many of the important issues of education in this country.

6.40 p.m.

It seems to me we are at the cross roads of education in this country. There are a lot of issues about zoning, about the qualitative assessment of our education, about related manpower requirements and I very much hope we can have the Minister of Education in the hot seat more often and have him justify the direction in which he is carrying our educational policy.

The first point I want to make is this: there can be no gainsaying the fact that the Christ Church Girls' Foundation School is by any standards and incomparably better school than the Boys' Foundation School. Unfortunately, the Boys' Foundation School has not lived up to the promise of the 1950s when the school won a Barbados scholarship in 1953 and won the inter-school sports the same year. At that time the Girls' Foundation School was drawing from the same catchment area — this was before the eleven plus examination — and I do not want to identify the particular factors which in my view have been responsible for the relative mediocrity of the Boys' Foundation School as opposed to the high performance of the Girls' Foundation School. But I would like some assurance from the Minister of Education that this move will not result in the equalization of mediocrity at these schools. That is my great concern and I would like the hon. Minister in his reply to advert to this question and assure us that the amalgamation of these institutions will not result in what I call the equalization of mediocrity.

My second point relates to a query which follows that made by the hon. member for St. John. The Minister attempted to be quite detailed, but he did not tell us what these various stages of amalgamation which we have

to pass over a four year period before we arrive at full amalgamation are, and I have some difficulty in appreciating what are these obstacles and difficulties that would cause this amalgamation process to be stretched out over four years.

I think we need no lecture on the advantages of boys and girls going to school together, and to a large extent you will have to learn that as much outside the school as inside. But what I want to know is why this first step at amalgamation at this level was not done at Harrison College and Queens College. I hope that this is not an attempt at amalgamation using the Foundation Schools as guinea pigs. The reason I say this is because the Boys' and Girls' Foundation Schools have always been denied the resources, have always been treated as second class schools; and we have the situation in this country where we will now have a thousand children going to the Boys' and Girls' Foundation Schools and they have been denied sixth forms facilities, and I constantly maintained that notwithstanding the fact that such facilities are expensive, they add tone to a school and give encouragement and challenge to the staff. But we have the situation where there is still a Sixth Form at Harrison College and at Queens College. They are the great "Touch-me-nots", you can't touch them because you have people in high places defending their positions. But we have a school like Foundations that has always suffered, and I want the Minister to give me an assurance that this is not some experiment in amalgamation in which we are using the Boys' and Girls' Foundation Schools as guinea pigs.

Now the Minister did mention that he regards the numbers of about 1,000 pupils as manageable for one head. But the whole question of what is manageable relates in my view as much to numbers as to the quality of the managers, and we have had a situation in this country for years where it was believed that any man who could teach French or English or Spanish automatically qualified as a headmaster, so the post of headmaster was equated with excellence in the class room and had nothing to do with the ability to manage. I hope the Minister will look carefully into this question as to whether the schools are likely properly managed, because as I said I regard the question of a manageable unit has as much to do with the quality of the managers as the numbers involved.

The Minister mentioned that we were going to have certain economies of scale through this amalgamation and I would like him to identify these economies which we are to realize, and perhaps he may wish to tell us at what cost, because it might turn out that the cost is more expensive than the savings.

I very much hope that in ten or fifteen years we will be able to look back and say this has been a wise decision. At this time I have no doubt that it is easy to marshal arguments in support of it, and I very much hope that at the end of the day they will prove to be well founded.

Mr. TAITT: Mr. Speaker, it is unfortunate that the last speaker had to begin an otherwise excellent statement with the remarks which has no basis in fact, by suggesting that the reason why the Minister has not been vigorously defending himself in the House is the result of ineptitude on these benches. It is an indication of a very low discernment capability on the part of the hon. member for Christ Church East. In truth and in fact if the Minister should ever start to interfere with the policies which we left behind which he has very faithfully been carrying out, we will have sufficient reason for attacking him, but we do not believe in the principle of attacking for the sake of attack; so if you see us attacking other Ministers it is because they tend to deviate from a policy which we consider to be the right policy for the people of this country. It is not necessary to dwell at length on this matter since many of the hon. members who have spoken before have voiced a number of concerns which I am sure the Minister will respond to. But I would like to reinforce the concept of some concern on the part of the female staff as to their positions on amalgamation. I wish to assure the Hon. Minister there are some members of staff who feel they have been left out of the proceedings. The Minister while making his statement also made what I thought to be a Freudian slip, and I hope it is not an indication of any deep-seated thinking that the headship of that particular amalgamated school will automatically be held by a man, and I would merely like to reinforce the point made by the hon. member for Christ Church East that the business of managing an enterprise, whether public or private, has now reached the level of specialization, and while it is desirable that those persons who will manage in the education field be familiar with some of the difficulties which people at the lower level may have, it is all the more desirable that they excel in the art of the management of people. With a staff of 60 as this amalgamated school will have, certain qualities of manager will be necessary.

6.50 p.m.

Mr. Speaker, I would also like to join in this quest for information on this four-year hiatus. Either there will be amalgamation, or there will not be; and I am sure that the Minister has plausible explanation as to why it would take a period of four years; but I would like to caution him that there are some psychological implications for this slow transition which will apparently occur. If you are going to amalgamate the boys and the girls, it is not desirable to amalgamate them only at one level, that is, at the low level so that

the boys will find big people in their schools and the girls will find big people in theirs. You should have the right way of integration and let the co-educational system benefit immediately from this exercise.

I have to join with my parliamentary colleague from Christ Church East and hope that this is not an experiment as has been the situation with another school. Mr. Speaker, as soon as you start to talk about Harrison College or Queens College there are people both inside and outside of this House who conclude that you have a chip on your shoulder if by chance you did not go to one of those schools; but, Sir, the co-education occurred with hardly as much as by your leave. It was decided that it would occur, and it occurred; and it is of serious interest and concern to me and to a number of other people that the other two schools that are considered — quite wrong heartedly, but in the circumstances quite understandably — as first grade schools, they continued in the vein and the name that they had before.

I think that if we are going to have true co-education, the people of Barbados must see that there is co-education. I take note of the Minister's promise that the Government is committed to co-education. I hope that he will recognise it for what it is, and recognise that the Democratic Labour Party introduced the concept of co-education in Barbados, and therefore we are with him on this particular measure.

That there was some difference between the results of the G.C.E. from the Boys' School and the G.E.C. results from the Girls' School is a fact; and as a result, parents of children from the Girls' School will legitimately wonder if the standards are going to be reduced. It will not be sufficient for the Minister to give us the assurance that the standards will not be reduced because he himself will not be involved, except in a statutory way with the administration and the running of the school. I hope that having given us the assurance the Minister will take all necessary steps to ensure that the quality of the school is maintained at the highest possible level.

Finally, Mr. Speaker, there are some members of the staff who wonder what will happen to them. In this era of our existence a number of people become very worried and concerned as soon as it is the Government that is involved in making decisions about their welfare. I would like the Minister to give in some more detail what is intended for the persons who are now employed at the schools. Will there be compensation for those who find themselves no longer required? Will they be rehired immediately, assuming that the legality of the amalgamation is established? Will they be rehired immediately with no loss of service, for example? These are the kinds of matters which I am sure the Minister

will have been aware, either through representation by the Union or by his own research; and I hope that he will be able to give us a somewhat more detailed indication of the Government's policy on this matter.

Thank you very much Sir

SUSPENSION OF SITTING

Mr. SPEAKER: The time is now 7 o'clock. This sitting stands suspended until 8 o'clock.

RESUMPTION

On the resumption:

Mr. SPEAKER: This sitting is now resumed. When the sitting was suspended, the hon. member for St. Michael West was addressing the Chair. He has just completed his address. If there is no other hon. member who wishes to speak, the Minister may reply. *(Pause)*

Hon. L. R. TULL: Mr. Speaker, a number points were raised during the debate on the second reading, and I want to advert very briefly to one or two of them. The hon. member for St. John raised the question of the schemes of Government by the 1890 Act, and indeed by the 1947 Foundation Schools Act. This piece of legislation at this time is seeking only to create a Governing Body that would carry out for an interim period certain duties required for the amalgamated school. It will co-exist with the existing Governing Bodies of the two Foundation Schools, so that there will be from now until August 31st a Governing Body for the Boys' Foundation School, a Governing Body for the Girls' Foundation School and a Governing Body for the proposed amalgamated Foundation School; and when the schools are amalgamated on the 1st September, 1978, we will have legislation prior to that date which will repeal the bits of legislation both of 1890 and the 1947 Act, and regularise the position under one amalgamated situation.

Sometime in the next two or three weeks I shall be bringing before Parliament the schemes of Government for the new amalgamated school. It is only the gradual cosmetic changes that have been as a result of those schemes, because we did not want to make a piecemeal amendment of Government of any one school at this time. I am hoping that in the process of time we will be able after a closer look at the structure and the administration of all the older secondary schools of Barbados, I will be able to come up with a comprehensive plan for amending schemes of Government generally to make the administration of these schools what is more in line with the system of Government and the system of central administration of Government that is expected in Barbados in the 1970s.

Now three hon. members — the hon. member for St. John, the hon. member for St. Michael South West and the hon. member for Christ Church East have all raised the question of why there should be a phasing in of amalgamation rather than having amalgamation in one fell swoop. Well, there are a lot of reasons for this. As I pointed out in my earlier contribution, the amalgamation of two schools, with different histories, different backgrounds, different philosophies and so on, required that there be very delicate handling so that we will not do irreparable damage to those schools. In addition to that, there were more pragmatic considerations, and these were considerations in the differences in syllabuses, the differences in curricula and so on. For instance, the Girls' Foundation School may be preparing their pupils for O Level examinations in Commonwealth History while the Boys' Foundation School may be preparing theirs for O Levels in British History or West Indian History or whatever the case may be. The point is that between the two schools there are differences in some areas, both in curricula and in syllabuses; and therefore, if you welded the schools together at one time with all forms, you would throw the whole system out of joint.

8.05 p.m.

Another reason why we are reluctant and why I have given very serious consideration as to why we could not have an immediate practical de facto amalgamation of the two schools at one time is because I had to take into consideration that amalgamation was not merely co-education. It was an exercise in running a new school differently constructed while at the same time we are trying to implement something that amounts to fundamental change, and this is why Government has fused the position of the headteacher, the man who has been offered the headship of this school and taken into consideration that he is not only running the school in the accepted sense, but he is carrying out a project in addition, the project of welding two schools of diverse interests, mores, practice and custom into a single unit. I understand the views of the hon. member for Christ Church East, and in many ways I understand his enthusiasm for the Foundation Schools. He himself said he was an old boy of the school and I believe perhaps he is also a representative of the constituency up there, and I share his misgivings when says that he hopes this is not making a guinea pig of the two schools, and to use his fancy expression, only bringing about an equalisation of mediocrity. These phrases are fluent off the tongue but I do not understand what they mean because I do not consider either the Boys' Foundation or the Girls' Foundation School as mediocre schools. I would assure the hon. member if he has got evidence to the contrary that in the interest of these schools I would be prepared to listen to him and see if I can put things right; but I certainly do not expect while I am Minister of

Education that I would condone the setting up of any institution of mediocrity, so I think we can get that out of the way.

The welding of secondary schools in Barbados is not a new thing as the Coleridge School and the Parry School were amalgamated some time ago. That is one example but it is not a new thing to weld two schools together. I heard the hon. member for Christ Church East asking if boys and girls; it does not matter. It is far easier to put boys and girls in one classroom than to take up schools with different backgrounds and put them together whether it is unisex schools or otherwise. I heard the hon. member for Christ Church East also talk about the problem of what he describes as the great touch-me-nots, Harrison College and Queens College. I would like the hon. member to understand that I do not hold any brief for any particular school in Barbados to a higher extent than other schools. I am concerned about all the schools in Barbados for as long as I am in the Ministry, and I intend to give equal consideration to all the schools in Barbados, and if the hon. member feels that they are great touch-me-nots, perhaps he is talking about the prior regime, because I remember only too well in this regard, and let me also deal with the question he raised about the Sixth Form for the Foundation School because I remember only too well in 1969 when the hon. member for St. Michael South West who was the Minister of Education at that time mooted the idea of the establishment of a Community College to take the top off the secondary schools and set up a Sixth Form institution leaving all these secondary schools at Fifth Form level, it was the previous Government when a few parents kicked up against it and when certain sections of the community said not to touch Harrison College and Queens College that these institutions are inviolable, that backed off. It was said that the election was getting near and that they preferred not to interfere with these schools, that they could not put with the furore that would ensue. So if there are any real touch-me-nots, not as far as I am concerned.

There was an argument put up by many people in this community in education and out of education that you should not expand Harrison College and Queens College, that they should remain at the size at which they were, neat, trim little enclaves, I do not know if "privileged"; those are not my words, but you must not touch them, that is all right to pack 1,700 children in the school at Ellerslie and 1,500 at the Garrison, St. Leonards and St. George Schools, but you must keep the numbers down in these schools, you must not violate the integrity of these schools. Well if they are great touch-me-nots, I will assure the hon. member that since I have taken over the Ministry I have given directions for the numbers at Harrison College and Queens College to be expanded to something in the

region of 800, and that during the period I will be in the Ministry both Harrison College and Queens College having increased their intakes annually will continue to increase them until they come to a figure that I consider as more realistic by the present demand.

If I may move on further to another point that the hon. member for Christ Church East has raised on the whole question of management, the Governing Bodies by the Schemes of Government from 1890 of the older secondary schools have very wide authority. In many ways they are in far greater control of the schools than the Ministry of Education. The Ministry sets out general policy on education, but all the day to day running of the schools, who teach in the schools, even who they take into the schools are by law the rights of the headmaster and the Governing Body, and the Governing Body of these schools usually see about the management of the schools, who are the new people for jobs, staff, headteachers and so on and not the Ministry of Education. I am driving this home to let the hon. member for Christ Church East understand that the general management of the schools is in the hands of the Governing Body and not the Ministry of Education. I am referring to the ten older secondary schools, not the new secondary schools which are controlled directly from the Ministry, and that is why I am saying I do not intend to have any piecemeal amendments to the scheme of Government. I want to take a very close and thorough look at the schemes and their implications; I want to have full consultations with the people involved in education and indeed even invite public debate on them before coming to this Chamber with a comprehensive set of proposals for updating the management of these schools.

I have also been asked by the hon. member for St. Michael South West about the sanctity of Harrison College and Queens College. I know that is a special thorn stuck in the craw of that hon. member...

Mr. SPEAKER: I am sure the hon. Minister would not wish that to go down in our records, and will withdraw.

Hon. L. R. TULL: I withdraw that, Mr. Speaker. I am sure that it is now common knowledge that the hon. member for St. Michael South West has long since been showing his complex about things Harrison College and Queens College.

8.15 p.m.

The phrase 'the Harrison College Mafia that runs Barbados' is a phrase that I heard from the hon. member for St. Michael South West as long ago as 1965, so I am not going to answer those questions when the history of that type of comment long ceased to exist.

The question was also raised about compensation for teachers who will be made redundant as a result of the amalgamation of the two schools. The question of compensation I do not expect will arise because all the members of staff of those two schools have been offered re-appointment to the identical position which they now hold. We are going to have a Head Teacher and two Deputy Head Teachers, the Acting Head Teacher of the Girls' School will be a Deputy Head Teacher and the existing Deputy Head Teacher of the Boys' School. For the initial period we will be maintaining the positions of Heads of Departments for both schools, so that in every case there will be two Heads of Departments for each Department, and the reason for this is not only to ensure that no member of staff is hard done by as a result of this amalgamation exercise, but also that during the very delicate period of planning for the phase-in, the combined wisdom and planning of representatives from either school would be major inputs. This is the reason for it. We expect, however, that as either one of the Deputy Heads — the Acting Head Teacher of the Girls' School is a Deputy Head — or any of the Heads of Departments should retire or leave the job, that we will not be filling the posts to keep two Heads of Department. In other words, we will gradually phase out the two Heads of Department, but we will use them in the initial stage so that there can be a co-ordination of planning between the Boys' School and the Girls' School.

Another reason, Mr. Speaker, why I cannot have amalgamation, as I said, in one fell swoop is because there must be a period of planning, and the period 1978-79 will not show a *de facto* amalgamation. In other words, you will not have any boys and girls in mixed classes, but you will have a whole year of planning between the two sides to have a smooth transition. For instance, the boys use one set of textbooks for some subjects and the girls in the opposite forms in the Girls' School use a different set of textbooks, and in many cases there is a continuation of a course that has been started from a previous form, and if we put these together it certainly would disrupt the course of study of the children involved.

I believe there was one other point which was raised by the hon. member for St. John. He started off very generously in saying that members on the other side were supporting this move on the part of Government because the whole issue of the amalgamation of the Foundation Schools was initiated by the other side. Well, I do not want to make any arguments to a certain extent, but, I mean, that is a categorical untruth. What in fact happened is that the previous Government took a look at the feasibility of amalgamating the schools, and indeed memoranda were submitted from the Governing Bodies and from the Head Teachers of the two schools, and the Government

shelved the idea of amalgamating the two schools, they dismissed the idea of amalgamating the schools because a certain amount of criticism was welling up in this society, so that when I went into the Ministry of Education any plan for the amalgamation of the two schools had been put aside because the previous Government considered it was not a feasible proposition at the time. I do not want to score any points over that, I guess it would be foolish for any Government just before a general election to do something as fundamental as that, but that is the answer to that particular comment that was made at an earlier stage.

Finally, Mr. Speaker, let me reiterate for the benefit of the hon. member for Christ Church East, who seems to worry about mediocrity. I said in my opening address that I am confident that an amalgamated school will have the type of atmosphere in which children of both sexes can learn from each other through healthy rivalry, I am sure that if as the hon. member says the Girls' School is a better school than the Boys' School, a view to which I do not subscribe, they are both good schools, but if in fact that was true, I am confident that the good things about the Girls' School would be rubbed off on the Boys' and will work out to the social advantage of all the children and the staff in those schools.

Let me just say, finally, Mr. Speaker, that I am grateful to the Governing Bodies of those two schools, and indeed to the staffs of those two schools, with whom I have met on a number of occasions — that is, the Governing Bodies — and with the staffs on separate occasions, and informally, in which frank, free and candid expression of views helped me to formulate the plans in the form in which it has finally reached the House. I have managed through my discussions with the staffs of the two schools to get insights into certain aspects of the difficulties in such an exercise, and I am grateful to them for the input they made in this decision, and I am hopeful that after those discussions, the mood in which I have left the staffs of those schools, that they will do all they can to make the amalgamation exercise a most useful and productive one for the children of the two schools.

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

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

On the motion of Hon. L. R. TULL, seconded by Hon. L. B. BRATHWAITE, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. OLDE in the Chair.

8.25 p.m.

Clauses 1, 2, 3, 4 and 5 were called and passed.

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

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

ABANDONMENT OF ACQUISITION OF LAND AT FREE HILL, BLACK ROCK, ST. MICHAEL

A Resolution to approve the publication of a notification under Section 9(1) of the Land Acquisition Act, Cap. 228, declaring the abandonment of the acquisition of certain lands at Free Hill, Black Rock, St. Michael — was called.

Hon. H. B. ST. JOHN: Mr. Speaker, the object of the Resolution is to abandon an acquisition of land pursuant to section 9 of the Land Acquisition Act, Cap. 228 of the Laws of Barbados, of a parcel of land situated at Free Hill Black Rock in the parish of St. Michael. At one time this land was thought to be of use as part and parcel of a housing development. Now that a closer survey of the area has been undertaken, it has been discovered that in truth and in fact the land is no longer necessary. In the circumstances the Government has decided to abandon the acquisition of this parcel of land in accordance with the provisions of the Land Acquisition Act.

This matter has a rather long history. On 24th April, 1975, the then Cabinet concluded that several parcels of land consisting of 599,000 square feet should be acquired for housing development and that negotiations should be opened with the respective owners. The owner of this particular parcel of land was not in the Island and the person who was in actual occupation, a Miss Connell, received a notice pursuant to the Land Acquisition Act. The real owner of the land, as distinct from the occupier — and in this case there were some complications arising from the fact that the occupier previously owned the land but had sold it to this person who was abroad; and in October, 1977, he returned to the Island and made representations to the Government and it was discovered that the owner who was abroad had actually expended the sum of \$20,000 odd in feasibility studies and architectural plans and had in fact obtained planning permission to put twenty apartments on the site. When these representations were made a closer review was carried out as to whether it was really necessary to acquire this piece of land, especially in view of the fact that the acquisition cost would have to reflect the expenditure

which the owner had in fact incurred. In the circumstances Cabinet decided that since the parcel of land was only 15,000 square feet of some total area of 599,000 square feet, the provisions of the Act for abandonment should be invoked. Accordingly I beg to move that this Resolution do now pass.

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

Mr. E. E. ALLEYNE: Mr. Speaker, I am particularly happy to see that the appropriate Ministry has taken action on a move which I initiated in my capacity as representative of St. Michael South West. Some time in November it came to my attention that this 15,000 square feet of land had been compulsorily acquired and I wrote a letter to the Ministry of Lands explaining the position and pointing out that my client had spent something like \$20,043 in building a road and carried out feasibility studies, and in fact was on the point of establishing some apartments when the land was compulsorily acquired. The thing that astonished me is this — that this piece of land was not at all necessary to the acquisition of land for the building of National Corporation houses, and it looks to me that there was some bungling by the former representative for St. Michael North West in his capacity as Minister of Lands and at a time when he was thought to be representing the interest of a person in his constituency. Something appears to have gone wrong and a Mr. Beckles who owned the land discovered that the land had been taken away. But the matter goes further than that because my information is that Miss Connell who owned the land at some time in the past was dead at the time when the appropriate notices were sent out under the Land Acquisition Act and that this information was in the possession of someone in the appropriate Ministry. One really cannot understand what happened at the time that the notices were sent out.

8.35 p.m.

The matter goes further than that even. There are other persons in St. Michael North West, in that same Free Hill whose properties have been compulsory acquired; and they find themselves at this stage now being asked to pay rent to the National Housing Corporation in respect of the very pieces of land which have been compulsory acquired. Now, I intend, following my initial success in this matter, to take those matters before the appropriate authority; and in fact I have already spoken to the Manager of the National Housing Corporation on that point. I want to say here and now that I am heartened by this initial success, and I shall be pressing very seriously to see if we can resolve the matters in respect of the other persons.

I see that in the Resolution there are the names of one Cameron Grant and E. Redman — I believe this is a man called Ernest Redman — and in respect of Mr. Cameron Grant the bureaucratic bounding was so intense

that his privately installed yard pipe was then in the centre of a path which was cut by the tractors put in by the former Ministry; and I had to protest vigorously in order to cause the pipe to be moved at Government's expense back into the yard of the house of the said Mr. Cameron Grant. I believe that even now he is protesting that his children are being called upon to pay rent.

The whole thing makes me believe that the time has come when those of us who take our constituents as seriously as I take mine, will have to fight even more strenuously, even if it means fighting against our own side, to make sure that this sort of — I would not call it bungling — but that this sort of callousness on the part of certain parts of the administration do not cause difficulty and hardship to the ordinary people of the land. I want to say again how very pleased I am that Mr. Beckles has managed to recoup his land; and I only hope now that nothing happens to prevent him from putting his apartments at the bottom of Free Hill, even though it may offer some competition to other people whom I know have apartments in the same area. *(Cheers)*

Mr. BRADSHAW: Mr. Speaker, I am forced to speak on this particular matter since it raises a number of points. Very often we have come to this honourable Chamber and made criticisms against the former administration, only to hear from our detractors that we are constantly harping at the former administration, and not getting on with the job. The Resolution before this Chamber reflects on the policy administration and surely on the Minister who was responsible for Housing in the past administration; and I make no apologies for making that statement, because as Parliamentary Secretary in the Ministry of Housing, I have come across a number of matters which the Minister will be called to go into and to try to solve.

There was quite a bit of bungling in dealing with land acquisition as a whole. For instance, we have had a situation in Apes Hill, St. James, where the former administration acquired land from the plantation at Apes Hill. They went ahead and put in roads; but to this present day we are faced with a situation where the owners of Apes Hill Plantation have not allowed the National Housing Corporation to put houses on the land for the very reason that the acquisition was not properly carried out by the former administration.

We are now faced with a situation in that particular area of Apes Hill where we have got to compensate the owners of Apes Hill, and it is a legal matter which is now before the Attorney General and which needs to be solved. What I am trying to point out is that if the former Administration had done its homework, we would not be faced with the situation where at Apes Hill this present Government is faced with a situation where roads have been put in on lands

that were not properly acquired by the former Administration, and people are making enquiries about houseplots. The situation is that the Town and Country Planning Department has said that that land should not be acquired. It was not proper for citing a housing development. Yet the Minister in the former Administration went ahead and acquired this land, and has left us with this problem on our hands.

This is not the only problem, Mr. Speaker, because we have got a situation in Checker Hall, St. Lucy. The hon. member who represents St. Lucy is aware of this — where there is a portion of land which was acquired by the former Administration, and no roads were put in. The land is good agricultural land and we are faced in the Ministry of Housing with a problem how best we can utilise the land in St. Lucy. That is not all. We have got problems involving the National Housing Corporation; and the Chairman ought to be told about this situation. That is why we, in the Ministry of Housing have not been able to release the land, which we have been requesting time and time again from the Ministry.

What has happened is that we have had a situation in Parish Land, St. George, where here again the National Housing Corporation was involved, and the Ministry of Housing and Lands, where instructions were given to the National Housing Corporation to build a pavilion on a piece of land which was owned by Lower Estate. It was said that that land was given to or acquired by the former Administration. It was only after we came into power that the owner, or the son of the owner, came into the Ministry and actually threatened the Minister to put a bulldozer on that pavilion and push it flat. It was only when we carried out investigations that we found out that the people in St. George who were deceived into believing that the pavilion was put up by one Dr. Haynes and Eric Sealy who were up there a Sunday; but this was not so; yet the people were told that Dr. Richie Haynes put up a pavilion; and there were headlines that the doctor and Eric Sealy turned the soil so as to put up this pavilion.

We had to face this astonishing situation where we discovered that the land was not acquired by the former Administration. Yet the public of Barbados was told that the pavilion which was put up by the National Housing Corporation, was put up on lands acquired by the Government. Now this is the sort of thing. We are left with a situation where we have now got to open negotiations with Mr. Power, the owner of Lower Estate, to acquire the land or face the possibility of having \$13,000 of taxpayers' money pushed flat. We have got another piece of land in St. George. As you go on to Gun Hill you will find a large portion of land there acquired by the former Administration; and nothing was done, although there was a feasibility study that was done on that land.

8.45 p.m.

We have got to go now and try to see how best we can use the land in St. George. In Parish Land some land was acquired and left there. Nothing was done. In Silver Sands land was bought by the former administration but nothing ...

Dr. CADDLE: On a point of order, I was listening quite carefully to the hon. member for some time, and I would like to know whether we are dealing with the acquisition of land.

Mr. SPEAKER: I did not get that impression. I take it that he is going to the hon. member for St. Michael North West; he is going to take his case there eventually.

Mr. BRADSHAW: I am dealing with land acquisition and I am sure I am speaking well to the Resolution before me. What I am trying to point out to this Chamber and for the information of the hon. member who has just sat down is that I am sure he is not aware though he was a member of the former administration that such unsolved land acquisitions and I would say bungling of land acquisition took place under his administration. As I said, we have got lots of so called deals and land acquisition which took place under the former administration and we are faced with a problem in the Ministry of Housing and Lands trying to make good the errors that took place during the former administration.

What I am saying is that before the Government enters upon land acquisition or any purchasing of property, it should be satisfied that there is a need and that proper investigations are carried out before negotiations are entered upon for the acquisition or purchase of some properties, and this was not done. We had some fly by night decisions which were taken by Ministers as far as land acquisition was concerned, which we can only say were activated by pure political reasons, and we have got to guard ourselves against this sort of thing. The public of Barbados are now paying for this Money for feasibility studies has gone into these, out of the Government Treasury; efforts have been put into it only to find that these plans have got to be shelved, and it must be told to this Honourable House and to the people of Barbados. It is not because the Barbados Labour Party does not want to carry out the programmes which the former Government started, but because it was not found wise to carry out such programmes since the negotiations were not properly conducted. That is the situation and we cannot go on and on in this manner. We have got to let the public know this and nothing that hon. members from that side, will tell the public of Barbados will stop me from letting them know the truth and the plain truth about the whole matter of land acquisition. We have to face it. I hope that this Chamber and more so the Chairman of the National Housing Corporation will understand that we have got problems in the Ministry. He

has called upon the Minister to release the land at Cave Hill; he has called on the Minister to release the land at Sion Hill, he is calling repeatedly on the Minister to get lands, but we cannot release the lands because they are not properly purchased and we have got legal battles on hand in order to rectify this situation.

As I said, Mr. Speaker, if we are to move faster in building houses we have got to purchase land. It is true that land is there and we have got a problem in trying to get the conveyances and so forth. There has been acquisition of land from private plantations but up to the present day the land marks and a proper survey and plans have not been produced, and that is one of the reasons why lots of the deals have been held back and the National Housing Corporation has not been able to get the money because the people have not been able to get the conveyances due to the lack of proper plans and a proper survey, and hence The Mortgage Finance Company has not been able to release the money, and on and on we go. I hope this Honourable Chamber will understand the problems we have got in the Ministry of Lands, and not think that the Minister is not doing everything in his power to get land released for the good and betterment of the people.

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

SUSPENSION OF SITTING

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that this sitting be now suspended until Friday, 2nd June, 1978, at 10.00 a.m.

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

The question that the sitting be now suspended until Friday, 2nd June, 1978 at 10.00 a.m. was put and resolved in the affirmative without division, and Mr. SPEAKER suspended the sitting accordingly.
8.52 p.m.

On Resumption:

Mr. SPEAKER: This Sitting is now resumed.

Mr. GREAVES: On Tuesday, Mr. Speaker, the Prime Minister in making his introductory statement on this particular Bill made emphasis on the financial aspect and investigative powers to be given to the Supervisor of elections in investigating the monies spent by various candidates in an election campaign. We on this side would certainly be looking at this particular feature but we are not at all satisfied with the reasons advanced for the introduction of these far-reaching amendments at this time, bearing in mind that we have the situation where a bye-election is pending; and it seems more than passing strange that almost on the eve of a bye-election the

Government is seeking to introduce what we consider to be very important and fundamental changes in the electoral system and we feel that this is something that has got to be carefully watched. A lot of people, judging from the kinds of comments which have appeared so far in the newspapers in this country, have really lost the real impact and import of these amendments, and I would like in the course of my presentation to make reference to some of these amendments.

The first one has to do with the abolition of what has been termed the publications of the monthly register. To us this is a retrograde step and a step which we in the Democratic Labour Party cannot condone. The situation at the present time is that we are able to monitor the number of people who go on the electoral lists because the lists are published on a monthly basis, and I do not buy the argument advanced by the Prime Minister that the reason for the cancellation of a monthly list is because of the cost involved. I cannot buy that as an argument because we are dealing with a very serious matter, and as I hinted to one of my colleagues here on Tuesday this is a situation where we can clearly see that democracy is on trial; because if one is going to step backwards from a situation where in any month any person interested in electoral system can have access to lists published on a monthly basis; and you are going to abolish that situation and revert to one published every year and in an election period have your special lists, and want to tell me this is better, I cannot buy that. I was trying to get hold of a document put out by the OAS which praises the system of monthly registration and indicates the forward nature of this kind of situation. So this is one aspect of this legislation that we are criticising.

The other part has to do with the period of special registration. Mr. Speaker, you like all of us have been involved in election campaign and know very well that there are a number of things to be done from the point of view of checks which have to be made on the various lists published from time to time. But we have a situation now where it seems to us an attempt is being made to reduce the time period which would be available to people making these kinds of checks and it does not allow ample time for claims to be made where a person's name is left off the register. And again, as to objections, where for example you see names appearing on a list, the time now to be allowed for carrying out the kinds of checks necessary to ensure that we do not have lists that are padded is not enough. In this situation it is going to be very difficult for checks to be made or objections registered, and we feel that in any democratic system as many opportunities as possible must be provided to the electorate to ensure that they are properly registered and that enough time is given to the people involved in making the various checks to ensure that names which should not be there do not go on to the record. I do not think we can stress this point too much because it is a very important aspect.

The other comment and criticism which I would want to level at this Bill relates to the changes which are sought to be introduced to section 18 of the Bill. Section 18 gives the Chief Registering Officer the powers to put on the register anyone after they have been photographed...

10.10 a.m.

Under the Bill as it stands at present, Section 18 reads as follows:

"The Chief Registering Officer shall, not later than three days after publication of the revised monthly list of electors for each constituency, cause to be published a supplementary register of all the names of persons which appear in the revised monthly list published in accordance with section 17 if such persons have been photographed in accordance with the regulations for the purpose of being issued with identification cards."

This section links registration with the taking of photographs and the issuing of identification cards; and you are aware, Mr. Speaker, that even in situations in the past where a person did not have a photograph, at least they were required to produce evidence indicating that they were photographed for the purpose of identification, and the document contained the number which formerly appeared on the identification card. If you remove this section and replace it by another section which does not include the provision where a potential voter can be identified, this in the view of the Democratic Labour Party is yet another very serious challenge to democracy, and we are very concerned about this kind of change.

As I indicated earlier, it is more than passing strange that at this time now that we are in the throes of by-election, an attempt is made to tamper with the provisions which we have, and which have worked successfully. I think that there is no greater proof of the success and the fair use in this matter than the fact that in election and by-election campaigns when the DLP was in power one saw that the Opposition was able to capture Government and win a by-election seat. It is not a question of the Act being so loose and loaded in favour of the Government that one could not win seats; but this amendment, in our view, will be opening up a lot of loopholes to possible malpractices; that is why we are very concerned about the new section which will be replacing section 18 in the original Act, and which abolishes this question of some means of identification

I think, Mr. Speaker, that the other section which we are concerned about has to do with the rather loosed and vague terms of sub-section 2 of the new section 55A which reads: "Any person who, without reasonable excuse fails to answer any question or

produce any document reasonably required by the Supervisor of Elections for an investigation under this section is guilty of an offence and liable on summary conviction to a fine of \$500 or imprisonment for 6 months or both".

I think Mr. Speaker, that you would be the first to admit that a lot of tricks can be played in an election campaign. (*Asides*)

Mr. SPEAKER: Let us have some order, please.

Mr. GREAVES: Let me give you a simple example. We had very living proof of this before the last election in 1976 when the then Leader of the Opposition produced a button with the head of the former U.S. ambassador, and the then Prime Minister encompassed in one button. I think that you will remember that very well; and it is passing strange that this was the only button that was available because a very careful check indicated that these were not circulating in St. John although the then Leader of the Opposition said that they were. So that it is conceivable that an opponent could arrange the kind of situation where material could be produced which purports to have been produced by a particular candidate, and which in fact could have been produced by the apponent of a particular candidate for ulterior motives.

I fear that a situation could develop where you could have this kind of material being produced and then you find that this would be redound to the disgrace of the opponent of a person who might be involved in concocting that kind of material. We are very concerned, Mr. Speaker, to the extent that we do not consider that when we in the Opposition fight this in here tooth and nail that that will be the end of our campaign against these very important changes. There are changes of a fundamental nature, changes which will open a lot of doors to malpractices. If we are interested in democracy, we have got to face up to what we now consider to be this serious challenge, and face it full and square; and my appeal to the Government is that they should not introduce these changes at this time. Let us conduct the bye-election campaign under the same rules and regulations under which the campaign was conducted in 1976; because from the point of view of the time which will be given to people to protest against names being placed on the register which cannot be accounted for and also from the point of view of people ensuring that their names are on the register, I feel that this is not the kind of situation which should obtain with the kind of figures which can be concocted because of this new measure. I feel that this will create considerable difficulty to people in an election campaign.

If I remember correctly, I was under the impression that the Prime Minister had made a promise, a solemn promise — although one does not know what is indeed a promise coming from the Hon. Prime Minister — but I was under the impression that some solemn promise was made by the Prime Minister to the effect that the Government would be setting out some permanent commission which will deal with the whole electoral system. That is another reason for our fear because if we had that very important promise, and now we have a situation where changes are going to be introduced, and we do not see this permanent commission being set up, one is left to wonder; and we are today very saddened and very concerned that we have reached a situation in which the Government at this point in time, on the eve of a bye-election, is seeking to make these changes. We cannot support this measure, and we will be opposing every aspect of it.

10.20 a.m.

Mr. SPEAKER: Is the hon. member winding up?

Hon. H. B. St. JOHN: No, Mr. Speaker. There is no question of winding up. The Hon. Attorney General seconded it and he has to speak and others have to speak, but I want to take the opportunity at an early date to reply to the points made by the hon. member for St. Lucy. Of course we are well aware that we are in an election campaign consequent upon the resignation of the former Leader of the Opposition and it is not unusual for Oppositions to attempt to create issues so that they would have some platform during the course of the pending election.

I want to say from the very outset that the suggestion that this is an attempt to interfere with the rights of the citizens of Barbados to vote is a totally base suggestion. It has no foundation in fact or in law. The amendments do not in any way interfere with the right of any citizen to vote in a bye-election or in a general election. The hon. member has not been able to point to any amendment which interferes with the rights of a citizen to vote. I think we had better get that fair and square out of the way. The hon. member states that because of certain amendments relating to the period of time for which objections and claims are made that people will be deprived of last minute registration. I want to point out to the hon. member that far from removing rights....

Mr. GREAVES: Mr. Speaker, on a point of elucidation, I was speaking to my colleague here, but I think I heard the Deputy Prime Minister say that I said that the new system will prevent people from last minute registration. What I said in truth and in fact was that it will prevent people from making the checks, objections and claims which should be made; not

registering at the last minute, but looking at the register which in my view is a different matter.

Hon. H. B. St. JOHN: Very well. I am glad that the hon. member has got up and said that he agrees that nothing in this Bill will prevent people from registering up to the last minute, because that is a fundamental plank of the Government, that this Bill does not interfere with the ability of people to register where they are eligible to register. We can now deal with checks and balances.

Under the existing law, if an election was held after the 15th of any month, it meant that people who registered as long as six weeks before the election were not eligible to vote. I want to repeat that under the existing law if an election was held at any point of time past the 15th of a month, people who registered in the prior month could not vote; people who registered within the fifteen days could not vote because the law said that it was the obligation of the Chief Supervisor of Elections to publish monthly lists by the 15th of the next month of people who were registered in the preceding month. A period of time had to be allowed for claims and objections, so that between publication on the 15th of the subsequent month and the end of the month claims and objections took place, and then the Chief Electoral Officer had the next month within which to publish the final register after his checking of the claims and objections.

Now we feel that is defective. As a consequence the special supplementary register can be prepared containing the people who are eligible to vote. I want to make the point that this Government has not changed the Supervisor of Elections who was appointed during the time of the Democratic Labour Party. It is the same officer, and the registering officers in the constituencies were the people who were involved in the elections. The Registering Officer in that constituency, Mr. Harrison now, succeeded Mr. Weekes who has died, and he is part and parcel of the electoral machinery during the time of the Democratic Labour Party. No system, Mr. Speaker, is better than the people who have to administer it; no politician on this side or on that side has the power to make the list. The legal power is vested in certain public officers and election officials; the same officials that administered it under the hands of the Democratic Labour Party are now administering it under our hands. What is the hon. member saying. Is he challenging the integrity of those officers? I ask him to say it. Is it the criticism of the Democratic Labour Party that the officers who are administering this system will rig the list? I pause for interruption. I will give way, Mr. Speaker.

Mr. SPEAKER: You might pause for station identification, but not for interruption.

Hon. H. B. St. JOHN: I will give way. This is fundamental. This is an attempt by the other side to create an election issue. I repeat. Is the hon. member or is the Opposition saying that the people who have to administer this system who are the self-same people whom they appointed people whose integrity they can question? (A VOICE: You pause again?) Yes. I want to hear. I want the public of this country to know and understand that there is absolutely no power vested in a Government Minister or in a candidate in Barbados to prepare a register of electors. That power is vested in election officials and the over-all supervisory power is vested in the Supervisor of Elections.

Among the other points that the hon. member made was the point in respect of the abolition of the monthly register. Hon. members will know that if they had taken a close look at that that there are some months when the taxpayers' money in Barbados has to be expended in publishing two sheets of paper with a little typing on it containing such words as "Supplementary Register or Monthly List for the particular constituency pursuant to the Representation of the People Act, Registrations — Nil, or one name." The truth of the matter is that our people in Barbados are a little lax in carrying out their obligations under the Act until the programme is published, so to speak, and they believe that the horses have to come out of the gates. We know that.

10.30 a.m.

We know that, so I also want to tell the hon. member this, because this is something that is not known, it is the obligation under the law of a householder to send the information to the Chief Registering Officer as soon as somebody in the house becomes eligible to vote. We have not interfered with that, these amendments do not relate to that, the very Representation of the People Act which was passed by the hon. member's Government which says that every householder is under an obligation to write to the Registering Officer saying that people in the household are eligible to vote or that they have changed their constituency. We know that that is not being complied with, and it is because of that reason also that we left that, but we also have to provide more supervision for when people start to carry out the functions of the householder, and we know in Barbados that it is the practice of all political parties that as soon as election time is around to have what is called a registration drive. They carry out the forms for registering, they get their prospective supporters to fill out the names, they file them with the Chief Registering Officer or the Registering Officer for the district, and then he has the responsibility, and I want to dwell on this.

No man can carry out that responsibility, because the law casts it upon the Supervisor of Elections, he has

to do the check. And let us see what in fact is happening now in the constituency where we know that the horses will soon have to line up. When the register of electors for St. Michael South Central was published in January this year it consisted of 4,946 people. Since then supplementary registers published between January to May have added a further 720 persons to the list; January 13, February 35, March 29, April 199 and May 444. These additions comprised 184 new registrations and 536 changes of address. Remember this, those changes of address should have taken place before, because when you change your address you are under an obligation once you were living in the constituency for three months. We have not changed that, we have not changed the criteria for eligibility, they should have been in the hands of the Registering Officer long ago.

The Chief Electoral Officer in carrying out his investigations in respect of applications for changes of address filed since April has had to query 81. In some cases persons were not registered in the constituency for the stipulated three months period. Now, you can get that, you can understand that because everybody is canvassing, there are two people living in a house in the constituency, they find out where these people voted last time, they automatically get the forms filled out and sent in, but many people do not know that you have actually to live in the constituency under the existing law passed by the other side for three months, so all of this talk about last minute registrations and all of that, the truth of the matter is that the people who can vote in the election whenever it is called will have to have been there for three months at least, so they are some of the misunderstandings that can arise. But the significant thing is that only 81 out of the 720 — I do not know what the hon. member is talking about, we like the hon. member want the people to be registered.

Hon. members will also remember that one of the devices used by the Chief Registering Officer to ensure that no tricks take place by people giving false addresses is posting a registered letter to the address and see what happens. Of course if the postman brings back the letter and says 'not known at address' or 'dead' or something like that, then the Chief Registering Officer has a means, but I want the public to know, and I must re-emphasise this point, that it is the Chief Electoral Officer who carries out the investigation.

As far now as the question of the photograph is concerned, we have not interfered with the rules that have been laid down, there is still the requirement for persons to be photographed in order to complete their registration. I have not heard any criticism from the other side in respect of polling agents, because what we have done here is to make it easier for political parties to get their polling agents, because we know that in

election time the difficulties of getting your people to go and sign the declarations of secrecy and all of that, and we want to ensure that up to the last minute those people, once they sign the form and sign the declaration of secrecy, that they are still eligible to go into the polling booth. Before they had to do it a certain number of hours prior to the election, all we are doing is giving more time to ensure that no vote takes place without a candidate or a political party having a representative or watchman — if you like to call him that — present when the voting is going along, so I don't think the hon. members could quarrel with that.

What is the other point made by the hon. member? Because he spoke for a very long period of time. The hon. member said there is not enough time for objection. Hon. members will know that there is a period of time between the issue of the writ and the return of the writ — I think it is 21 days, which is effectively 19, because you have the date and the last day. 10.40 a.m.

In that nineteen day period there is provision for claims and objections. Let the hon. member look at Section 16 of the Principal Act and he will see that. The rules for claims and objections will not be changed. We want to ensure that more people will be eligible to get on the lists by the abolition of this rule. Within that nineteen day period you will still have claims and objections, so that in truth and in fact nobody's rights are being interfered with. I know what the hon. member is really worried about. He is worried about the Clause dealing with election expenses. And I make no apologies for amending the law to empower the Supervisor of Elections to have full investigative powers to check whether any candidate over-spends the amount allotted by law. I want to have an issue with the hon. member on that. I know that because of their resources they are in favour of unlimited expenses, but I want to say that this Government feels it is a fundamental tenet of democracy that any person however poor should be able to offer himself to the electorate. Let the hon. member come out and say that it is deep in his psyche that the fundamental objections to the Bill is a difference in principle. They really believe that a candidate should be able to spend any amount of money. We believe that if you do not limit expenditure you will be denying the opportunity to people who are poor to come forward for elections. So now that we have stripped the details and given the reason behind the amendment, we look forward to support for this measure because I believe that on the question of election and election procedures it is better that we have a bi-partisan approach to these matters.

I also want to say that in the Throne Speech at the opening of Parliament in October, 1976, following the General Elections, the Governor-General expressed the Government's concern over certain aspects of the

machinery for holding Elections and announced the Government's intention of establishing a permanent Electoral and Boundaries Commission to ensure free elections and to have some modifications of the Representation of the People Act. So this is nothing new. We had it in our Manifesto and in the Throne Speech.

We know that one of the issues which arose at the Constitutional Conference on Barbados in London was the difference of opinion between the then Premier and later Prime Minister and ourselves. We wanted to entrench the provisions in relation to Elections in that part of the constitution which provided for special procedures. But the other side said no. Now we have our Constitution Commission at work and the question of the entrenchment of the procedures for elections will come before that Commission. We have always advocated as long ago as 1966 that Elections were matters which should have special provisions embodied in the sacred part of the Constitution so to speak. We are not departing from that. So that Mr. Speaker, this is nothing more than an attempt to create a political issue. Let us look at the words about "Democracy on Trial." This is all nonsense. There is no political party in the whole of the Caribbean that has a greater respect for the democratic process than the Barbados Labour Party. We have had to suffer for 15 years from indignity and abuse. All kinds of limitations were placed on our ability to put forward our point of views, but we always had a feeling that the electorate in Barbados would recognise the Government for what it was worth and turn it out. But we always believed that the only way to do this was by the election process. I had to face an election in 1971 in which the boundaries in my constituency were changed six weeks before the Election, and half the people in the constituency who had voted for me previously ended up in another constituency. My constituency was massacred from over 6,000 voters to 3,000, and I had to go through that and people who lived in my constituency having to go to vote in the constituency next door. But it did not make me bitter because I felt the constituency was the loser. Not me. And they had the opportunity to rectify the situation in 1976. All it meant was that my period in here was broken. So that when it comes to election and manoeuvring, maybe what is motivating the hon. member is that he knows what they did to us and he perhaps feels we will do the same thing to them. But we are on record and we are fundamentally bound to the tenet of free and fair elections. So I trust that these explanations will calm the hon. member's fears; there is no ulterior motive in this Bill at all.

Dr. CADDLE: Mr. Speaker, I would like to begin by registering my thanks to the Hon. Deputy Prime Minister for having this matter deferred until today so as to give us on this side more time to look at the

amendments as proposed. However, I would like to point out that that was a matter in favour of the Government because this particular time people are concerned due to the fact that an election is in the offing and they are concerned about anything that would interfere with the procedures to which they have become accustomed in the past. And I believe that hon. members on that side have come into contact with people who are concerned about how this Bill will affect them when it comes into operation. If this Bill was brought at some other occasion maybe the amount of concern which has been experienced might not have been so great, but due to the fact that we are going to have an election very soon, people are concerned and we in this House of Assembly have a responsibility in discussing this matter to try to allay the fears of the electorate at large.

10.50 p.m.

Sir, you will note that people very often see a political connotation in anything. Even death — and we hear about political deaths even when the person might have died from natural causes. People have a way of adding political connotations and because of that, we in Barbados have to be careful of what we are going about especially at this time when we are dealing with amendments to this particular Bill. I would like to draw attention to section 36 of the principal Act which reads as follows:

“For the purposes of every election the Governor-General shall issue a writ under the Public Seal addressed to the returning officer for the constituency for which the election is to be held. Every such writ shall be forwarded to the Supervisor of Elections for transmission to the returning officer to whom it is addressed.”

Sub-section (2) says: “Every writ issued for the purposes of subsection (1) shall be in the Form 2 set out in the Third Schedule and shall specify the day of nomination of candidates, the day upon which, if necessary, the poll shall be taken, being not less than fourteen and not more than twenty-one clear days thereafter, and the day the writ is returnable to the Governor-General.”

Sub-section (3) says: “On receipt of the writ, the returning officer shall endorse the date of receipt on the writ and shall proceed to hold an election in accordance with the election rules.”

I do not think that it is necessary to read subsections 4 and 5. It is noteworthy that in amending the Act the Government has given the Governor-General authority to declare an election period of 19 days before the issue of a writ after the period. Now, what I am concerned with here — and I hope that the Hon. Attorney General has given due consideration to section

36 of the new amendment. What I am concerned about is that particular period when people are more anxious and concerned about getting on the register when an election is in the offing. As the Hon. Leader has pointed out, people are not generally interested in registering until something is in the offing. We want to know as a party where the special registration period of 19 days is concerned, how are you going to relate it to section 36(2) of the Act. We have to bear in mind two things — that postmen do not usually work on Sundays and also that on Saturdays no activity goes on. We also have to bear in mind that the 19 days will expire on a Friday. When this special register is published, there is bound to be a period too short to make special checks and balances. This is an area in which people are concerned, because the time which is available for holding an election after a writ has been issued is, I think, a minimum of 21 days or a maximum of 31 days; and it would seem that if you have a period of 19 days, you are left with a minimum of 5 days before the election is held; and I will submit that 5 days will not be sufficient time. It will be for the Government to convince us by argument whether that is not so.

When you look at the question of registration, the Barbadian system is one of registration with periodic checks. I will admit to the argument that sometimes you print blank sheets; but the argument should not be advanced as the sole reason why you should come now and abolish the monthly registers. One might see the need for some change in the system, but not for total abolition. One may see the need for saying that where no one is registered in a particular constituency over a period of time, the Chief Registering Officer should be empowered to carry forward those names in the register of the next month.

Because of the way that people in Barbados behave, we know that it is only at a particular time when elections are around that they really become interested in registering. We have to recognise that while this system might be all right for the United States where you come forward with a register on January 31 and people come out and register, Barbadians do not yet have that consciousness of the importance of registers except during an election period. I do not understand why we have got to go all the way to the total abolition of the monthly register. I would like to suggest to the Government that some other systems should be considered.

Sir, when you look at section 18 which has been repealed in the new amending Bill, this brings to mind certain apprehensions. In the principal Act as it now stands, one point in that section 18 is that people should have been issued with identification cards. The card carried a photograph of the holder. I do not have to seek to impress this on you, Sir. You know that better than I do.

Hon. H. deB. FORDE: Mr. Speaker, I wonder if the hon. member would repeat what he has just said.

Dr. CADDLE: I was drawing attention to the fact that the last line of Section 18 speaks of persons having been photographed in accordance with the regulations for the purpose of being issued with identification cards. The hon. member would be in a good position to enlighten me on this. There have been rumours about people voting illegally due to the fact that they do not properly identify. I think that members on both sides in this Hon. Chamber would realise that on occasions there were grave suspicions and doubts. There have been reports of people who have left the island or died, or people who may have been in some of the infirmaries of the island, and other people going and voting in their names. That is the importance of identification and the photograph went a long way in seeing that this type of illegal practice would be reduced, if not eliminated altogether.

11 a.m.

As it stands that is how it appears to me and I am throwing it out because as I said we should strive in the debate on this Bill to allay the fears of the people at large, and I hope the Hon. Attorney General will deal with that, because when you remove that it means it is quite possible if this is so that anybody within the special registration period can go and register without having to advance or get an identification card and therefore make it rather difficult on the actual day of election to check or to verify whether this is a person or somebody pulling a ruse.

I would like to advert here to the debate on the principal Bill on Tuesday, 18th May, 1971, the Official Report of the House of Assembly Debates, and I am just going to quote from the speech of the Rt. Hon. E. W. Barrow, and he says here:

"If you can establish to the Registering Officer that you have had your photograph taken for the purpose of identification and of registration and you do not have your photograph, then each polling station will have the photograph of all the persons who are registered and entitled to vote. There will be a permanent record of their photographs; one will be given to the voter, the other one will be with the Returning Officer and the third will be kept in the records of the Central Registration Office."

Am I right in saying that with the repeal of this particular section we are now removing the need for people having to get these photographs? I am not saying that they will not get a photograph if they appear for it, but the fact that this section has been repealed would appear to me no longer to make it obligatory on anyone to get a photograph, and it is going to be the responsibility of the Attorney General to seek to remove

these doubts, because I think he will be aware of it as much as I am that a lot of malpractice can arise as a result of this. We have heard in this election about to take place and in previous elections of people who have moved from constituency to constituency to register themselves in more than one constituency. I think rather than creating areas where the doubts of people about this will become stronger we should be seeking to remove all conditions and circumstances which permit such doubts to persist and set the position quite clear where people can be assured that no such thing will be occurring or can be contemplated on the part of an individual.

Sir, there is some concern over the section in this Bill which is giving power to the Supervisor of Elections to look into the expenses of the candidate. Now I would like to make my position quite clear, that if one goes by what you hear occurring in other elections, one gets the impression that there is a need for some form of investigation because we have heard repeatedly coming from the mouths of some candidates themselves the large amount of money they have spent in their campaign, and when one checks the returns one gets the impression that there is a very big difference between what has been submitted and what the person has been saying; so I do not want you to get the impression that we are fearful unnecessarily about this section. Where we are concerned is the type of powers which seem unlimited, which seem undefined in this section, and we get the impression that unless these are going to be well defined in your rules and regulations... I admit that we may have to wait for the rules and regulations to see how these are going to be defined and enforced, but at the moment one has to express that we have some fear about the way in which this can be used, and people have a right to be assured that the normal procedures which would apply in a court of justice and which all lawyers like to uphold will apply. All of us like to talk about the rights of people and so on, and we would like to believe that in giving this wide authority or power to the Supervisor of Elections to investigate the election expenses of anybody, be he a candidate or people who are not candidates but still participating in the elections, that the rights which we see accorded or respected in a court of law are going to be respected here; and we would like the guidelines to be well clarified or laid down either in the principal amending Bill or in the rules and regulations.

We are not opposing it purely for the sake of opposing because you have introduced it. We are not opposed to any investigation. What we would like, and I repeat it, is to be assured that we are not going to find a situation where the Supervisor of Elections now finds he can flout procedures, practices and traditions which we pay a lot of respect to when they take place in the courts of this country, but in the case of the Supervisor of Elections he does not have to respect these things and it all depends on how he feels towards a particular

individual or what mood he gets up in on a particular morning. At the same time one has to bear in mind that while the Hon. Leader of the House has made a big point about the Supervisor of Elections and that most of the staff has been appointed by the Democratic Labour Party and we should not have any fear — and I should like to say that we do not have any fear nor are we challenging their integrity — we recognise that they may not always be there and other people may succeed them, and we know nothing of the character and integrity of the people who may succeed them, and we would have to wait and see. These are real fears and I would hope that the hon. members on the other side would pay some attention to this. We are not opposing the Bill because you have introduced it. There is no point in that. There is a genuine concern among people in this country about the need for this Bill, and I would agree with the Leader of the House that because of the circumstances with a by-election about to come off that people are likely to be more concerned than maybe if you had introduced the Bill last year or at the beginning of this year when there was no by-election. So it is our responsibility to seek to allay their fears, and that is why I am raising these points.

I have noticed here, and I hope the Attorney General can explain it, that section 15 of the Principal Act is repealed, but then I notice that in substance in the amending Bill section 17 is more or less section 15 of the Principal Act which has been repealed, and I want to know from him what is the purpose. The only thing that is missing here is the monthly register which has been removed. You can check it out for yourself. While I accept there may be some need from the point of view of the Government that you are the Government and you have to get the laws to reflect your own thinking, we also have to warn you that it is the people at large that matter, and we should be aware of the fact that people do not take to these types of changes as readily and easily as we would like.

The Representation of the People Act is a cornerstone of our Constitution, and while we can advance a lot of reasons of efficiency and so on to make certain changes or bring in new manoeuvres, one has to bear in mind also that because it is one of the cornerstones of our Constitution, if we continually create the impression that democracy is safe for the present and future in Barbados, then these complaints about costs, these complaints about wasting the taxpayers' money should not hold water, because what is of vital importance is that the people who are going to be affected by these laws are satisfied in their minds that the proper checks and balances are there, not according to us, because too often we make that mistake; we feel that because it is good for us that the people must necessarily accept it.

11 10 a.m.

But we must make sure that the proper checks and balances which they are satisfied with are maintained, and that is why we on this side have found it necessary to raise questions about the necessity for a complete removal of the monthly registers, although we will concede that conditions and facts point out that there is a need for some modification, but not to the extent that the monthly registers should completely cease. At the same time we are concerned, and I repeat this strongly, because I have stated already that the way in which the Supervisor of Elections is being given power to investigate the expenses of not only candidates, anybody, unless this is well defined and the guidelines properly laid down, we are likely to find at some time, not necessarily this election, not necessarily under this Government, but at some time there can be abuse of this power.

One of the mistakes that I find politicians repeatedly make is that when they are making laws they are only thinking about themselves and the present. They are never alert to the possibility that at some future elections they could be replaced and somebody else will take over who may seek to interpret these rules, regulations and laws entirely different from the way in which they may have conceived of them at the particular time, and I think that is where the real problem lies. The problem does not really lie with the present Government as such, because we have no fear about them. I think the people of this country recognise that the Hon. Attorney General is a man of integrity, a man who is concerned about the rights of the individual, but at the same time people also recognise that he is not going to be there for ever. In fact, people recognise that none of us will be here for ever, so it is not the fact that we are here now that will satisfy people that everything is going to go right and nothing is going to go wrong, people would like to be assured that whoever comes afterwards will be in a position to uphold the traditions of this country and not to flaunt their authority and power over the poor people of this country as they see fit. This is the point we are concerned about. I am not concerned with who will succeed you when you go in September, that is entirely a matter for that side. What we are concerned with is looking to the future because politicians make their mistakes, they feel that they will be there for ever, they never seem to be able to gauge the mood of the people accurately, and there comes the time when the people decide to put somebody else into power and then you run the risk of seeing the new incumbents in office doing things as they now interpret or feel they should be done, and this is where the real danger comes.

So we do not want to be satisfied only on the grounds that you all are okay, and have no fear that you would do unto us what you believe we did to you, we do not have those fears at all, the fears will go beyond you all and unless you are there you will not be in a position to assure us, so we want to be quite satisfied on this side

that whatever this Hon. Chamber agrees on on this Bill will be to the satisfaction of the people and also will be cast in such a way that we will be assured that whoever comes afterward, whether one of the gentlemen of whom the Hon. Attorney General has spoken or somebody else, that the position will still be in the best interest of the people in the country and that democracy in Barbados will be protected and fostered for all times.

We have made these suggestions — I would not like to call them criticisms — to the Hon. Attorney General in the hope that he will be able to explain to us and satisfy the people of Barbados at the same time that this amending Bill which is before us today has not been brought here with the intention of getting at any candidate, has not been brought here with the intention of getting at any person holding public meetings in Barbados, but purely for the purpose of really improving the efficiency of the system. If you can assure us by really dealing with the clauses and not dealing with the purely political content, then we will go away from this House today very happy, but unless he can assure us when he comes to deal with the principal Act and the various amending clauses which have been put forward here today we will not be so happy and then we will have to seek to take the matter to the people to get the people's reaction on whether or not they are satisfied with the amendments to this particular principal Act. So it is entirely up to the Hon. Attorney General to tell us and the people of Barbados the need for a complete removal of the monthly register and not some modification where, as I said in my opening remarks, if you do not publish it this month it can be carried forward to another month when you have numbers to be registered, and whether section 36 as it now stands would not be introducing some problems for people who seek to employ all the checks and balances after the special register has been published at the end of the special registration period, which is 19 days, and lastly, what guidelines will be laid down to ensure that any Supervisor of Elections will be bound to respect the normal practices and procedures and traditions which are characteristic of affairs when they are conducted in the courts of this island.

Mr. TAITT: Mr. Speaker, the amending Bill before us is an important piece of legislation not merely because it seeks to add to the long list of legislation which is brought here, but because it seeks to make changes in an area which is considered rightly or wrongly by all people everywhere there is a democratic system to be fundamental.

At the risk of taking coals to Newcastle, let me recap very briefly some of the historical situation regarding elections in Barbados. In the 1930's there was great oppression of the masses of people in Barbados and in the West Indies, and after the pressure became too

great, and helped by a few articulate persons in the community, the people rose up against the oppressors. Fortunately, Mr. Speaker, in Barbados there was not a lot of blood shed in the streets, but enough was shed and there was enough agitation that the powers that be recognised that something fundamental had to change, and except for the interruption caused by the second world war, there was, albeit slow, some evolution towards what came in 1951, at the beginning of the 1950's, the granting of adult suffrage in Barbados.

11.20 a.m.

Now Sir, the arguments that were used by the proponents of the democratic system in those years have led us to accept that the right to vote is one of the fundamental human rights anywhere. And I want to say that all members on both sides of this House have over the years talked in glowing terms of this particular fundamental right. Mr. Speaker, political freedom implies, among other things, the right of general participation in the process of political decisions and as the basis for this right there must be enjoyment of the fundamental rights of free speech, a free press, freedom of assembly and religion. The Bill which comes before this House today does not seek *per se* to take away the right of people to vote. The hon. Leader of the House said that it was an attempt to strip the details. But he took off only the overcoat. If we are going to strip we should get down to the skin and bones. We cannot talk only in terms of depriving persons of a right; we have to look at whether there is any defusion of that right. We will not on the floor of this House accuse the other side of any malpractice; but I think they have a duty and responsibility to ensure that the people of Barbados do not come to feel that any provisions they bring to this House are designed for that purpose.

Mr. SPEAKER: I take it you are only expressing your mind.

Mr. TAITT: Oh yes, Sir.

Mr. SPEAKER: It being in your mind that they are carrying out these malpractices.

Mr. TAITT: No, Sir. It is not in my mind that they are carrying out malpractices. I refuse to believe that. I am saying they have a responsibility to ensure that no one should think that they are carrying out malpractices.

Mr. Speaker, the hon. member for Christ Church South Central, according to what I heard this morning says that the right to vote is not being abridged; that indeed there will now be last minute provision for registration. The gravamen of my argument is that last minute registration itself is not dangerous *per se*, but the ability of a candidate to challenge a registration under these new provisions is now very restrictive. The hon.

Attorney General will no doubt point out to us how this can be obviated, but what I wish to know is this: during the 19 days that the special registration is going on, how will those of us who are interested find out whether people have or have not been registered? Will we be able daily to see the publication of those persons who have or have not been registered, or will we have to wait until the 19 day period is up and have those three days in which to object to people who have been transferred or registered? The hon. member for Christ Church South Central said that under the current legislation one could not get to vote in the last fifteen days. I believe that all of us will agree that there has to be some cut of day to give people administering the election time to get out the lists. We are merely seeking to find out how this particular administrative device will work. He also said that no system is better than the people who are running it, and that the same people administering the system now were administering it before. I wish to say at the outset that I have had between 1973 and 1976 frequent contact with the Chief Electoral Officer and I wish to say for the record that I have found him to be a man of extreme integrity; and indeed I have no question about the integrity of any of the persons who occupy positions in the Electoral Office. But, Sir, soon after this Government came to power, about fifteen registration officers were dismissed. I do not know why and I have no doubt the other side will tell us why; I am merely making the point that 15 registration officers were dismissed.

Hon. H. deB. FORDE: Is the hon. member including Mr. Deighton Griffith, the head of the DLP Academy of Politics, among the 15?

Mr. SPEAKER: The hon. Attorney General will have his opportunity to wind up the debate for the Government.

Mr. TAITT: Mr. Speaker, as I said, I have no doubt they will tell us why they fired the 15 officers. Of course, it is their prerogative to do so and remove those persons who now function in the Electoral Office. I have no doubt that the Chief Electoral Officer, since he has done a good job, is entitled to promotion someday, and we have no crystal ball to assure us that the person who replaces him will be of the same level of integrity. Another point is that the Chief Electoral Officer is subject to Ministerial direction in some areas and I believe that the hon. Attorney General whether he is not subject to Ministerial direction.

They also raised the question about the Clause in the Bill dealing with electoral expenses and I wish to be with it. Mr. Speaker, we in this House of Assembly have all been elected, and I believe that all of us are familiar with some of the draw backs of the system. The system of election in this country needs a certain degree of honesty on both sides. I believe that in a time when there is

inflation and when everything has shown an upward trend in cost, hon. members on both sides ought to be realistic about what the cost of the election is. But if they decide not to be realistic and insist it is to be the same for everybody on both sides, I have no quarrel with that. What I have a quarrel with is giving the supervisor of elections investigative powers of a certain type, bearing in mind that the supervisor of elections is subject to Ministerial direction. It also seems to me that there should be some time limit on the period of investigation. 11.30 a.m.

As the Bill now stands, it seems to me that the Supervisor of Elections can investigate the 1976 elections in 1978. I hope that the Hon. Attorney General will tell us how the provision intends to deal with that particular issue. Mr. Speaker, it is clear that Government can order an investigation going back to 1961. I draw to the attention of the other side that some day some Government will replace them, and it will not be unreasonable for that Government to order some investigation that goes back 15 years.

I feel that legislation when put on the Statute Book should be specific and not leave any areas of doubt in the legislation itself. If they wish to have investigations, if they wish to give the Supervisor of Elections investigative powers, they have the numbers, and it is their privilege and prerogative to do so; but they should not bring legislation which could be described as being fishy. I choose to call this legislation the South Central Bill. There are some who call it the Richie Haynes Bill. It comes at a time just prior to an election, and there are people outside of this House of Assembly who are saying that the Government has brought this piece of legislation for a specific purpose. I begin to be suspicious when supporters of the Barbados Labour Party meet me and say to me "if you win, you lose; and if you lose, you win". We have to be extremely careful, Mr. Speaker, that the fundamental rights of the citizens of this country do not seem to be breached. I do not understand why it is necessary for us to change the system of the monthly list merely because a list came out once without any names on it. We have in this Parliament a situation where an Order Paper can come out without anything on it. Does that mean that we should abolish publishing an Order Paper? Of course not.

If they wish to amend the Act to give the Supervisor of Elections power that where there has been no registration in a particular constituency he does not have to publish the list. I believe that there will be no difficulty in that but for those of us involved in the registration of people, taking people to the polls and taking them to the Registration Office, I believe that we must have evidence early that people are registered. There are a number of young people who become of

age to register throughout the year. When a young man or young woman goes to a registration office, does it mean that that young man or that young woman must wait until January the following year to see if he or she has been registered? According to what is before us now, it seems to me that that will be the case. It seems to me that there ought to be some way in which those persons can discover as early as possible whether there have been registered, and if their registration has been accepted and is valid.

Mr. Speaker, it is not unusual for there to be election tricks and political tricks, not necessarily in Barbados, but wherever elections are held the possibility of fraud exists. Indeed, if that possibility did not exist we would not need election laws. I maintain that the onus is on the Government to indicate to the population at large that it is not their intention to have legislation which is tricky.

Mr. SPEAKER: Please withdraw that. I feel that this is a subject which can be debated for hours without going out of bounds.

Mr. TAITT: I do not wish, Mr. Speaker, to go out of bounds. I am merely saying what some of the people in my area have indicated to me, the bone of worry and concern about this piece of legislation. The hon. member for Christ Church South Central, in his attempt to explain this piece of legislation skirted some of the wishes. I hope that the Hon. Attorney General will be able to give us a better account. In the final analysis, when one looks at the fact that 81 persons in the St. Michael South Central constituency were queried about the length of time they lived in the constituency, and looking at the fact that 700 people have been registered, one of the major difficulties will be that if on the 17th day 700 people are suddenly registered, how is the Supervisor of Elections going to be able to check on them in time for an election that is due in seven days' time.

What kind of manpower is going to be at his disposal to find out who lived in this constituency, and if the 700 people have been living there for three months? Will they be not eligible to vote until he has checked? That is according to what is before us. So that on the 17th day or the 18th day 700 people from some other constituency can conceivably go and register. Which candidate, which organisation will be capable of going out and investigating this? I say so because it is the duty of the candidate and of his supporters to see that there is no one registered in any constituency who ought not to be there. It is the duty of the Supervisor of Elections, legally, to see that this is not done. I maintain that in the circumstances of this legislation it will be extremely difficult. There are many ways in which you can subvert the rights of a citizen. One is to

deprive him of the right to vote. I concede that for the purposes of this Bill this is not the case. A second one, however, is to subvert his right to a diffusion of that right. If in fact 200 people who do not belong in that constituency vote in that constituency, it is conceivable and possible that those 200 people can cause a candidate whom the majority of people in that constituency did not want to become a representative of that constituency.

Mr. Speaker, it is the duty of the Government to make it clear beyond the slightest shadow of doubt that this will not be the case, cannot be the case because of this measure. I am afraid, Mr. Speaker, that the legislation as it stands here does not seem to be framed in the clear terms that it should be when you are dealing with fundamental rights.
11.40 p.m.

I wish to say this, Mr. Speaker. I believe that the hon. member for Christ Church South Central is sincere when he sees this legislation in the light that he puts it. I believe that; I wish I could say the same thing for all the other members of his party. I am not talking about the members from that side; I could not in any way cast aspersions on the integrity of the members from that side; I am saying there are members of the party which they represent whose integrity certainly does not measure up to that of the hon. member for Christ Church South Central. Mr. Speaker, we have to oppose this legislation. We are going to oppose this legislation because in the name of the 48,000 people in this country that we represent we are uncertain and unsure of (a) the need for the legislation at this time; (b) the intent of the legislation at this time and (c) the result which this legislation will bring about. For those reasons, Mr. Speaker, we are going to oppose it. They said; I should not say "they", Sir. In the Throne Speech at page 12 on 6th October, 1976 it is said: "Of particular concern to my Government is the existing machinery for the holding of elections to Parliament and it is the Government's intention to seek to establish a permanent Electoral Boundaries Commission to preserve free elections."

Mr. Speaker, if a permanent Boundaries Election Committee had been established and if arising out of the findings of that permanent Boundaries Commission this legislation had been brought here with all of the explanations and details which are usual from bodies of that kind, I have no doubt that we would have been able leisurely to examine the legislation and come to a conclusion. But, Mr. Speaker, there is a certain hurry about this legislation.

Mr. SPEAKER: Have you finished that paragraph? I didn't go any further?

Mr. TAITT: It did not go any further. On that subject it stopped there; and there is a certain hurry. As a matter of fact, when the Hon. Prime Minister was making his second reading speech, he said that the legislation is urgent. What is urgent about this legislation? If you are a normal person with normal propensities, if you have no consideration, how in the name of all that is good could that Government that won the Government under the present regulations say that these changes which they say are of no import are crucial. They say that this legislation is changing nothing; why is it so urgent, Mr. Speaker? If it is changing nothing, if it is doing nothing fundamental, why is it so urgent? I believe I echo the mind of a number of people who are suspicious of governmental authority in general and suspicious of that governmental authority in particular. There are a number of people like that. They may be quite misguided, Mr. Speaker, but the fact remains that they are suspicious, and I would implore the Hon. Attorney General to demonstrate a position of statesmanship that has not been seen in this country before if he would get up in this House today and say to this Honourable House that since they on the other side are behaving in this manner about this legislation, we are going to bring it at some other time; we would show them that we are like Caesar's wife, above suspicion in this up-coming by-election and we would not worry to bring it. Let us not accept that it is so urgent; let us not accept that it is crucial; let us decide that the election machinery which brought that Government to power would be good enough in the by-election coming up.

Hon. C. L. BOLDEN: Mr. Speaker, the hon. member for St. Lucy started out with a newly adopted phrase of the Democratic Labour Party about democracy being on trial. I think what he should have said was that democracy was on trial and the trial has come to an end subsequent to September 2, 1976, because it would appear to me that the hon. members of the Opposition benches would like to have had a position which satisfied them in the previous years. We on this side who have constantly said we were as worried about the electoral machinery in this country and that the time would come when we would have to put that machinery in order to remove suspicions, and now that we are attempting to do it they still call it democracy on trial.

Now, Mr. Speaker, I believe I can speak particularly well about elections since I faced a by-election and in ten months thereafter a general election. When I faced the by-election in 1970, we had some 4,000 people on the electoral roll in St. Joseph, but by 1971 under the Democratic Labour Party the roll had been reduced to just over 3,000 people, and when I hear the hon. member for St. Lucy talking about people not being able to vote, he should look

back in his own bosom and the bosom of the Democratic Labour Party and ask what happened during those days. People from the part of the constituency that supported the Barbados Labour Party walked to the polls three, four, five times all over St. Joseph with I.D. Cards in their hands and could not vote. The Chief Electoral Officer will tell you that I telephoned him in the midst of the election and asked him what was the position, and he said that the votes should be taken and put in a special envelope to be decided at the end of the day, and the Electoral Officer in St. Joseph, Cadogan, refused and said the Electoral Officer could not tell him what to do. So where is the democracy on trial? Democracy was on trial when the Democratic Labour Party was in power. The trial has long past and you are afraid. Let the people in the constituencies now tell you that they feel better; the worries are now in the bosoms of the DLP and its candidate, because when he walks about and says that the Barbados Labour Party is passing laws that he cannot buy any more rum, he cannot buy out the rum shop at the corner of Belmont Road every Saturday night, that is why he has got to be on trial. Democracy is on trial then because the money cannot flow any more on a Saturday night; so don't talk about democracy being on trial; do not talk about rigging elections. If you want to talk about rigging elections, ask about the St. Philip North election. I do not have to speak about that; the candidate himself will speak about that, but I lived in St. Philip and I know what happened.

Now the hon. member is talking about the Leader of the Government producing a button with Barrow and Britton. Why doesn't he talk about the photograph of Sidney Alleyne? That is when democracy was on trial because when the people of this country spoke, Sidney Alleyne said "no, it cannot be so." Was democracy not on trial then? The people spoke, they wanted a particular party to rule them for five years at least until the next time came around for them to decide again, but no, Sidney Alleyne and his crowd, Waldo Ramsay and the lot said "no, that is not so." There was democracy on trial then.

Mr. SPEAKER: I wonder if this is.....

Hon. C. L. BOLDEN: Part of the electoral process, Mr. Speaker, because the only way for people in this country....

Mr. SPEAKER: Is this not a post election process that you are discussing?

Hon. C. L. BOLDEN: No, this is a question of democracy whether it is on trial or not. It is under the Representation of the People Act that the people speak; they can only speak when an election or by-election is called and they will speak in another few months when

the by-election is called, and we know how they are going to speak.

Mr. Speaker, I heard the hon. member on that side.....

Mr. SPEAKER: We have got to be very careful because I heard you make mention of democracy being on trial at the corner of Belmont Road. Is this democracy something called "See Through"?

Hon. C. L. BOLDEN: That is true, Mr. Speaker. It is the "See Through" that is worried now. They talk about the duties of the Supervisor of Elections.
11.50 a.m.

Mr. Speaker, they talk about the duties of the Supervisor of Elections. I say openly when the hon. member for Christ Church South Central, the Leader of the House now, lost his seat in 1971 he paid for it because of his faith in human beings and he did not understand what was happening to him in 1971. In 1971 the Democratic Labour Party came to this House to amend the Representation of the People Act. One of the things we spoke about immediately after the 1966 election was that when they started to photograph people that names did not appear on the register. In our Act then the Supervisor of Elections was liable for any person's name which should have been registered and was left off the register. It appeared in the laws of Jamaica, it also appeared in our previous Act. On that side when they sat here, they came to Parliament to amend the laws dealing with registration and the liability of the Supervisor of Elections for having persons' names on the register. They adjourned the House, I believe from a Tuesday to a Friday morning as well, and when I told Mr. St. John as he was at that time to stay here because they were going to trick him....

Mr. SPEAKER: Who is Mr. St. John?

Hon. C. L. BOLDEN: I call him Mr. St. John, he was that at the time, but who is now Leader of the House.

Mr. SPEAKER: Very well.

Hon. C. L. BOLDEN: The excuse was that the computer had broken down and they had to send the list to Trinidad to be done. I said it could not be true and the Hon. Leader of the House accepted it in good faith that they had to change the laws because they could not hold the Supervisor of Elections liable for omissions when the work would have been done in Trinidad. That is what they told us in here. But no sooner than it went through this House the boundaries were changed. The St. Philip North boundary was cut,

the same constituency in Christ Church was cut, the St. Andrew/St. James boundaries were cut, and within six or seven weeks an election was called, and I remember well day after day going to the Registration Office and buying supplementary lists to find no names on it for St. Joseph, but I had to pay for it. I know the last week all those people taken to the polls by John Smith found their names on the list, but I still had to buy it.

I believe I saw a statement somewhere around here that between the 1st January and up to now only about 15 people have been registered in St. Joseph. Some months there are none, absolutely none, so they tell me when you talk about checking people who have been registered you have to buy a list. I know one thing they should have said, and I have said this openly, that there should be a provision where registered political parties and all political parties should be made to register. Registered political parties should be able to obtain a command copy of all the voters in this country free of charge. I have said it over and over again, and I repeat what I said while in Opposition, it should be a mandatory position that every person of voting age should be made to vote, because then we would get a Government that is truly representative of the people. The question of Ritchie Haynes going up at the corner of Belmont Road and buying rum would come to an end, because everybody would have to vote, you would not have to persuade them by wining and dining them.

Mr. Speaker, when they talk about how they are worried and about tricks in elections, we have suffered all the tricks that anybody could put down in elections. This is our first chance of being in Government when an election is going to be run, and at the end of this I am sure every member of this community will say how fair the elections were.

Mr. Speaker, the hon. member spoke about dismissal of Registration Officers. Let me tell you of a personal experience in the 1976 elections. The law lays down certain conditions under which an election should take place. In St. Joseph about 11.30 the morning of polling day one of my assistants came to me and told me that polling was taking place in St. Ann's School, a school which was picked by Mr. Banfield, the Election Officer in St. Joseph, and that there was no electricity in the building and that the doors could not be secured. I went and I checked, the electricity was cut off because they were repairing the school, the windows could not be closed, and I said to Mr. Banfield "if you have to close polling at 6 o'clock, you cannot complete your work in here until 7.00 or 7.30 and it will then be dark." He said, "that is my business, you can't tell me what to do, I have my orders from my headquarters, the Democratic Labour Party." And I called the Chief Electoral Officer about it and said I

was not satisfied and that if something was not done within the next hour I would have broken up the elections and I would tell the people why. I would have gone in there and I would have turned over every table because when I am going to lose I am going to lose fair and square. The Chief Electoral Officer came up and made Mr. Banfield look for lanterns to put in the place, and the votes were tied together and the boxes sealed under lantern light. Had it not been for the vigilance of those who assisted me in St. Joseph, God knows what would have happened in those boxes.

And you tell me that when you carry people to Mr. Banfield's house to be registered, the first thing he asks is which party you support, and if you miss and say the Barbados Labour Party, then you know what happens, your name does not appear on the list. This is not the only one, you had the same Supervisor of Elections officers walking around canvassing for the Dems, so if you say they must be fair and impartial, they must treat everybody alike, and you have Mr. Franklyn, an Executive Member of the Democratic Labour Party, who we used to see him strolling through here practising for his seat on this side, but when they practise they do not get in. You also have Mr. Banfield who is an Executive Member of the Democratic Labour Party.

Mr. Speaker, one of the things that the hon. member does not understand is this question of persons who because of some incapacity cannot cast their votes. Let me tell you what happened in St. Joseph. A lady went into the booth to vote, Mr. Banfield Jnr. (Shirley) asked her her name and took her card. She went into the booth and said "put the X for Bolden" and when the X was put she said, "give me the paper" and came outside and asked "Is this for Mr. Bolden?" Do you know where the X was? You can imagine where the X was. This is why we talk about fair elections, and they talk about democracy on trial, a new found phrase because the former Leader of the Opposition who believed that he should do as he liked when he was in Parliament, nobody should tell him that he is wrong, that he could get up and say what he liked and nobody should ask him to withdraw, and he walked out of the House time after time, and in order to save face he writes a letter talking about democracy being on trial. Where is the trial? I mean, you must find a catch phrase.

12.00 noon.

Now the hon. member talked about the increase in the price of food. I do not know if he is talking about increasing price of elections, because as far as I know the law lays down certain expenditure. If they are feeling the pressure of buying votes, that is there business; there is no need to do it, for the people will judge on the performance of a political party and the

arguments put forward. So if he is talking about inflation in running an election it just shows how they think of the people of this country. I have constantly said that if you have to go out there to buy a vote it shows you really do not care about the people. There was a man called Mr. Morgan who sat in this House for five years and whenever you challenge Mr. Morgan about things going wrong in the Hotel Industry how expatriates were getting the best jobs in the industry, he would give you false information and then say "Dont talk to me, talk to the people who voted for me." That is why the hon. member raised the issue of the costs of elections. But if you come in here on the vote of the people based on your Programme and performance you do not have to worry about inflationary cost when talking about running an election.

The hon. member ended up by talking about an Order Paper with nothing on it. There are two reasons why the Order Paper has nothing on it. One is you have to come in with a blank Order Paper to put this on the Order Paper. The second reason is you have an Opposition that does not function. When in the last 16 years have you ever seen an Order Paper in this House that was not laden with questions for debate raised by the then Opposition? But check now and see the sort of representation being given to the people by the present Opposition. Week after week the House sits with hardly anybody on the Opposition benches, and yet they are talking about representing 48,000 people. Can they represent the people by walking out when they break the Rules and procedures? I have said over and over again that Rules of the House provide for fair elections and fair debates, but they used this to suit themselves, and now that you have a Government that seeks to put the country on a firm democratic footing they are still criticising. What do they want? Do they want the kind of dictatorship now seen around the Caribbean where you cannot even speak about what is wrong? A number of times you have walked out of this Chamber. You can't even find a leader — he just comes in and disappears.

Mr. Speaker, I could go on but my friend on this side wants to speak and I would give way to him.

Mr. WARD: Mr. Speaker, at this time when the Government is looking at this law regarding elections, there are two matters which I would like to draw to attention. The hon. member for St. Michael South West said what was on his mind. He talked about inflation but did not mention that circulars, envelopes, postage and other expenses exceed the amount that we are allowed as election expenses. I believe it is hypocrisy and a wicked thing that when a member is elected to Parliament, before he sits down he must take up his pen and beg people to give receipts for certain amounts

because he is going to pay on this side. Mr. Speaker, we are legislators who have to handle the economy of the country and we should make our legislation accurate; and I am saying that every hon. member in here knows that 50 cents per elector, which approximate is \$5,000, is inadequate. To my mind this talk about buying votes does not come into it, and I appreciate your remarks Mr. Speaker, when you said we can debate this matter without trying to throw stones at each other. The fact remains that 50 cents per elector is inadequate and hon. members should face up to this. I certainly would not like to face the next election at 50 cents per elector.

Mr. Speaker, I do not believe that members who are elected to this House should find themselves going around asking people to give bills and receipts below their true amount, and I think this matter should be dealt with at this time. I am not saying it should be 60 cents or 75 cents, but we ourselves in here increased postage recently, and when you had all the other expenses it is going to exceed the amount allocated. We are also throwing a tremendous burden on the Supervisor of Elections because it is going to boil down to spending some amount over, and it should not be that. It should be a reasonable amount, and we ourselves know the cost of stationery etc.

The other matter that should be in this Act, I believe, concerns the habit of candidates backing notes. This I think should be an election offence. I know this view will be unpopular, but it does not matter to me. The fact is that there are members of Parliament in the Commonwealth who are still paying off because the people they backed the notes for did not pay. I feel this should be an election offence.

The Hon. Prime Minister said a very interesting thing, that you must put teeth into the laws. I believe in being fair to the public and the candidate, but it is unbecoming to members of Parliament to have to get involved in such law suits.

12. 10 p.m.

Hon. L. S. CRAIG: Mr. Speaker, I am in full agreement with my colleague who just sat down. I see this bit of legislation as one which will bring about a degree of dignity and decency. I think that that is the whole idea behind this amendment. I have said in here, and I am going to repeat it, that for too long we have sold ourselves short to the public. We start off as corned beef and rum politicians and if a halt is not brought to it, we are going to be seen, as we are seen in the eyes of the public as corned beef and rum legislators.

Now, I see this legislation in two lights. The first one is that the hon. gentlemen on the other side are talking about suspicion, about fear, about malpractices and

about democracy being on trial. That is another phrase coined now; but it is only in the last 15 years that I can recall ever having heard so much about corruption, suspicion and victimisation. Only since the then Opposition came to power, this is the person who is responsible for the coining of this phrase. You can examine the Housing Corporation and you have an example of malpractices. That should be the favourite word over there. The whole of the Democratic Labour Party, the whole bench, can spell those words backwards – malpractices, suspicion and victimisation, and the Leader of the Opposition should have a Ph.D. and all credit in things of that nature.

What are we dealing with today? Just to ensure that Barbadians will be no longer subject at election times to handouts. That Barbadians will be able to stand up and hear arguments for and against each political party, and not be bribed by politicians for a vote. I heard a member on the other side say that it would affect Dr. Haynes. Dr. Haynes welcomes this in order to save his pocket from what it is going through. So you had better not vote against it. On the other hand, I am sorry for the labour force of Dr. Haynes because a lot will be cut off now under the guise that I cannot risk it. I do not know how to vote on it because Dr. Haynes being my friend, I am sympathising with the gentleman because he has to cut his labour force. We will hear that we are a bad Government and how we stopped people from getting votes. If I was the Prime Minister, I would have called the election as soon as the former Leader of the Opposition had resigned. Because it will put a number of people out of work, that is what I am sorry for, but on the other hand you will hear that I cannot do it because the Supervisor of Elections will come and check me out.

This is an old time thing. It has always been that way. The leadership of their party – I do not know if it is the president or the chairman, they would know – has always had such practices, using the taxpayers' money and repairing 400 old aged pensioners homes in two months and taking on 500 Parks and Beaches workers. All of that is corruption. We do not go in for those things like using Government vehicles for campaigning but we stood the test of time. We won an election, and I have no doubt that we are going to win this by-election because I have listened to some of the meetings. If they believe that talking about one armed bandits and daylight saving time can win an election, they are wrong. You must talk about economic policies, about the mismanagement of the country. I heard the Leader of the Opposition say that we will be in the hands of the International Monetary Fund in another 18 months. We are very lucky that we have been able to.....

Mr. SPEAKER: In preparation for a new election?

Hon. L. S. CRAIG: Sir, it would be more than a new election if we found ourselves in the hands of the IMF.

Mr. SPEAKER: Stick to the issue.

Hon. L. S. CRAIG: Yes, Sir. The position is that if we in Barbados did not make that change in 1976 in September, he would have been there already; because I remember very well the former Prime Minister saying that one morning Barbadians will get up and find that they no longer own the country; and at that time he was aware of where we were going then. They are saying that they are afraid. I was not afraid in 1971 when the new Leader of the Opposition took Orange Hill out of St. James and placed it in St. Andrew. The nearest house between Orange Hill in St. James and St. Andrew is four and a half miles. There were 937 voters there. What was that? Was that not an amendment to the Representation of the People Act? It was done at the expense of the taxpayers' money to drop me.

When you talk about Presiding Officers, do you think that I would sit in any Government and know that Mr. George Moe's uncle was a Presiding Officer? I could only be a madman. And Tony Mayers? On election night Tony Mayers told me that at the counting of the votes he saw the officer counting the box in front of the then Attorney General. How can you have that type of individual as a Presiding Officer? We are seeking to bring integrity and decency into public life. I hope that the Government's Constitution Commission will investigate certain things. (a) I do not see that it is fair to the electorate or any member of Parliament to leave this country for three, six or eight months and go into another country and work. I want that part straightened out, how one man can draw the taxpayers' money and go in another country and work. He has two jobs and we have an unemployment problem. Utter nonsense.
12.20 p.m.

It is utter nonsense. I heard something about old age pensioners' cards being taken away. You will tell them that we are taking them away, but I am going to tell them that we put on 3,000 more pensioners and gave them \$3 a week more and reduced the age from 65 to 60.

Mr. SPEAKER: Are these new voters you are talking about?

Hon. L. S. CRAIG: Yes, Sir. There will be at least 3,000 more voters. You can rest assured that there will be more voters and I want them to go further and make sure that people who have eleven convictions for carrying away things from the Church, note carefully, the Church ...

Mr. SPEAKER: Please let us get on with the debate. Is the hon. member addressing the Chair?

Hon. L. S. CRAIG: I was just getting some suggestions from my colleague — legal opinions. The whole position is this: we have to go a little further and I hope the Constitution Commission would look into matters of this nature. A lot of these things needs rectifying. So when they say they are afraid, whom are they afraid of? Listen to the team: Dr. Haynes; Dr. Caddle ...

Mr. SPEAKER: Who is Dr. Caddle? I want you to refrain from this. Do not let us get tangled ...

Hon. L. S. CRAIG: Sir, I am not referring to Dr. Caddle the hon. member. I am talking about Rameses, a friend of mine called Dr. Rameses. There is Dr. Sealy. These are the Academy of Politics boys, you know. Dr. Gonsalves. That is the democracy that will be on trial if we do not stop that type of person, the Academy of Politics lecturers, the Dr. Barrows. You will remember that there was a Dr. Barrow in 1966; Dr. Sealy, Dr. Rameses. I am not so sure he will be in it because he had a clash with the second most powerful man already. Then there is Dr. Haddock, Dr. Eric X; he has not been christened yet but he is close. Those are whom we are going to contend with. Do you really tell me that Cammie Tudor would be walking about campaigning with Dr. Haynes without getting money; a whole ambassador? I am sure that Dr. Haynes would be glad to get Cameron Tudor off his list. That is a former Ambassador who is now a professional canvasser. The title alone costs money; a former Ambassador, High Commissioner and Deputy Prime Minister now being a professional canvasser. We are only trying to protect these people who are not in a position to buy votes or buy that type of person to be able to enter into Parliament.

It is a very simple amendment. There is no fear and you have not got to be worried. I am not going to sit down in any Parliament and see anybody rig an election because it is not a ship for me. I will go out there and talk, hammer you away with content and depth. We were good enough to win a Government from the platform, not by rigging and we are capable of retaining it from the platform and winning in a by-election in this country. With regard to this nonsense about 18 seats, that is only history repeating itself. You all had 18 seats and I used to hear you say we could not field a cricket team. I remember Dr. Barrow used to tell us that if we had to pick a cricket eleven from the Opposition we would have to borrow three from his side. All that went on, but now the shoe is on the other foot, you are crying out about victimisation. We are not victimising anybody; we are not going to rig an election to fight you; we are just trying to make sure that we save people during an election time from buying bats, pads and footballs to give to cricket clubs to get votes, and to make sure that you have got to be putting money into the hands of people to corrupt them. Barbados is a highly literate society and I believe

they can understand the arguments for and against and vote according to their conscience and not for the sake of money. I am sorry on the other hand that the work force is going to be cut and therefore put certain people on the unemployment list again. This is my problem that I have to face, and the Prime Minister and Minister of Finance and Planning will have to plan to be able to help those people again.

I am sure there is not going to be one by-election this year, Mr. Speaker; there will be three. The member for St. Philip South in no uncertain terms I believe, is going to bid us farewell this very year and when I see it get reduced to what it is, the hon. member for St. John will be going down for the Kerry Packer series in Australia. No longer will we hear that the Prime Minister does not like white people. You cannot bring that argument now. All of us are marrying white. All the Prime Ministers have white wives now, so do not worry to talk about your not liking white people; it is a different story now.

Mr. SPEAKER: This is the Representation of the People Act.

Hon. L. S. CRAIG: Sir, and I am dealing with the conduct of members of Parliament and politicians as a whole. All these little things you used to hear about this person having a white wife is not necessary. What we are concerned with is arguments to the people as we have done in 1966, in 1971, and successfully in 1976, and I have no doubt in my mind that since in 20 months we have been faced with a by-election, we have been faced with guns by the Alleynes, Cubana, you have been tormented in the Chair by certain members from the first day, all these things we have had to put up with

Mr. SPEAKER: And I am still here.

Hon. L. S. CRAIG: And you are going to be there for a very long time I believe. My only regret is that you cannot come out in the hustings since you must view it from an impartial light. I believe you would like to go out there, but we have no room in the inn for you on this occasion, Mr. Speaker.

Mr. SANDIFORD: Mr. Speaker, this is not the first occasion on which legislation relating to the Representation of the People and amendments to such legislation have been brought before this Honourable Chamber, and it is indeed very refreshing, at least it is educative if some of the comments which were made on previous occasions could be quoted so that hon. members might be reminded of the levels of debate and the type of statements reeking with suspicion which used to be made on past occasions. In 1969 there was a measure before this Chamber and on that occasion it was stated that the then Prime Minister, I think it was in 1969 or 1971,

because we had the consolidation legislation in 1971 and in 1969 we did have a piece of legislation dealing with that, but on one of those occasions we had a very interesting statement on the procedures; the measure had been introduced by the hon. member for St. John, and in responding Mr. Adams did state that the measure had been introduced with a great deal of long-winded nonsense to bore the House into acquiescence with wickedness.

Hon. H. deB. FORDE: Could the hon. member give us the reference?

Mr. SANDIFORD: I will give the exact quotation; not the exact reference.

Mr. SPEAKER: No. For the benefit of the Hansard Reporters, if you are quoting from something, please do let us know where the hon. member is quoting from.

Mr. SANDIFORD: Friday, 14th March, 1969.

Mr. SPEAKER: The number of the page?

Mr. SANDIFORD: I will give that in due course.

Mr. SPEAKER: The hon. member must show himself to be much more responsible than that.
12.30 p.m.

Mr. SANDIFORD: Mr. Speaker, I take your point, I am not being irresponsible. I am saying that on such an occasion there was a statement made and I have given some indication of where it may be found.

Mr. SPEAKER: For the benefit....

Mr. SANDIFORD: I withdraw those remarks, Mr. Speaker, I withdraw the remarks.

Mr. SPEAKER: I do not want you to withdraw the remarks, nor do I want to have to order that all you have said before must be struck from the record. The Hansard Reporter must be able to go and find what you are making reference to so that we can have a complete and satisfactory report of what has gone on in here. We are not like some of the newspapers, or we cannot be.

Mr. SANDIFORD: On another occasion, Mr. Speaker....

Mr. SPEAKER: The hon. member will not be allowed to continue like this. Are you withdrawing all that you have said before? Do you want to do this?

Mr. SANDIFORD: I said that I was withdrawing, I said that.

Mr. SPEAKER: That you are withdrawing all you have said before.

Mr. SANDIFORD: Yes. We have heard such phrases as "a dastardly act of political gerrymandering", such phrases having been used before in relation to legislation which has been introduced into this Chamber. We have had such phrases used, and I believe that certain members who are present in this present Parliament might remember such phrases being used in relation to legislation brought before us on the Representation of the People Act. I do not intend, Mr. Speaker, to use any such phrases or to charge the Government with any intention of wickedness or to lay any charges of political gerrymandering or any of the other criticisms which were levelled by Barbados Labour Party spokesmen when they were in Opposition. The Democratic Labour Party is now in Opposition, but certainly when I speak I will try to be as fair as possible and to speak within the framework of the rules, I will not make any such charges on this occasion.

What we have before us is a measure to amend one of the most important Acts making for democracy in this country, the Representation of the People Act. For a democracy to exist it is necessary and vital and essential that fair and free elections should be held, and it follows from that if fair and free elections are to be held, that the mechanisms necessary for ensuring or guaranteeing those elections should be above any taint of suspicion or any doubt. Now, there is quite a bit in this piece of legislation, the amending legislation that is before us, which can raise some doubt in the minds of members, and I do hope that the necessary assurances would be given by the Government spokesmen both in reply to this second reading debate as well as in Committee.

I will quote one such example. It appears to me from a reading of the amendments that the provisions calling for the photographing and the issue of I.D. cards to prospective electors have been repealed with the repeal of a section, I believe it must be section 18. It appears to me from a reading that that particular provision and requirement in the principal Act has been repealed with the repeal of the other provisions of that Act. I may be wrong, but that is how it appears to me and I would be glad if some assurance could be given that those provisions relating to the requirement to be photographed have not been taken out of the parent legislation, let me call it that way, even though it may be buried in the rules or regulations under the Act, it appears to me that the provision requiring I.D. cards has been repealed with the repeal of section 18. (*Asides*). I am not saying that I am infallible on this, I am asking for some clarification of this particular point. Section 18 reads:

"The Chief Registering Officer shall, not later than three days after the publication of the revised

monthly lists of electors for each constituency, cause to be published a supplementary register of all the names of persons which appear in the revised monthly lists published in accordance with section 17 if such persons have been photographed in accordance with the regulations for the purpose of being issued with identification cards."

Note the proviso, "if such persons have been photographed in accordance with the regulations for the purpose of being issued with identification cards".

Now section 18 has been repealed by this amending legislation which we are considering now and the section which is to replace that makes no reference at all to the photographing of prospective electors, and I would really like if we could have some particular explanation of that particular point and some reassurance on it. I believe that in the rule of law it is best if in the parent legislation the particular provision is set out and the rules or regulations may then expand on such basic provision in the main law, but I will not say anything more on that, I will wait for the explanation either in rebuttal here or when we come to deal with the particular clause.

12.40 p.m.

Secondly, I am somewhat concerned about the time table and the pressures which may be on the Chief Registering Officer and his Department in terms of the registration for elections, which is a new concept being introduced by this legislation. As I understand it, within some three or four days after the issue of a writ for an election, the Chief Registering Officer is required to publish a revised list, and then after the lapse of a further period of time — 19 — 21 days — the lists must be published subsequent to that. What I would certainly like some assurance on is in respect of the facilities for those who think they are registered or who believe they may not be registered, and the means for checking to ensure either that their names are on the register or to be able to put in an objection where a name is on the register that should not be there. In other words the period of objections for either inclusion or exclusion of names should be manifestly clear and I would be grateful for those replying on behalf of the Government to give this assurance.

Mr. SPEAKER left the Chair and Mr. DEPUTY SPEAKER took the Chair.

I believe that the whole process of free elections in this country must depend not only on the inclusion or exclusion of names but on the mechanisms whereby this is done, and we would want to be assured beyond any shadow of doubt that there is ample opportunity for the registering of objections to either the inclusion or exclusion of names. This is an assurance which we would like to be given, fortified by the necessary references to

the legislation. We would also want to be assured that the time table is not tight for the Chief Registering Officer to comply with in terms of the issuing of a writ and any bye election or general election which may arise. I am advised that there is a period of some 21 days within which an election may be called after the issue of a writ, and we would want to be certain that we are not laying down impossible legislation for the Chief Registering Officer to comply with in terms of the publication of the preliminary lists, revised lists with this new concept of registration.

The fourth point I want to raise refers to the whole area of permanent and continuous registration. This was a principle enshrined in the legislation of 1969 which I believe made registration for election purposes a permanent procedure, and we would like to be certain and to be assured — on this point I am not making any charges because it appears to me that it may very well be that this principle of permanent and continuous registration has not been done any violence by this legislation, but it is better in these matters that the whole situation be made abundantly clear and I would be glad if you can have a statement on this matter that the principle of permanent and continuous registration has not been tampered with and that the rights of the citizens of this country who are qualified electors will have the right to vote and that these rights are not abridged in any way by this legislation before us. There is no greater birth right a citizen can have than the right to vote at election time for the party or candidate of his choice. I am confident, Mr. Deputy Speaker, that in any pending or impending by-election that may be due shortly those persons who find themselves on the register will exercise that right and that when the election results are declared the Opposition will be having a representative for the constituency of St. Michael South Central in the person of Dr. Richie Haynes coming into this Chamber.

Mr. Deputy Speaker, knowing of your experience in electoral matters, I have heard you expounding your strategies on winning an election, and I am certain you will see the writing on the wall and realize that as in 1976 the warrior from St. Philip North and the goodly lady from the City of Bridgetown set the ball rolling for the victory of the Barbados Labour Party in the 1976 elections, similarly the receipt of the Barbados Labour Party in the next general election will be started in the coming by-election in the constituency of St. Michael South Central. I think the writing is clearly on the wall; the Government knows it. They are at the peak of unpopularity and there is no way that this unpopularity is not going to increase. The people of this country realize this, and they will take the steps shortly not only to give us the representative for St. Michael South Central but at the ensuing general election to return the Government to the hands of the Democratic Labour Party, and that in spite of the fact that a member from the Other Place who

is reputed to be the candidate for the Barbados Labour Party is spending all of his time at the Ministry of Communications and Works; so I understand — I do not know if they have an additional Parliamentary Secretary in that particular Ministry.

12.50 p.m.

Mr. DEPUTY SPEAKER: Order, please. Please continue.

Mr. SPEAKER resumed the Chair.

Mr. SANDIFORD: Yes, Mr. Speaker. We are on the Representation of the People Bill. I am asking the Government for some assurance on the matters that we have raised. I am satisfied, Mr. Speaker, on examination that there are certain provisions in this legislation which may in fact give some electors in this country a greater chance of voting than in the existing legislation. I think that on a careful reading of this legislation that will be found I do not think that there is any doubt on that particular score. Under the existing legislation the Chief Registering Officer publishes a preliminary list by the 15th of the following month. Then there is a period for objections; and then by the end of the month he is called upon to publish the existing register. Then there is a period during which the name of a prospective elector cannot get on the register.

It would appear that the proposed legislation is a little more liberal than the existing one; but as indicated, there is a whole range of considerations on which the Opposition would like some assurance. My fifth point relates to who shall appear on the register. There is one clause which makes provision for the deletion or publication of the names of persons who have left one constituency for another constituency, or moved from one address in a constituency to another address in a constituency. It is clause 17(1) of this amending Bill which deals with persons who have notified the Chief Registering Officer of a change of address in accordance with the regulations and who appear to be ordinarily resident in the constituency. My question does not particularly arise out of this amending Bill, but I would like to know the position in cases where persons have moved from one constituency to another.

Mr. SPEAKER: The hon. member's time.....

Mr. SANDIFORD: I will wind up very shortly, Mr. Speaker. What I want to know is if a person can remain on the register even if the person removes to another constituency or to another part of the same constituency. I would be glad if the Hon. Attorney General could address his mind to that. My time has run out now, Sir.

SUSPENSION OF SITTING

Hon. H. deB. FORDE: Mr. Speaker, this might be a convenient time to suspend until 2 o'clock. I can assure the hon. member that a reply will be given, based on the law, so that hon. members can understand what they are doing, and so that there can be no longer any misrepresentation in this House or on the platform.

I beg to move that the sitting be now suspended until 2 o'clock.

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

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

1. p.m.

On Resumption:

Mr. SPEAKER: This sitting is now resumed.

Mr. SIMMONS: Mr. Speaker, in supporting this Bill, my one regret is that the Bill is not more far-reaching in its scope than it is at present. I have no doubt that amongst the Government's plans would be substantial and large scale reformation of the various Acts governing the holding of elections and the rights and duties of candidates.

Mr. Speaker, during the course of the two elections in St. Philip North in 1976 but particularly in the general election of 1976 there were a number of offences committed; there were a number of irregularities and a number of instances showing the respects in which the present legislation is faulty. Now if one of the effects of this Bill is to ensure that only those who reside in the particular constituency are entitled to vote, then in my submission, Mr. Speaker, the Bill needs to be supported by everyone in this House. There is no doubt that in 1971 the register of electors in the constituency of St. Philip North was padded and inflated with a number of persons who lived in St. Philip South, and that it contained a number of persons who had died and yet on election day were found to have voted. It was brought to light in 1976 because a particular one of my supporters in 1976 who had been a supporter of the Democratic Labour Party in 1971 admitted this and had known the gerrymandering that was done in 1971, and if the Supervisor of Elections was in here today he could tell you that I was able to knock off at least 200 names from the list in 1976. My presence in this Assembly is due to the vigilance of some of my supporters in ferreting out the names of those supporters of the DLP who lived in St. Philip South and voted in St. Philip North in 1971 and still remained on the register in 1976 up until

February or just before when I objected to the names and the names came off.

I hear about democracy being on trial. It was my pocket that was on trial under the democratic principles and electioneering instituted and run by the Democratic Labour Party in 1971. My pocket was on trial because I barely saved my deposit, thanks to the system of unfairness which they had set up and under which the election was contested, and I have made a public statement between 1971 and 1976 that I would not take part in any election in Barbados unless I was satisfied that the system had changed and was fair. And thanks to my Democratic Labour Party friends who left them in 1976 and indeed gave me backing, I was able to clean up some of the register, but in the general election of 1976 it was found that particularly in the District of Brereton, voting district PA-1 the list was again padded and persons who worked at Carrington Factory who lived in other constituencies of this Island had their names on the register and were allowed to vote by Miss Prescod who was the Presiding Officer in Brereton. One told me that over 500 people were registered in Brereton and voted, but later on there has to be enumeration in preparation for 1981 elections and you will find out if that enumeration is just and fair to what extent the list was padded in 1976. I go further. It was of extreme significance on the night of the general election in 1976 that of the two boxes that Mr. Franklyn said he wanted recounted, one was from Brereton and the other was the Bayleys box. At 3 o'clock on September, 2, 1976, 251 persons had voted in Brereton and by the close of the poll over 500, and when we checked the list after the election it was found that a number of the persons who voted did not live in the constituency. I reported this to Mr. Smith, and I am only sorry that my then opponent did not proceed with the election petition because we would have had the whole thing controversial. So when I hear people making jive that I won by seven votes, they are making fun. I beat the man by about 377 votes.

The Supervisor of Elections can testify that in 1976 there were a number of other irregularities. In particular it took me the better part of the hours between 6.30 p.m. and 9.00 o'clock to get the ballot boxes removed from under the stomachs of the presiding officers, and one in particular, Melving Sergeant gave me a lot of trouble because they took the boxes right under their stomachs, huddled them. They were in love with the boxes or in live with what they were doing. In any election the ballot box should be a safe distance away from the presiding officer. The temptation is too great for any presiding officer to mark an X on the ballot paper and put it in the box. But you did not even need that; you needed an event at 20 minutes to 1 o'clock at Trinity School to show what happened in 1976 when the election was conducted under the Democratic Labour Party to see whether democracy is on trial now or whether they had

cheated then. At 20 minutes to 1 o'clock in the company of Mr. Fred Gollop, my election agent, we went to Trinity School as a result of a report. Anything I am saying in here I can repeat outside on the platform if this Bill becomes an issue, because it is a fact that the presiding officer, Mr. Carl Lorde, a teacher at Princess Margaret School, came from the steps high up of a two-storey building down into the yard at Trinity with ballot papers in his hands and was surrounded by Mr. Warrick Franklyn, Mr. Vallon Franklyn, and three men, potential voters, marked the ballot papers in the yard, took them back upstairs and put them in the ballot boxes.

2. 10 p.m.

I will go further. I asked Mr. Lorde, "Mr. Lorde, did I see you come out of the polling station with ballot papers and hold them in the presence of Mr. Franklyn and other men and marked them and put them back in the box?" He said, "Yes, Sir, and nothing wrong with that." I reported that to Mr. Moseley who I must say acted promptly and pointed out to him that he was in breach of the law. The man admitted it in the presence of my lawyer, Franklyn's agent in the polling booth, and my agent, Henderson Sargeant, in the polling booth. That went on in 1976, democracy was not then on trial, something else was on trial, your sanity, one's ability to restrain oneself from killing, beating or 'licking' up somebody. That is what was on trial then.

When I hear this foolishness being noised abroad about democracy being on trial when they know what was done under their regime to opponents of their political party in 1976, democracy was not on trial when at several polling stations there were no police to supervise the conduct of the crowd, including the same Trinity station. It was not on trial then, it was not on trial in 1971 at Massiah Street when Mr. Evan Webster running with this party tried to hold a meeting in Massiah Street and a gang led by Earl Glasgow and containing Joylyn Browne and others among it walked through the meeting and chanted "Keep Dipper skipper" and broke it up the meeting when the member for St. Michael South East was speaking. Democracy was not on trial then, nor was it on trial in February 1976 when the Barbados Labour Party was not allowed to hold its final meeting at the Boys' School for which it had got permission but was then sent up in Well Hill, it was not on trial then, something else was on trial. It was not on trial when on the morning of September 2 a man called Crick from Moncrieffe, having voted at 7 o'clock went back to vote at 9 o'clock and was given a ballot paper by Bryon Gittens who was the Presiding Officer, and were it not for the fact that I was in the station at the time and said that he had voted already he would have been allowed to vote a second time. All of that went on, ask Bryon Gittens, any one of you, if it is not true, if I did not point it out to him.

What does the current legislation seek to do? To stop situations where "Rice", "Salt Bread" and other

supporters of mine had to run Franklyn and others out of Chapel and Bayfield in the early hours of the morning in 1976 with little brown envelopes. I do not know what they contained, but you ask "Red Script" or "Salt Bread".

Mr. SPEAKER: Were those envelopes on sale?

Mr. SIMMONS: They may have been envelopes containing the consideration of the purchase, I do not know. This legislation seeks to stop that, buying people's votes. It is a disgusting and disgraceful thing for a politician to know that he has a certain amount of money at his disposal and instead of educating his people as to the issues they should vote on and to how his country could be advanced, he chooses not to do that, but (a) to abuse the other candidate and his family, and (b) to offer the man money for a vote, either directly or indirectly by buying out a shop; all those things.

I do not care if the figure is at 50 cents or 25 cents, I feel there are certain basic things you need in an election; your circulars, your loud speaking equipment and a few cars on election day. That is enough, pay for them, those are necessary expenses. You have to get out the old people, the infirm and so on who want to vote, pay somebody to carry them, but all the shirts, the buttons and the pins have no place. I am at variance with the hon. member for Christ Church North Central who says that 50 cents is too low. No, Sir, it is too high as far as I am concerned. I have something to say on a political platform as a result of which I hope people will vote for me or my party, and that is as it should be. It was made very clear, and hence there is no reason to increase this 50 cents, it was made very clear in 1976 that people would have taken your money and still voted against you. If you had nothing to offer them that was the test.

The difference between the Democratic Labour Party and the Barbados Labour Party in 1976 was that whereas they were prepared to rest on their record of achievement over the years and had nothing new to offer the electorate as to how they could see Barbados into the 1980's and beyond, the Barbados Labour Party was able to offer a programme that was attractive and gave some hope for the eighties. That is what people voted for. Each one of us in here knows — do not be hypocritical about it — you may have given a five dollars to somebody or tried to get somebody to get a vote for you in one way or the other, but the result was that unless you had a platform that offered something the people were not voting. And I think, Sir, that in many ways we are too keen on copying North American styles whether in dress, cars, or anything, and electioneering in Barbados over the years has taken on certain of the features of North American electioneering which may do well over there, but we are basically a developing people and we must behave as such and not masquerade as developed westerners.

The hon. member for St. Michael South West in this debate said that this is a fundamental piece of legislation, and he said if it were not fundamental what was the purpose of the Prime Minister saying it was urgent. If the Opposition really considered that this is a fundamental piece of legislation — and at the moment I cannot determine how they are going to vote — one member says they are not voting for it *ad hoc*.

2.20 p.m.

The hon. member for St. Michael South has said that he wants certain assurances, which the Attorney General has pledged he will give, and if he gets these assurances that he will vote for the Bill. I do not know how they will vote; what I do know is that it is so fundamental a piece of legislation that the Leader of the Opposition — the Leader whose paper is likely to be in a bye-election within the next 90 days — has found it convenient to be absent today. I cannot believe that the hon. member for St. Michael South West was serious when he suggested that it was fundamental and yet the fundamental personality in his party did not consider it necessary to be here today.

The recently resigned member has given a slogan for the campaign — Democracy on Trial. I will always remember the last Sitting we had on Tuesday which showed how democracy was on trial within the ranks of the Democratic Labour Party when the hon. member for St. Michael South was seeking elucidation from the Chair and the Leader of the Opposition shut him up: Sit down, keep quiet, the Speaker will give you the answer. And thereafter the member of the Opposition who is the spokesman for the Opposition when dealing with the amalgamation of schools was so humbled that he kept still all afternoon, reading the London Times twice over. That is democracy on trial — you cannot get up and ask for guidance, not even from the Chair.

I want to let the people know about democracy on trial. When we were in the Opposition, Mr. Speaker, and there was a Bill, although we were here in the capacity as representatives of the people, the Bill would pass through the House without any attention being paid to the pleas of the Opposition. Democracy is on trial to the extent that they asked for time on Tuesday to consider this Bill and it was granted.

Mr. Speaker, I have every reason to believe that the important question that is really exercising the minds of the Opposition is the question of how far back will the supervisor of elections be entitled to go in looking at your election expenses. There is a case for not giving him power to look back ten years or whatever, and the simple reason is this: a lot of people do not keep their record. I have just moved out of a home, and lots of papers were burnt up. But as long as it is not an inordinately long period of time there should be no problem. The hon.

members for St. Michael South was also worried about photographs and whether the provisions enabling persons to be photographed have been repealed or not. As far as I recall section 28 makes provision for the taking of photographs, but here I am trespassing on the preserves of the Attorney General and I am sure that he will deal with that.

So, Mr. Speaker, in winding up I want to say that I am prepared to support in this House of Assembly anything that is fair and reasonable and which will reduce the financial burden of an election campaign, and anything that will go towards cleaning up the performance on political platforms. I have already said that anybody who tells a lie on political platforms about a party or a candidate should be fined or locked up, for in telling lies and trying to smear others we are doing nothing positive; we are only keeping down the people and preventing them from taking a proper interest in politics. For many of us a political platform is an opportunity to denigrate and villify rather than educate and inform, and I look forward to the time when we can debate matters on political platforms in a serious manner. So I am totally in agreement with this Bill. If you commit an offence you should be dealt with and this is meant to operate for everybody.

There was a group expressing the view that just as a successful candidate is allowed to have his deposit refunded, perhaps he could also get a refund of election expenses. I have thought about it but not deeply enough to make a positive proposal. Perhaps it can be looked at in the future.

Hon. L. R. TULL: Mr. Speaker, I understood the hon. member for St. Michael South West to say that this was a Richie Haynes campaign and for that reason.....

Mr. TAITT: On a point of elucidation, Mr. Speaker. I did not say it was a Richie Haynes campaign.

Hon. L. R. TULL: A Richie Haynes Bill. And it is for that reason more than any other, that I find I must make a contribution in this debate. I am trying to be as fair and reasonable in this whole matter as I can, but I cannot help feeling some emotion over this issue. I live in the constituency of St. George North and when I saw in the last general election that St. George North was transformed into an arena, that it was washed away with money — and unlike many other hon. members in here I am not talking about what I heard but what I saw — then I believe the hon. member for St. Michael South West is very right in saying that this is a Bill to prevent this type of thing from happening again.

2.30 p.m.

All the more reason, sir, why we need a Bill like this. As paragraph (c) of the Objects and Reasons says, it

to authorise the Supervisor of Elections to investigate returns of the expenses of candidates. That is something that is long overdue. Perhaps the reason why the Leader of the Opposition, the hon. member for St. John is not here is that he has said that it was time that some curb be put on election expenses. He agrees with that, and that is why he has left the Opposition is such disarray. I have seen a lot of political immorality in the constituency which I represent as perhaps has not been experienced at any time in Barbados in our political history.

Mr. SANDIFORD: Mr. Speaker, on a point of order. I hope that the member for St. George South is not casting any aspirations on any member of this Chamber. There is a member for St. George North, and his reference to political immorality is possibly a reflection on the hon. member.

Mr. SPEAKER: No point of order.

Hon. L. R. TULL: Mr. Speaker, the hon. member for St. George North can speak for himself. I have made that statement from my own personal experience during the last General Elections. I have seen the type of political immorality that no right thinking person could view without disgust; and it is important that the provisions contained in this Bill should bring this sort of thing to an end. I understand, Mr. Speaker, that members of the Opposition are pulling one against the other for various reasons. They say one thing publicly and they say something else privately. What I have heard members of the Opposition say here today I have not heard them say privately.

If I can go on, sir, the whole electoral process needs to be upgraded and revised. I remember in the last General Elections when I was a candidate in St. George South on a well known date, the Returning Officer said in my presence and in the presence of witnesses that I knew that he wanted me to lose, and he would do anything to make me lose. That was the Presiding Officer speaking in my presence. I made a report to the Supervisor of Elections, the same person whom everyone speaks of so highly. I did not worry after I won, especially when I won so handsomely. If I did not win, he would have heard a lot more about that. On Nomination Day I asked the same man — I cannot say gentleman — a question and he refused to answer. After I wasted half an hour, he felt that I was a lawyer and that I wanted to trick him, and he had nothing to say to me. He said that the receipt from the Treasury was not among my papers; and at one minute to 3 o'clock I was told to get that document filed. Fortunately I was able to do so.

Then you hear people like the member for St. Michael South West talking about the Government removing some of these jokers — people whose names you cannot call in the same breath as integrity. I am not going

to call his name. I will not do him the honour of having him recorded in Hansard. Those are the sorts of things that we have been confronted with during the past 15 years that we were in Opposition. Let me say categorically that I will not be a part of any Government which would introduce legislation to make the electoral process unfair. If the Government brought a Bill to subvert free elections, it would not get my vote. I am voting for this particular Bill, which means that I am convinced that it seeks to promote a free electoral process.

We have heard from members on the other side the specious argument that because a by-election is coming up we are getting an amendment. What more appropriate time to tighten up the rules? It is precisely because an election is coming up that we do not want to expose candidates to some of what went on in the past. When we listen to the arguments of members on the other side, you would think that this is a law for the Medes and not for the Persians. That what applies here will apply to a D.L.P. candidate, and not to a B.L.P. candidate. All candidates will come under the provisions of this Bill.

I want further, Mr. Speaker, to advert to this question of malpractice because it sounds really bad. That is a statement that he should be ashamed to make; and I expected that he would have backed it up. The hon. member has not said how in any way this Bill could give rise to malpractice. This is not the type of behaviour that one can put up with from hon. members of this Chamber. It is a good thing that there has been this talk about democracy because I might very well have said that the Speaker should ask him to withdraw it.
2.40 p.m.

I understand also, Mr. Speaker, that an allusion has been made to the fact that the Barbados Labour Party said it would set up an Electoral and Boundaries Commission, and therefore Government just stand still until that Commission is set up. We do not operate that way on this side. We are committed to the establishment of an Electoral and Boundaries Commission, but until such time as that Commission is set up, the Government must be run, and if we find that the Commission has not been set up yet, and we feel that it is timely that there be amendments to this Act for the proper administration of voting and elections, then we bring the Bill before Parliament, and this is the type of arguments we are hearing from the other side. We have not heard one single point of substance made by hon. members opposite on this Bill except — and I believe the Hon. Attorney General will disagree with me, but he is free to disagree with me as it is his privilege — I believe that the point made that there must be a period for investigation by the Electoral Officer is a valid one. I do not see how the Chief Electoral Officer can expect me two years after an election to account for every single penny of expenditure

I have had during an election period, and I would suggest I am hearing on my left that I am wrong. I see nothing in the substantive Act or the amending Bill setting out a time limit other than the two year period for prosecutions that would guide me. The period is much too long for a period of investigation. The Attorney General can answer that when he gets up. I am thinking about my own behalf. It is not easy in the best of circumstances for me to be in a position to answer specifically for every item of expenditure after a reasonable time has passed, and I would hope that eventually we might be able to bring the period down to six months and no more. Twelve months is too long a period to hand these things over the heads of people, and I myself am not in favour of that provision. Let it be recorded as that.

I want to say finally, Mr. Speaker, that I would like to think that the by-election that is in the offing is in no way affected for the worse by the provisions of this Bill. I have listened to many speakers and I have waited to hear in what way would the by-election be affected adversely if the provisions of this Bill are passed and I have not heard a single instance to show that there is any adverse effect on the by-election or the constituents in that constituency as a result of the passing of these provisions. For that reason, Mr. Speaker, I consider that the protestations of the members of the Opposition are entirely baseless. They are calculated only to strike up the type of alarm in this community that they themselves say they deplore. It is a tactic that is as old as the hills. You advert to a situation to say you hope that it is not going to happen just so you can draw people's minds to it, and they have not mentioned anywhere in any of their contributions in what way would the by-election in St. Michael South Central Constituency be affected for the worse by a single one of the provisions in the Bill now before this House.

Mr. SISNETT: Mr. Speaker, I have not over the past year made much input into the debates in this Honourable House, but I believe the Bill before the Chamber today is one that every honourable member should fully take part in. It seems to me that no matter what the present Government does to bring about a better sense of Government in this country that those in Opposition will oppose. They have got to find reasons to oppose whatever Government brings forward in the interest of this country.

The Bill before the House today I think is one that should have the full support of every hon. member sitting in this Chamber. During the last election, it was the first I was involved in, I came across a number of mal practices which should have been corrected long ago prior to 1976. We have found a system which if not corrected any person contesting a constituency in this country can have the support of any member of the community from any

constituency. I honestly do not believe this is right, therefore if the Government today is trying to make an initial step correcting what has been over the years a mal practice, I do not see why the Opposition should be so vociferously opposed to the correction which the Government is trying to make. There is nothing new, Mr. Speaker, in the Bill before the House. If you were to glance a little at the manifesto of the Barbados Labour Party, at page 2 it clearly sets out the policy of the present Government where it says "in particular the Party will seek to establish a permanent Electoral and Boundaries Commission with full constitutional protection to preserve free elections and put an end to the sorry system under which the machinery of elections to the constituencies is largely in the hands of persons known to be supporters of the Government." In that case the past Government. I have met in St. Michael North East, Mr. Speaker, people turning up at the various centres to register their votes on behalf of the people who have long past from the scene. I have met a system where people from St. George, St. Andrew and St. James have been registered in the constituency which I am privileged at this time to represent. I do not believe that this should be the case. I have even met people registering their votes in St. Michael North East at least three locations, the same person registering a vote at least on three different occasions.

The present Bill, Mr. Speaker, is one devised to rectify the system, and the kind of opposition they are having today from the Opposition is one which would tend to show us that the Opposition is not truly interested in seeing a new kind of input into Government to remove from the minds of the people the corruption that has been rampant throughout past years. I do not see how the hon. member for St. Lucy can state in this case that we are at a very serious stage where democracy is on trial. Democracy of what. We are only trying to improve on the registration of voters and we are not trying to change as that Government did in 1974-75, the Constitution.
2.50 p.m.

It is merely a question, Sir, of trying to rectify the system whereby people from any part of Barbados can register in any constituency and quite easily slip through the officers in charge of the Electoral Office. Mr. Speaker, there must be a point in time when changes must take action, and I believe today the measure before the House is the time when the Barbados Labour Party has got to make a decision whether or not to allow this old practice to continue. There is nothing under the present system to prevent people, even living in your constituency, Mr. Speaker, from registering in the constituency where shortly there will be a bye-election. There is absolutely nothing to prevent a man living in St. Lucy to go and register only because he is seen in that constituency a few times to state that he is a resident of that area.

Mr. TAITT: Mr. Speaker, on a point of order. I believe the hon. member has been inadvertently misleading the House.

Mr. SPEAKER: Are you trying to elucidate a point that you made?

Mr. TAITT: No, Sir, I am drawing your attention to.....

Mr. SPEAKER: The hon. member is entitled to express himself. He has not yet had an opportunity to say that a member can register in any constituency but that before he can vote therein he has got to be registered there for three months. He will reach there.

Mr. SISNETT: Thank you, Mr. Speaker. Even that constituency which the hon. member is privileged to represent for a short while, I know there are members of that constituency who at the last election did vote in another constituency under other names. This is what I am saying. People of that constituency, Your Honour, did actually vote under other names. That is true, so I do not see why the members of the Opposition on a day like today should be so opposed to the legislation that is before the House to make sure that these mal-practices never again occur. I am of the opinion that members of the Democratic Labour Party in Opposition are so accustomed to this corrupt practice that anyone who tries to rectify it will eventually be opposed by them.

Mr. TAITT: On a point of order. The hon. member said that members of the Democratic Labour Party in the Opposition are accustomed to this corrupt practice. I think he is casting aspersions on hon. members, and I wish the hon. member would withdraw that.

Mr. SISNETT: Mr. Speaker, I did not fully grasp the point the hon. member is making, but be that as it may, Sir, I would just briefly state that it is not uncommon, as the hon. member is fully aware, that there were even people from my constituency who were sympathetic to the Democratic Labour Party who voted for him, even though they were registered in my constituency.

Mr. TAITT: Mr. Speaker, on a point of order, the hon. member is saying that I know that people from his constituency voted for me. I know no such thing.

Mr. SPEAKER: All the hon. member is saying is that he is conscious that there was corruption.

Mr. SISNETT: Correctly said, Your Honour. I only want to give support to this Bill. It is one that is long overdue, and it is one that every hon. member in this Chamber, in Government and in Opposition, should support. We believe, and I personally believe, Mr. Speaker,

that you have to have a point in time when these practices should cease. It is unfortunate that it has to come at a time when there is a bye-election pending, but if we continue to allow such practices to continue, eventually it could very well mean that the Barbados Labour Party Government is part and parcel of the corrupt system, and this is what we want to rectify. (*Asides*).

The hon. member for St. Lucy again is saying that democracy is on trial for having introduced this Bill, and this is tending to mislead the country. I would only want to let the people in Barbados know that over the years we have been operating under this system where anyone in any constituency can reside there in a short space of time and then register his vote even though he is not a resident of that constituency. We bring this Bill to the House today and we would like to have the full support of the Opposition and the Government, because it is what we stated quite clearly, even before we knew whether we would have formed this Government and we were bent on improving the Electoral and Boundaries Commission in Barbados, and I would want further, finally, to add, Sir, that the move is a good one. We on the back bench wholeheartedly support the members of the Cabinet in bringing this measure before the House in the total interest of electoral reform in Barbados.

Mr. BRADSHAW: Mr. Speaker, I am really at a loss, because I have been listening quite attentively to members on this side as well as members on the other side, and I cannot believe that members of the Opposition who spoke here today have intimated that they will be voting against this particular Bill. If my memory serves me correctly, the member for St. Philip South in 1976 during the bye-election campaign did say that he was against the rum and corned beef type politics. I will go further to say that I read in an issue of the Nation newspaper where the Leader of the Opposition, who was then the Prime Minister of this country, said that he was not in favour of people selling their votes.
3.00 p.m.

I cannot understand how members from the Opposition can get in here and say they are not going to support this Bill which seeks to avoid rum and corned beef type politics as well as the selling or purchasing of votes. This is what I have constantly referred to as the two way system in politics where today they say one thing and tomorrow something quite different. Now everyone knows that it has been the custom of some politicians to put up themselves as candidates at election time and engage in malpractices that sometimes they are not even aware of. Some people know, but because the general public is not aware of what is malpractice under the Representation of the People Act they go along with it. I had the experience in my constituency that my opponent was invited to a cocktail party; tickets were issued and

sent out to my constituents. I had one of these tickets and it said that the cocktail party was held in the honour of Mr. John Connell, the candidate of the Democratic Labour Party, and that cocktails would be served. This amounts to cheating and is an election offence, and they cannot deny that it has happened. The case was actually referred to the law court, and it was only after I won that I decided not to proceed with the case. So I do not want hon. members to think that we are concocting some story to give the public the impression there were malpractices. There were malpractices and we can identify them. What this Bill seeks to do is to eliminate this sort of thing. That is not all; my opponent had cows and pigs killed and people in the constituency of St. Michael South East were treated and I am making these allegations.....

Mr. TAITT: On a point of order, Mr. Chairman. The hon. member is contravening the Standing Orders. The person who was his opponent — and he has mentioned the name, — is in the Other Place and the member is now making a statement which suggests that the person engaged in illegal practices.

Mr. SPEAKER: The hon. member is in contravention of the Standing Orders and must desist from so doing.

Mr. BRADSHAW: Mr. Speaker, let me point out that I ran against two other candidates, and the hon. member cannot get up and say that I am making an inference against a member from the other Chamber.

Mr. SPEAKER: There is quite enough for any hon. member to be vague on this Bill without making any sort of inference on any hon. member either from this Place or the Other Place.

Mr. TAITT: On a point of order, Mr. Speaker I asked that the hon. member's remarks about the other member be struck from the record.

Mr. SPEAKER: The hon. member will proceed.

Mr. BRADSHAW: Now Mr. Speaker, I have heard that democracy is on trial because some attempt is being made to rectify certain procedures in this election and Representation Bill. How can anyone suggest that democracy is on trial because of this particular measure before, when in 1974 we were told in this country that because 300 delegates got up in the St. George Secondary School and voted to amend the Constitution, that was the premise for amending the Constitution.

Mr. Speaker, I can go on, because it was Mr. Cameron Tudor who was a member of the Democratic Labour Party who called upon this country for a one-party state. He called upon the country to remove

one of the parties and he said there was no room for two parties and which ever party won in 1976 should obliterate the other party. You should also remember that the member who represented St. Michael South, Mr. Patsy Springer, also called on this country to establish a one party state. But we understand the dangers of those suggestions and no one on this side advocated the one-party system and I will not be a party to this sort of pronouncement. We do not believe in that; we believe in the democratic process and that is what we will stand by as the stalwarts and defenders of the democratic process.

Mr. Speaker, I would like to say that to my mind this Bill does not go far enough but in the circumstances one has to be satisfied. But I think there should be provisions whereby each candidate is allowed free postage of his circulars to his constituents. There is no provision so far for this and my recommendation is based on the fact that in the United Kingdom — from which we have got most of our electoral systems — this is the order of the day and members are allowed to post their circulars free of charge. But it must go hand in hand with the checks and balances; checks to see that a candidate does not by virtue of his money have an advantage over another candidate. I can speak freely on this matter because I was one of the poorer candidates in an election and I know what I had to undergo. And I have said before that the reason why people who have got the interest of the country at heart but are not able to come into politics is because they fear their opponents will use money against them. I will say that there are some very good politicians who will like to make a contribution to this country, but because they have been looking at the amount of money spent by other candidates this has been a deterrent; and I would like to see that the gates are opened as they have been today, so that more and more people who can make a contribution are not debarred because they lack the finances to go into politics.

Mr. SPEAKER left the Chair and Mr. DEPUTY SPEAKER took the Chair.

Mr. BRADSHAW: Mr. Deputy Speaker, what we have got to understand is that we cannot allow the Opposition to get away with anything at this stage. They have got to be told in no uncertain language what the position is. They must not be allowed to mislead the people of this country. The Bill before this House is seeking to eliminate the rum and corned beef politics and at the same time enable poor people to have the opportunity to come forward and represent the people, and I hope that the nation will see it as a measure whereby they will not see at election time a limited number of candidates who because of their pockets can place themselves before the electorate as candidates.

3.10 p.m.

I must say, Mr. Deputy Speaker, that I support this particular measure. I hope that the members on the other side, now that they have heard what two members on that side have said, will change their minds and support this legislation. I have no doubt that they will consider their stand at this point.

Hon. H. deB. FORDE: Mr. Deputy Speaker, I believe that there are no other hon. members who wish to speak at this time. If there are, they have the opportunity now, since I propose to wind up on behalf of the Government in the absence of the Hon. Prime Minister, who is away on public duty. (Pause)

Mr. Speaker, we have had a very long debate on this Bill; and I think that it is proper that we should deal at some length with the major points raised both by members on the other side and members on this side, and try to allay any fears which are totally unfounded about the purpose and intention of this Bill. Let me begin by saying firstly that I welcome the statement by the member for St. Michael South West that he has total confidence in the integrity of the present holder of the post of Chief Election Officer; and I welcome that particularly, Mr. Deputy Speaker, because the hon. member should be satisfied when I relate to him the history of this Bill.

It was in the month of June, 1977, when the Chief Electoral Officer made a report to the Prime Minister on his findings in the last elections; and in that report he said that he was dissatisfied with some of the existing procedures since, in his view, they led to doubts about the law and to the flouting of the existing legislation. He stated that there were certain infelicities in the law and in certain respects the legislation did not contain enough provisions to enable him to carry out its intentions properly. He stated that as the legislation stood, it would be difficult to state that there would be completely free and fair elections. He stated that these proposals were based on his observations and experience over the years.

He pointed out that the existing system, like any other system, had deficiencies; and he placed before the Prime Minister proposals which are contained in this legislation, as well as other proposals which are not now before Parliament since he saw these amendments as correcting the deficiencies in the electoral system. I want to be very positive on this. I want to make it clear that every one of the suggestions contained in this Bill came from the report of the Chief Electoral Officer after a great deal of observation of the carrying out of electoral laws in practice, and after having supervised the 1971 and the 1976 General Elections. This is an officer whose integrity is accepted by every member of this House, and I would like to add my personal testimony to his integrity, which has remained unsullied.

Therefore, if there is one thing to be said for this Bill, it is that it has not emanated from the Government as such, although it comes in the context of a Government Bill to amend the Representation of the People Act, and those parts of the Constitution that deal with elections. It has been suggested that some of the proposals in this Bill are here because of a coming by-election. Mr. Deputy Speaker, I have the file here; and no amount of trying to score in political terms, no amount of misrepresentation, no amount of abuse from public platforms can get over these facts which I am stating. The trouble in this country is that misrepresentation and rumour have come to take the place of factual argument, and we are beginning to lose any faith in the integrity and bona fides of people, and as politicians we tend to denigrate each other.

In 1971 one of my constant themes was that there was a "politics of denigration". For me to hear the ignorance expressed that this Bill would get rid of free and fair elections, that it would put democracy on trial, that it would increase malpractices — I want to make this paper a document of the House. It was stated by Mr. Cameron Tudor in an article in the "Nation". His article is intellectually dishonest; and I would expect someone who had the privilege and the opportunity to pass through the portals of a great university to live up to the integrity of Oxford and base his criticism on fact and not on pure fiction.

I will deal with the point about democracy on trial. That is totally untrue, and that too is intellectually dishonest. It is a political scarecrow which is unworthy of Mr. Tudor and the Democratic Labour Party if they want to maintain the two-party system in this country. Like Mr. Sealy inciting people to violence. We must avoid that. Those of us who believe in the two-party system must understand that there will be changes of Government. This party does not believe that it is here for 300 years. People's minds change, situations change; but what is sure is that as the Hon. Deputy Prime Minister and the Hon. Minister of Labour has said, we know of the problems that confront people; and we will when we can and while we can, adhere firmly to the policy of free and fair elections.

3.20 p.m.

It would be a tremendous somersault that with a minor by-election coming up in the constituency in which I live the party would be so excited as to come to abolish, as Mr. Tudor says, fair and free elections. This is unworthy of a former principal representative of this country. He gives to those in the United Nations who may seek to denigrate Barbados the type of fodder that he should be ashamed to put out. I want to throw it aside and dismiss it for what it is worth. Indeed, Sir, from that, if Your Honour so rules it should be made a

document of the House, I would ask that it be made a document of the House because I wish to answer it.

Sir, not only are the proposals in this Bill the brainchild of the Chief Electoral Officer, but every point of substance raised by hon. members was adverted to by me in putting up his submissions to the Prime Minister. I want to deal firstly with the point raised by the hon. member for St. Lucy and the hon. member as well for St. Michael South and St. Michael South West on the abolition of the monthly register. Mr. Deputy Speaker, let me explain for the benefit of the public the system that obtains now. At present in the month of January an annual list of registers is published, but also in the month of January and every succeeding month thereafter a monthly list is published and then the objections come into the monthly list, and then the supplementary list is published on the 15th day of the next month. At least that is how the law obtains. The Chief Electoral Officer in writing to his Minister said that the system of annual registers together with several supplemental registers as the register to be used at an election have created a number of problems. He says there was evidence of officers being negligent at times; they could be in the performance of their duties. For instance, an elector's name may appear on an annual list as well as on three supplementary registers in any one year, the elector having filed a change of address with the electoral office on each occasion. So that you find a man registered not only on the main register in one constituency, but he finds himself registered in three different constituencies, and that voter having the opportunity to vote in four different places. He says that....

Mr. SANDIFORD: On a point of order, Mr. Deputy Speaker, I wonder if as the hon. member for Christ Church West, the Attorney General has made the Nation Newspaper a document of the House, and since he has said that the particular measure that appears before us is based substantially on a very incisive presentation from the Chief Electoral Officer and in as much as that was at the root of this particular measure that is before us, whether he would make that submission also a document of the House.

Hon. H. deB. FORDE: The hon. member having been a Minister of Government for his period of time will know that a Government file, particularly a current file is not made a document of the House; but if the hon. member is in doubt at all, subject to the Official Secrets Act I would make available to the hon. member to read the particular document which I am using at this moment. The hon. member can rest assured that I would not get up in this House and make a statement — I do not think he meant anything by it — about the Chief Registering Officer expressing an opinion that was not his opinion. I think too much of the man to do that.

Mr. SANDIFORD: I would like just to set the records straight that I am not in any way doubting the statement made by the Hon. Minister. I would not like that to be on the record that I had that feeling.

Hon. H. deB. FORDE: I understand that. He says there is a possibility that in the case above which I have just set out an elector may receive correspondence if he left a forwarding address with the postal authorities from candidates in different constituencies asking for his support. In an effort to ensure that no person is able to vote more than once at an election, the annual registers and supplementary registers have had to be amended manually to reflect any changes filed with the office since the publication, and lists prepared setting out the reasons for each amendment made to the register. Mr. Deputy Speaker, he told us what happened in September, 1976. He said when the September 1976 elections were called, eight supplementary registers were already published. This in effect meant that each Presiding Officer would have been expected to use nine registers, the annual registers included. One can appreciate the chaos which would have resulted at the polling stations had not the Chief Registering Officer prepared the eight supplementary registers in consolidated form thereby reducing the number from nine registers to two.

Now under the Act he had no authority for consolidating registers as such. He really would have had to use the supplementaries plus this one unless there is a special registration period, and that is what I am leading the hon. member up to. He had no authority to do that but obviously as a good administrative practice and for the convenience of the people who were conducting the registration at the point and in the interest of efficiency, he found himself in this position that the supplementary lists now had to be consolidated otherwise there would have been absolute chaos on the day of voting. This was his view. He goes on to say that there is a system of continuous registration under the Act, and that therefore there is a possibility that an elector having filed an application for registration some six or seven weeks before polling day may still find that he is unable to vote at that election. This is the existing legislation without this amending Bill, and that is one of the answers to Mr. Tudor. I want to repeat this. In the law as it now stands an elector can file an application for registration some six to seven weeks before polling day and yet find that he is unable to vote at the election.

Anybody who believes in fair and free elections and having the maximum number of people voting would want to change that, and this Bill under Section 18 on which the hon. member asked a question enables us to change that position. I think the hon. member for St. Michael South was the only hon. member on the other side who agreed that this Bill was liberal in this regard and that it had a very good effect in this regard, and politician as he is of course he scored a political point for

his party and I understand that, but basically his address to this House was a fair address on the subject of the Bill. He raised the doubts he has and I am going to answer them properly, but the point is that we have sought to put right this hiatus in the present legislation. The reason why that hiatus occurs is because an elector's name is included in the list published not later than the 15th day following the month in which the application is made.

Now I have advanced three reasons which he has so far given for the abolition of the monthly list, but he gave a fourth. The fourth reason is that the preparation of monthly lists, revised monthly lists and supplementary registers for each constituency is very costly and time consuming.

3.30 p.m.

There have been numerous occasions when as Chief Registering Officer he has had to publish lists for various polling divisions in the constituencies with the words "no registrants". For instance, he cites a recent example. "In the constituency of St. Joseph two names appear on the supplementary register in January, 18 in February, 6 in March, 2 in April, 4 in May." That is the position, whereas there would have been more 18 year olds and more changes occurring, and he genuinely felt — and I agree with him — that the exercise as being carried out in the Act happens to be a costly and time consuming exercise which could lead to chaos, which also would make it not possible for people genuinely qualified to get on the register, and he felt that by instituting the changes which he recommended to his Minister, he could maintain fair and free elections, and cure the deficiencies of which he complains. That is what he said on the monthly list.

Now, I want to answer the hon. member for St. Michael South at the same time as I am dealing with the monthly list. The fact that a monthly list is not going to be published in no way affects the period of continuing and continual registration of electors. For the benefit of the Press and Mr. Tudor, Sir, I want to repeat that. The fact that a monthly list is not going to be published will in no way affect the period of continuing and continual registration of electors, because section 10 of the principal Act, although it is being amended by this Bill, the amendment is not of such a nature that that section 10 is being seriously affected. Section 10 of the principal Act when amended will still make it obligatory for there to be a continuation of registration going on daily. That is the point, Sir, so contrary to what the Opposition is saying about a challenge to democracy, in section 10 there is sufficient security for persons who want to go to register to continue to go and register daily, and any hon. member or any member of the public can go up to the Registration Office or could go into his constituency Registering Officer and find out the names of people on the register from day to day, or he can take people and

have them registered from day to day. This is important. There is no reason why you should get up and use phrases like 'democracy is on trial' and 'this is mal-practice', I don't think it is worthy of us as serious politicians to try to win an election or win a case by that type of tactic. I believe we ought to stick to the facts.

If the Government brings bad legislation, if the Government brings dishonest legislation, show the way in which it is bad and dishonest and offer constructive criticism, but simply because you want to maintain the seat in St. Michael South Central, do not use this sort of tactic. Even if I had it in my mind to vote now for Mr. Tudor's candidate with whom he is canvassing — although they did not come to my house, I don't know why, Sir, I am always open to persuasion — but even if I had it in my mind to vote for him, Mr. Tudor would have condemned him by writing this type of article, because I could not believe anything they say now, I really could not, I would feel that Dr. Haynes is so desperate to get into this House, having been defeated in St. George after all the efforts of which the hon. member for St. George South has spoken, that he is now so desperate that he is hanging on to dishonest and untruthful arguments on which to win an election, and I must ask myself why. I would not want to think that anything I hear about being the second most powerful man waiting to slip into the shoes of the now deposed, once most powerful man, is the sole reason. I would not like to think he is mad for power in this way that he has to rely on that cheap argument in order to win an election.

Sir, I like to get up and deal with situations as they are, because, honestly, if the Opposition had come with a case that convinces me that there were bad provisions in this Bill, I would be the first to ask for a postponement, go back to my Chambers and write a very stern note on it to the Prime Minister and bring it up with my colleagues in the Cabinet. If I believe that we were being so dishonest as to want to get rid of fair and free elections, to deal with whom? To deal with a situation that there is a mere bye-election? Let us be serious, no matter all the nonsense that is being talked about the Government, the point is that we are only dealing with a bye-election, it is not going to alter the status of the Government for the next five years. It is an important seat for the Democratic Labour Party, I understand that as a politician, they want to maintain their seat. It is more important indeed for Dr. Haynes because he wants to get in in order to make his leadership position clear. His success, if he succeeds at all, may well be more disastrous for the Democratic Labour Party than if he is kept out. It may well be, because he may create more friction in the party than anything at all, and that is their problem, Mr. Speaker, not mine, but the point is, even in those circumstances I would not be too bothered, but do not argue on the sort of points that Mr. Tudor is arguing or on the points that the hon. member for St. Lucy is

using about democracy being threatened and he sees opportunities for mal-practices.

Ask for the clarification for which the hon. member for St. Michael South asks and then if you are not satisfied tell me and I will see in what way I can try, but do not try to throw this sort of spanner into a coming bye-election, fight us on the issues, fight us on the economic policies of the Government and what is going to happen in the next five years in the country; fight us on that. I am willing to deal with those, Sir.

The other serious question raised by the hon. member for St. Michael South, and I think it was raised also by the hon. member for St. Lucy, he said that the provisions lead him to query whether photographing of electors of potential electors will continue and whether it is still being tied in to the issue of LD cards. My answer to this is yes, Sir, and I say so for these reasons. Sections 11 and 25 of the principal Act, which are not being affected by this legislation, make it obligatory for the Chief Registering Officer to continue to photograph people and to register them, and indeed to give them Identification Cards. That is also combined with Regulation 16(c) and Regulation 18(6) of the Representation of Electors' Regulations 1971, Statutory Instrument 1971 No. 89, passed by the Democratic Labour Party, which is not being amended. The hon. member for St. Lucy said that this provision in the Bill is therefore another serious challenge to democracy and that is why he said that democracy is on trial. Now that I have demolished his argument, he may see that there is no challenge at all and that he is mistaken, totally mistaken, he has no case. You see, Sir, they have got me back to my law courts days, and you will recall when I say there is no case, there is only one judgment the Judges could give, and the right one too, in my favour, and I submit that on this the hon. member for St. Lucy and the other hon. members have no case whatever.

3.40 p.m.

You will recall that I said there is only one judgement a judge could come to and I submit that on this matter the hon. member for St. Lucy and other hon. members have no case whatever, and rather than the Government feeling ashamed of these provisions they should applaud the Government for strengthening the position and maintaining democracy and broadening the area for democracy to function in this country.

The other regulation about which the hon. member may be conscious is 40C. The fourth point raised by the Opposition concerns the period of special registration. Members wanted to know whether in the period of special registration the people would have enough time to object. Another point which they made was that there is a conflict between the period of special registration and Section 36 of the Act. This is not so and I want to deal

with this in a little detail. Honourable members are really referring to Section 18(1) of the amending Act. The Act says that the Governor General shall issue a writ and when the writ has been issued he declares a period of 19 days to be a special electoral registration period. During this period the Chief Registering Officer has three days to publish a revised register of electors in accordance with section 17 sub-section 2, known as the preliminary list. The Governor-General issues the writ, declares 19 days from the issue of the writ as a special time and there are three days to publish a revised list. During the period of sixteen days the registering officer can make changes. You have sixteen days within which you can add or take away from the register, and this Act must be read in conjunction with the regulations. The existing regulation gives you a period of seven days within which to put in any claims. So of the sixteen days, you have seven days to look at the register and put in your things, and nine days for its administrative procedure. Nowhere is the Chief Registering Officer entitled to interfere thereafter with that list, so that persons who have qualified, including those who have reached the age of 18 up to three days after the special period get on the list. The only people who cannot get on the list are those who become 18 years old during the period of three days after the Governor-General has declared the special registering and the time of the General election. That will be the law of Barbados and no amount of misrepresentation by Mr. Tudor will lead to any other conclusion. I go further and say that by that provision we have allowed other 18 years old to have the opportunity to come onto the register who at present have not got an opportunity. Mr. Tudor is totally mistaken and is intellectually dishonest on a point like this. It is unworthy of him to write an article like that in the manner he has done, and it is unworthy of "The Nation" not to do their proper research and publish at least as an editor's note something to clarify the position. It makes me sick to think that some of us go into public life and to have to deal with this level of argument rather than to have to deal with the situation where we genuinely have serious differences that are based on facts and *bona fides*. Although I am not the Minister responsible for the Bill I do have some responsibility since it came out of my Chamber, and we have worked on it to get it as well as it could be. We are not perfect, but we are not dishonest on this point and I again refute the argument that there can be any fears. Instead of creating fear of free elections we have widened the opportunities for free and fair elections, in that other electors who are qualified can have a reasonable period of time in which to make objections in order to make sure that there are no padded lists.

I want to deal now with the fifth point of substance raised in this debate. It is said that the time limit for objections under Section 55A should be a stated time limit and that the new Section 55A is too vague. Let me explain again what Section 55A does. As the law at

present stands every candidate or his election agent must make a return of expenses incurred both prior to, during and after the election and within the time stipulated to the Supervisor of Elections. Now the purpose of such a position in my election is because it is felt that if free and fair elections are to be maintained in a country we cannot have the position where a person who has more money than another is allowed to spend a lot of money and the other person who has nothing to spend cannot therefore have as equal a chance as winning an election. From time immemorial, ever since the corrupt practices in the United Kingdom and Europe in the 18th century one has had this sort of provision and again I go back to what the Chief Electoral Officer has said. He discovered that although a candidate must make a fair and true return, he had no power to find out if that return was really fair and true. He says that when he tried to investigate one candidate in the last election he went to one of the people who supplied him with goods and the person said I am not supposed to answer you; I am not telling you how much the man gave me for providing shirts. In his mind he may have felt it was not a true return but he had no power to deal with it, and understandably he has asked for that protection in the legislation and is being given it under Section 55A.

I want to allay the minds of hon. members about the terms of that section, and the hon. Minister of Education is one of the people who have a little fear about the time limits in bringing prosecutions. Again the existing law as to the time in which a person can be prosecuted for an election offence is contained in Chapter 3 of the laws of Barbados, the Election Offences and Controversies Act, section 31. It can only be one year after the offence has been committed and the Government has not changed that procedure. What is the fuss about? Government has not changed the law. This law was passed in 1971. DLP legislation. I do now know why the Democratic Labour Party is so afraid of the very laws that they have passed or afraid of any improvement to them. Do they feel that they were not fair then and that we should get rid of them? If the supervisor of election investigates you a day after that year is gone, there is no case. Lawyers will be able to win that case without saying more than "I submit that there is no case to answer." What is the fear? What is the criticism about? What is the challenge to democracy? If I have one criticism to Section 55A it is that time did not allow us to put more teeth into the section, because if hon. members look at similar provisions contained in the Election Contributions and Expenses Act of Canada, they will see that in similar circumstances the Electoral Officer in Canada and the Commission have the right to come to your premises, to pick up your documents and look through your cheques in making this sort of enquiry.

3.50 p.m.

Those are wider powers than we have given here. We have never heard anybody suggesting that Canada is

practising unfair elections at any time, having provisions similar to this. Time did not allow us. We did the first draft of this Bill; and I want to go back to this point because it is an important one. Talks on this Bill began since June 1977, discussion well ahead of any talk of a by-election. Nobody knew then that Mr. F. G. Smith was going to resign. The first draft was done in February, 1977. It went back from my office to the Prime Minister's office, and various discussions took place well ahead of Mr. Smith's resignation. On March 11, 1977 a submission for a change went before the Cabinet. It is factually untrue, to say that this Bill is only being brought because there is a by-election, or to deal with Dr. Haynes contesting the by-election. It is untrue. The facts are there. I can show the hon. member or any member who respects the Official Secrets Act the contents of this document so that they can see.

I am amazed at the level of the debate. An election issue is being laid. An election issue for what? Mr. Parris and Mr. Sealy and Malcolm X or whatever it is running around on nights cursing and abusing people, attacking the Governor-General, making references to the Chief Justice and his wife, making all sorts of allegations, attacking me about being white or some foolishness, cursing the Prime Minister, inciting people to riot and talking about how they know about killers and the best sort of killers; and that is the sort of person that Dr. Haynes wants to be telling persons to vote for him? Is that the sort of speech that we want to bring Barbados down to now?

Mr. Deputy Speaker, I give you certain undertakings on behalf of the Government, and I am answering the speeches of the Opposition. I think that I have dealt in detail with everyone of the major criticisms made on this Bill, and it has been proven that any fear is unfounded. It has been proven that these provisions will maintain rather than do anything to erode the Democratic practise in this country. I give you our firm undertaking, Mr. Deputy Speaker, that we will as a matter of urgency consider a comprehensive review of the legislation governing elections in this country. We will seek to bring down major legislation shortly — I hope within the next two or three months — to deal with party financing, election contributions and expenses of every candidate in every constituency. We must get away from this idea of talking about this political party is being subscribed to by the merchants and that somebody is paying somebody else and sorts of foolishness instead of dealing with the major issues before this country. I have said, and the Prime Minister has minuted me as a matter of urgency to deal with the comprehensive review of the total Electoral Act. The Constitution Commission too will make sure that it gives great thought as to whether it should recommend an Electoral Boundaries Commission; and I hope that by next year the proposals of the Constitutional Commission on this will be debated in this House.

Sir, the Barbados Labour Party is committed to fair and free elections in this country in every sense and to the improving of the electoral process so that more people who are qualified get a fair chance to vote and can make up their minds on whom they want to be their representative. We are committed to lifting public debate from the gutter into which it is being daily pulled in this country. We are committed to it. We cannot ensure it because we cannot be responsible in every sense for the minds and thoughts of some people; but we want to be sure that people have an opportunity to see the difference between cheap politics and solid arguments.

Let me finally answer one point, and this is a political point. I do not believe for a moment that the Government is on any crest of a wave of unpopularity. What has happen is that the Government has been more tolerant than anybody else. In the 15 years before in this country where have you seen people have the opportunity to say what they like about the Government without any ill effects? Where have you seen such an open system? There was a time if the hon. member for St. John walked into this House everybody was frightened of him. People had to get political cards and join a party in order to get a job. There was a time when I understand that the hon. member for St. John would even get up in the market place and say that the Barbados Workers Union should not employ me, and that people should not give me jobs. That was because I disagreed with him politically. We disagreed fundamentally about his concept about the West Indies and how they should go. Never since 1959 when I came back here have I heard so much criticism of a Government and even inciting people to violence; and about that I am ready as the Minister responsible for law and order.

Mr. SANDIFORD: On a point of elucidation, perhaps. Would the Minister then say why Mr. George Shearn was beaten with so many stripes when he dared to criticise the employment levy?

Hon. H. deB. FORDE: Mr. Shearn was not beaten with stripes, nor indeed have any stripes been taken off of him as far as I know. Mr. Shearn made his point; but he is entitled to get a reply to those points. Mr. Tudor has made his point, and we will reply to him; and we will reply to every statement made on the political platform. What this country is witnessing for the first time is a Cabinet group of people who do not depend on the dollars and cents they get as Ministers in order to exist. Any one of us can leave tomorrow and go out and make a proper living. We are not in here merely doing a job for money. There are not doing me or my family a favour. This nonsense must stop. They believe that if you are a politician you must do any nonsense to please people just for a vote and you do not tell the people the hard facts about their country.

The fact is that this country has gone through one of the worst economic periods that it went through in 1971-76. The economy has started to move again. We have been firm with some measures that obviously will make us somewhat unpopular with some people who do not think. I make no apology at all for any of the economic measures of the Government. If Barbadians want to go down, to keep sinking and to get into the hands of the International Monetary Fund with massive devaluation, they will accept cheap politics. If they understand that they are Barbadians and that they have a duty to themselves they will accept that we have to pull our belts at times and take harsh measures in order to put things right. None of us in the Cabinet apologise for it.
4 p.m.

It will be put right. In the five years it will be put right; it will be put right convincingly and this country will move forward under our leadership for another five years.

The question that the Bill be now read a second time was put and resolved in the affirmative

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

Clause 1 was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that Clause 1 stand part.

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

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

AYES: Hon. L. S. CRAIG; Hon. H. B. St. JOHN; Hon. H. deB. FORDE; Hon. C. L. BOLDEN; Hon. L. B. BRATHWAITE; Hon. L. R. TULL; Mr. JOHNSON; Mr. BRADSHAW; Dr. CHELTENHAM and Mr. ALLEYNE — 10.

NOES: Mr. TAITT; Mr. GREAVES and Mr. WEEKES — 3.

ABSTENTIONS: Mr. SANDIFORD — 1.

Clause 2 was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that Clause 2 as amended stand part.

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

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

AYES: Hon. L. S. CRAIG; Hon. H. B. St. JOHN; Hon. H. deB. FORDE; Hon. C. L. BOLDEN; Hon. L. B. BRATHWAITE; Hon. L. R. TULL; Mr. JOHNSON; Mr. BRADSHAW; Dr. CHELTENHAM and Mr. ALLEYNE — 10.

NOES: Mr. TAITT; Mr. GREAVES and Mr. WEEKES — 3.

ABSTENTIONS: Mr. SANDIFORD — 1.

Clause 3 was called

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that Clause 3 as amended stand part, subject to that in sub-clause (d) of the amended Clause 3 the word "and" appearing in line 5 after the word "year" and before the word "to" be deleted. This is just an emendation.

Hon. H. B. St. JOHN: In seconding that I would like to point out that this Clause is the clause which casts a duty upon the Chief Registering Officer to ensure that everybody who is qualified to vote in a constituency for which there is an election is on the register. In addition to this clause there are other clauses which have not been amended which provide a penalty for any election official for failing to carry out his duty. Clause 25 does that and clause 28 does that. So I want to make it clear that this Clause 13 sets out what should be in the register and who should be in the register.

4.10 p.m.

It sets it out very clearly, and it also sets out an obligation to put the name, address, occupation and electoral number. You cannot want it clearer than that. Not only must you publish the register, but it must contain the name, the address, the occupation and electoral number.

Now, Mr. Chairman, it was said by the other side that it would be possible at the last minute to pad the list. Bearing in mind the fact of what the list must contain, only a very stupid man would attempt to interfere with a register, or would attempt to pad a register when he knows that the register must contain the name, the address, the occupation and the electoral number, because anybody attempting to do that would know that the Director of Public Prosecutions would be able to provide cast-iron evidence against them in a conviction. I cannot see how any election official would be so foolish as to provide evidence against himself by publishing people's names, addresses and occupations when it would be so easy to prove that the people in fact did not live in the place at the particular time.

In addition to that, there will be an amendment to the rules which will set out that in your application for registration you will have to state the day on which you commenced residence at the new address. So that these are cast-iron provisions to ensure that the list only contains the people who are eligible in accordance with the existing Act and qualifications, so let there be no mistake about this, this is the clause which ensures and enshrines the integrity of the list.

Mr. TAITT: Mr. Chairman, I do not believe that the mere fact that the Hon. Leader of this House states something that it is so. What is he adding now that was not there before? In order to register before they used to have, you had to have, the name, the address, the occupation and all these things that he says make it cast iron. I am not impressed by the methodology which the hon. member uses, I am concerned with the entire thing and therefore I believe that if you are going to throw out the bath water in this case you must throw out the baby as well and the pan and everything. There is nothing which stops anybody after they have given the name, the address, the occupation, from being wrong, and all he is saying is that the DLP will have a cast iron case.

The whole gravamen of our argument is — as I understand it — this is section 13 and I believe this is where there are two sets of amendments, an amendment to the amendment, so one has to be extremely careful. The original thing says: Delete the word 'supplementary' and that has now been changed and we have "Section 13 of the principal Act is amended by deleting subsection (2) thereof and substituting ..." and I take it that is what they are passing now. Now, "The Register of Electors specified in subsection (1) shall contain the name, address, occupation and electoral number." That is nothing new, that has always been required of any elector. "The Register of Electors last published for the constituency to which that register relates and the revised Register of Electors or the register for elections published by virtue of section 18..." and there is a new section 18 which is coming, "...since the date on which the register referred to in paragraph (a) was published; the persons being ordinarily resident in the constituency to which the register relates and qualified under this Act as electors; ..." and so on.

Mr. Chairman, even with the present system of monthly lists it has been said in here in this debate that errors have been made. I heard the hon. member say that four or five persons were registered in the same place. This is not a question of anybody questioning the motives now, if errors could have been made with that system all the more possibility of errors being made with this system, and the amount of time to be able to check between January 1 and let us say ... One year there was an election in this country the first week in December or something like that, what we have been trying to get the

hon. members on the other side to understand is that between January and December there is a lot of registration in those constituencies where the representative, or the potential candidate, or the branch people are keen and would have no chance at all of checking lists.

Now, the hon. member says that the rules will be changed. I have no doubt that the hon. member means well, but let us see what the rules are going to be changed to. He says you will now be able to say "I have been living at this place for some time." We are talking about Barbadians, and even now with the present system when people go down to register, unless they have someone in a number of cases to assist them with registration — and the hon. members know this — they have difficulty. Mr. Chairman, in the light of what I know is possible, and in spite of the explanation which have been given, I have no alternative especially when I consider the instructions which I received from my constituents, I have no alternative but to vote against this clause.

Hon. H. B. St. JOHN: Mr. Chairman, the hon. member was not in here when the Hon. Attorney General was replying ... (Mr. TAITT: I heard him outside). The hon. member was not in here, but it has been pointed out that between January in one year and January in the next year that the continuous system of registration will be going on, and that in each constituency the registering office in the constituency will be having the lists updated in accordance with the continual trend, and all the hon. member has to do, all any political party has to do, is at the end of each month to go to the registering office in his constituency and check and see the additions and the subtractions that have been made. That is all he has to do, and if the Registering Officer does not cooperate, report him to this side and we will see that the information which is necessary is provided. He is a public official, he is a servant of the public, he has to carry out his duty, he is not there to obstruct anything, he has to carry out his duty, so I cannot understand the point made by the other side, because there is available evidence month by month, day by day, write a letter to the Chief Registering Officer and ask, you state that you are the representative of the particular constituency and ask to be provided with the names of people who have been added since the list was published. You are under the obligation to do it, so I do not see what the hon. member says, because there is continuous registration, but what we do not want to do is to publish something and waste paper and money. For those who are interested there will be means to ensure that any constituency party or agent will be brought up to date.

4.20 p.m.

For the information of the hon. member, the question of rules. It has been published in the Gazette. If the hon. member has been following the Gazette he will see that

The Registration of Electors (Amendment) Regulations, 1978, has been amended as follows: "Form 10 of the Schedule to the Electoral Regulations 1971 is amended by inserting immediately after the seventh line...The date on which I commenced residence is..." The object of that is to ensure that when you are putting in your registration you must provide evidence of what you say is the date when you started residence, because the law says that you are not entitled to vote unless you have been living in the place for three months. That does not seem to have sunk into the minds of the political parties of both sides and their agents. What is all the hullabaloo about rigging the lists? We know that only those who have been residing in St. Michael South Central for the last 90 days can possibly vote. A bye-election has to be held in 90 days and people have to be living there before the bye-election is announced; they cannot just go in there at any time and get on the list. So anybody who is thinking of doing so is wasting his time; let them save that house rent because the law says 90 days from date of registration. So do not let us try to mislead the public on this issue.

Mr. TAITT: Mr. Chairman, if I had a hopeless case and I had to choose an advocate, when it comes to putting forward abfuscated argument, if none of the members of my side would take the case I would take the hon. member over there; he is good at that. He is talking about not misleading and not misrepresenting. He says there is going to be continuous registration, that changes are to be made every month and that anybody who is interested can go in and see. Now if he has seen the electoral lists recently he knows it has been computerized. He talks about saving money. If you have to stick a name in between two others, in some ways it is cheaper to make a new sheet than to insert the name on to the old. You see, Mr. Chairman, our suspicions are aroused because of the amount of argument which is being put forward in support of this thing. They are saying that it is a continuous registration and that they are going to expend the same kind of energy in changing the names, because if you change the names you have to put them in alphabetical order. We have no doubt that the Supervisor of Elections if he says he is going to add names will do so; it is the checking that is the problem. You say to go to the Supervisor of Election or to the Registering Officer in the constituency. I put it to you, Mr. Chairman, there is a Registering Officer for the constituency of St. Michael South West, but he does not live there; there is nothing in the law which says he has to. He lives in a private house and you have to go and call at his house when it is convenient to him. These things do not present problems for members of Parliament or other keen political people who can tell the officer "if you do not do so and so I will report you to the Minister". I am talking about the 18 year olds who are concerned about casting their first vote. A pattern has been established whereby the 18 year olds unless they are assisted generally cast their vote wrong the first time. They need assistance and if you can

for each constituency that he pass on the information to the representative or to the candidate. I am putting forward the point that that is not satisfactory enough, and I would like to get some tightening of this particular point to ensure that candidates and representatives would in fact be able from month to month or whatever period they want to get that information as a matter of right, so that they would be able to do their constituency work as they conceive it. I am putting this forward as a genuine point.

I have no doubt after the explanation given that continuous and permanent registration as a principle continues, but there seems to me to be a problem here which would inhibit the work of candidates, prospective candidates and representatives, and it is going to affect or can affect this side over here as well as that side over there except... (*Asides*) but I am glad if the explanation is there. I would be glad for the information.

Mr. GREAVES: Mr. Chairman, I just want to repeat and indeed to advert to some points which were raised this morning particularly as regards this question of registration and indeed the publication of the lists which we are now dealing with. Now as the hon. member for St. Michael South has indicated we get the impression from the explanations which have been given that the principle of continuous registration will still obtain. Against that we have no quarrel, but our dissatisfaction or quarrel comes from the point which has been made about the publication and the notification about people who are registered from month to month, and this is a very serious point because, Mr. Chairman, you yourself I believe, have been involved in two or three campaigns, two of which you lost and you luckily won the last one.

Mr. CHAIRMAN: I would suggest that you do another check.

Mr. GREAVES: You are aware of the difficulties which a candidate has at a time like this, and what we are saying from this side is that the system of monthly registration enables a candidate to be able to check from month to month and on a fairly easy and regular basis those names which are added to the list, and indeed can also trace those names which are taken off the list for one reason or another, and if we wait as has been pointed out until the particular period which has been identified after the writ has been issued and you as a candidate are faced with a situation where names have now been inserted in alphabetical order, you have a whole list to go through to search for those various names, and this to my mind and in our view will make it much more difficult, and as far as we are concerned it is not the kind of advanced step that the Government has indicated it is. We feel that it creates a considerable

amount of difficulty to candidates and people who are involved in the campaign, and we therefore feel very strongly that we cannot support this because of the difficulties and problems which will necessarily be involved in a situation like this. So when we say that we are voting against this because we recognise the difficulties which are involved and the problems which can arise, we are genuine about it. It is not just a question of raising any political scare tactics, and I am sure if you were not sitting in the Chair that you would probably vote or speak against it, but within your heart I am sure you recognise the difficulties which are involved, and I am sure you are shuddering to think what you will have to go through in another election campaign because of this particular amendment. We therefore cannot support this and the points we have raised are genuine points which we think should be taken into consideration.

Mr. TAITT: Mr. Chairman, I just wish to add one small point.

Mr. CHAIRMAN: I just wanted to say, if you will give me one minute, that when the last speaker began to speak, he said he was going to repeat some of the arguments. I thought he meant refer to them; I thought it was a slip of the tongue, but he did in fact repeat just about everything that he had said before and what other hon. members had said.

Mr. TAITT: Mr. Chairman, there is another point which I wish to bring to the attention especially of the Hon. Leader of the House and the Attorney General. When you go down to the Chief Electoral Office to get a monthly register, it is usually two or three pieces of paper and you can usually get it free. When you go down to get a copy of the full register you have to pay for it and paying for it does not mean five or six cents; you have to pay for it. It means, Mr. Chairman, that in terms of getting the people in your constituency involved in the whole exercise that you have to go down and sit down and copy off; you make an error in transcriptions and all kinds of little errors can crop up. All I am saying is that administratively if you have a system that is working, the only basis they have advanced for changing this system is the administrative cost. I would dare to say that they will find with this system that the administrative cost would probably be about the same or that this system will cost more. It may look like it will not, but if an error is made in the main list it is going to cost you to change that, whereas if an error is made on the monthly list...this is commonsense, this is a straight principle of administrative efficiency that you minimise the area of error, and I am saying that if you make an error in a month, you have a smaller spread of capacity for error than if you make one every seven months, and I am

really appealing to them to take another look at this before we rush this clause through.

If the Attorney General asks for some time so that he can look at it we would wait around today. I see the Leader of the House says that is a waste of time. If the Chief Registering Officer says it is so, then we will have to agree. I put it to you, Mr. Chairman, that there have been times when public officers have been wrong, and you are telling me now that if the Chief Registering Officer says this is what he wants for administrative efficiency, that this is the only way it can be for administrative efficiency, and those of us who have to be at the other end of this particular stick and who know what the practical problems are are saying to them on that side not to bring this piece of legislation in its form, and they are saying to us we are bringing it period, full stop. We cannot support it, period, full stop.

4.50 p.m.

Mr. SANDIFORD: Mr. Chairman, just a few technical points on this particular clause. I have a little difficulty in terms of the new clause 2, section 3 clause (2), which reads as follows: "The registers of electors specified in subsection (1) shall contain the name, address, occupation and electoral number of each person who was registered in..." and it goes on (a) and (b), and then a little further down after (a) and (b) it states: "... the persons being ordinarily resident." It seems to me that there is some collision there between 'each person' coming further up and 'the persons being ordinarily resident.' There seems to me some collision there, and a little inelegance I would think, and I wonder if that particular quest could be abandoned and the matter put a little better.

The second point I wish to make is that under that subclause (2) we have subsections (a) and (b) referring to the names of those persons for what the register shall contain, and then a little further on we have (c), (d) (e) and (f) referring to names which should not be on the register. It appears to me that these are two different categories of persons and whereas in the first one you have (a) and (b) you cannot have a continuation (c) (d) (e) and (f) as though that is in the same category as the first one. The original legislation, I believe, had (a) and (b), the one we are proposing to amend, and the second category had (i) (ii) and (iii), but it seems to me that you are talking about two different categories of persons here, and for tidiness it would appear to me that a little violence is being done to the drafting procedure on these things.

Mr. TAITT: On the question of the technical area, if the Attorney General would turn also — it says in that same area (b), 'but the register shall not contain the

name of any person who, in the opinion of the Chief Registering Officer appears since the publication of the register in paragraphs (a) and (b) to have died.' Now, if you are amending this legislation there ought to be some requirement in the legislation — I know what I am doing — that if and when a person dies and is certified dead, and is reported to have died, that automatically that person should come off the register. It should be an automatic thing, because I, as I have said before, have no difficulty with this Chief Registering Officer, but if in the opinion of this man who comes next and it appears from the register that somebody appeared to have died and he takes him off the register, he is off the register legally, and it has happened by error. I think we are a little too early on that.

Hon. H. deB. FORDE: To answer the hon. member for St. Michael South West on this, Sir, the phrase 'to have died' is a repeat of the existing section 13. The Chief Electoral Officer himself cannot certify death, there must appear to him on evidence that the person has died. It is a correct legal expression.

In so far as the hon. member for St. Michael South is concerned, the first point he takes I do not believe that I can take as a legal nicety, although it appears as one. What it is saying is that the registers must contain the name, and address of each person, since the registers contain the names of several persons but we have to put it as the name of each person, such persons being ordinarily resident in the constituency. I think nothing is wrong with it, I have checked it with the draughtsman and there is nothing at all wrong with it.

Likewise, I think I will accept his other suggestion only for the sake of clarity really, but I can understand why the particular draughtsman continued drafting (c) (d) (e) and (f), because he considered that that clause was really controlled by subsection (2) in itself and that everything else was only qualifications as to the content of the register. I mean, put it this way. The register can contain, or not contain, 'the following:' and then (a) and (b) but (c) (d) (e) and (f) it does not contain, but I am not sticking to that if it bothers people, Sir, I am quite prepared to delete as well (c) (d) (e) and (f) and have (i) (ii) (iii) and (iv), if one really wants to be technical. I will ask that that be the position and that the amendment goes through.

Let me say this finally, Sir, on the only vital point. I do not think, no matter how much I argue, that the hon. member for St. Michael South West is going to be satisfied at all. His point of view and mine genuinely differ. I think he is now satisfied that continuous registration is protected under this Act, so that anybody can go in — I believe it was the member

for St. Lucy who was not satisfied — I believe after hearing the arguments about sections 10 and 13 he can be so satisfied. That is the first point. The only point at variance here is whether a person can see on a day to day basis, not merely on a monthly basis, whether or not he is registered, the person having gone in to the Electoral Officer and attempted to register. In my submission he still can. He is entitled to go to the Chief Registration Office or he is entitled to go to the Registering Officer for the constituency and ask to see that list, because they keep the list and the list is updated from day to day. In addition, under the Regulations, 40(c), there must be a time in which objections can be put in, and further, under later regulations as well you are entitled to buy a copy of that list as is being amended by him from time to time, or part of the list, from the Chief Registering Officer. It is not free, the monthly list is only free to the extent that you can go and see them up in a police station or in the Public Library.

Now, the only argument which the hon. member is putting forward is that it will no longer be obligatory for Mr. Smith to put them in the Public Library, or indeed to have them in the police stations, but what is still obligatory is that he must keep the register of electors going on from day to day. This is the point I am making, so that anybody can go and see them. Now what is also further obligatory is that a consolidated revised list which is not being the revised list is published within three days when an election is announced, a bye-election or a general election.

Now, Sir, I will tell the hon. member this. When the hon. member for St. Michael North Central spoke, Dr. Caddle, Sir — if I may refer to him with his full title — when he spoke he said that he thinks he would prefer a quarterly publication or something of the sort. That I will examine when I am doing the comprehensive legislation, but let me say it now here that the system which is going through is the exact system that is being used in the United Kingdom. Nobody would accuse the United Kingdom of having unfair elections, rigging elections,...
5.00 p.m.

Mr. TAITT: If the Hon. Minister will give way. I do not know about other people. Some of the most corrupt things happen in the United Kingdom. You are a lawyer and you know this. Don't tell me about England.

Hon. H. deB. FORDE: I do not mind that emotional outburst. The position is that the electoral laws of England are today better and stronger than anywhere else in the democratic world, including the United States of America. The nearest to them is Canada and then Scandinavia. In Barbados every member in this House of Assembly knows that aspects of the election laws have been broken both in 1971 and 1976 without anybody

being prosecuted. I do not mince words in these matters and the fact that they are white men in England and black men in Barbados does not influence me. Where else in the world will you find that political parties can order 20,000 shirts and no return of expenses or revenue made by any candidate?

Mr. TAITT: If the hon. member will give way, I have heard this shirt talk a lot in this House and I wish to say first of all that it would seem that the Barbados Labour Party did not have any shirts at all. I wish to state categorically that any shirt which the hon. member saw in the constituency of St. Michael South West with the admonition to vote for Taitt were shirts that people bought to sell. Do not let it go abroad that...

Mr. CHAIRMAN: The hon. member is making a speech; you interrupted to elucidate a point.

Mr. TAITT: I am not interrupting Sir, we are in Committee. The hon. member said he knows about persons who had shirts and did not make returns, and since they were shirts marked: "Taitt" and since I sent in returns, I must play my position. My return was a fair return as far as I know, so do not let the hon. member...

Hon. H. deB. FORDE: I am glad the hon. member spoke because he knows I was making reference to the fact that this Bill was due to recommendations made by the Chief Elections Officer who wrote: "Clothing distributed by a candidate or his agent to an elector, although an article which is primarily intended to promote the election of a candidate must be sold, as failure to do so renders it a gift, and in accordance with Section 6 of the Election Offences and Controversies Act, Chapter 3, this amounts to bribery. Anyone committing such an offence, whether the giver or the receiver, is guilty of a corrupt practice. The unfortunate thing here is that clothing may be given as a bribe, which a recipient receives honestly in the *bona fides* belief that he is entitled thereto. With regard to the sale of clothing I would like to point out that as far as I can recall no return of expenses submitted to me ever reflected the sale of shirts. This is an offence and I quote section 52(3) of the Representation of the People Act Chapter 12: "The return shall contain in respect of that candidate a statement of all money, security and the equivalent of money received by the elector from the candidate or any person for the purpose of election expenses incurred, with a statement of the name of every person from whom received." It is interesting to note that some return did show cost of shirts as an expense but no corresponding entry made under the heading receipts. In accordance with the provision of section 53(5) of the Act a false declaration as to election expenses amounts to corrupt practice. In view of the foregoing it is considered that it is very difficult to control or estimate what may be reasonable expenditure for an item like shirts and it is

recommended that their use be prohibited. I read that note from Mr. Smith written to the Minister as part of his report on the last election. That is the point I am making. There is no point in getting over emotional about a situation without looking at the facts. I make bold to say that they were corrupt practices that took place in the 1971 and 1976 elections that the Chief Supervisor of Elections was unable to contain and these included the wearing of shirts. The point is that in England this could not happen. And I say this: We are going to have to bring comprehensive election information in here and I promise I will give early attention to a comprehensive review of all this legislation. We must stop these things once and for all.

Mr. TAITT: Just one more point, Mr. Chairman. I am very pleased to hear the Attorney General say he is bringing comprehensive legislation. And I say to him carry this back, bring the comprehensive legislation, and appoint a Committee of the whole House so that we can sit down and discuss the elections in this country realistically; so that we would not have to get up on this side and wonder about anything and you won't have to get up on that side and drill us in anything. We would like to have a comprehensive non-partisan discussion of the elections system in this country so that we can all after hearing the experience and reading the reports of the Chief Electoral Officer and knowing what the difficulties are, work out a solution realistically and honestly; and not have to get up and make all sorts of statements. The Minister knows that if they brought cases of corrupt practice for shirts they would be no House of Assembly, according to what he said.

The question that Clause 3 as amended stand part was put and resolved in the affirmative, the House dividing as follows:

AYES: Hon. L. S. CRAIG; Hon. H. B. ST. JOHN; Hon. H. deB. FORDE; Hon. L. B. BRATHWAITE; Mr. BRADSHAW; Mr. JOHNSON; Mr. SIMMONS and Mr. ALLEYNE – 8.

NOES: Mr. TAITT, Mr. GREAVES and Mr. WEEKES – 3.
5.10 p.m.

Clause 4 was called.

Hon. H. deB. FORDE: I beg to move that Clause 4 as amended stand part.

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

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

AYES: Hon. L. S. CRAIG; Hon. H. B. St. JOHN, Hon. H. deB. FORDE, Hon. L. B. BRATHWAITE, Mr.

BRADSHAW, Mr. JOHNSON, Mr. SIMMONS, Hon. C. L. BOLDEN and Mr. ALLEYNE – 9.

NOES: Mr. TAITT, Mr. GREAVES and Mr. WEEKES – 3.

Clause 5 was called.

Hon. H. deB. FORDE: I beg to move that Clause 5 stand part.

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

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

Clause 6 was called.

Hon. H. deB. FORDE: I beg to move that Clause 6 as amended stand part.

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

Mr. TAITT: Mr. Chairman, I would like to examine some details of Clause 6. I think that the hon. member for St. Michael West knows very well the capability of persons to speak. *(Aside)*. I wish that he would not let his asides interfere with my thinking process. Clause 6 has provisions for the monthly list. I think that I put the argument already. *(Asides)*. Mr. Chairman, please protect me. I do not intend to put that argument again, except to say that I will not vote for this Clause for the same reason, and if I had had the opportunity, I would not have voted for the previous Clause; but on this Clause that is being amended, I want to say something on the Foreign Service electors. Sir, some concern has been expressed as to whether those persons working in the Foreign Service are eligible to vote or not. One of the problems that first came up in the Foreign Service is that there are two kinds of employees. There are all Barbadian nationals. Some of them, however, are operating on diplomatic passports and others are permanent residents in the particular countries where they live and are entitled to work in Barbados offices in the countries of which they are living. I wonder if the Minister can tell us what is the position at this point and who is eligible and not eligible. I am not trying to find out what the Act says. I am trying to get some information from the Minister who is piloting this Bill.

There are some persons as well who work in the offices, and who are American citizens. They will not normally be eligible to vote if they have taken American citizenship. I believe that there was one problem of a particular officer having transferred from the Foreign Service back to Barbados, and the question of the three months residency was brought up by an election official. The election official obviously was wrong because as a foreign elector he votes in the constituency in which he

would normally live were it not for the fact that he had not been transferred to the Foreign Service. I wish the Attorney General just to set out what is the present position with regard to Foreign Service electors in the USA, the UK and Canada. The U.K. and Canada might not pose a particular difficulty because dual nationality is a possibility; but not in the USA where we now have offices of the Board of Tourism, the IDC, an Embassy and a number of assorted Consulates around. I would like to hear what is the position.

Hon. H. deB. FORDE: Mr. Chairman, I would say that there has been no change in the qualifications of people who are Foreign Service electors. The requirement is that before a person can be registered as a Foreign Service elector, he must have been registered in Barbados before he joined the Foreign Service overseas. Now, those persons who have been recruited overseas, and who have not been residing in Barbados would not come on if they are in the Foreign Service *per se*. Now, in the non established staff recruited overseas, they are not in a similar position. On the other hand, if the person was recruited as part of the non established staff overseas, they can become Foreign Service electors; but if they give up Commonwealth or Barbadian nationality, they do not qualify unless they qualify as foreign voters resident in Barbados. There are some whom might have taken up American citizenship; and if they have taken full American citizenship, then they disqualify themselves from voting.

Mr. TAITT: Mr. Chairman, one further point came up for discussion in the past, and I do not believe it will ever be settled. The Attorney General said that those persons who are recruited overseas and who have not ordinarily been resident in Barbados cannot actually vote. In truth and in fact when a person is recruited at diplomatic level, that is established level. Technically, when that person has to return to Barbados, the person's resident status changes. When that person comes back to Barbados say for re-orientation etc., that person goes to the place where he or she used to live. You will recall that under the provisions of the Act the Electoral Officer cannot remove the name of a person who leaves the country over a five year period; and I am suggesting to the Attorney General that in the comprehensive look at the legislation that he ties the relationship between that five year period and the person who is recruited in the Foreign Service.

5.20 p.m.

Although it applies only to two or three persons, the fact is that two or three persons may be inadvertently deprived of their right to vote. In case anyone is wondering what I am talking about, it happened in my own case in that although I had never taken permanent residence in the United States and I was in fact working for an international organisation and therefore not having given up my residence in Barbados, the legal officials at the time ruled that I had been recruited overseas which

was not technically correct. If you are recruited from within an international organisation and you never take out residence, technically your residence is still the place where it was when you went into the international organisation, and I hope the Attorney General will take note of this because it can deprive two or three people of the right to vote.

Hon. H. deB. FORDE: Mr. Chairman, I will pass this on to the Registering Officer and I will also myself when we are doing a comprehensive review, look at the position of Barbadians employed in the foreign service whether on the established or unestablished staff.

The question that Clause 6 as amended stand part, was put and resolved in the affirmative.

Clause 7 was called.

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

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

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

Ayes: Hon. H. B. St. JOHN; Hon. H. deB. FORDE; Hon. L. B. BRATHWAITE; Mr. BRADSHAW; Mr. JOHNSON; Mr. SIMMONS; Hon. C. L. BOLDEN; Mr. ALLEYNE; Dr. CHELTENHAM and Mr. SISNETT — 10.

Noes: Mr. GREAVES; Mr. TAITT and Mr. WEEKES — 3.

Clause 8 was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that Clause 8 as amended stand part.

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

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

Ayes: Dr. CHELTENHAM; Hon. H. B. St. JOHN; Hon. H. deB. FORDE; Hon. L. B. BRATHWAITE; Mr. SISNETT; Mr. BRADSHAW; Mr. JOHNSON, Mr. SIMMONS; Hon. C. L. BOLDEN and Mr. ALLEYNE — 10.

Noes: Mr. TAITT and Mr. GREAVES — 2.

Abstentions: Mr. SANDIFORD — 1.

Clause 9 was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that Clause 9 as amended stand part.

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

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

Ayes: Dr. CHELTENHAM; Hon. H. B. St. JOHN; Hon. C. L. BOLDEN; Hon. H. deB. FORDE; Hon. L. B. BRATHWAITE; Mr. SISNETT; Mr. BRADSHAW; Mr. JOHNSON; Mr. SIMMONS and Mr. ALLEYNE — 10.

Noes: Mr. TAITT and Mr. GREAVES — 2.

Abstentions: Mr. SANDIFORD — 1.

Clause 10 was called.

Hon. H. deB. FORDE: I beg to move that Clause 10 as amended stand part.

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

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

Ayes: Dr. CHELTENHAM; Hon. H. B. St. JOHN; Hon. H. deB. FORDE; Hon. L. B. BRATHWAITE; Mr. SISNETT; Mr. BRADSHAW; Mr. JOHNSON; Mr. SIMMONS; Hon. C. L. BOLDEN and Hon. L. S. CRAIG — 10.

Noes: Mr. TAITT and Mr. GREAVES — 2.

Abstentions: Mr. SANDIFORD — 1.
5.30 p.m.

Clause 11 was called.

The question that Clause 11 as amended stand part was put and resolved in the affirmative, the House dividing as follows:

Ayes: Dr. CHELTENHAM, Hon'bles. H. B. St. JOHN, H. deB. FORDE, and L.B. BRATHWAITE; Messrs. SISNETT, BRADSHAW, JOHNSON and SIMMONS; and Hon'bles. C. L. BOLDEN and L. S. CRAIG — 10.

Noes: Messrs. TAITT and GREAVES — 2.

Abstentions: Mr. SANDIFORD — 1.

Clauses 12 and 13 were called and passed.

Clause 14 was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that clause 14 as amended stand part. I do not expect any division on this.

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

His Honour E. E. ALLEYNE: Mr. Chairman, I heard the Hon. Attorney General indicate that there is a time limit of one year in respect of offences under this clause. I am in a little difficulty because I would like to find out where the time limit is, because subject to what was said I think I disagree that there is in fact a time limit, so that I would be obliged if I could discover from the appropriate Minister what the time limit is.

Hon. H. deB. FORDE: I do not think the hon. member was here. I pointed out that section 14 creates an offence for which there is a penalty of \$500 or six months. I have kept the penalties the same as in existing legislation although I believe it is about time that the penalties be reviewed, and in the comprehensive legislation we will review the penalties as well as any question of an increase in the quantum of expenses for electors. But likewise, it creates an illegal practice. The prosecution for an illegal practice is contained in Chapter 3 of the Laws of Barbados, which is the Election Offences and Controversies Act. The time during which you can bring an offence of this nature or prosecution for an illegal practice, the time limit for a prosecution is set out in Chapter 31, and Chapter 31 is specific because although the offence is a summary offence which would normally be subject to the Magistrates Jurisdiction and Procedure Act under Chapter 116, Chapter 31 makes the distinction and gives it a year after the offence has been committed. It is by reading the sections together and looking at the totality of the legislation dealing with the matter that I said I am satisfied that an enquiry outside the period of the year would be a pointless enquiry and of no necessity whatsoever.

His Honour E. E. ALLEYNE: Mr. Chairman, I am now genuinely puzzled, because the new section 55A(1) which is contained in clause 14 as opposed to 55A(2) does not create an offence, and I do not see why the Supervisor of Elections cannot the day after this Bill is passed investigate all hon. members. That is what bothers me. I tend to disagree, the investigation itself cannot be an illegal practice. I know that there would be no point, but it is possible for an unscrupulous Supervisor to harass a successful candidate and cause the candidate serious problems long after the one year limit has expired.

Hon. H. deB. FORDE: Although an investigation takes place under section 55(1) an offence is only created under 55(2). Now, a member who has been investigated under section 55(1) outside of the time limit of a year can refuse to answer because he would not be liable to any offence. Let us be sensible, Sir, any legislation must be interpreted sensibly. Honestly, you know, Sir, I am going on the Bench, I really must

go on the Bench, because when I hear of arguments like these it really bothers me. I mean, let us be sensible, how do you interpret legislation? Surely you pass legislation that 'he' means 'she' but because we say that the masculine involves the feminine it does not mean that every time you look at a person that it must be both a he and a she together. I am using this as an example, legislation must be sensibly used having regard to the practices. I think the hon. member's fears are totally unfounded on this one, but let me tell the hon. member, in the comprehensive review again that I am doing I shall tighten this section, I shall tighten the section to give the Electoral Officer the right to come into your house and commandeer your cheque books, if he likes to have a look at them to make sure he is doing the right thing and to go into the companies and do the same thing.

Mr. TAITT: Mr. Chairman, I hope that when the Hon. Attorney General does that he does not make it retroactive and find himself suffering at the hands of some unscrupulous Supervisor of Elections. I wish to make this point. The Attorney General gets up and says in here that legislation must be interpreted sensibly. If legislation used to be interpreted sensibly all the time, half of the litigation in the court would not be, there would hardly be any need for any appeals. I do not buy this that when we are making legislation that we make foolish legislation and call for sensible interpretation. We have the opportunity — this particular clause, Mr. Chairman, if anyone can say that there is anything wicked about this Bill, the wickedness would have to reside somewhere in this clause. (*Asides.*) Mr. Chairman, it is no point the Attorney General trying to prove to me what a legal luminary he is, the people who live in Richmond Gap, the people who live in Westbury Road, Parris Gap, they are not legal luminaries. (Hon. H. deB. FORDE: Stanmore Crescent). Stanmore Crescent too, no legal luminaries up there, a lot of intelligent people, but no legal luminaries. The point is that when you have legislation, there is a whole movement now to make legislation as simple for ordinary people to understand as possible. In many States in the world now there is legislation coming into demand that certain regulations be written in ordinary English, and the reason for that is to prevent what I call the principle of maximum confusion.

5.40 p.m.

The reason for that is to employ what I call the principle of maximum conclusion. That is a principle by which a lot of lawyers function. I am not casting any aspersions, but this is a fact.

Hon. L. S. CRAIG: On a point of order, Sir. I wonder if the hon. member has not got a garden to look after or could go to the sea? It is daylight saving time and he should enjoy some of it.

Mr. CHAIRMAN: That is no point of order.

Mr. TAITT: The hon. member gave us daylight saving time, and now that we are using it effectively he is spoiling. Sir, this particular piece of legislation, despite the assurances given by the Hon. Attorney General, makes it possible in my opinion — Sir, this is a very serious piece of legislation which is put in the hands of an unscrupulous Supervisor of Elections, or worse still an unscrupulous Minister responsible for election — if the present Attorney General or the present Supervisor of Elections was going on for ever, perhaps they could make the point. But there will be others and we know that they have been persons who worked in high positions who have had to be locked up. When we are talking about legislation we are talking about principles, and this thing here which says "any person who without reasonable excuse fails to answer any question or produce any document reasonably required by the Supervisor of Elections for an investigation is guilty of an offence and liable on summary conviction to a fine of \$500 or imprisonment of six months or both." This is a serious Clause. Do not tell me about incumbents in jobs, let us talk about what we are putting on the books, and all of them know that there is a principle that you do not have opened-ended legislation. (*Asides*) It is foolishness because the Attorney General says so. I do not understand how they are talking about foolishness; we were talking about shirts. You know what this legislation can mean? A year is much too long anyway.

Hon. H. deB. FORDE: If the hon. member will give way. There is nothing which says that the Supervisor of Elections can go back and investigate people who participated in the 1976 election. That is nonsense, because in my view the Bill cannot be construed retroactively. Mr. Smith is not being given retroactive powers in relation to the election of 1976; the Act only commences from the date it is published in the Official Gazette after it has been assented to by the Governor General.

The third point is that in a bye-election Mr. Smith can ask the Director of Public Prosecutions to bring an offence which has been committed from whenever that bye-election was and his investigations will relate to that period. If Mr. Smith waits until a year has passed and then goes to a candidate, the candidate can say to him "I do not have to answer you". What offence would be created? Neither section 2 nor section 3 would be broken. I have told hon. members that the words used have been taken from similar legislation in the United Kingdom and Canada and we are satisfied that it is good legislation and I believe the fears expressed have been answered in the legislation. I cannot do anymore.

Mr. TAITT: Mr. Chairman, I agree with the Hon. Attorney General that he cannot do anymore, but even the lawyer on his side is not happy about the legislation.

The Supreme Court has given decisions with two for and one against. There is no single person with all the law in his head. Even on his side there is a lawyer who is confused (*Asides*) No he is no longer confused; he has been satisfied by the Hon. Attorney General. The Hon. Attorney General can satisfy him, but I am afraid he has not satisfied me because the Hon. Attorney General will not have to be administering the law; he will not be sitting in a position to judge, and I maintain it is unsatisfactory legislation no matter where it came from, even if it came from the Pearly Gates.

Mr. ALLEYNE: Mr. Chairman, I would like to make one point in relation to the second section. It says here: "Any person who without reasonable excuse fails to answer a question....." I believe that section will prove to be ineffective. It must be a reasonable excuse for a person to say he is not answering a question or producing a document because it might show he is guilty of an illegal practice. To that extent the section may prove to be ineffective and perhaps it should have been tighter.

The question that Clause 14 as amended stand part was put and resolved in the affirmative the House dividing as follows:

AYES: Hon. H. B. St.JOHN, Hon. H. deB. FORDE, Hon. L. B. BRATHWAITE, Hon. L. S. CRAIG, Mr. ALLEYNE, Mr. BRADSHAW, Mr. JOHNSON, Mr. SIMMONS, Hon. C. L. BOLDEN and Dr. CHELTENHAM – 10.

NOES: Mr. TAITT, Mr. GREAVES and Mr. SANDIFORD – 3.

The question that Clause 15 as amended stand part, was put and resolved in the affirmative, the House dividing as follows:

AYES: Hon. H. B. St.JOHN, Hon. H. deB. FORDE, Hon. L. B. BRATHWAITE, Hon. L. S. CRAIG, Mr. ALLEYNE, Mr. BRADSHAW, Mr. JOHNSON, Mr. SIMMONS, Hon. C. L. BOLDEN and Dr. CHELTENHAM – 10.

NOES: Mr. TAITT and Mr. GREAVES – 2.

ABSTENTIONS: Mr. SANDIFORD – 1.

5.50 p.m.

Clause 16 was called.

Hon. H. deB. FORDE: I beg to move that Clause 16 as amended stand part.

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

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

AYES: Dr. CHELTENHAM, Hon. H. B. St.JOHN, Hon. H. deB. FORDE, Hon. L. S. CRAIG, Mr. SISNETT, Mr. SIMMONS, Mr. ALLEYNE, Hon. L. B. BRATHWAITE, Hon. C. L. BOLDEN and Hon. L. R. TULL – 10.

NOES: Mr. TAITT and Mr. GREAVES – 2.

Mr. SANDIFORD abstained – 1.

Clause 17 was called.

Hon. H. deB. FORDE: I beg to move that Clause 17 stand part. Do hon. members wish to oppose Clause 17?

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

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

AYES: Dr. CHELTENHAM, Hon. H. B. St.JOHN, Hon. H. deB. FORDE, Hon. L. B. BRATHWAITE, Hon. L. R. TULL, Mr. ALLEYNE, Mr. BRADSHAW, Mr. JOHNSON, Mr. SIMMONS, Mr. SISNETT and Hon. L. S. CRAIG – 11.

NOES: Mr. TAITT, Mr. GREAVES, Mr. SANDIFORD – 3.

Hon. H. deB. FORDE: I beg to move that the Schedule stand part of the Bill.

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

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

AYES: Dr. CHELTENHAM, Hon. H. B. St.JOHN, Hon. H. deB. FORDE, Hon. L. B. BRATHWAITE, Hon. L. R. TULL, Mr. ALLEYNE, Mr. BRADSHAW, Mr. JOHNSON, Mr. SIMMONS, Mr. SISNETT and Hon. L. S. CRAIG – 11.

NOES: Mr. TAITT, Mr. GREAVES, Mr. SANDIFORD – 3.

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

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

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

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

Hon. H. deB. FORDE: Mr. Speaker, I beg to move that this Bill as amended be now read a third time.

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

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

AYES: Dr. CHELTENHAM, Hon. H. B. St. JOHN, Hon. H. deB. FORDE, Hon. L. B. BRATHWAITE, Hon. L. R. TULL, Mr. ALLEYNE, Mr. BRADSHAW, Mr. JOHNSON, Mr. SIMMONS, Mr. SISNETT and Hon. L. S. CRAIG — 11.

NOES: Mr. TAITT and Mr. GREAVES — 2.

Mr. SANDIFORD abstained — 1.
6.00 p.m.

Hon. H. deB. FORDE: Mr. Speaker, I beg to move that this Bill do now pass.

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

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

Mr. SPEAKER: When the hon. member for St. Michael South East was addressing the Chair on this Bill to amend the Representation of the People Act, Cap. 12, my attention was directed to certain words purporting to be a breach of order by the hon. member. I took opportunity to get a transcript from the Hansard Reporter to familiarise myself with the words taken down as they were spoken. I am satisfied that certain words were in breach of our Standing Orders and accordingly I am directing that the words which came after the sentence "This is what this Bill seeks to do" down to the word "allegation" should be expunged from the records.

Hon. H. B. St. JOHN: Mr. Speaker, there is an urgent Resolution which has been circulated and if hon. members will do it today, we will not have to meet next week. It is in connection with the Attorney General's Office for \$25,000. There is an appeal before the Privy Council and it is in order to let the lawyers in England be paid both on behalf of the crown and on behalf of the prisoner. That is all it is; to increase the amount by \$25,000 under the Head so that the Privy Council appeal with Dudley Holder takes place. If it is not done now then we will have to meet next week because it is urgent that the money be granted, and the vote is not enough. There is a contingency vote for the Privy Council. The Resolution has been circulated.

Mr. TAITT: On our side we have been consulted and the nature of the Resolution before the House is such

that we think we can do it this afternoon. We have no objection.

Mr. SPEAKER: I take it that you speak for all hon. members on that side.

Mr. TAITT: On this occasion, yes.

COMMITTEE OF SUPPLY

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

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

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

SUPPLEMENTARY ESTIMATES 1978–79 No. 1

Hon. H. deB. FORDE: Mr. Chairman, the Resolution has been submitted with quite a full Addendum, but I will say just a few words for the information of hon. members. The Resolution is seeking \$25,000 to supplement this Head.

The necessity for the additional money arises from the fact that a gentleman was tried and convicted at the Assizes on the capital charge of murder. He appealed to the Barbados Court of Appeal and his appeal was successful. The conviction was squashed and his sentence was set aside, but he was not freed; he was ordered to be retried. Arising out of the retrial will be a question as to whether certain words used by him and a statement given by him were admissible in evidence or not. This point was argued at the Assizes and at the Court of Appeal, and the Court of Appeal gave a certain ruling, but the Court of Appeal feels that on retrial the same question will occur again and it will be helpful for the direction of the Judge during the retrial and indeed the Court of Appeal if a definitive ruling on this matter was given by the Privy Council. It may well be that if the Privy Council rules that the words were not admissible at all; if given a retrial it may just be the end of the matter, or it may rule that the words were admissible, but you must still proceed with the retrial. So that from the point of view of the Crown and the point of view of the appellant it is vital that this appeal should be determined. He did not appeal *in forma pauperis* since the rules do not allow for an *in forma pauperis* appeal in circumstances such as this. He was ordered to give £25 or something like that as a surety; he has given that. He is a man without financial backing behind him, he has no money and it seems proper that the Crown should therefore stand the cost of his appeal particularly since it is such a serious charge and such an important point of law has arisen.

The estimated fees of the Appellant lawyers is about £3,000 sterling and we have reason to believe that the fees of the Crown may be of a similar amount, that is about \$6,000 sterling, and taking the change of \$4 to the pound is roughly \$24,000. There will be other expenses, hence the necessity for this Resolution before the House.

I beg to move that this Resolution do now pass.

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

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

6.10 p.m.

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

On the motion of Hon. H. deB. FORDE, seconded by Hon. L. S. CRAIG, the Resolution was agreed to.

LEAVE OF ABSENCE

Hon. L. S. CRAIG: Mr. Speaker, at this point I would like to crave the indulgence of the House and to seek leave of absence from the 6th to 29th June to go on Government Business.

Mr. SPEAKER: There is no objection, leave is granted.

ADJOURNMENT

Hon. H. B. St. JOHN: Mr. Speaker, I think hon. members have earned a slight respite in This Place and I beg to move that this House do now adjourn until Tuesday, 13th June at 12.00 noon.

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

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

6.15 p.m.