THE

# House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 – 81

## HOUSE OF ASSEMBLY

*Tuesday, 28th November, 1978.*

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

PRESENT

His Honour W. C. B. HINDS, J.P. (Speaker); Mr. R. St.C. WEEKES, J.P.; Hon. L. S. CRAIG, (Minister of Housing, Lands and the Environment); 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 Communications and Works); Hon. H. deB. FORDE, S.C., M.A., LL.B., (Attorney General and Minister of External Affairs); Dr. R. B. CADDLE, M.D., Ch.B.; Mr. L. E. SANDIFORD, M.A., (Econ.); Mr. D. A. C. SIMMONS, LL.M.; Hon. Miss B. A. MILLER, (Minister of Health and National Insurance); Hon. L. B. BRATHWAITE, (Minister of Agriculture, Food and Consumer Affairs); Mr. J. G. ODLE, B.Sc., (Chairman of Committees); Mr. M. C. C. WARD; Hon. H. B. St. JOHN, Q.C., LL.B., (Deputy Prime Minister, Minister of Trade, Tourism and Industry) (Leader of the House); Mr. V. L. JOHNSON, M.A.; Mr. B. M. TAITT, M.A; Hon. L. R. TULL, M.A., (Minister of Education and Culture); Mr. DeL. O. BRADSHAW; Mr. L. L. SISNETT; Dr. R. L. CHELTENHAM, M.Sc., (Econ.); His Honour E. E. ALLEYNE, LL.M., (Deputy Speaker) and Dr. R. C. HAYNES, M.B., Ch.B., M.R.C.P. (Edin.).

*Prayers were read.*

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, 14th November, 1978.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that subject to any amendment by hon. members the Minutes of the meeting of 14th November, 1978 be confirmed.

Mr. SPEAKER: If there are no objections to the Minutes, the Minutes of the meeting of 14th November, 1978 stand confirmed.

Honourable members will have in their possession the Minutes of the meeting of Tuesday 21st November, 1978, but since these Minutes were circulated at a very late hour I am sure the Leader of the House will make a motion for their confirmation later.

I seek leave of the House to make a special report from the Committee appointed to examine the salaries and pension of members of Parliament.

The Committee has before it a memorandum submitted by a member of the Opposition. The same hon. member is seeking permission to appear before the Committee and give evidence. In the light of the circumstance the Select Committee feels obliged to seek further instruction from this Honourable House in the matter referred to. The Select Committee is seeking to hear evidence in this respect.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that the Committee be empowered to hear evidence as part of its instructions. I understand the Committee would not be competent to entertain the applicant unless there was specific authority from the House.

Mr. SPEAKER: Is it agreed that the Committee hear evidence, further to the motion of the hon. Leader of the House?

Mr. SANDIFORD: Mr. Speaker, I am just seeking clarification. The Leader of the House indicated that the Select Committee would not be competent to admit persons who are not members of the Committee to attend and make statements before the Committee.

Mr. SPEAKER: That is not what is before the House. The Select Committee is seeking further instructions to hear evidence.

Mr. SANDIFORD: Mr. Speaker, I was looking at Standing Order No. 60, procedure of Select Committees of the House, and it does indicate that "A Select Committee shall have power to send for persons, papers and record and shall have leave to report its opinion and observation together with the Minutes of evidence taken before it to the House".

Mr. SPEAKER: I believe the hon. member has failed to realize that the Standing Orders provide for the Committee to send for persons or papers and to have documents produced, but the Standing Orders do not make provision in the case we now seek, that is, a member offering himself, to give evidence.

Hon. H. deB. FORDE: Mr. Speaker, if I may say so, the Constitutional provision is that the Attorney General is not only Attorney General to the Government but, what is not generally known in Barbados, he is also Attorney General and legal adviser to both Houses of Parliament; and I would some times wish, with respect, that the presiding officers and the Clerk would use the Attorney General in that light; it might save a lot of problems.

But I think that the rules of the House must be related to Part 3 of the Parliamentary (Powers, Immunities and Privileges) Act, and section 8 of those rules says that "Either House or any Committee authorised by an Order of the House by which it was appointed or any joint Committee authorized by an Order of each House to send for persons, papers or records may order any person to attend before it and give evidence or to attend before it and produce any paper or record or other document in the possession or under the control of such persons."
12.25 p.m.

Mr. Speaker, if I may say so, there are lots of things about the Rules that certainly need clarification; and if Your Honour's interpretation of the exisiting Rules is that you need a specific Order and the Rule is in some doubt, I would respectfully advise the House that as principal advisor, I have a right on which I insist, Sir, that they should ask for a ruling from Your Honour on this matter, and the House therefore direct whether you could have people before the Committee. I repeat that the Attorney General in Barbados is advisor to Parliament, and must make himself available to all members and not only to the Crown. He must make himself available to all sides in Parliament without breaching the Official Secrets Act.

Hon. H. B. St. JOHN: Mr. Speaker, the point arose as a result of a request by an hon. member to attend before the Committee; and doubts were expressed as to the power of the Committee without specific instruction from the House; and in the circumstances my understanding is that as Chairman of the Committee, Your Honour is bringing the matter to the attention of the House for further direction.

Mr. SPEAKER: It is agreed that the Committee receive these instructions from this Hon. House.

## PAPERS LAID

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I beg to lay the Report of the Duffus Commission of Enquiry. I would like to say that I have a Resolution of which I wish to give notice, but the Resolution has not yet arrived. The Addendum is being corrected, and at a later stage I will ask leave to reopen this item so that I can lay the appropriate Resolution.

## GOVERNMENT NOTICES

Hon. L. R. TULL: Mr. Speaker, I beg to give notice of a Resolution to grant the sum of $42,016 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1978–79, Part I – Current, as shown in the Supplementary Estimates 1978–79, No. 19, which form the Schedule to the Resolution.

## SUSPENSION OF STANDING ORDERS

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that Standing Orders 6, 16, 18, 20, 42, 43 and 44 be suspended for the remainder of the day's sitting.

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

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

## GOVERNMENT BUSINESS

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

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

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

Order No. 2 was called – A Bill to amend the National Emblems and National Anthem of Barbados (Regulation) Act, Cap. 300 A.

Hon. H. B. St. JOHN: Mr. Speaker, this Bill stands in the name of the hon. member for St. James, but the Prime Minister is asking leave to deal with it, Sir.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, under the National Emblems and National Anthem of Barbados (Regulation) Act, the regulating authority is the Minister; and because so few of these Acts give powers of delegation and because there is not a general power of delegation you were getting a situation where when Cave Shepherd wanted to sell T shirts with the Barbados flag on them, or Mr. Trevor Clarke wanted to make them, they would be in my office pushing files and thrusting a demand at short notice, that they have just only covered this; that there is a shipment at the Port or that people will lose their work if they cannot do this and so on.

I drew that as an example, Sir. I do not think that a Minister should be asked to get into petty trivialities, not even in my opinion, at Permanent Secretary level. When the flag is to be printed on a T shirt, or when other symbols may be used commercially and for what fees, an assistant secretary is fully capable of dealing with the matter. We are therefore seeking to amend the Act. I am no longer Minister responsible; Senator Mapp is responsible for constitutional matters. We are amending the Act so that Senator Mapp will be able to delegate to an official in the Ministry responsible to the Prime Minister's Office the duty of giving licences for the use of the flag and the emblems and the Anthem and so on.

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

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

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

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

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

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

Clauses 1 to 2 were called and passed.

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. B. St. JOHN, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

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

## RESOLUTION TO FIX THE SALARY AND ALLOWANCES APPLICABLE TO POSTS ON THE PRIME MINISTER'S PERSONAL STAFF WITH EFFECT FROM 1ST. APRIL, 1978

Hon. H. B. St. JOHN: I beg to move that this Resolution do now pass.

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

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

Hon. H. B. St. JOHN: Mr. Speaker, Sir, all the other matters with the exception of Private Members' Business go before Committees and there is a rather urgent Private Bill here standing in the name of the hon. member for St. Michael North West which he is most anxious to proceed with and I beg to move that that Item be dealt with next. It has to go to a Committee, the usual procedure of Private Business will go to a Select Committee, Sir, and then you have the views of the Attorney General on it. He wants to proceed with the second reading today, Sir.

## PRIVATE MEMBERS BUSINESS

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

Mr. E. E. ALLEYNE: Mr. Speaker, in moving a Second Reading of this Bill perhaps I ought to inform the House that the reason for the Amendment is as set out in Section 2 and that is to enable the Barbados Horticultural Society to acquire property up to the value of $500,000.

In the principal Act of 1928 the Society was entitled to acquire property up to the value of £5,000, but a decline in the vaule of money has rendered the £5,000 a figure which makes little or no sense in the context of modern day prices for property and this Bill is simply brought to this Honourable Chamber to enable the Horticultural Society of Barbados to acquire certain property about which they have been negotiating for some time.

I think, Mr. Speaker, that that is perhaps as clear and as good an indication as I can give about the purposes of the Bill which is currently before the House.

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

Mr. SISNETT: I beg to second that.

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

Mr. E. E. ALLEYNE: Mr. Speaker, I move that this Bill be now sent to a Select Committee. I think that is the appropriate procedure. I believe that such a Committee should be composed of both sides of this Honourable Chamber.

Mr. Speaker, the members of that Committee might be myself, the Chairman of Committees, the Hon. member for Christ Church West, and I believe two hon. members from the Other Side.
12.45 p.m.

My understanding is that the hon. member for St. Michael South and the hon. member for St. Michael North Central are willing to serve.

Hon. H. B. St. JOHN: Mr. Speaker, it is usual and customary for the Chairman of Committees to be Chairman of the Select Committee.

Mr. SPEAKER: The members of the Committee will be the hon. member for St. Michael North Central, the hon. member for St. Michael South, the hon. member for Christ Church West, the hon. member for St. George North, who will be the Chairman of the Committee, and the hon. member for St. Michael North West. Those members named will comprise the Committee on this Bill.

Hon. H. B. St. JOHN: Mr. Speaker, that concludes what we on this side propose to do today. I do not know if other hon. members wish to do any Private Members' Business.

Mr. SPEAKER: The Hon. Prime Minister gave an intimation that he would be seeking leave to deal with a matter.

Rt. Hon. J. M. G. M. ADAMS: Sir, it has not come down. I will not detain the House for the tardiness of the Administration Act, Sir.

Mr. SPEAKER: Do hon. members want to debate Private Members' Business? There are two items under Private Members' Business.

## THE ADJOURNMENT

Hon. H. B. St. HOHN: Mr. Speaker, I beg to move that this House do now adjourn until Tuesday, 12th December, 1978, at 12 o'clock noon. We have a number of important Select Committees meetings amd until they are finished we are not going to be in a position to proceed.

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.*
12.50 p.m.