

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 - 81

HOUSE OF ASSEMBLY

Tuesday, 10th March, 1981.

Pursuant to the adjournment, the House of Assembly met at 12.20 p.m. o'clock.

PRESENT

His Honour W. C. B. HINDS, J.P., (Speaker); Mr. R. St.C. WEEKES, C.B.E., J.P.; Hon. H. B. St. JOHN, Q.C., LL.B., (Deputy Prime Minister, Minister of Trade, Tourism and Industry); Hon. C. L. BOLDEN, LL.B., (Minister of Communications and Works); Hon. L. B. BRATHWAITE, (Minister of Agriculture, Food and Consumer Affairs); Hon. L. R. TULL, M.A., (Minister of Education and Culture); Hon. Miss B. A. MILLER, (Minister of Health and National Insurance); Mr. M. C. C. WARD; Mr. J. G. ODLE, B.Sc., (Chairman of Committees); His Honour E. E. ALLEYNE, LL.M., (Deputy Speaker); Mr. DeL. O. BRADSHAW and Mr. L. L. SISNETT.

Prayers were read by Archdeacon F. A. Cayless.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday the 24th day of February, 1981.

Hon. H. B. St. JOHN: Mr. Speaker, these Minutes have been circulated, and subject to any observations by any hon. member as to the accuracy thereof, I beg to move that they be now confirmed.

Mr. SPEAKER: If there are no observations by hon. members, let those Minutes stand confirmed.

PAPERS

Hon. H. B. St. JOHN: Mr. Speaker, I believe — due to transportation difficulties, which I myself

suffered — the Papers have not arrived yet pertaining to Notices, I beg to move that these be deferred.

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

SUSPENSION OF STANDING ORDERS

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move the suspension of Standing Orders 6, 16, 18, 20 and 42(5) for the remainder of the day.

There are a number of important Supplementary Resolutions which we would like to deal with during the course of this sitting, subject of course to proper circulation and adequate time. That is the reason for the suspension of the Standing Orders, Sir.

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

Mr. SPEAKER: I take it that the reason given would have already been conveyed to the other side.

Mr. TAITT entered the Chamber and took his seat.

Hon. H. B. St. JOHN: My understanding is that a letter was to have been sent to the other side, Sir. Those are the instructions to me, I do not believe that they may have received it at the present moment, but say that this is without prejudice to Private Members' rights. Some time during the course of the day we will be able to fix it, but not at this particular period of time.

The question that those several Standing Orders be suspended for the remainder of the day's Sitting was put and resolved in the affirmative without division.

GOVERNMENT NOTICES

Hon. H. B. St. JOHN: Mr. Speaker, the Notice Paper has just arrived, and I accordingly beg to move that the Items — Papers Laid, Government Notices, First Readings of Bills, be now taken.

Mr. SPEAKER: The Hon. Leader of the House is seeking that the Order of Business under Standing Order No. 10 be recommitted for the purpose which he sought earlier, to introduce a number of Government measures, the laying of papers and matters related thereto.

The Hon. Minister may proceed.

PAPERS LAID

Hon. H. B. St. JOHN: On behalf of the Minister of Finance and Planning, I beg to lay the Estimates and Schedules of Personal Emoluments for the year 1981-82; Statement showing Net Customs and Excise Receipts for ten months ended 31st January, 1981.

On my own behalf I beg to lay the Twenty-first Annual Report and Statement of Accounts of the Barbados Board of Tourism for the year ended 31st March, 1980.

Hon. L. R. TULL: Mr. Speaker, I beg to lay the Report on Penal Reform in Barbados by Professor Howard Jones, U.K. Consultant, and also the Report of the Chuck Committee on the Jones' Report on Penal Reform.

GOVERNMENT NOTICES

Hon. H. B. St. JOHN: On behalf, Sir, of the Minister of Housing, Lands and the Environment, I beg to give notice of a Resolution to approve the compulsory acquisition of land at Westbury Road, St. Michael, for the construction of a drain. Also, a Resolution to approve the compulsory acquisition of land at Mason Hall Street, St. Michael, for the provision of a playing area for the St. Mary's Infants School.

On behalf of the Minister of Finance and Planning, a Resolution to grant the sum of \$2,596,607 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1980-81, Part I — Current, as shown in the Supplementary Estimates, 1980-81, No. 42, which form the Schedule to the Resolution.

On behalf of the Minister of Finance and Planning, a Resolution to grant the sum of \$8,705,318 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1980-81,

Part II — Capital, as shown in the Supplementary Estimates 1980-81, No. 44, which form the Schedule to the Resolution; and to amend the Supplementary Subhead 20, and provide a note for a Schedule to Head 82, Subhead 2.

Subject to consultation with the other side, proposed that this last Resolution be dealt with at circulation and the other side's concurrence, in all its stages today.

Hon. C. L. BOLDEN: Mr. Speaker, I beg to give notice of a Resolution to grant the sum of \$57,493 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Annexed Estimates 1980-81, as shown in the Supplementary Estimates 1980-81, No. 43 which form the Schedule to the Resolution.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to give notice of a Bill to grant a sum of money out of the Consolidated Fund and to appropriate the same for the service of Barbados for the year ending the 31st March, 1982.

Hon. Miss B. A. MILLER: Mr. Speaker, I beg to give notice of a Bill to repeal the Dogs Act and make new provision for the control of dogs.
12.30 p.m.

BILLS READ A FIRST TIME

On motion of Hon. H. B. St. JOHN, seconded by Hon. C. L. BOLDEN, a Bill to grant a sum of money out of the Consolidated Fund and to appropriate the same for the service of Barbados for the year ending the 31st March, 1982, was read a first time.

On motion of Hon. Miss B. A. MILLER, seconded by Hon. L. B. BRATHWAITE, a Bill to repeal the Dogs Act and make new provision for the control of dogs, was read a first time.

GOVERNMENT BUSINESS

Hon. H. B. St. JOHN: Mr. Speaker, before I move that Government Business be now taken, I should like to give the other side notice that it is proposed that we start the exercise of the Annual Estimates in accordance with the Rules on Monday coming. We have enough copies I understand so that they can be circulated today.

I beg to move that Government Business be now taken.

Mr. SPEAKER: Government Business is the instant order of the day.

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that Item No. 6 be the first Order under Government Business.

THE LARCENY (AMENDMENT) ACT, 1981

Mr. SPEAKER: Order No. 6 stands in the name of the Hon. Minister of Agriculture to move the second reading of a Bill to amend the Larceny Act.

Hon. L. B. BRATHWAITE: Mr. Speaker, it was on the 5th April, 1977, that my predecessor in office and now Minister of Communications and Works gave the task to a group of people to look at the Larceny Act as it then was with a view to making amendments and streamlining it as it were. As a result of that decision a number of recommendations have been made after interviews with a number of people who are farmers, people who are in business and people generally with respect to the amendments to this Act. While this amendment is at the moment being dealt with and while it is thought that in the interest of farmers and people who are involved in business that an amendment to the Act should not be long or further delayed, this Bill which we are seeking to amend will form part of the Penal Reform Body, and the Attorney General has said that while this would be looked at in the fullness of time, it is thought that for the time being and in the interest of making the minds of people comfortable and happy that we should make these necessary amendments.

I want to make the position with respect to Government clear. All we are concerned with at the moment is that these amendments to this Act do not seek to introduce draconian legislation into this area, but rather to put the Act itself in a sufficiently healthy condition whereby people who perform farming and other matters pertaining thereto will not find themselves in difficulties from time to time. I suppose it is well known in the country that within the past few years we have been witnessing a spate of larceny the likes of which we have not seen before, and it is thought that it is because of these acts of larceny that many farmers, especially peasant proprietors have ceased to produce vegetables and if we as a people must think in terms of lessening our foreign exchange export, we must be prepared to feed wherever possible ourselves and to do everything that is possible to husband our resources and not to utilise foreign exchange unnecessarily. This can only be done by taking the necessary measures, measures that are vital in order to protect a group of people who are by the very nature of their activities entrepreneurs and who should be given every form of protection to carry on their lawful business.

Except for the question of bringing the fines in line and adding a few additional things to the Act as it then was, there is nothing I can think of that would

cause any worries to members of this Honourable House. I believe that in the course of our discussion on this, many points may be made probably from this or the other side with respect to this amendment, but for me it is a simple amendment and I do not believe it will cause any unnecessary problems.

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

Hon. C. L. BOLDEN: Mr. Speaker, I beg to second that and reserve my right to speak.

Mr. TAITT: Mr. Speaker, it is unlikely that members on this side would oppose this legislation which seeks to amend the Larceny Act, Cap. 139 in order to make better provision in respect of praedial larceny and related matters. I believe, Sir, that in some areas of activity in our community a substantial majority of the community finds itself *ad idem* on the rightness or wrongness of certain acts of commission or omission by certain members of the community, but, Sir, I believe it is necessary while agreeing that the Larceny Act ought to be brought up to date in order better to deal with this problem, to take note of the fact that those instances of such larceny which have come to the attention of the public have tended to suggest that contrary to popular belief that the lower echelons of the society were the ones primarily concerned with the stealing of crops, etc., we have noticed a level of sophistication reported on the part of those who enter fields whether they are plantations or small holdings equipped not only with rolling stock by way of pick-ups and motor cars, but as the legislation suggests, they are armed.

12.40 p.m.

It is not without significance that persons who are proceeding to do this kind of stealing have introduced a new dimension into our society.

There was a time, Sir, in Barbados and I know many examples of this where a young man or a young boy on his way to or from a particular activity may have "broken a cane" and ended up with five years either at Dodd's or in some cases at Glendairy and when one considers the level of punishment meted out in those days for what one can possibly describe as demeaning behaviour, it is remarkable that we are in the 1980's facing persons who are now reaping where they have not sown and who are doing it at a level of sophistication that suggests it is an organised approach to stealing in the community.

We know, Sir, that there are professional thieves. There have been professional thieves and will be professional thieves in any society. There are persons who perfect the art of stealing and it is extremely difficult for a society to accept that a farmer will not be able

to go to sleep at night in the knowledge that those crops which he has toiled so diligently and so hard to bring to market may in fact be reaped before he the farmer was ready.

Mr. Speaker, Sir, I believe that while we accept the Minister's statement that this measure is considered urgent and therefore should be pulled out of the overall plans for reform of the law, I think it is necessary for us to point out and I may use the Minister's own words, Sir, he says that we have been struck with a spate of larceny the likes of which we have not seen before.

I go so far, Sir, as to say that over the last few years we have seen an increase in crime like we have never seen before and that crime, Sir, seems to be the product of an increase in the sophistication of those who practise criminal activity and I find myself wondering if certain public acts and public decisions which have been raised in other areas have not led to a change in the morality in the community and I wonder if some of those acts have not lead persons to believe that a certain mode of behaviour, criminal or near criminal is now accepted as a form of existence in this community.

When one looks at the constant statements coming from the Attorney General and other senior Government officials suggesting that the rate of crime has not really increased and then one compares that with the evidence which confronts one in the community coming from the smaller people or indeed the richer people, that the crimes against the person, the crimes especially relating to theft have shown a substantial increase whether they are reported or more important, Sir, whether when reported they find their way into the Statistical data. I do not believe that it is important to us what the statistics show so much as what the real situation is with regard to crime.

I think that all of us in this society have a stake in the prevention of crime, that no matter which side of this Honourable House you sit we must have a more than passing interest in the reduction of the crime levels in the society and we must seek not to foster in our quest to return Barbados if we can to that level of existence where persons could walk the streets feeling comfortable that they were in Barbados and relatively safe, where persons who were building houses did not have to outlay an additional \$10,000 for security purposes and where children who happened to have missed a school bus for whatever reasons would not present their parents with unusually difficult moments of anxiety because they fear for their safety.

It is very important, Sir, that in looking at the crime rate and in looking at the methods and ways of

combating crime that we deal with it as a National issue, that we deal with it as an issue which can excite the competence, the resources and the willingness of the entire community and that we do not attempt either for purposes of Tourism propaganda or political propaganda to suppress the real truth about crime in our society.

I believe that those persons whose responsibility it is to combat crime, maybe the Police.....

Mr. SPEAKER: I hope the hon. member is not accusing the Attorney General of any of these things.

Mr. TAITT: No, Sir, I do not think I have so said but I make the point that the Attorney General as the Minister responsible for the activities of the Police, etc., responsible in a Ministerial way, in an implementation way, that the Attorney General would have his responsibility like all other citizens. His responsibilities are higher, however, but the point I am making, Mr. Speaker, is that the Police themselves are discovering that the rate at which the sophistication levels have been rising supersede their own efforts to combat crime.

We are discovering, for example, that in this area of praedial larceny that there are already markets for the crops when they are stolen. As you know, Sir, if there is no party to receive the goods, stealing, except for purposes of feeding oneself cannot be profitable. It must mean, therefore, that when a man turns up in a field of carrots with, as I said, his rolling stock, that he would already have made arrangements for marketing his illicit gains.

It must mean, therefore, that in the community persons capable of accepting that market are those participating in the total activity of crime in the society and that applies not only to praedial larceny but it applies obviously to a large number of areas of theft and areas of crime in the society. I believe there is an uneasiness and disquietness in the society and I believe that when the situation reaches the point where the people themselves come to feel that moral standards have fallen or are falling that they tend to seek solace within themselves rather than going out and assisting in combating whatever the difficulty may be.

We have the situation in Barbados today where people who witness crimes according to what I have been told by some Senior Police Officers are not participating in assisting in the solving of those crimes, Sir. They have for whatever reason come to feel that to do so is going to be to their detriment. This is an area which requires us to look more deeply for if a citizen is to assist in solving this problem the citizen must have the assurance, especially the sociological assurance, that when he so does he will not suffer as a result.

12.50 p.m.

In the case of praedial larceny, we should also issue, I think, a warning to some plantation owners of whom it is being said in the street that they are alleging crime where none exists. Mr. Speaker, I go no further than that, but it is being said out there in the street.

There are some difficulties which will not be solved overnight, but I believe that this amendment will go somewhere toward a solution to the problem.

Without going into any detail — which I could not do anyway — I notice that there is a fixed fine attaching to a particular crime. There is not the usual discretion given to the Magistrate or the Judge, as the case may be. I would like to suggest to the Government that that is not the most desirable thing, because praedial larceny is praedial larceny whether the person uses a truck to transport the goods or whether he puts the three pieces of cane under his arm, but if a Magistrate has no alternative but to fine a person \$1,000, such would make a Magistrate reluctant to charge a young man a thousand dollars for stealing two tomatoes as compared with someone else who goes complete with guns and trucks and steal a truckload of tomatoes.

I believe that the principle of sentencing ought to be considered, and when we come to discuss it in Committee stage I shall raise this issue for the Minister's consideration.

Rt. Hon. E. W. BARROW: Mr. Speaker, the normal procedure when an amendment bit of legislation, or any legislation, is to come before the House, is for the Government to issue the directive to the Crown Law Officers to have the amending legislation prepared, then the amending legislation is sent back to Cabinet, Cabinet approves that it should be submitted to the House, and at that particular stage one presumes that if the Ministers are doing their homework they read through the legislation and they approve of it being sent to the House, and it is brought to the House and the Minister responsible introduces it.

It is also a duty of the representatives, all of us here, whether we are Cabinet Ministers or not, to study the legislation not only to see what political capital can be made out of it — and no political capital can be made out of the Larceny Act — but also to see that we do not have the humiliation of having legislation sent back from the Other Place where the people who are nominated to that Chamber are not necessarily persons who are expected to devote the same kind of attention to the people's business as the people who have been elected by the masses to conduct their affairs in this Chamber.

My remarks are particularly restricted to the amendments which we have here. Mr. Speaker, if you read section 23 of the Larceny Act, which is Cap. 139 of the

Laws of Barbados, you will see that section 23 deals with praedial larceny of things which are growing on the land, the value of which does not exceed \$50. I do not think that is in dispute. Unless that amendment was made before I came into this Chamber, I would like to be stopped right here and now, that is my understanding. Is that correct?

We have introduced two amendments, we have added two additional clauses to section 23 dealing with using vehicles to convey away the stolen property, and firearms employed in the process or carried in the process of committing the particular offence. I do not want to embarrass the Government, I am trying to assist the Government.

We go to section 24, and section 24 repeals the old section 24. In other words, section 4 of this amending Bill repeals section 24 of the Larceny Act, and section 24 of the Larceny Act dealt with the offence where the value of the goods exceeded \$50. I know that Your Honour saw this point since yesterday, or the day before yesterday, but it is not your business to correct the legislators, it is our business. For that we have substituted \$500. We have now said that if you steal anything — to cut a long story short — in excess of \$500, you are guilty of an offence, imprisonment for six months, on second conviction imprisonment for up to one year and a fine of \$500. Then you have added two sub-clauses to section 23.

All I want to say before I sit down is that if you really want to get off scot-free in Barbados, steal something for \$250 and it is no offence under the Act. None of us in here would want to go and steal anything, but what I am saying is this, that if you make it an offence to steal something under the value of \$50 and then you make it an offence to steal something over \$500, it means that between \$50 and \$500 you have not committed an offence. Where the old Act said "under \$50 and over \$500" you have now said "under \$50 and over \$500", because in amending section 23 what you should have said was under \$500 and then section 24's amendment would read on naturally. You have to amend one or the other, you cannot have it both ways, you have to have it over \$50 or up to \$500. I do not want to say any more, Sir.

Mr. GREAVES entered the Chamber and took his seat.

Hon. H. B. St. JOHN: Mr. Speaker, two members of the other side have spoken and I think it is very clear from the tenor of their speeches that subject to some criticisms in respect of the textual and policy considerations behind two sections, they are in agreement with the view that all of us in this community must do everything in our power to ensure that all of the constraints to

the production of agricultural produce are removed, and I think it is generally agreed that all farmers in Barbados, be they large farmers in the context of Barbados, or small farmers, have been complaining bitterly about the lawless acts of a small group of people who regard it as their inherent right to pounce upon produce which has been produced after the expenditure of a considerable amount of time, labour and of expenditure in the form of fertilisers and seeds at the appropriate time when they are ripe.

1.00 p.m.

Indeed this situation has reached such a proportion that we have witnessed photographs in the media of this country of farmers setting up their own patrols with guns. Obviously it is the duty of the legislature in these circumstances to intervene and to provide teeth to the existing law in order to rebuild confidence in the legal system with a view to preventing those citizens who have such a great sense of outrage from taking the law into their own hands.

I therefore welcome the constructive criticism of the sections made by hon. members on the other side and the general tenor of their support for the principle of upgrading the law as it now exists. I believe that the reason behind the amendment to section 23 is that there was a conflict of opinion among the Committee. As the Minister of Agriculture said, before this Bill was brought here, a Committee was appointed with the widest possible consultation achieved among the interests which were affected and among the law enforcement agencies. There was a strong current of opinion that what created the greatest outrage was the fact that there was a group of people who had set themselves up into business as wholesalers of vegetables by utilising vehicles which could carry probably up to three or four tons, and at the weekends and in the early hours of the morning they raided fields with teams of pickers. This was not a question of a young boy passing a field of canes or passing a field of vegetables and picking out two to three pounds for his own consumption. These were commercial traders setting up an organisational system where when they decided to raid a field, they raided it in such a large scale manner that they deprived the farmer of thousands of dollars, and that created a great sense of outrage because these people have their own marketing system.

Now the view was held that from this type of evidence not only should there be a fine, but that you should forfeit the vehicle itself, that the magistrate should have power in addition to the fine to verify the means of conveying the vegetables themselves, similar to a section that I believe all hon. members would be familiar with in the Customs laws in many of the countries where they have to deal with smuggling. Not only does the magistrate have power to fine, but he also has power to forfeit the implement that is used in the offence, that is, the boat and things of that kind. Since there was a conflict of

opinion in the Committee on this, the Government decided that we would move along a middle course and that we would visit the use of a vehicle for the purpose of effectuating praedial larceny with greater seriousness than in the cases where a vehicle was not used. Hence the introduction of this additional penalty so to speak, and that is the rationale behind that.

Now with respect to section 24, I do not concede that the fact that there is a monetary amount inserted which creates an additional penalty, namely, that if you steal above \$500, that therefore inferentially if you steal between one cent and \$500 that no penalty is created. Once you deprive a person of property without his consent and without a bona fide claim of right, you are still creating an offence of larceny. This is not an offence creating section; this is a section which visits on the essential ingredients of an offence, additional penalties in similar circumstances. That is the explanation.

Section 23 of the Act as it is, does have a specific penalty for up to \$50. Perhaps to be consistent you should have an offence up to \$500 and above \$500 with variations in penalty, and there does appear to be a hiatus between \$50 and \$500. It is a very relevant point, and I will in the course of the Committee stage of this Bill have it checked as to whether section 23 was not already amended previously, otherwise for harmonisation I think that we should have sections 23 and 24 harmonised, namely, that section 23 will deal with under \$500 and section 24 which this purports to deal with, above \$500. So that is a valid point, but I do not think that we should get away with the idea that the mere fact that we do not have anything dealing with the situation between \$50 and \$500 means that no offence is created, because it would still be larceny at common law.

Hon. C. L. BOLDEN: Mr. Speaker, this Bill originated at a time when I held the portfolio of Minister responsible for Agriculture. I believe you are well aware that this administration has placed great emphasis on the development of agriculture in Barbados, because we firmly believe if we are to feed our people and feed them well and feed them at a cost which meets the pockets of the average man, that we should grow more of our food in Barbados, thus reducing the volume of imported commodities into the country. In taking on this, I set about to find the most acceptable position of all parties to see how we could produce as much food as possible in this country. Meetings were held with various organisations and it is surprising, Mr. Speaker, that when speaking to the Barbados Agricultural Society they expressed the view that while they were willing to cooperate with the Government, they found that many persons were robbing them of the benefits of the fruits of their labour when it came

to reaping the produce from the land. It is strange, Mr. Speaker, and it sounds strange that for every one pound of seed purchased by a large plantation there are four pounds of the same seed purchased by small farmers, and the small farmers themselves were the victims of the acts of persons in the early stages of our agricultural development.

1.10 p.m.

As one hon. member on that side has said, it seems to me that a bunch of sophisticated persons have been using sophisticated methods in depriving farmers of their crops and it would seem that these persons would roam about the country at all times, day and night, and they were so well informed that they knew the fields that were ready to harvest. They never would interfere with fields that were still in the growing stages. They would always pick on the fields that were ready for marketing.

We have had the incident in Barbados, Mr. Speaker, where a farmer in St. Philip and his son were attacked in a ripe field of carrots. Both of them were seriously injured. Fortunately the Police were able to apprehend one man who was finally convicted and sentenced to a term of imprisonment but the other people who were in the team of raiders escaped and the farmers complained that if they have to produce crops to satisfy the demands in Barbados then the Government must look at updating the law to protect their harvest.

Now the Act has now reached this Chamber but it has had a long journey, after the suggestions came forward and I must point out that the Police, the BAS, the small farmers and other persons involved sat on the Committee to look at the necessary amendments to the Bill. I would like to say now that if the politicians have done their duty to the farmers, I would hope that the Courts would appreciate what we are trying to do and to work alongside those of us who are trying to increase agricultural production in Barbados because, Mr. Speaker, the fines that are set out in the Legislation only come into play after an accused has had a trial acceptable to the principles known in Barbados and has been found guilty. It is then for those persons who dispense justice to deal with the case as merited.

I would hate to see that after we have taken these steps that you still have those persons who find themselves in conflict with the law escaping to laugh at those of us who are trying to uplift the society. Many farmers have complained that not only do the raiders come with their bags but they come in vehicles, they come with their guns, and they come with their high-powered torchlights because farmers are complaining that the torchlights hit them even before they can see who are the persons raiding their fields.

I hope that when this has been done that the incidences of praedial larceny will be seriously reduced. As the Minister of Agriculture has said that it is a stop gap in the whole division in the law relating to larceny. In Britain they have had to pass a Theft Act which would modify the whole law in relation to larceny.

This is a form, Mr. Speaker, to show the farmers in Barbados that we are willing to go along with them because the policy has always been that where Barbados can grow a specific crop and grow it well, that is the crop they should concentrate on. We have been able to satisfy our requirements in onions and many of the other vegetables which normally would be imported into Barbados.

We have even called in the Commission Agents to tell them what we are doing, to show them what we can produce in this country and to ask them to co-operate with the farmers so that we do not get gluts of particular crops at a time when there was no need to have imported commodities into Barbados.

I believe we have reached the point now where the Commission Agents, and the Merchants in Bridgetown fully understand the policy of the Government. I do not hear of the importation of onions when they are reaping onions in Barbados. I do not hear of the importation of beans, etc., in cans because farmers in Barbados have lived up to the expectation. They have taken the lead that Government has set and I am happy to see that this Bill is now reaching the Chamber and I know, Mr. Speaker, that when it becomes law that farmers will be happy and will do more to reach the requirements of this country in feeding themselves.

Mr. SPEAKER: If there are no other hon. members who wish to make a contribution, the Hon. Minister may wind up the debate.

Hon. L. B. BRATHWAITE: Mr. Speaker, I very much welcome the points made by the other side and largely appreciate the support which they have tendered.

In replying to the Rt. Hon. member for St. John and the hon. member for St. Michael South West, I should like to refer them to the Administration of Justice (Miscellaneous) Act, 1979 — 33 which makes the necessary amendments. That part of it takes care of the fears which the hon. members have expressed and therefore there is no need for any change to the present amendment of the Act as it now is. I want to welcome the points made by them and to assure them of our deep appreciation for the concern of the Administration of Justice in this matter.

With these few remarks 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.

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

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.

1.20 p.m.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

Hon. L. B. BRATHWAITE: Mr. Chairman, I beg to move that clause 3 stand part.

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

Mr. TAITT: Mr. Chairman, I would like to elaborate a little bit on this clause 3 which deals with section 23. I think I understood the Hon. Leader of the House to say that what is here in terms of the fine of a thousand dollars was in fact intended. I still feel that where the Magistrate is given discretion in his sentencing that he is more likely to sentence everybody who comes before him than if he has a fixed fine of this nature, because I recognise that it is where the person referred to in subsection (1) uses a vehicle for the purpose of transporting himself, etc., I recognise that, but I am sure that hon. members will agree that there are circumstances in which a person could be found technically guilty, and yet the circumstances would be more likely for mitigation than another person who had in fact gone the full intention to steal, etc.

I believe the intention here is fairly clear, but I would suggest that on summary conviction a fine of \$1,000 should be written in the usual way. The point that was made by my colleague on section 23, I believe the Leader of the House indicated that he would elaborate on this, so we will wait for him on that.

Hon. H. B. St. JOHN: Yes, Mr. Chairman, I said in answer to the points raised by the Leader of the Opposition that *prima facie* there would appear to be a distinction and a lacuna between the situation of \$50 and \$500, but in fact under the Administration of Justice (Miscellaneous Provisions) Act, 1979-33 it was already amended, and the section 23 that you see in the printed Laws it is not \$50 and more, it is \$500, so there is no gap here, because that deals with the situation where it does

not exceed \$500, and the section 24 deals with it where it exists. It is a difficulty that all of us are labouring under, because I would have thought that the laws in the Legislature would have been updated, but in 1979 this House already pronounced upon this in the Administration of Justice (Miscellaneous Provisions) Act, 1979-33, the Larceny Act, section 23: "Delete the words '\$50' appearing in the sixth line of subsection (1) thereof and substitute the words \$500. Delete the words 'six months' appearing in the seventh line of subsection (1) and substitute the words 'one year' and it goes ahead, "And a fine of \$100, \$1,000," so it has already been amended.

I believe that that Act was a comprehensive Act. The entitlement of the Act was to provide for the extension of the monetary limits of the jurisdiction of Magistrates and related matters thereto. Our difficulty is that the exercise of going through all of the laws that are amended annually – when I was in practice it used to be a standard rule that when the laws came in you had to write it down in the Act, but apparently with this new law revision nobody seems to understand what they are doing. I hope that the Clerks of the House will understand how difficult it is for Legislators to do their business if they pick up laws and their minds are not adverted to the fact that at least a reference at the top, even if they do not go through line by line, at least a reference at the top so that it would prompt your mind to look at these things, but I could not myself envisage that the draughtsman would have sent this down without having it harmonised.

Now, I believe that somewhere in the laws also you will find that there must be a general power where an Act says, somewhere in the Interpretation Act or somewhere, where it says not exceeding \$1,000 the Magistrate always has a discretion. I have not been practising in the law for a long time.....

Mr. TAITT: If you will give way, in fact it came naturally to the hon. member when he said 'not exceeding \$1,000'. This one is fairly specific. This seems to be unusual, and I wonder if you wanted as a matter of policy to give the Magistrate no discretion, because this one says to a fine of \$1,000. I understand, I just wanted to be certain that this is not a policy decision and that what it intended here is the norm.

Hon. H. B. St. JOHN: I understand that the new style of drafting, and drafting has now become a crystallised profession, I understand that you have to do an LL.M. now to learn the language. I understand that unless it says that there is no discretion the presumption is that you have a discretion. I understand the new Interpretation Act says that, that is what they tell me.

Rt. Hon. E. W. BARROW: Mr. Chairman, I think the Hon. Leader of the House made a very good point. When we had the old Laws of Barbados, the Clerks used to make annotations in the margins of the dates and

chapters of amending laws, and frequently if the amendments were not very long, they would delete the words which have been repealed and write in in red ink the new amendments to particular Statutes. I do not think it is asking too much, considering the amount of money that we spend on the administration of Parliament; that the copies of the laws which are on the Table, and the copies which are kept for the Government benches and the Opposition benches, which make a total of three copies altogether, should be amended weekly. This is part and parcel of the duty of the Officers of the House, whether it be the Clerk, the Deputy Clerk or the Librarian. Somebody has to do some kind of job about here for a change.

I once made a very unkind remark, which I cannot make now, not with the present incumbent. I once said that our problem was that the office of the Clerk of the House had been vacant for many years and it should have been filled as soon as possible, but with the present incumbent, who I know to be a hard working officer, I would only inspire him to delegate some of his functions to some of the people who are not as hard working as he is, and let us have these things brought up to date so that we know where we stand.

When the laws were revised, Mr. Chairman, there was supposed to be some system of updating, of pulling out and putting in, but I do not see it being done now, and I am very grateful to the Leader of the House for not castigating me for not reading the Administration of Justice Act, but all of us here, we pass these things and we cannot remember whether it was included in a Miscellaneous Provisions Bill like that. That seems to be very popular nowadays, when you want to sweep everything under the carpet you pass a Miscellaneous Provisions Act, and it is supposed to cover a multitude of sins afterwards, but you know, fashions change with Attorneys General, and this seems to be the fashion nowadays.

1.30 p.m.

We are doing an amendment to the Larceny Act today; we are not doing the Miscellaneous Provisions Bill today, and this is how it should be done. If you are amending the Larceny Act, amend the Larceny Act. It is an amendment to the Larceny Act anyhow. I am very grateful to the Leader of the House and the Minister who spoke before him for bringing to our attention that the necessary rectification has already been made. We are very glad for that.

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

Clauses 4 to 8 inclusive were called and passed.

On motion of Hon. L. B. BRATHWAITE 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 Hon. L. B. BRATHWAITE seconded by Hon. H. B. St. JOHN, the Bill was read a third time and passed.

**RESOLUTION TO LEASE LAND AT PRESCOD
BOULEVARD, FONTABELLE, ST. MICHAEL
TO BOOKERS AGENCIES (B'DOS)
LIMITED**

Hon. H. B. St. JOHN: Mr. Speaker, this is a short Resolution and is similar to some that came before this House, and relates to that strip of land at the reclaimed area situated between the Fontabelle side and the sea-side. I believe that this matter has been explained very fully in relation to the policy of Government with respect to this area. As long ago as 1962 a number of consultations took place as to what to do with this narrow strip of land along Prescod Boulevard. The previous administration as well as this administration as a matter of policy, decided, according to the files, on recommendation of the Town Planning Office, that it would be wrong to permit a separate development with separate accesses on the road at Prescod Boulevard. Having taken that decision in principle, it then became necessary to negotiate for the use of this land with the owners on the Fontabelle side where they would have access on the Fontabelle Road. The Government took a policy decision on that with the exception of two lots, and the reason for the two lots are quite simple. There are two lots which have independent entrances which were created at the time of the building of the road. I believe one backs with the Advocate and there is another one a little higher which used to back into Tartan Metal Company and N. E. Wilson area. There were two side entrances into those so that a side entrance could take place there. The reason why there were two entrances there was because of the fact that I believe there is a drain running at the back of some of the land. In any event a small industries building by IDC was put up which took up most of the land between the two entrances, but there was always a dispute in relation to the number of land owners there who claimed that at that point the sea was further back and that the reclamation reclaimed their land as opposed to reclaiming land that Pelican Island has separated. I think we have solved most of the problems, and the policy decision of Government is that we will offer a reasonable lease of 25 years to the owners whose frontage on Fontabelle was contiguous with these but subject to certain conditions, and those conditions were that in no circumstances would access be allowed on those lots except those two lots on the Prescod Boulevard side. This accords with the Town Planning permission, and I am very happy to say that nearly all of the owners have taken it up.

We would also point out that part of the town planning plan was to create two-foot paths connecting the lower part of Prescod Boulevard with the part near to Pelican Village. Now the Government itself was in a position on one of its lots namely Herbert House, to create a foot path and we have done that; so there is now a connecting path for people who work at the Customs, who work at where Building Supplies used to be and who work at factories down there so that they can cross.

1.40 p.m.

We are hoping to make negotiations with one of the lessees to allow us to create a foot path further up, nearer to the other end, near to Motor Services end so that we can have two foot paths to connect Fontabelle for the people who work at the Industrial Estates instead of having to walk all the way up or all the way down pass Wilkinson and Challenor and the rent is fixed at exactly the same terms and conditions which is after the evaluation people have valued the land and fixed it.

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

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

Mr. TAITT: Mr. Speaker, I have a very short word to say on this Resolution as we have debated many like this one in the House and, Sir, when those Resolutions were being debated I formed the impression that hon. members on both sides of the House wanted to see and for that reason agreed to the Resolution. They wanted to see that whatever was done to this strip of land which constituted the various pieces that were leased that the esthetics along the area would be acceptable to all and sundry and if I recall correctly, Sir, the Hon. Minister responsible for the Environment gave this House the indication that he would see to it that the land was used in such a way as to make the esthetical quality of Prescod Boulevard acceptable to the community.

Now I wish to invite the Minister and indeed all the other Hon. Ministers on that side to take a drive down Prescod Boulevard and take a look at what some of these people are apparently doing with the land. Either I was grossly mistaken and misunderstood everything that was said in this House or somebody is misleading somebody on Prescod Boulevard.

In no way can what is going on down there in the majority of cases be described as adding to the esthetic beauty of the area. It seems to me that what is happening is that having got this property at a pepper corn rate for a lease, it seems to me, Sir, from what I can observe that they are using it for construction purposes.

Now I am not able to state categorically what is happening but to the naked eye as you pass by there you cannot help getting the impression that somehow they have pulled one over us because they would have pulled one over the members of Parliament, not only the Government because we all were under the impression, as the hon. member said that this policy dates back to the previous administration and I think that we are all in here of the opinion that what we wish to see along that area is as much an open area as possible so that the people of Barbados and those who visit but especially the people of Barbados can luxuriate in the pleasure which comes from having open spaces along that strip of land.

Now, Mr. Speaker, it cannot be right that we will soon be passing down and seeing a batch of buildings which are ugly and which in no way contribute to the quality of life in the community and I would ask the Hon. Minister, I know he feels the same way about this, but I will ask the Hon. Minister, the Leader of the House to take a look. I hope that I am wrong. I hope that the construction which one is seeing there is leading towards something else but I would ask the Minister on behalf of this Honourable House to take a look at what is going on there and if in fact what meets the eye is what I perceive it to be, to take steps to revoke the leases, if necessary, or take whatever steps are necessary to ensure that the purposes for which these persons or companies are being given this land are fulfilled in the context of what we have been promised and what we had appeared to have believed in this Honourable House. I say no more on it at this point, Sir.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, my understanding of the terms of the lease is that the development must be in accordance with the Planning permission and the Planner was the one who had set out the concepts in relation to that area and I would hope that a monitoring exercise is being carried out. I know that Cabinet insisted that the lease have in covenants but as to the guardian of esthetics that is the Town Planner.

I hope that they are monitoring the situation more carefully but I certainly do not intend any hideous development along there because we specifically also provided that there would be no access on that side at all so that I take it that such development which is taking place there Planning permission has been applied for and that it is consistent with such suggestions that the Town Planner since 1962 were putting forward because he did not want separate ownership. He argued very strongly against separate

ownership so that I would draw the observation of the hon. member to the appropriate attention, the Ministry of Housing, but I know that the covenants were intended to cover developments which were consistent with his master plan so that we are hoping, Sir, that all along that road to improve the amenities and it is the best Window to the Sea in the whole of Barbados and it is now even going to extend down to Paradise so that we will have a nylon road. I see a great part of it is now nylon. I hope it drains well and that it will go right down.

I notice it is near the heart of the hon. member but he will soon be relieved because in the near proximity, in the landscaping area, we will have, I believe, 12 acres of playing field with good side-walks and good access thereto so we will have a very good beautiful area running from the Market as far down as Brightons. It would be the pride of all Barbadians and I am sure that it will satisfy the group which feels that we should have more of these things.

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

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

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

**RESOLUTION TO APPROVE THE COMPULSORY
ACQUISITION OF LAND AT ORANGE HILL,
ST. JAMES**

Item No. 2 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Orange Hill, St. James, for the provision of recreational facilities.

Hon. L. B. BRATHWAITE: Mr. Speaker, I think it is but fitting in the absence of the substantive Minister that I should move this Resolution. I want to say how happy I am that the Government has seen its way to acquire an area of land in Orange Hill which will make provision for a playing field for the people in that area.

It has been a very long time since they were given the benefits of having any proper facilities for the playing of their games and I want to thank the Hon. Minister responsible for the speedy manner in which he went about to ensure that some provision was made for the people who live in that area.
1.50 p.m.

Orange Hill, as you are aware, Mr. Speaker, is a very large area. I think it is an area that I can actually equate with Boscobelle, St. Andrew and Boscobelle, St. Peter.

Unfortunately, those two large areas have not been blessed with the privilege of having good recreational centres and facilities, and with the advent of this, and hopefully, an area suitably found and prepared for the area of Boscobelle, St. Peter and Boscobelle, St. Andrew, we will certainly be seeing in the fulness of time the folks from those areas expressing themselves in the way that athletes would wish to express themselves.

I am particularly happy for this and I should also like to mention as well the Minister responsible for Community Services, who was quick in acting on this matter, and my colleague here in Parliament with myself. It is indeed a tribute to their willingness to see something done on behalf of people in this country, and I would hope the day will not be far away when Barbados, by itself, will be able to play any team on the international sphere in cricket and do credit to itself. As a matter of fact, it does not play locally, but we would want to see it going out on its own occasionally, and if we give the young people who have the skills and ability to learn and to acquire the skills, I am sure that they will do us credit when the time comes.

With those few remarks, Mr. Speaker, I beg to move that this Resolution do now pass.

Mr. ODLE: I beg to second that.

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

SUSPENSION OF SITTING

Hon. H. B. St. JOHN: Mr. Speaker, in the short time we have at our disposal I doubt we can really conclude anything of any magnitude, it being five minutes to two, Sir, and I beg to move that this House be now suspended until 2.45 p.m.

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

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

On Resumption:

Mr. SPEAKER: This sitting is now resumed.

**THE OFFSHORE BANKING (AMENDMENT)
ACT, 1981**

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, as the offshore banking regime comes into being, there are various little matters that reveal themselves, and this Bill seeks to deal with them.

The provisions of the Bill are self-explanatory, and I beg to move that it be now read a second time.

Mr. ODLE: I beg to second that.

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

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Mr. ODLE, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 to 10 inclusive were called and passed.

Clause 11 was called.

2.55 p.m.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, since hon. members are working from a copy of a Bill that was passed last year, I am sorry that they have not done their homework if they are too busy with other things, but the Bill they are looking at was passed last year and assented to by the Governor-General in July last year. This is another one.

Mr. CHAIRMAN: I find that there are in fact only ten clauses and a Schedule.

Rt. Hon. J. M. G. M. ADAMS: There are ten clauses and a schedule in the Bill 1980-23. Let us see if we have the same Schedule: Consequential amendments Off-shore Banking Act, 1979.

Mr. CHAIRMAN: That's right.

Rt. Hon. J. M. G. M. ADAMS: And the first word is "section 2(1) is amended (a) by inserting immediately after paragraph (a) the following".....

Mr. CHAIRMAN: Yes.

Rt. Hon. J. M. G. M. ADAMS: That was passed last year.

Mr. SANDIFORD: I think the proper course for the Minister to take is to move that further consideration of the Bill be postponed because the Bill that has been circulated to us stops at Clause 10 and it has a Schedule after that. No Bill having twenty-seven clauses in amending the Offshore Banking Act has been circulated to us. I do not know whether it is the wrong Bill or not. I would not know whether it is the wrong Bill; I knew that the Bill I received has ten clauses and I have not been circulated with a Bill that has 27 clauses, and the proper

course obviously is to ask for further consideration to be postponed.

Rt. Hon. J. M. G. M. ADAMS: I would like to say that the hon. member who is on his right who is merely untruthful, the hon. member for St. Michael South, is mistaken. What has happened is that no doubt he has been circulated with the Offshore Banking (Amendment) Act, 1980-23 which came into force on the same day as the Offshore Banking Act, 1979. The reasons why he has been circulated with it is that the Government Printery has been somewhat late with the Acts, but this is an ordinary Act of Parliament circulated after it has been passed, and that is what he has. He has failed perhaps, or his secretary has failed to separate the current Offshore Banking (Amendment) Act with twenty-seven clauses which is now under consideration, and I can take no responsibility for that. It was circulated to me in good time and it was circulated to many other hon. members not yesterday or the day before but like some time ago. Sir, I really cannot take any responsibility if the hon. member has got his papers confused, because that really is all that has happened. It is true the Government Printer has been grossly negligent in many respects for which he has been removed from office, but I certainly do not believe that it can be blamed on the Printery or the Clerks at this time. I am sorry if the hon. member forgot that last year he participated in the passing of a Bill which has now come before him again, but I really cannot help him.

I beg to move that Clause 11 stand part.

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

Mr. SANDIFORD: Mr. Chairman, I do not know how you can proceed on this one. I will ignore the comments previously made by the Prime Minister and Minister of Finance about truth and untruth because that obviously does not apply. If for his special purposes he wishes us to proceed with this matter, we are not really creating any problems out here, but if he can make available to us a copy of the Bill that he wants done, we are willing to proceed with it; but at the moment we really do not have a copy of the Bill.

Mr. CHAIRMAN: I will instruct the Clerk to get you a copy.

Mr. SANDIFORD: I do not want your Cabinet Paper because you may accuse me of looking at your briefs and I do not want to see your briefs. That is the next thing you will accuse me of as you have done already.

Mr. CHAIRMAN: There is no objection to our continuing.

The question that Clause 11 stand part was put and resolved in the affirmative without division.

Clause 12 was called.

Rt. Hon. J. M. G. M. ADAMS: Clause 12 inserts a qualification "qualified foreign bank" for the words "foreign bank" appearing in subsection (3) and subsection (4) will have to be renumbered because we are repealing subsection (3).

I beg to move that Clause 12 stand part.

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

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

Clause 13 was called.

Rt. Hon. J. M. G. M. ADAMS: Clause 13 tightens up the provision of auditing certain accounts. It allows for certain audits to be made and again this amendment which we are making throughout the Act of replacing "foreign bank" by the words "qualified foreign bank" refers back to a foreign bank which is qualified to open an offshore branch in Barbados.

I beg to move that Clause 13 stand part.

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

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

Clause 14 was called.

Rt. Hon. J. M. G. M. ADAMS: There is a reference in the original Act, Part IV, which is too wide and we are replacing it with Section 12.

I beg to move that Clause 14 stand part.

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

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

Clause 15 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that Clause 15 stand part.

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

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

3.05 p.m.

Clause 16 was called.

Rt. Hon. J. M. G. M. ADAMS: This relates to congeniality of information, making serious offences in giving out confidential information.

I beg to move that Head 16 stand part.

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

The question that Head 16 stand part was put and resolved in the affirmative without division.

Clause 17 was called and passed.

Clause 18 was called.

Rt. Hon. J. M. G. M. ADAMS: Clause 18 deals with Control Companies as defined. The word "control" is used earlier in the Act and it is necessary to insert it into Section 99.

I beg to move that Clause 18 stand part.

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

Mr. ALLEYNE: Mr. Chairman, this Section establishes what the tax provisions are in relation to, amongst other things, trusts. What I want to find out is whether the Minister would consider drawing a distinction between trust operations and banking operations particularly from the point of view of charging of licence fees.

My understanding is that some persons would be interested in establishing such operations in Barbados but that they are deterred because the licence fee charged in respect of the banking operation is precisely the same as that in respect of the trust operations.

Rt. Hon. J. M. G. M. ADAMS: I would take account of the the hon. member's comments considering the workings of the Act and any specific amendments. At the present time, it is not within the schemes of the Act to make the distinction which the hon. member seeks but I am obliged to him for his cogent and intelligent appreciation of the provisions of the Act. I am sure, Sir, that he has a career of many years in front of him giving successful advice on the Offshore Banking Act.

I beg to move that Clause 18 stand part.

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

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

Clause 19 was called.

Rt. Hon. J. M. G. M. ADAMS: This is an old Section, Sir, which deals with the definition of controlling and it has been put in elsewhere; therefore, it can be repealed.

I beg to move that Clause 19 stand part.

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

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

Clause 20 was called and passed.

Clause 21 was called.

Rt. Hon. J. M. G. M. ADAMS: This is the Income Tax Exemption. It is a different form. We have used a slightly different form of words and we also sought to show where the onus of establishing the exemption lies. I think it is in the old Section. We have had to use a slightly different form of words because closer examination of the various Tax Treaties and Tax Laws suggested that they were not quite wide enough at first.

I beg to move that Clause 21 stand part.

Dr. CHELTENHAM: I beg to second that.

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

Clause 22 was called.

Rt. Hon. J. M. G. M. ADAMS: This is a genuine oversight in the original Act, Sir. It seems that there was some possibility of our Withholding Tax Law might apply to Off-Shore Banking. This would have been absurd. You cannot tell people that they can put their money into the Off-Shore Banks tax free and then apply to the Bank to take out 10% of the interest and we are repealing that, Sir.

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

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

Mr. CHAIRMAN: Order, please.

Clause 23 was called.

Rt. Hon. J. M. G. M. ADAMS: We have had to make a very small verbal change, Sir. I wondered a little bit myself about this. You know how it is with the Lawyers. It seems that in order to activate the Double Taxation Treaty this form of words rather than the old form of words which read "By way of Income Tax but in lieu of other taxes on income", it is necessary to satisfy other than "other charges" in the Income Tax Act and it seems that this is necessary.

I beg to move that Clause 23 stand part.

Dr. CHELTENHAM: I beg to second that.

Mr. ALLEYNE: Mr. Chairman, I want to make one comment on this provision. The principal Section charges tax at very small rates but I am wondering if a different technique might not be used, a technique which charges a rate of tax at a higher rate coupled with a credit provision so that Barbados can escape from the attempts by some of those countries with whom we have Double Taxation Agreements when those countries attempt to strike down or abrogate or re-negotiate Treaties that we have with them. My understanding is that that might be a more acceptable method of dealing with the matter not only from our point of view but from their point of view.

Rt. Hon. J. M. G. M. ADAMS: The hon. member is showing his wisdom and precision and also his inside knowledge of the fact that the Government is now engaged in an undertaking to revise the Tax Treaty with the United States. We think that the hon. member's ideas are very sound but a little bit premature. We would wish to see what Tax Treaty we can get first before we see how we do with the possible provisions in domestic legislation but the hon. member's suggestions will be borne in mind.

The Government does have a consultant who is engaged in advising us on the negotiations with the United States on the present Double Taxation Treaty. I am sure that the consultant will take into account the remarks of the hon. member for St. Michael North West which I daresay have already been conveyed to him privately.

Mr. TAITT: Mr. Chairman, Sir, I wonder if the Minister of Finance is in a position bearing in mind the new policy indicators which have been coming from the United States Financial Centres. It is clear that whatever it was that the anticipated results of our off-shore effort must in some way be mitigated by this new approach by the financial centres in Wall Street and in Miami where in essence the off-shore banking systems are going to be introduced and have been introduced into the laws of, for example, New York State with the potential for more.
3.15 p.m.

In the light of the fiscal policies outlined by Mr. Reagan, not President Reagan, who himself comes out of Wall Street, it seems to me that we may be inadvertently or otherwise making much ado about nothing. I have some other things which I would like to say, but I would prefer to get the Minister of Finance's thinking on this and what steps he will be taking to avert what is clearly going to be the creation of a white elephant, if in fact what one hears comes to fruition. For example, at the moment the Caymans are extremely concerned that some large percentage of their business will be diverted as a result of these efforts in the financial centres I have mentioned before.

When we had the introduction of the Offshore Banking Act, we were led to anticipate within a short time a rapid inflow not only of offshore banks and their concomitant finances, but a rapid increase in the employment sector as a result of their activity. In light of this new approach to offshore banking by the Americans — and I am sure that the Government must be aware that the Canadians are looking at it, as indeed some European Community countries — I wonder if the Prime Minister is now able, or perhaps he prefers to wait for his Budget in the first week in April, or maybe when he calls the election in the first week in May, I do not know when he is going to tell us about it, but I wonder if he is in a position to enlighten us at this point in time.

Mr. ALLEYNE: Mr. Chairman, before the Prime Minister rises to deal with the suggestion, I want to say this, that it is clear that hon. members on the other side do not understand what is meant by the establishment of Barbados as an international financial centre, and I wish to state that the proposals in Miami and New York will not materially affect Barbados. They will not affect Barbados principally because our international financial centre is divided into four sections, the major component of which is not the Offshore Banking Act, in my view, but the International Business Companies Act under which we are bound to get more business than other territories.

The other point is this. The reason why the Caymans and the Bahamas are worried is because New York and Miami legislation is designed to attract back to New York and Miami the Shell Corporations, and the Hon. Prime Minister has made it quite clear in his earlier speech that Barbados is not interested in attracting the Shell Corporations but is interested in doing business with persons who are conducting full fledged offshore banking operations.

The third point is this. Barbados is hoping to attract such international companies, not only on the basis of the Offshore Banking Act and the International Business Companies Act, but also on the business of

captive insurance companies, which is precisely why there is a suggestion to amend the International Business Companies Act.

Lastly, Barbados is also hoping to attract international companies who were engaged in shipping operations, and that is why the Shipping Act was recently passed, so that Barbados does not, if properly promoted as an international financial centre, does not stand to suffer from the proposals in New York and in Miami. Whatever is done in New York and in Miami cannot affect Barbados because New York cannot have a double taxation treaty with the United States, nor can Miami, and that is the real purpose of establishing Barbados as an offshore centre with an Offshore Banking Act which has taxing provisions so that you can activate the double taxation treaty. The Caymans cannot take advantage of that, nor can the Bahamas, so Barbados is in a special position.

Mr. TAITT: Mr. Chairman, I really am disappointed at the last hon. member's remarks. In the first place, he speaks as if the creation of a financial centre is done by the passing of an Act. The creation of a financial centre is not something that happens as a result of any legislation which is passed, it is something which happens as a result of decisions made by the decision makers in the large financial institutions.

Now, the fact that Barbados should improve its International Business Companies Act to allow for a more efficacious double taxation treaty with the United States is to be distinguished from the point which I raised regarding offshore banking. What we are amending, what we have passed is the Offshore Banking Act. We were given to understand that offshore banks would come to Barbados for a number of reasons, which are sufficiently well known now as not to bear repetition. The point I raised cannot be refuted by simply saying it will not affect Barbados, for anyone who is familiar with the methodology used by the people in Wall Street, in Florida, in London and elsewhere will know that for the same reasons the Bahamas as a country are concerned about the new methods and techniques being employed by the New York and Miami banking centres, that we in Barbados would have to be concerned as well.

It is not sufficient for any hon. member because he may be privy to a negotiation or two, to get up and try to give the impression that he has some inside track on knowledge relating to this issue, this knowledge is available to any hon. member who is halfway intelligent and who is prepared to go and learn about the information. The fact is, Sir, that the New York State — not the Wall Street people — New York State is being urged to seek from the Federal Government on the basis of the revenue sharing concept certain concessions from the Federal Government through special legislation which

would put the States in relation to the Federal Government somewhat like Barbados would be in relation to the United States with a treaty.

Mr. CHAIRMAN: This would have been a wonderful second reading contribution, in any event.

Mr. TAITT: Mr. Chairman, it is for that reason that one is not able to go into the kind of detail which would explain what I was trying to put, and it is for that I put the point in truncated form, and the hon. member ought not without more to get up and try to give the impression that merely to say it will not happen means it will not happen. I would prefer to hear the Prime Minister, who is probably more familiar with this matter than the hon. member.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I am very disappointed by the speech made by the hon. member who just sat down. The information which would enable the hon. member to answer his own question is not secret information to which only one person is privy, but is published information which any member of this Hon. House can go and obtain, especially if he is half intelligent, as the hon. member is.

I heard the hon. member for St. Michael North West quite clearly explain that there has to be a distinction between the relations between New York and the Federal Government, or Miami or Florida and the Federal Government, which cannot exist between Barbados and the United States. Barbados has a financial centre. We actually have a financial centre, it is not a question of it is coming, we have offshore banks, we have — I think the Hon. Leader of the House just mentioned — 37 international business companies ranging from people doing things from computer to distribution of petroleum products, all of those things. We actually have these operating now.
3.25 p.m.

We really have these operating at this moment. These are the companies which he is speaking about that he has licensed, not the computer businesses, and the essence of our centre which contains a feature that New York can never have is that there are taxation provisions in our centre. This is what the hon. member was trying to explain about Miami being a threat to the Bahamas. We have the section which is now being amended; we have section 107 also which allows — and this really takes care of the point made by the hon. member for St. Michael North West earlier as well — for the Minister of Finance to agree with an offshore bank to take more taxes from it in order to activate a tax treaty. This covers like Japan and the United States if it ever happens. We have these two sections which New York and Miami can never have. They cannot have a tax treaty with the Federal Government; they can have a revenue sharing

agreement of a certain type, but revenue sharing agreements between the Federal Government and States are in the direction of the Federal Government giving revenue to the State, not the other way around.

Mr. TAITT: If the hon. member would give way, the hon. member obviously misunderstood what I said in this regard. The Federal Government of the United States can pass almost any kind of legislation. We take that as given just as this Parliament can pass legislation. If one looks at the oil depletion allowance which is now current in the United States, one will see that that is a specific tax concession that is made to a specific industry. It is entirely possible whether you call it a treaty or whether you call it an agreement or whatever you call it under the Constitution of the United States for the State of New York or the State of Florida to have an agreement with the Federal Government; so to say that they cannot have something that Barbados has, of course they cannot have a treaty with the name treaty, but they can have an arrangement the effect of which will be the same or nearly the same.

Rt. Hon. J. M. G. M. ADAMS: If the hon. member believes that the Constitution of the United States would allow the Federal Government to discriminate in Federal taxation between citizens of New York and citizens of New Jersey, the hon. member is welcome to believe that. I say no more. I would not take the hon. member as a constitutional expert on the constitution of St. Michael South West far less the Constitution of Barbados and still less that of the United States; but I pass that over.

The Offshore Banking Act is here, people are coming to Barbados, they are doing work, the International Business Companies are coming in, they are hiring local services, they are offering locals a lot of money to rent their houses and they are teaching new skills to people. On my desk at the moment is a request from somebody who is personally known to me who runs a shipping company in England for assistance in transferring some of his operations to Barbados, promising employment for seamen, seeking to know what aspects of local traffic he can help. On my desk also is a request for one of the most important management service companies in the entire offshore world, one which is so busy that they have not been able to take on any new business for four years in its present locality and wishes to open in Barbados where it will be able to get the staff, the accounting staff, the legal staff and indeed the office staff that it is unable to get in its home locality, and it is perfectly open for this business since most of its clients are American to open in the United States trying to arrange for a resident partner to come and live in Barbados and manage the business. I also have a request from insurance companies seeking a more specific regime to assist them in locating in Barbados. One in particular that I have in mind, the owner of the company has such

confidence that he has built two very large and expensive houses here in Barbados and is already preparing to come and live here. If the hon. member thinks that amounts to people not accepting our offshore banking centre, he is free to think so, but I do not believe that Rome was built in a day. What we do not have is 500 Shell Companies or individuals of Shell operations putting up their plaques in James Street or Coleridge Street because you do not want that. We are interested in insurance companies doing \$US100 million in business a year; we are interested in the world's three or four greatest oil companies; we are interested in one company which was licensed by the Deputy Prime Minister whose offshore profits amount to \$US200 million a year which eventually it will be distributing from Barbados. I believe it would be a breach of confidence to tell you how much tax they are paying to us now, but that is the sort of operation in which we are interested, and I would point out to be hon. member that there is no magic in New York or Miami setting up an offshore financial centre.

The biggest offshore financial centre in the world is in London where the taxes are higher than in Barbados. Many banks are setting up in Miami where they have high taxation. The point is that we need different centres for different purposes. There is room for a lot of people to handle this kind of business, and Barbados is satisfied, we are satisfied in the Government that we are making a good start in the offshore banking business.

The question that Clause 23 stand part was put and resolved in the affirmative without division.

Clause 24 was called.

Rt. Hon. J. M. G. M. ADAMS: Clause 110 of the Act imposes stamp duty. We have found that stamp duty really would be inapplicable. That was an error. Perhaps it was a definitional misunderstanding and we have found that some transactions would have been attracting \$200,000 and \$300,000 in stamp duty where really by the nature of the transactions they are worth no more than \$10 anyhow, and therefore we have had to make our own provisions for special stamp duty for the offshore banks. It comes later in the Act and this is why we are repealing this Clause.

I beg to move that Clause 24 stand part.

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

Mr. ALLEYNE: I would like to make one comment on this section. This section demonstrates the interaction of other Acts of this Parliament upon the Offshore Banking Act and one of such Acts which is not mentioned in this Act but which must have an impact upon it is the Companies Act. I think experience has shown that some of the offshore operators would be

interested in seeing the modern Companies Act which we have been promised because their advisers wish to see that Act as part and parcel of the data at which they will look before they advise people to come here.

Hon. H. B. St. JOHN: Mr. Chairman, on the question of the Companies Act, I certainly do concur with the view that one has to have a modernisation of the Companies Act in Barbados. I am exceedingly fearful of the thought of having a securities system in Barbados without a modern Companies Act, and the Attorney General and myself and the Ministry of Finance have made it clear to the Companies Law Reform Committee that we regard a modernisation of the Companies Act, in particular the accountability provisions as being indispensably necessary before we can start with the securities market and things of that kind in Barbados.
3.35 p.m.

The second draft was circulated and a Committee of the Bar Association, the Accountants, the Institute of Chartered Secretaries, all of them went through it Clause by Clause. There are some 477 Clauses. That Committee met on the second draft. The Report was sent back to Judge Williams and he has only to put in the modification of the Report in light of the need to have proper disclosure and true and faithful accounting.

We cannot allow people to have stocks and shares when they have outside dealings because they can have all kinds of undisclosed provisions. If we are to maintain our reputation as a place of sound financial judgment we must have teeth in the legislation to be able to ensure that people who are putting their money in stocks and shares do have a guarantee that there are provisions in the Law to prevent people inside from taking advantage of the special information they have so that the Bill should be ready very soon.

In the meantime, as a matter of policy, the Government has been very, very hesitant in lending its hand to a creation of security markets in Barbados under the existing 1910 Legislation. We really feel that a shark operator would be able to operate sharply with the existing Companies Law in Barbados but we do not wish the institution of a Stock Market to falter through defective legislation. I can promise the hon. member that the Companies Act will be ready in a very short space of time.

The question that Clause 24 stand part was put and resolved in the affirmative without division.

Clause 25 was called.

Rt. Hon. J. M. G. M. ADAMS: The old Section 113 was a little bit brief relating to Exchange Control and we therefore expanded it a little more although a distinction is maintained between the Trust Companies and the

Banks under the new Section. We do not intend to let somebody drive a coach and a horse through Exchange Control.

I beg to move that Clause 25 stand part.

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

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

Clause 26 was called.

Rt. Hon. J. M. G. M. ADAMS: I should mention, Sir, that in anticipation of what I was saying earlier that we are considering, and there are three Ministries involved in this, re-casting the International Business Companies Act as it was formed to include provisions for taxing the Insurance Companies and for Off-Shore Shipping Companies.

There has to be that inter-action between that Act and this Act that the hon. member for St. Michael North West spoke about earlier in respect of the Companies Act and while it is unlikely that the Off-Shore Banking Act will be subjected to any substantial amendments in the near future, it is very probable that the International Business Companies Act may be amended.

There have been a number of amendments since the time the hon. member for St. Michael South West was former Minister of Trade and he might not in fact be entirely familiar otherwise he would have realised that things like computer services would not have existed in his time because you did not deal in computer services and that is proving so potentially lucrative that we really think that we must extend it.

We have reached the situation, Sir, where I was present at a function in New York and was asked a question about our International Business Companies Act and access to it and before I could answer I was interrupted by one of the other guests at the function who asked if he could give a reply that might help the question. This is a major businessman, not a boy in the yard, with a very substantial business and he said that one of his companies has a lot of information that needed processing and it was easier for him to pack it on American Airlines, send it to Barbados where he could get it back processed in his Off-Shore Computer Company in Barbados in two days' time than to send it down the road to somebody else in New York to have it done and he would get it done by local Barbadians with greater accuracy.

Well that kind of tribute leaves us to feel that there is a certain amount of goodwill and potential goodwill for the sale of the local services and persuade us to expand

the possibilities of selling these services even more. We still have a pool of unemployed female labour in Barbados and under employed female labour evidently trainable and consisting of people who prove to be good workers and we think that this human resource should be tapped by the extension of the services which we are able to sell conveniently to foreigners so there may be some substantial amendments to the International Business Companies Act later this year. A consultancy in fact is being undertaken to consolidate certain Acts and extend them into the Companies Act which would be included in the International Business Companies Act.

I beg to move, Sir, that Clause 26 stand part.

Mr. ALLEYNE: Mr. Chairman, Sir, I just want to make one small point on this particular Clause. The Hon. Prime Minister has indicated that the Government may be amending the International Business Companies Act in due course. That would then mean that Barbados would have on its Statute Book a proper and important package of legislation for the purpose of promoting Barbados but what I want to question is whether the Government itself in fact is correctly marketing Barbados abroad as an Off-Shore Centre.

My own feeling is that apart from the visit to the various Capitals which the Hon. Prime Minister made, no substantial marketing effort has been made since then and I know for a fact that a lot of questioning and information is going abroad but I think that we have to get into a different kind of market.

For example, there is an Off-Shore Trade Fair in London in May and I do not know whether the Government is taking a booth at that fair. There are seminars which are held all over the place. I do not know whether the Government gets in these seminars. I know of one International Organisation which is hoping and indeed expanding at the moment to hold a seminar in Barbados some time in November this year when one hopes to see present like the Rt. Hon. Prime Minister in his capacity as Prime Minister at that International Tax Conference.

The serious point is that I think we have got to look and see whether in fact we are correctly and properly marketing Barbados. We cannot only have the legislation on the Statute Book. We must set out to market it in a manner which would enable us to get information not so much to the investors but to the advisers to the investors. 3.45 p.m.

Mr. TAITT: Mr. Chairman, I am not sure if the hon. member is speaking in his capacity as Chairman of the Housing Corporation, the member for St. Michael North West, or some other capacity, because a few moments earlier he himself said that until we had a

proper Companies Act that we would be handicapped to some extent in the services which we could offer. I think the Leader of the House did promise that we would soon have a comprehensive Companies Act, and at that time if Barbados were going to be spending the kind of money which the hon. member is suggesting, it would be in a better position to spend the money wisely.

I believe I saw the hon. member holding forth on television, so soon as the Prime Minister himself had come back. I was not sure if he had made the trip with the Prime Minister on the last promotion activity, and I am not sure that he is proposing that he makes the next trip with the Prime Minister at the next promotion activity. I hope that is not what he was suggesting, because his marketability at that time is likely to be a lot lower than it is at this point, but what I found interesting, Sir, is that he was saying how he would like to see the Prime Minister at the Commonwealth Prime Ministers' Conference.

Mr. ALLEYNE: On a point of elucidation. I was speaking about an international tax planning conference which is likely to be held in Barbados and which is the kind of marketing exercise about which I was speaking.

Mr. TAITT: Well, Sir, if it is going to be held in Barbados no doubt the Prime Minister in his new capacity as financial adviser when he goes back to private practice could possibly be seen there. I for a moment thought he was speaking of him in his capacity of Prime Minister, because after May he will not be able to function in that capacity, or when he calls the election.

Rt. Hon. J. M. G. M. ADAMS: Perhaps I had better say this about the Companies Act. We seem to be speaking one clause in arrear, so to speak, Sir. There is only this the hon. member is saying about the Companies Act. Nothing that the Deputy Prime Minister said should be construed to mean that we are going to have a Companies Act which is going to give every kind of concession to every type of offshore operation that may be envisaged. We are not going to be introducing any of these fancy offshore companies in which ownership is by bearer bonds only and that there is no name of the company, and that entitlement to draw the dividends rest upon whether you actually physically have the bonds in your hand, and that the bonds are transferable, if you can steal a bond you can come and be entitled to the dividends. We are not having that kind of company in Barbados. I would just like to make that quite clear.

On the other point, Sir, I perhaps should tell the hon. member for St. Michael South West that I have every intention of appearing at the tax planning conference in November in my capacity, not necessarily as Prime Minister, but as Minister of Finance. He can make of that what he will, but I have every intention

in that position at that time. Whether the hon. member can say the same thing, he can express only a hope that he will not be on the market seeking to get the job of heading up the Corporation that we may introduce to do offshore promotion, but I will say this, I believe he will be well qualified for it, Sir.

I beg to move that this clause stand part.

The question that Clause 26 stand part was put and resolved in the affirmative without division.

Clause 27 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, this is the matter to which I referred earlier. The stamp duties would have gone out of all proportion. Every time that somebody borrows \$10 million, the note of hand, the I.O.U., would have been caught by our Stamp Duty Act at 1%, and you might borrow \$10 million overnight and find yourself having to pay \$100,000 in Stamp Duty on the I.O.U., if you were not careful, if you adhered strictly to the Stamp Duty Act.

I myself believe, Sir, that the present banks probably lend out quite large sums of money effectively on notes of hand, using devices which are not necessarily going to involve them in the Stamp Duty Act, but in some cases might. Nonetheless, offshore bankers who may not have a client to whom they are sending a line of credit which is stamped on one occasion on which can be utilised thereafter, or who may be doing particular transactions, could not be subjected to that kind of hazard, and therefore, we are being very modest and asking for \$10 for every transaction. This is calculated to bring in quite substantial revenue, too, Sir, the sort of revenue that is reasonable anyhow, bearing in mind the transaction.

I have dwelt a little longer on this than is normal because this is a measure basically which reduces essential taxation, and I think the House is owed some slightly more explanation than otherwise. Effectively this is reducing the stamp duty which an offshore bank might, without any intention of the Government and certainly not of the bank, find itself having to pay.

I beg to move that Clause 27 stand part. That is an amendment to the Stamp Duty Act, Sir, not the Offshore Banking Act.

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

Mr. TAITT: Mr. Chairman, I am not going to raise a question regarding that, because I think it makes sense, except that earlier today we saw some of the difficulties which can arise from putting amendments to other Acts into certain other bits of legislation, and I

really am sorry that the amendment to the Stamp Duty Act had to be included in this particular Act, even though one understands the relationship between the two, because as we saw today, we had an amendment to the Larceny Act which was caught in the Administration of Justice (Miscellaneous Provisions) Act, and as a result it created some measure of difficulty. So I hope that for the future the bureau, the administration, would seek to separate but these two even if they bring the two Bills together. I think it makes for easier use of the Acts and the amendments later on.

Mr. ALLEYNE: Mr. Chairman, I see that the expression "NOTARIAL ACT" is noted in these amendments. I want to suggest that perhaps especially in the light of the advent of the financial centre that we need more Notaries Public, because these operators need to get documents notarised quickly. It is very difficult for the average lawyer to get a document notarised nowadays, and offshore banking operators are not going to wait around two and three days to go into the Registration Office, or wherever it is, to get the document notarised. I think we need to have an Act which would permit some lawyer of great experience and great years of practice to become Notaries Public so that we can get documents notarised, which documents would be recognised internationally, because they are notarised. I do not think that a document which is sworn before a Justice of the Peace will satisfy the requirements of the international financial market.

Hon. H. B. St. JOHN: Mr. Chairman, the point that the hon. member has raised has been raised before and has been taken. Under the common law system, it is a Commissioner of Oaths or a Justice of the Peace who is the Notary Public. Under the Code Napoleon and other systems, it is the Notary Royal, and in the United States of America they have followed the system where lawyers are Notaries there. We only have the Registrar here and we are trying to get an amendment to have more Notaries, but the question is that if you have a Notaries Act, just as you have a Justice of the Peace Bill, you would have to have a Notarial Bill, and we have to look at the Code Napoleon type organisation for that.

3.55 p.m.

As a matter of fact, in Quebec a Notary there does all of the work of a conveyancer; so different people have assigned different functions to the concept of Notary, so that we just cannot say we will pass a Bill dealing with that. We have to look for the specific sphere of operation for the notarial work. In Barbados all of the Bills of Exchange commercial protesting is done before the Registrar, and it has always been conceded that you cannot have only one person as a Notary in Barbados; it cannot work, but the functions, duties and scope of the Notary is one that a study is going on around.

Rt. Hon. J. M. G. M. ADAMS: The points are well taken, both points. To deal first of all with the amendment to the Stamp Duty Act in relation to this Act, it is unfortunate that it has to be done, but this is very urgent because a couple of banks are working now and needing provision. An amendment to the Stamp Duty Act is coming later on in this year covering various points, and we thought of waiting for that, but this really is too urgent to wait for that, and we did not wish to amend the Stamp Duty Act twice in a couple of months, but the point by the hon. member is a very sound and well taken point.

On the point relating to Notaries, very little can be added to what the Deputy Prime Minister has said. I do not know if there are any other St. Lucian Notaries Royal in the House, but he and I are. In St. Lucia we can both practice as Notaries Royal which gives us really quite extensive powers and it really is a little absurd because I believe that the position of Notary Royal in St. Lucian Registry, and if a St. Lucian wanted a document notarised, I imagine he can go to the hon. member for Christ Church South Central and the hon. member for St. Thomas and get it done if it related to St. Lucia, but if a Barbadian wanted it done, he can only go to the Registrar. We have thought about this. We have this system of Commissioners of Probate; a few very very senior lawyers are Commissioners of Probate. It may be six now. I think we have amended the Act and they really should in my view also be Notaries and the Roman Law powers should be extended to them. In fact it is believed that some of them are among recently deceased legal practitioners. Probably none of them practised, so there is some need for extending the system of Notaries. I do not know if we would call them Notaries Royal in Barbados, but the point is being considered and will in due course come down to the House. We are revising the terms and conditions of service of Justices of the Peace and a comprehensive Justice of the Peace Bill is also expected to come before the House this year. The question of Notaries is being looked at and favourable consideration will be given.

The question that Clause 27 stand part was put and resolved in the affirmative without division.

On motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. C. L. BOLDEN, 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. C. L. BOLDEN, the Bill was read a third time and passed.

THE UNCLAIMED AND UNDISTRIBUTED MONEYS (AMENDMENT) ACT, 1981

Mr. SPEAKER: Order No. 7 stands in the name of the Hon. Prime Minister to move the second reading of a Bill to amend the Unclaimed and Undistributed Moneys Act.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, at present monies against which a citizen has a claim in the hands of the Accountant General are transferred from the point of paying to the Accountant General I think normally within a period of three months, and subsequent to that it can be claimed from the Accountant General up to a period of twenty years. Unless I am mistaken under the Financial Rules or perhaps the Act itself, the Accountant General is also obliged to make very extensive account of all monies which are in his hands which, since it can extend over twenty years is a very onerous and tiresome business. Indeed I must say it is a very onerous and tiresome business to pay money. I read in the Nation Newspaper about a year and a half ago that my name headed the list of persons with unclaimed moneys in the hands of the Accountant General, and I have never been able to get it out of his hands. I suppose I have to lose it. There may be other citizens in a similar situation.

The whole business of unclaimed moneys is becoming a tiresome chore for the Accountant General. As the amount gets smaller, I presume that whatever it was owing to me was too small for it really to be worth my while to go down to the Accountant General and pick it up, and this goes on and on happening. More and more accumulates that he has to keep account of, so we are trying to reduce the twenty years to six years and trying to reduce his liability for publication of the outstanding amounts to amounts which he has collected within the last twelve months. It undoubtedly will have the effect of extinguishing in practice the claims of some citizens because if your attention is drawn to \$8 or \$12 and you did not bother to claim it, when your attention is not even drawn to it, undoubtedly you are not going to claim it.

4.05 p.m.

I think it is a welcomed reform since the overwhelming majority of cases do involve monies which are paid in to the Accountant General within the last 12 months. There are a few long outstanding matters but they really do not get collected, Sir, and the Accountant General will be very relieved if this burden is taken off his shoulders.

What actually started this matter was the insistence of a foreign bank which closed down its operations in Barbados and paying \$2,699.56 representing the balance of 39 accounts whose holders had not come to collect

their money, paying it over to the Accountant General. Some of these people, Sir, perhaps have left Barbados leaving their money in the Bank and the Accountant General therefore is under the present Law responsible for the next 20 years to hold on to these monies and keep publishing details of people asking them to come and collect them.

It is even narrower than that. These are amounts for which cheques have been issued and which remained uncashed. In other words, the Bank could not find the people to whom the monies belonged. They sent out the cheques and got back the cheques so they paid the money to the Accountant General throwing it apparently under the Banking Act on his shoulders the responsibility of searching for these 39 missing citizens to pay out the \$2,000.

The Central Bank advised the Accountant General. In fact the Bank would have to keep these accounts going for 30 years. This really, Sir, was more than was reasonable. Indeed I have the list here now. I notice that a constituent of mine, Sir, is entered for \$1.68 but there are amounts like that, \$1.39, .97¢, \$1.00, \$7.03. There is one large account which is more than half the whole amount of \$1,600, amounts of \$5.38, \$2.66, and \$6.22. These are the amounts of money.

The Accountant General apparently under the present law has the liability to hold all of these sums of money for the next 30 years wasting taxpayers money posting them from book to book and so on and we decided, Sir, really to do away with the naturalism and this is the purpose of the Bill to shorten the time for which the Accountant General has to account for unclaimed money.

There is also the matter of a specific Certificate of Receipt of monies under the Financial Rules which the Accountant General has to issue for all monies paid into the Treasury so he has to issue a specific Certificate of Receipt on \$1.68 paid into the Treasury on behalf of a gentleman in Welchman Hall. On the same day he has to issue the specific Certificate, not the ordinary receipts, Certificates, to the Commissioner of Inland Revenue for the payment of \$6 million in Income Tax and the opportunity is also being taken to put an end to this system. This is a naturalistic bookkeeping practice which has no real application to the present work.

I must say, Sir, that it is only by chance that I have now studied the actual list of these people for the first time. Probably before the Act comes into force I will ask the Accountant General to publish the list because even \$11.52 and so on may be worthwhile collecting. I see a member from the Defence Force in here as well, Sir, for \$3.00. It may be worthwhile collecting but for the future we think that it is too trivial.

I beg to move, Sir, that the Bill be now read a second time.

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

Mr. TAITT: Mr. Speaker, Sir, I cannot quarrel with the reasons given by the Prime Minister for wishing to change from 20 years to 6 years. I believe that if the Government determines that it is more costly to the Government then the Government is free to make it more efficient.

I feel however, Sir, that if we are going to make that amendment that there should be a further amendment to the Act which would permit under certain circumstances a Judge to allow repayments beyond a period of six years. I feel that the amendment should have embraced what I choose to call an aperture because, Sir, while the majority of the amounts may be in the vicinity of \$11.00 or \$1.38 or what have you, it is conceivably possible that much larger amounts can be involved and bearing in mind the way how the World goes these day, it is possible for a person to have missed payment say from the Government, for a period of six years.

Six years is a relatively short time if a person is away from Barbados and I believe where the circumstances are such that it is not the fault of the individual that if the Government wish they would for example say "And where the sum exceeded a certain amount." It seems to me that a Judge in Chambers or a Judge in the High Court should be given, shall we say, the discretion to open a specific case in certain circumstances.

I am not suggesting that this Bill be held back until such time, unless the Prime Minister is so minded, but it seems to me that before the Act is promulgated or before this Act comes into force that some consideration should be given as to whether what I am recommending is possible. I feel that once you have closed the book at the end of six years that that amount of money which may have been legitimately due to a citizen and which may not have been paid to the citizen through no fault of the citizen ought not to be lost forever to that citizen.

After, all Sir, in the transfer of real property we have had a period of 20 years, 40 years, 60 years and the whole idea is that where a citizen owns something, it ought not to be taken from him merely for the purpose of convenience or efficiency as envisaged by the Government. I do not know how the Prime Minister feels about this but it seems to me that it is a matter that is worthy of some consideration from the Government.

Rt. Hon. J. M. G. M. ADAMS: Sir, just to reply to that. There is a procedure for applying to a Judge at the present moment but 20 years is the limitation period. The reason why I chose six years because the Accountant

General wanted five but I chose six because it is the period of limitation that presently exists on ordinary debts in Barbados and I gave it some thought and I did not see any justification for having a longer period for the collection of debts.

The Accountant General is state holder of the funds. These are not necessarily monies the Government owes anybody. He is the State Holder on behalf of the Banks that close down or that have accounts that are dormant after 30 years and so on and I feel that if there is no legal right to claim a debt after six years, that is through the Courts, there is no right to activate the provision of the Act to apply to a Judge but what I would say is this, Sir, that a Minister is at liberty to recommend an *ex gratia* payment in cases where clearly something has happened that would not justify the Government holding on to the money.

4.15 p.m.

The Act provides for application to the Minister, and if the Minister is not satisfied then he will send it to the Judges, a quite complicated procedure, Sir. It really is not worthwhile my writing a letter to the Deputy Prime Minister asking him to be Minister of Finance for that purpose, and then write him a letter asking him to collect eight dollars from the Accountant General for me. That is actually a tiresome procedure, so much more to apply to a Judge for the eight dollars. I have recognised a few names on this list. It probably is simply not worthwhile those people making an application to the Minister of Finance for \$1.39 and activating everything, and I think we should simplify it, but the large sums, Sir, I am sure that the people who are likely to hold office as Minister of Finance in this country are not going to be so hard hearted that if somebody who has left the island leaving \$1,600 in a Bank, and the bank sends them a cheque and they cannot be found, I am sure no Minister of Finance if that man comes back in ten years' time and says that he hears that they sent him a cheque for the balance of his current account, now the six years have passed, I am sure he would get it, Sir. The Government does not want to get money out of citizens' hands that way. I do not think that small amounts will attract that, but these large amounts are bound to attract favourable consideration from Ministers of Finance.

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

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

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

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. C. L. BOLDEN, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

Hon. H. B. ST. JOHN: I beg to move that Clause 3 stand part.

Mr. BRADSHAW: I beg to second that.

Dr. CADDLE: Mr. Chairman, in view of the fact that under the original Bill the period of time was 20 years, I wonder if the Hon. Minister of Finance would like to reflect a bit on this. He has been trying to give some reasons, but the average person outside would tend to believe that dropping it from 20 years to 6 years is too big a drop. At the same time, I think he should be aware, or make himself aware of the fact that people are interpreting this action as a means of depriving them of their money, and I would like to ask him to reconsider this amendment here, dropping it from 20 years down to 6 years, why not 10 years? He may have very good reason for saying that claiming debt there is a limitation of six years, but in relation to the fact that this thing has gone on for a very long time at 20 years, and the general feeling of the Barbadian, don't care how small the sum of money may be, he does not like to be deprived out of his money, and there is no provision stated here that at the expiry of six years the person would be entitled to have his money, except by appealing to the Minister of Finance or some Minister for some consideration of that matter, I am asking the Hon. Minister of Finance if he does not think it worthwhile to reconsider this matter of six years.

Rt. Hon. J. M. G. M. ADAMS: I am looking at the list of the doctors who have unclaimed money, Sir. Strangely enough, there are three pages of doctors, but I do not see the name "Caddle", Sir. *(Aside)*. How do you mean I can't say this and it is published in the Official Gazette? Dr. Gale \$5, Dr. Lashmi \$1, Dr. Cherri-Ann \$1, Dr. Belfield Brathwaite \$1, Dr. Dos Santos \$16, Dr. Renwick \$1, Dr. David Payne \$9, Dr. Kerr \$87 more for Dr. Gale, more for Dr. Payne, Dr. Gibling, Dr. Brathwaite, Dr. Weatherhead, Dr. Ferreira. Sir, looking at the list I am not persuaded that there is any large sum of money there for longer than six years, most of what I am seeing is for really quite a short time.

There are some quite large sums under the Ministry of Communications and Works as arrears of wages. For example, the Ministry of Communications and Works does not seem to have any older than 1976. I see Scofield Smith \$10, the Q.E.H. I must say, Sir, I see some names of people who I know are people that like money, quite substantial sums too, Sir. *(Aside)*. My name is there but I have not seen it.

Sir, I have a lot of sympathy with what the hon. member has said, but these unclaimed moneys, I should

point out it is 135 pages of very fine print, the last list, it is not a little bit.

Mr. TAITT: Mr. Chairman, if the Prime Minister will give way, I wonder if since the problem seems to be publication, should you not put the onus, leave the time limit in the vicinity of what my colleague has suggested, but put the onus on the payee so that the publication would not be a requirement. In other words, if the Government owed me money and they had published for the first six years, for the next five years Government would not publish but the claim would not have fallen in abeyance. Then if the person did not claim in that period it could go to the State or whatever. In other words, you would still achieve the saving or the efficiency which you are seeking, but the time limit would have been extended and I think that would catch both points. In other words -- and I am really repeating myself -- reduce the period for publication. If you put it at six years, then after six years the Government is under no obligation to publish those that are six years or older, and then extend the period, in which case all you are keeping is an account, and it solves both problems. I would recommend that.
4.25 p.m.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I am seeing some quite large sums due from the Ministry of Labour. For a long time it used to be \$101, \$102, \$103 or \$104, but there are sums in the hundreds of dollars due from the Ministry of Labour that are about six years old. They may probably be something to do with farm workers and they may be away and cannot get it.

The Reporter says that he cannot hear. In support of the hon. member's argument, I am noticing that, for example, in the Ministry of Labour while there are a very large number of amounts between \$1.00 and \$1.10, there is also a particular line which I think must relate to farm workers who have gone overseas of quite substantial sums of money, and some of these accounts are old. The hon. member might like to move an amendment saying "ten" instead of "twenty". I will accept an amendment. Let the hon. member move it.

Dr. CADDLE: Mr. Chairman, I beg to move that Clause 3 be amended by the substitution of the word "ten" for the word "six" in line 2. It would now read "Section 14 of the Principal Act is amended by substituting the word "ten" for the word "twenty" appearing in the second line in the proviso."

Mr. TAITT: I beg to second that.

Rt. Hon. J. M. G. M. ADAMS: We would accept that.

The question that the words proposed to be inserted stand part was put and resolved in the affirmative without division.

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

Clause 4 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that for the word "six" in Clause 4 the word "ten" be substituted in the second line, and 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 without division.

Clause 5 was called and passed.

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

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, we have other Bills but we have some very urgent Resolutions to do which have been circulated pretty well at the last moment. Why I would appeal to hon. members to do these Bills is that we are doing the Estimates next week and the matters which could arise on the subjects of these Supplementaries can very easily be canvassed next week if there is sufficient time or if for whatever reason it is difficult to handle them today. The urgency of the matters arises.....There are two Resolutions, one for nearly \$2.6 million and another for \$8 million odd. In the \$2.6 million Resolution there is a substantial component for increased salaries. It may seem strange that we are 11½ months into the financial year and we are still seeking to appropriate money for increased salaries that go back to the beginning of the year, but there it is. It is necessary to appropriate funds to reimburse the Sanitation Authority for the increased salaries it has had to pay to its employees. I do not even know that the Defence Force has got its increased salaries yet, and certainly it is necessary to vote an increase in the Defence Vote for the purpose of increased salaries. Establishments who pay the casual staff of Government, they also require.....

Mr. SPEAKER: I must ask at this stage what are we doing?

Rt. Hon. J. M. G. M. ADAMS: I am proposing to go into Committee and asking for these Resolutions to be dealt with, and I am really explaining why the urgency. I am not trying to move it. The casual staff of Establishment, the funds have practically run out. The \$8 million relates to the Defence Force....
4.35 p.m.

We are on the point of drawing down the first instalment of the Defence Loan for conversion of the naval vessels and so on and we need to have authority to pay it out.

We did not think it would come in this Financial Year so it is really quite an urgent matter that we pass this so that we can pay for the state of the work as far as it has gone and I therefore propose to move that the House go into Committee to consider the grant of sums of money for the service of the Island and that while in Committee, His Honour, the Chairman, be instructed to deal with two money Resolutions of which notice had been given earlier today.

Mr. TAITT: Mr. Speaker, Sir, you may guide me on what I am authorized to say under the present motion before us. It seems to me that if we are going to be doing the Estimates next week, they have been laid and the date fixed and the question as to payment of monies for plant and equipment, it seems to me that a difference of one week could not be so much in the context of what these monies are for that we could not give it a proper debate after some study.

In the context of the Estimates it is entirely possible that one would not get an opportunity to debate this and in fact the \$7 million supplementary would have been passed on the basis of the urgency. So far as the monies to pay people are concerned, one can accept that and understand it but I am not sure that one is persuaded by the reasons given for dealing with the Defence and Security measure. I would really want to hear more before one agreed to do it in the fashion suggested.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, it is a little bit cynical, Sir, but if the hon. member wishes to debate the Defence Force he had better do it today because who knows if in the hurly burly of the Estimates whether the guillotine will not reach before doing it. It is welcomed. Quite truthfully, although hon. members would understand, it has to be done one way or another before next week. It may be done today or it can be done later in the week but the opportunity to debate it really is being given by these Resolutions rather than by the Estimates.

The \$7 million is urgent because you have to pay, as far as I remember, you pay when the vessel has reached a certain stage and you pay on certificates from the British Ministry of Defence that the hull is completed, the super-structure is completed and that the vessel is ready for launching. The hon. member would be familiar with this on the construction of projects.

The architect gives a certificate saying that so much and so much work is done and this is why we are meeting the urgency with the \$7 million. The vessel being built in

England is being built much faster than anticipated. With this money anyhow we have to pay a commitment fee. I do not think the hon. member need fear. We cannot possibly hustle it through now, Sir. It is here to be debated.

Mr. SPEAKER: The question is that I do now leave the Chair and the House go into Committee and I will be instructing the Committee to deal with two money Resolutions notice of which was given earlier during the course of the day.

The question was put and resolved in the affirmative.

Mr. SPEAKER: I have heard a division called for but I am sure the Opposition will know that the Chair is not obliged to take notice of a division that is called for just for the sake of being called. Erskine May supports the Chair on this. (Ring the Bell).

The Bell was rung.

The question that Mr. SPEAKER, do now leave the Chair and the House go into Committee and the Committee be instructed to deal with two money Resolutions was put and resolved in the affirmative, the House dividing as follows:-

AYES: Rt. Hon. J. M. G. M. ADAMS; Hon. H. B. St. JOHN; Hon. L. S. CRAIG; Hon. C. L. BOLDEN; Hon. L. B. BRATHWAITE; Hon. Miss B. A. MILLER; Hon. L. R. TULL; Mr. BRADSHAW; Mr. WARD; Mr. ALLEYNE; Mr. SIMMONS; Dr. CHELTENHAM and Mr. ODLE — 13.

NOES: Dr. CADDLE and Mr. TAITT — 2.

Mr. SPEAKER: Thirteen hon. members voted "Aye" and two hon. members voted "No". I declare the "Ayes" have it.

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

SUPPLEMENTARY ESTIMATES 1980-81 No. 41

HEAD 28 — MINISTRY OF THE ATTORNEY GENERAL

Rt. Hon. J. M. G. M. ADAMS: Sir, this is really as a result of Establishment's decision. There has been careful review of the gradings of all Legal Officers employed by the Government and there has been substantial regradings in respect of many of these Officers.
4.45 p.m.

The principal one that concerns this Resolution is that the grade of Magistrate has been much improved.

Officers who had occupied a position senior to that of Magistrate in grading, but who had previously been Magistrates, made representations that they would not have left the Bench to apply for promotion within the Ministry of the Attorney General if the Bench had carried the present grading. These representations are obviously well founded and it has been decided to pay the officers concerned a personal allowance to make their salaries up to what they would have been if they had remained on the Bench.

This involves no breach of principle, indeed it is only a fair way of dealing with numbers of persons. This applies to all of them, because there are two separate Heads now, one is the Ministry of the Attorney General and the other is the Legal Division. These are the people who are "F" who would be "D" if they were still Magistrates. Ditto the Senior Parliamentary Counsel who is now under a Magistrate. Magistrate has been regraded above officers who were at "F" and therefore you have to give them an allowance to bring them up to the level of Magistrate, because it was open to them to become Magistrates if they wanted. Many of them are senior to members of the present Bench.

It really is a quite simple matter, and I would beg to move that Head 28 stand part.

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

Mr. TAITT: Mr. Chairman, I am not going to oppose this particular Resolution, but I wish to point out that the anomaly which has arisen may in fact have arisen because of the need for a fundamental look at the whole structure of the Legal Department. In fact what ought to be happening — and I believe the regrading of the Magistrates perhaps is a step in this direction — what ought to happen is that Magistrates ought to be the senior positions, or among the senior position in the legal hierarchy, as opposed to what used to be the case, and what is still the case to some extent where the person who is dispensing justice and making decisions of judgment are in fact persons who to a large extent are now starting their career in the field.

It seems to me that if in fact the magisterial benches had both junior and senior Magistrates, as it were, or if all of them were pegged at the required level of expertise and experience, then the question of having to give officers who had served as Magistrates and who have now gone back to the Department a personal allowance, would not arise. It seems to me that a man ought to be leaving the Department to go and sit on the Bench rather than leaving the Bench and go to the Department, and I therefore hope that this concept of personal allowances will only apply to those persons who find themselves in this situation now, and it will die with their movement to the grave, or their death, or whatever,

and that in fact the system of movement through the legal hierarchy will iron out itself or be ironed out as to allow for more experienced persons to be sitting on the Bench rather than less experienced persons.

Rt. Hon. J. M. G. M. ADAMS: In fact, Sir, the hon. member is not very far behind the times, because a fundamental look at the organisation of the Legal Department has been taken and it has been reorganised. What has happened is that Magistrates have gone to "E". They may have been "G" or something else before, but they have been raised to salary grade "E" which is a fixed point salary grade, and the Chief Magistrate has been raised to salary grade "D".

Now Principal Crown Counsel and Senior Crown Counsel are bracketed, one is "D" and one is "F", but there is transferring from one posting to the other, the quality of your work will send you up. In other words, we can have all Principal Crown Counsels after a certain number of years, and the hon. member is therefore correct in pointing out that if you are a Senior Crown Counsel you can now be promoted to a Magistrate or promoted to Principal Crown Counsel, and there is a further promotional post available above Principal Crown Counsel, Senior Parliamentary Counsel and so on of Chief Magistrate. That is exactly what has been done, and the hon. member is perfectly correct in pointing out that this anomaly will vanish when the present officers — one presumes they will be promoted — when they are promoted in due course into other salary points. We have met the point made by the hon. member.

I move that the Head, Head 28, stand part.

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

Head 29 — Public Prosecutions — was called.

Rt. Hon. J. M. G. M. ADAMS: I think there is just one officer in the D.P.P.'s Office to whom this applies, and this officer is to get a personal allowance of \$2,660 a year, and this is the supplement being sought.

I beg to move that Head 29 stand part.

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

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

SUPPLEMENTARY ESTIMATES 1980-81, No. 42

Head 14 — Establishments, Subhead 1 — General Administration — was called.

Rt. Hon. J. M. G. M. ADAMS: This is the vote from which the Casual Staff of Government is paid. I do

not know how far hon. members would want me to go into this, but it is sometimes very difficult to estimate the size of the employees of the Casual Staff of Government, especially since for two years I have been trying very hard to remove people from Casual Staff and put them on to the Unestablished Staff, or in some cases, Established Staff. Unfortunately, I under estimated the amount of time that it would take to make the outstanding appointments in the School Meals Service and in MCW. We do have numbers of appointments coming up, there are people at the Ministry of Communications and Works who have been there 25 years as Casual Labourers.

4.55 p.m.

I am very glad to say I was able to recommend the appointment of some 40 or 50 of them recently to the unestablished staff of Government, but the process takes long because the departments do not always act with the same urgency in submitting recommendations that I try to act with when recommendations reach my desk. For this reason more people remained on the casual staff than was anticipated, and in addition there have been salary increases, and it is therefore necessary to supplement the vote by \$293,000, really, Sir, to meet the expenditure this month. This is really why it could not wait. If it is not supplemented we would have a very difficult situation during the very month of March trying to pay the casual staff of Government which extends over the whole gamut of the public service, and I very strongly recommend the urgent passage of this Head to hon. members.

I beg to move that Head 14 — Establishments — stand part of the Schedule.

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

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

HEAD 17 — DEFENCE AND SECURITY

Rt. Hon. J. M. G. M. ADAMS: While Sir, there is no doubt that Subhead (1) of Head 17 does not have the same urgency as the Head we have just passed or the Head we are just coming to, in all the circumstances I thought it desirable to move this supplementary since we were seeking to supplement other aspects of the Defence Force activity. For Item 4 — Travel, there is a very full Addendum. There is more travelling staff and it is necessary for the staff to visit the Airport and visit the different sites. It is quite a small amount, about \$3,000 for travel during the months of February and March. It is possible to make the officers wait until April, but it is not desirable if better can be done.

Item 10 - Operating Expenses, again this to some extent could wait. We could keep the people waiting for their money for the security's guards' uniforms, but the Government has such a bad reputation for paying its bills, an inherited reputation which we have tried to get over that again I would prefer to do it. This vote has been stretched beyond what was envisaged initially, because during the current financial year we have run a three-week training course at the Police Training School for the entire Security Guard Force which was previously untrained, 190 security guards in all. This course was addressed by the Deputy Prime Minister, by persons with physical security; they were given police training, they were given some drill training and taught a little of the elements of discipline which we would like to see in our Security Guard Force. I could not tell you the exact amount that was spent, but it was not large although it had its reflections in the previous vote, because while they were on training we had to employ more casual staff to do their work. The money that we should have used paying for uniforms was used to carry out the training course and we therefore are asking for \$23,560 to pay for the security guards' uniforms and close the year with a clean slate.

I beg to move that Head 17(1) General Administration - stand part.

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

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

Head 17(2) - Barbados Defence Force - was called.

Rt. Hon. J. M. G. M. ADAMS: Subhead (2) is for the new rates of pay for the Defence Force. This is a very important Subhead. I should also say that under Subhead (2) we have paid for the introduction of the Skills Training Scheme which is being carried on at St. Lucy. This is a very valuable scheme. Everybody who has been down there has praised it and perhaps in due course the House of Assembly itself, all the members, might care to visit the St. Lucy camp to see the work that is being done in training youths by the Defence Force in artisan and other skills. At the present time there is a masons' course, a cooks' and pastry-makers' course, and the Defence Force facilities are being made available for a course run in carpentry jointly with the Ministry of Labour and Community Services. Naturally these courses cost money. The youths are paid a small amount, they are transported to and from the St. Lucy training camp, they are fed of course and given a simple uniform, and we have instructors there who have to be paid. The Government intends to expand these courses but financial limitations especially within this vote have prevented such

expansion. We are not asking for a very large sum, \$560,000, because we have made allowance for an increase in the number of regulars inside the Defence Force, but it is necessary to cover the Skills Training Course and the increased rates of pay.

I beg to move that Head 17(2) - Barbados Defence Force, stand part of the Schedule.

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

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

Head 17(3) - Immigration Service - was called.

Rt. Hon. J. M. G. M. ADAMS: This is a very short one. This is the electric and telephone bill at the new headquarters of the Immigration Service. We had no way of estimating how much it would cost at the beginning of the year.

I beg to move that Head 17(3) - Immigration Service - stand part of the Schedule.

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

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

HEAD 25 - MINISTRY OF AGRICULTURE, FOOD AND CONSUMER AFFAIRS

Head 25 - Ministry of Agriculture, Food and Consumer Affairs - was called.

Hon. L. B. BRATHWAITE: Mr. Chairman, this Head is very simple. This is to deal with Other Personal Emoluments and as is the practice of this Honourable House we do not debate these items.

I beg to move that Head 25 - Ministry of Agriculture, Food and Consumer Affairs, stand part of the Schedule.

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

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

HEAD 27 - METEOROLOGICAL SERVICES

Head 27 - Meteorological Services - was called.

Hon. L. B. BRATHWAITE: Mr. Chairman, this item has come about as a result of the removal of an antenna from one point to another and this is to meet the commitment involved for that removal.

I beg to move that Head 27 – Meteorological Services – stand part of the Schedule.

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

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

HEAD 28 – MINISTRY OF THE ATTORNEY GENERAL

Head 28 – Ministry of the Attorney General – was called.

Hon. L. R. TULL: Mr. Chairman, I beg to move that Head 28 – Ministry of the Attorney General – stand part.

The requirement is for money for an honorarium for the Chairman and members of the Committee of the Penal Reform. That Report was laid in the House earlier today.

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

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

HEAD 31(1) – POLICE

Hon. L. R. TULL: Mr. Chairman, Sir, the sum required is to meet the cost of Travelling Allowances for the Police Department. The figure that was included in the 1980–81 Estimates proved to be insufficient to carry us through the whole year.

I beg to move that Head 31(1) stand part.

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

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

HEAD 31 Subhead (2) – POLICE

Hon. L. R. TULL: Mr. Chairman, Sir, this sum of \$32,617 is to supplement the vote to meet the additional cost for travel for the 12 new posts of Inspectors that were created during the course of this Financial Year.

I beg to move that Head 31(2) stand part.

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

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

HEAD 42 – MINISTRY OF HEALTH AND NATIONAL INSURANCE

Hon. Miss B. A. MILLER: Mr. Chairman, Sir, these additional funds are required to meet the salary increases which were agreed for workers of the Sanitation Service Authority in early December last year.

I beg to move therefore that Head 42 stand part.

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

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

SUPPLEMENTARY ESTIMATES 1980–81 No. 44

HEAD 72 – DEFENCE AND SECURITY

SUBHEAD (2) – DEFENCE FORCE

Rt. Hon. J. M. G. M. ADAMS: Just speaking on the Resolution itself. First of all on the amendments to the Resolution the question of Cheapside Market is a minor question. It is necessary to amend the National Housing Corporation Note because the National Housing Corporation was the Agency of the Government that did the Hurricane Relief last year and we have to give the National Housing Corporation \$1.32 million because that was what they had to spend to rehabilitate the people's houses after the hurricane last year and since I will not be speaking on that again, I do not see where the Minister is, but I would like to congratulate the Minister of Housing, the staff of the Ministry of Housing and all of the staff of the National Housing Corporation for the tireless work they did in the six weeks following the hurricane last year going all over Barbados looking for people's houses to repair expeditiously and making sure that nobody had to suffer as a result of the hurricane.

Between 6,000 and 7,000 houses were substantially affected and were handled during the programme of the Housing Corporation. The professional staff of the Corporation worked strenuously to check the amount of damage and to organise immediate and quick repairs. I know that some of the office staff and the professional staff found themselves working 12 hours a day for the couple of weeks immediately following the hurricane.
5.15 p.m.

On Head 72, Sir, I already effectively have given the explanation for this. As hon. members recall, a contract was brought to the House in respect of the construction of a 37 metre vessel at the Brooke Marine Shipyard, Lowestoft in England, and the conversion of two shrimp boats for use by the Barbados Coast Guard. The cost of this work is being met largely with funds lent by the British Government and funds raised abroad by

Lloyd's Bank in collaboration with the Barbados National Bank.

I myself visited the shipyard last August, and at that stage the hull of the vessel was virtually complete. I went on to the vessel's hull, and work had already begun on the superstructure. I observed that the work appeared to have been going much more quickly than anybody could have imagined, because if I recall correctly, the people had built the boat right up to deck level — although the interior works are not in, it is just a hull — without getting one cent from the Barbados Government. This perhaps is why it is so urgent to pay them some money now, because even before the contract was signed they were getting on with the job of building the boat, and the boat will be ready some time in advance of the contract. This is very useful to know, Sir, because it means that we avoid some of the escalation in cost that inflation might bring. I regard it as being very important to make this payment before the end of this month, so that we can match the expected rate of draw down on loan funds.

The boat will in fact be launched next month, Sir. A crew will in due course be sent to Britain — a crew of Barbadians, but we will probably have a couple of Vincentians on attachment, we had given some Vincentians training at the St. Lucy base prior to their going to England for further training on the vessel which the St. Vincent Government is buying — a crew will be sent to England, it will be put on board the boat and taught the workings of the boat in waters around England, and it is intended later in the year to sail the boat to Barbados. We are not bringing it out on another vessel, we will sail it down the coast of Africa, then across to Barbados with a mixed crew from suppliers and the Barbados Coast Guard, so when it arrives in Barbados as a flag ship it should have a Barbadian crew already settled and capable of handling it fully.

It was not possible, of course, for me to go on board our own vessel, but I did have the opportunity of going on a sea trial on a similar, although smaller, vessel being built in the same shipyard for the Saudi Arabian Government, and I was well satisfied in so far as I can judge with the conditions of its handling. It seemed to be a stable and reliable vessel, a very well known shipyard that has been in business for many, many years and is most unlikely to go out of business as did the shipyard that built the last Coast Guard vessel, leaving us without spare parts and without the means to repair the vessel.

This job has been done to the highest standards, we not only have had Ministry of Defence contractors in Britain examining every stage of the work, but we are also making arrangements, we have recently commissioned into the Coast Guard our own Engineering Officer who

will go to England along with someone who has been advising the Government for many years, both the previous administration and ours, and who also has been commissioned into the Coast Guard. They will go and have a look at it before its sea trials to ensure its reliability and ensure that we do not have the same trouble with it as we have had with the George Fergusson and the four smaller vessels. In any case it is a vessel capable of crossing the Atlantic, where the George Fergusson has had difficulties getting back to Barbados from Grenada.

If it handles as well as the Saudi Arabian vessel, I venture to say that the navigating officers and the helmsmen will be happy people. The Saudi Arabian vessel handled so well, Sir, that I was personally entrusted with driving it for some distance off the east coast of Britain. I doubt, however, that the Chief of Staff will trust me with the Trident when it arrives in Barbados.

If this Resolution is passed, Sir, we will have paid half the cost of the entire operation. I do not know when we will get back the shrimp boats. I thought there would be hitches with the shrimp boats because there were some difficulties, it seems that the shrimp boats which were first selected were not the ones which were sent to Trinidad, things have been removed from some of the boats, but I will not go into all that, hon. members should perhaps understand that anything connected with International Seafoods is fraught with adventure, and so it has proved even with the shrimp boats, but I believe that we will have adequate vessels.

We are equipping one boat for geophysical surveys, and it will be made available to the Ministry responsible for Trade and Industry, including petroleum research, it will be made available to carry out these geophysical surveys on the seabed around Barbados for the purpose of giving us more information against the day when we start offshore drilling for petroleum. The responsible Minister informs me that it will also be doing vacometric surveys to calculate accurately the depths of water around the island for the purposes not only of possible exploration of minerals and petroleum, but also to provide information for fisheries and to improve the charter.

The other vessel is intended to be equipped with machinery for clearing up oil pollution and the Ministry of Health, I believe, has had some input into this matter — the Ministry of Housing, Lands and the Environment — so the purpose of the shrimp boats, although they will be armed, is intended to be entirely peaceful and useful generally to Barbados as a whole for purposes wider than defence. I cannot remember the names that have been agreed for the vessels, Sir, but the flag ship will be called the Trident and the Coast Guard base which will be built at the Pierhead will be called Fort Willoughby for historical reasons. I think the name has already begun

creeping in to the writing of the Ministry of Defence and Security.

The Pierhead will be cleared when the new Bridgetown fishing harbour is built, because the fishing boats will then be able to go to the new harbour. It will become, of course, a security area, and we are including in the base on the Pierhead substantial repair facilities over and above such facilities as are presently afforded by the small screwdock which exists.

I think that we are getting excellent value for what is admittedly a substantial sum of money being spent on the Coast Guard, Sir. We are getting a modern patrol vessel capable of ocean crossing, we are getting two substantially built and well converted shrimp boats with some armed capacity as well as civil capacity, and we are getting a Coast Guard base. In addition, we already have an officer of the rank of Commander on technical loan from the Royal Navy, there is an Engineering Officer, we have no engineering skills at all on the Barbadian Coast Guard, although we are now training in this direction. The Engineering Officer's name is Lt. Commander Tom Adams, Sir, and he has already joined the Defence Force. In addition, we have trained a Barbadian and commissioned him into the Defence Force for Coast Guard responsibility, and we are training, I think it is one other, at Dartmouth.

5.25 p.m.

All of this is part of the arrangements with Great Britain which was described, I believe, by the hon. member for St. Michael South as a Defence Pact entered into without the details being known to the House of Assembly. The Ministry of Defence pact really is a misnomer; it is a defence agreement for training and construction, not a defence agreement for physical defence in the sense which the hon. member was perhaps mistakenly seeking to suggest. The amount we are asking for is \$7 million.

I beg to move that Head 72 — Defence and Security — stand part of the Schedule.

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

Dr. CADDLE: Mr. Chairman, speaking on this Resolution, I would like to draw to your attention that even with the Resolution itself there is an absence of the information that is in the Addendum on a number of Items which form part of this Resolution. In fact, the only item on which some information has been given is in relation to the Defence Force for the sum of \$7 million. I do not know if it is an oversight.

Hon. C. L. BOLDEN: Mr. Chairman, there has been just an error in stapling up the document. If the hon. member would look at the documents relating to

the \$2,596,607, the back pages to that bundle really belong to this Resolution; so if you will put them together, you will find everything on that.

Dr. CADDLE: All right, Mr. Chairman. They seemed to have been misplaced. It seems we are becoming rather inefficient in some areas. After hearing the Hon. Minister of Finance and Prime Minister on the urgency of this Resolution being here today, that is at the beginning when he was seeking permission to have this matter debated, not long ago hearing him commenting that this money will be paid before the end of the month, obviously there can be no rush because there are another twenty days in the month and therefore when you said that the money will be paid before the end of the month, you are sort of suggesting that there is absolutely no urgency for the debate here today. I do not know if this is a way of getting around a full scale debate on the Defence Force, by having these matters introduced here today in the manner in which it has been introduced knowing full well that we would not have come here prepared to discuss the matter and then going ahead with it and putting us at some disadvantage.

The point that I would like to make is that we have already agreed previously, I think in the Estimates last year when they were debated and passed, that some change would be made in the Defence Force especially in relation to the Coast Guard Service, and it had been pointed out there and then that this new boat would be bought and the upgrading of the shrimp boats would take place, and I would believe that the Ministry responsible should at some time be aware of the fact that this work has been going on at a fast rate and that money would have to be paid, and they should not wait until this late stage unless this turns out to be a point of strategy in debate on the Defence Force and at this late stage to bring this issue before us. We are not really quarrelling with the money because we accept that the money has already been committed, these things have to be paid for, but we are not satisfied with the manner in which the Resolution has been brought here, and being fortified by the remarks of the Prime Minister, we certainly would not be satisfied even if you set out again to explain to us why it has been brought in. We have no more to say on this particular matter at this stage because we are looking forward, unless as another matter of strategy we find that the Estimates on the Defence Force are held back again until the very last minute to prevent us having a full-scale debate on the Defence Force. If that be the case, we will have to accept it, but we will be coming prepared to discuss the Defence Force and how we see it.

Rt. Hon. J. M. G. M. ADAMS: Sir, I really think I should reply to that. The Opposition was for several years offered the opportunity of calling the Heads at Estimates

so it could discuss whatever it wanted to discuss. They refused to do it. When we then decide that we would discuss what we wanted to discuss, they now complain we do not let them discuss the Defence Force. Now on this occasion because I know that there are other Ministers who feel that the Defence Force has had a lot of airing in the House, it had the original contract, it has had other supplements, it has had debates and other Ministries not having had a sufficient airing, they wish at the last Estimates before the general election to have a chance to say what they are doing in their Ministries; so it may very well be that the Defence Force Estimates are not reached. I do not see how the hon. member can complain if the Opposition is now given a chance to discuss the Defence Force at length. You have had everything in the Defence Force today. Look, you have had the numbers, because we were appropriating funds to pay for the 70 people who were taken into the Force in January; you have had the Skills Training Programme. The House of Assembly has been invited to go and see the youths, the boys and girls being taught skills at St. Lucy. You have had the presentation of Colours if you wish to make a point out of that; you have had the general emoluments of the Force and the increase in the rates of pay if you want to say that they are too good or they are too bad or you have the wrong number of Officers, and you have what the Leader of the Opposition describes as the battle ship. It is impossible to say that the Government is trying to stop you talking about the Defence Force. Every aspect of the Defence Force has been brought up in the House of Assembly today. I would be glad to talk about it. If the hon. member wants to join with the Communist and say we should not have had the marine exercises, let him say so. I can deal with that. Every aspect of the Defence Force was passed through the House of Assembly here today, and for the Opposition to say or to suggest that the Government does not want to debate it is like a joke.

We have known that this money had to be paid for some time, at least we have known that money would have to be paid, but we had not been sure of the exact amount payable then, and we at one stage were going to appropriate the whole sum in next Year's Estimates, but we have now discovered the amount payable, and certainly within the last three weeks we have got details of the \$10.2 million odd, and it does take three weeks for matters to be discussed, passed through to Cabinet and reach the House. It does just happen to take that length of time. There are twenty more days left in the month; all next week we will be in Estimates and the week after I will be preparing for something and I will not be prepared to have a debate on the Defence Force in the last week in March. I freely tell you that; you can freely take that.

5.35 p.m.

I do not see why the Minister of Finance who happens also to be Minister of Defence should be unnecessarily distracted from financial matters at the most important financial time again. There is no question that the hon. member can ask to embarrass me about the Defence Force. I am not going to tell him the actual numbers.

The Leader of the Opposition and Shadow Minister of Defence is free to make inquiries but I am not going to say across the Floor of the House what the conditions of service will be in here and this, so to speak, is the wind up of it all. There is not going to be another debate I should think for a long time. The money will be appropriated. Next year we pay for our programme and God-willing there will be no occasion to come and make a Statement to the House about the activities of the Defence Force because I am moving on. The most prominent activity of the Defence Force next year will be trying to expand the Skills Training Programme into a programme of voluntary national service as far as we are able to afford it. That is what I am hoping to be the principal activity.

This has already been envisaged by the Minister of Labour. His Ministry and the Ministry of Defence are working very closely on matters relating to Skills Training, the national service and the community development work that can be done by the Defence Force. I hope that this is the only area of which we will make news of next year.

We have a well uniformed, well officered Defence Force capable of marching better than all the other forces on parade at the Garrison last Saturday. We enjoyed the envious attention of General Officers of three major armies and the Commanders or Deputy Commanders of a number of our major CARICOM neighbours. The ceremonial part of the Defence Force is over. We are now moving in to the social part. (ASIDES). I gather the objection is that the Defence Force is being trained to carry out the invasions after resistance. I read that Monali is complaining of this aspect.

There is one point I should have mentioned in respect of the Defence Force because I am sure it will cause excitement. It has an aircraft which is due to arrive in Barbados tomorrow. I think it was due yesterday but we got word that it was postponed so in a short time the Defence Force's aircraft will be seen. That has been paid for and will now go into service.

We are recruiting pilots, four ordinary men of the Defence Force are paying their own money to take flying lessons, four Private soldiers, and that will be an aspect of the Defence Force's activities to be shortly coming before the House.

I beg to move that Head 72 stand part.

Dr. CHELTENHAM: I beg to second that.

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

HEAD 74 – MINISTRY OF AGRICULTURE

Hon. L. B. BRATHWAITE: Mr. Chairman, this Head seeks to make provision for the payment of additional money for the purchase of vehicles as a result of the increase of value of the pound. The other item, professional services, this is for the work which was carried out by Stanley Associates with respect to the study done by IADB with the Scotland Development Project.

The Note with respect to the markets, subhead 20, provision was not made in the Estimates for the completion of the work which was being done to the roof of the market. That work is being done by the Ministry of Communications and Works. We had assurance that it would be done by the end of March, 1980 but it is not completed and we want to channel monies which were provided for the building of rat bins to prevent the rats from interfering with the produce within the markets. We would like to use that money in order to complete the work by the end of this Financial Year.

With those few remarks, I beg to move that Head 74 stand part.

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

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

HEAD 75 – MINISTRY OF THE ATTORNEY GENERAL

Rt. Hon. J. M. G. M. ADAMS: This has to do with the crash tender. We voted it last year and did not buy it. We have bought it now and find that it has gone up a little so we need the extra money for it. The Airport really did not have proper vehicles, Sir. They bought some converted tanks years ago through the agency of Mr. Carlton Brathwaite and they were quite hopelessly catastrophically inadequate. If we had ever had a fire at the Airport there would have been a great scandal so we had to get proper crash tenders. I know that they are expensive, but there it is.

I beg to move that Head 75 stand part.

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

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

HEAD 78 – MINISTRY OF COMMUNICATIONS AND WORKS

Hon. C. L. BOLDEN: Mr. Chairman, the sum of \$102,920 is required to complete certain payments in respect of work which was carried out at Ilaro Court. I believe it is time, Mr. Chairman, that a full explanation be given as to the re-construction of Ilaro Court. The former administration, as I understand it, took over Ilaro Court from its previous owners in lieu of death duties which were due to the Government. There was an estimate of some \$350,000 given to the then Government for the renovation of that property to be used by the Ministry of Education for cultural purposes.

Now I want to make it absolutely clear that when that estimate was given, it was the same estimate that was given to this administration by the same engineers from the Ministry of Communications and Works for the same building at Ilaro Court and my engineers have always pointed out that whenever they give an estimate for the renovation of existing property it is only based on what they can see at the time of inspection. It does not deal with unforeseen circumstances or invisible damage.

In the particular case, the then administration left Ilaro Court unused and closed down for some two years. During that period there has been immense deterioration in the structure and there has been vandalism in the building. The present administration decided that in view of the fact that Cullogen Farm was used up by other Ministries for other buildings and in other activities and the house at Cullogen Farm was falling apart, that it was time that you had what was a proper residence for the Prime Minister or befitting a Prime Minister of Barbados in the 1980's.

The Ministry of Communications and Works set about on the restoration of Ilaro Court and it was necessary that we preserve certain features of that building because of its architectural beauty and because of its historical relevance to this society of Barbados.

I have asked for a full report on what was done at Ilaro Court and I would like to say what has happened. The sum we are asking for only relates to monies which were paid out by the Ministry of Communications and Works to Parks and Beaches for cleaning up the bush that grew up around Ilaro Court and providing certain pathways.
5.45 p.m.

In carrying out the rehabilitation, I should say, of that building, we have had to provide laundry, maids' quarters, toilet and bath facilities in the basement, pro-

vision of external toilets for male and female, provision of the room for telephone equipment. On the ground floor we had to replace the floor to the kitchen and pantry, we had to replace all fittings, cupboards and counters, provision of two new toilets, replacing tiles in the foyer and court area. On the first floor we had to replace a timber floor in the dining room, subdivision of room, guest room and a study, and replacement of the concrete roof. May I say, Mr. Chairman, that when we started to strip the roof we had an estimate of \$30,000 to fix it and ended up with replacing the entire roof with shingles alone costing \$60,000 because of the woodworm that was eating out all the rafters, the drainpipes and everything that was falling apart, which set in during the period that Ilaro Court was left idle, with no decision taken as to what was to be done with it. We had to replace windows and doors that were dragged off and taken away by vandals. We had to provide floor finishes, provide cupboards and counters, repair the walls both inside and outside, repair the ceiling and provide a timber staircase after the existing one had been proved to be completely worm eaten.

On the external work we had to provide garages, we provided a band stand, and as you know, Mr. Chairman, it formed an ideal location for the Cocktail Party which was given by the Hon. Prime Minister for Independence, and I believe that future activities like this will be held at Ilaro Court, and I am sure that nobody will say they did not enjoy themselves. I am advised there was a cultural show for the Chinese at Ilaro Court. Unfortunately, the band stand that was erected is not large enough to carry the entire Police Band, but I am sure that the numerous cultural activities that will take place at Ilaro Court will certainly benefit from the surroundings which they will have.

We have to provide access roads and entrances to the car parks, provide footpaths and landscaping above all. There is still some more work to be done at Ilaro Court. When you drive down from east to west what was the rock bluff which appeared to provide proper security at one time, now that we have taken out all the shrubs and bush, etc. it is clear that we have to make adequate provision for security on that side. I believe that on the southern side of the building there is a clay brick wall which obviously will have to have necessary protection, the gate which stands also towards the Bridgetown side of the building, there is yet still no provision for either Security Guards or Watchmen, etc. Somebody commented that you passed and saw a watchman sitting down on a bench outside the gate.

There is still a lot of work to be done at Ilaro Court, but I am satisfied that the money which has been spent so far has been well spent and it has provided what one can consider the basics of what can be considered a proper home for a Prime Minister. So far, I have heard

talk about a million and a half, a million, etc., so far all the money that has been spent on Ilaro Court is \$839,120 and I am saying, Mr. Chairman, that we in Barbados pride ourselves on doing a good job in the economy, law and order is reasonably well, but at the same time those who run the Government are treated in Barbados worse than most other people who enjoy the benefits of what the Government is doing. If you went to Guyana, I believe the President of Guyana knocked down two buildings and put in a swimming pool that cost a million dollars alone. If you went to Jamaica, every Minister has a Government house well appointed, well secured, etc., and in Barbados you expect a Prime Minister to live in a broken down house, and then you get outside and talk about how buoyant the economy is in Barbados, what a good job the Government is doing, but yet still you hear people criticising a Prime Minister's residence and a Prime Minister's motor car. A motor car that the Prime Minister drives for \$60,000? I will tell anybody this, when I go back out there practising law, I will not drive a \$60,000 motor car. There are certain industrialists knocking around Barbados driving \$105,000 motor cars, and I have never seen one letter in the newspaper, I have never heard the Opposition come in this House and argue about John Brown coming up Broad Street in his \$100,000 motor car, but I hear them go out on the political platforms talking about a \$60,000 low class Cadillac. It is not of the better class Cadillacs that directors drive. (Dr. CADDLE: Are you suggesting the Prime Minister is low class?) I am not saying that, but I say he drives a low class car, and if he had followed my instructions he would have bought a proper Cadillac, and if the Opposition wanted something to talk about they would have had something to talk about.

I am saying, Mr. Chairman, that the sum spent on Ilaro Court is not too much to spend to preserve the building and to provide a proper place for a Prime Minister to entertain his guests and meet foreign dignitaries. With that, I beg to move that Head 78 Subhead 6 do now pass.

Dr. CHELTENHAM: I beg to second that.

Dr. CADDLE: I would like to say to the Hon. Minister that I am very impressed by all the Minister has said, and I hope for his sake and the sake of the Government that the public outside is also impressed, but there has been spent some \$840,000 and there is a lot more work to be done. How much more money do you intend to spend on Ilaro Court? How long have you been doing the renovations and repairs to Ilaro Court, and how much longer will you be up there doing renovations and repairs?

Hon. C. L. BOLDEN: Mr. Chairman, there is not a lot more work to be done, and I believe we should be able to complete Ilaro Court probably within another three or four months. The reason why Ilaro Court has not

been completed is because the Ministry of Communications and Works is suffering from a supervisory problem. We have major problems. (Dr. CADDLE: Well, solve them). I would like to solve them, they would have been solved if the Opposition had provided the basis for solving them.

We have a problem with supervision. We have not got the people with the necessary skills to supervise the work we are doing. We have a number of major projects, we have only three engineers operating at MCW now and those engineers have to cater to all the projects we are doing. For instance, within the last quarter we have not been able to carry out as much work on subsidiary roads and tenantry roads as we had planned, because we had to take most of our carpenters and masons to get the work in the Glebe completed. On the Spring Garden Road we have to take the best of our people and put there. We are now doing the road in Speightstown; we are doing all these major projects.

As I said, Mr. Chairman, we have found out that in the former administration you would take a young boy who had just left school and make him a Supervisor. You put him out on a project with masons who had been at MCW for as many as 30 years. You heard the Hon. Prime Minister say today that we are trying to move from the Casual Staff to the Unestablished Staff persons who have been employed with the Ministry for the last 20 to 25 years. You have people out there who know as much as the established engineer practically, and if you give a young boy of 18 or 19 who has just left school the job of Supervisor, he cannot tell whether or not those persons are producing. He does not know whether they are getting on with the work or whether they are fooling about, and we have decided in conjunction with the Ministry of Labour in the Skills Training Programme and in conjunction with the Ministry of Education at the Polytechnic that they have started classes, and we are drawing persons from those classes with minimum knowledge of construction for the supervisory stage of the Ministry. Until we have got our complement of Supervisors, then we will be hamstrung in this way, so we have had to reduce the work at Ilaro Court and for other projects until we get the necessary staff that we know can supervise the work.

5.55 p.m.

We have completed 85% of the electrical work, 88% of the plumbing and drainage work has been completed, and I think we are about 92% completed on the car park, 87% on the footpath, and the landscaping is about the farthest behind. Sixty per cent of that has been completed. So we have got, if you take it as a total, roughly 10% of the work to be done before we complete the whole of Ilaro Court. I think we have got something like \$200,000 in the current Estimates for the completion of the work.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, it is interesting to hear for the first time what the work at Ilaro Court is costing. It is as instructive for me as it is no doubt for some other hon. members. Having heard that it cost \$1½ million, how many chandeliers have been bought, perhaps I should be disappointed when I look up at the ceiling and see just a round light fitting. The figure of \$1½ million is about the usual level of Opposition exaggeration in relation to reality. But I will say this, because Ilaro Court is one example of a problem that the Government is increasingly going to have to meet over the next ten to fifteen years. A part of any country's heritage is its old buildings and its beauty spots, and we are discovering that the preservation of old buildings and the upgrading of beauty spots is a very very expensive business indeed. When we came into power there was a figure that had never been subject to anything other than "yes" of \$360 000 for making Ilaro Court into a cultural centre. At that time it was estimated that the repairs on the roof would take \$30 000. When we bought the shingles for the roof, the shingles alone cost \$57 000 and the work on the roof put its cost very nearly \$120 000.

The first estimate for the car parking, modest car parking for the Prime Minister's residence was, I think, just about the \$360 000 that the whole cultural centre had been estimated for. Hon. members will readily appreciate that the car parking requirements along with everything that goes with it, the public lavatories, the places for attendants and so on for a cultural centre are necessarily more extensive than those for a house where a cocktail party is occasionally given. It is my feeling that the car parking for Ilaro Court if you had had a permanent cultural centre there would have cost more than the car park at Princess Alice there opposite the fish market, and that cost \$340 000 odd at that time.

I think Ilaro Court would have been substantially more expensive than that because you had to clear away earth and make foundation; you would not have been laying anything on an already existing foundation. In fact it is my view that when the cultural centre is built in Church Village that it will be more economic although it may not cost less because you provide more, but it will be more economical to level Church Village as we intend, rehouse the people and start with a flat site in the centre of Bridgetown surrounded by asphalt roads and build a custom built cultural centre there, than to try to use Ilaro Court or any of the old buildings around. The old buildings have to be preserved, but it is unwise in my view to think that there are any jobs that can be done on any really substantial historic structure in Barbados to convert to modern use that will ever cost less than \$1 million. There are little tiny houses and no doubt you can preserve a galliered house in Speightstown for \$½ million, but not in my opinion less than \$½ million, not those three-storied galliered houses. Roof work, wall

work, floor work, modern plumbing, all these things cost a very great deal of money.

The Government is looking at an old structure which should be preserved, very important to preserve. A part of the reason why tourists come here is because there are old buildings to look at. We are looking at this old structure to buy and convert into offices for a Ministry. Perhaps the structure will cost \$400 000 or \$500 000, I do not know, if we buy it, but I know that it is going to cost three times as much to preserve the old facade, and put it into offices than it will cost to buy the building, and our criterion then is, to provide this amount of office space, would it cost the Government more or less to build it entirely somewhere else?

The cultural centre, the most amusing thing of all that I heard about it was that it was planned to have an open-air theatre at Ilaro Court plus repairing Ilaro Court, roads, car parking and everything for \$360 000. The ball park estimate that we got for putting an open-air theatre on the slope at Ilaro Court, a slope consisting of rock with the right pitch and all you would have to do was to build out the concrete seats, the ball park estimates we got for such a theatre was \$600 000, which is an open-air theatre, not the house. I personally think it was exaggerated. I believe it could have been done for less even though we know that things cost a lot, but that was a rough figure that was given so it is foolish to think that we will be able to take up Government buildings and just convert them.

Culloden Farm in 1976 when Culloden Farm was vacated even at 1976 prices to repair the facade, to paint, just to redecorate Culloden Farm would have cost as much as it cost originally to buy it, perhaps \$120 000 or \$130 000, and whatever conversion is done at Culloden Farm now, I predict that the Minister of Communications and Works will get no change out of \$200 000 and he would be lucky if he gets any change out of \$¼ million if any substantial work has to be done. If you are content to leave the building in a not very good condition and just paint over the sores, so to speak, it would not cost so much, but old buildings do cost money to repair, and this is what should be taken into account when we look at them. Ilaro Court is a fine structure and it really would have been a shame to let it fall down like some of our old houses in Barbados have fallen down. We have to take a look at our natural environment which includes the man-made environment and be prepared to spend money on it to keep Barbados a charming place.

I anticipate there is a whole host of things which when they come up the Opposition will cry out about. Hon. members in the back are telling me not to reveal our manifesto, Sir, but a whole host of projects which in the next Parliament the Opposition with the same members over there – some, I don't expect to see certain

people – some of the members will be over there and they are going to cry out and they are going to say these things, but it is part of the cost of keeping Barbados the kind of place that makes us at the moment still a mecca for tourists and a sinecure for other Caribbean Islands. The eyes of a lot of places are on us, Mr. Chairman. They are not always cast on us with kind thoughts, but what the Hon. Minister of Communications and Works has talked about in his immediate speech, those are the inescapable costs of buildings like this, Ilaro Court, Culloden Farm, Government House and other structures owned by the Government and other structures that will come in due course to be owned by the Government and developed by the Government.

The question that Head 79 – Ministry of Communications and Works – stand part of the Schedule was put and resolved in the affirmative without division.
6.05 p.m.

HEAD 82 – MINISTRY OF HOUSING, LANDS AND ENVIRONMENT

Hon. L. S. CRAIG: Mr. Chairman, we seek this sum of money for the purpose of replenishing the National Housing Corporation which spent this money during the hurricane in the Rehabilitation Programme. The amount is now voted so that National Housing Corporation can carry on its work.

I beg to move that Head 82 stand part.

Hon. L. B. BRATHWAITE: Mr. Chairman, in rising to second this Head I would like to make a public tribute to the Minister and the Ministry for the very able manner in which they carried out the task when the tail or the center of Hurricane Allen struck Barbados.

On that occasion, Sir, I was out of the country. I was in fact on my way to another part and when I got the news I immediately returned to Barbados and when I came I saw the devastation in my constituency, St. Andrew and when I moved around to other places I saw the damage which had been done to the country and I was wondering if we would have been able to get through with that task in a year's time, but fortunately, with the progressiveness and aggressiveness of the Minister and the willingness of his staff to undertake the burden which laid before them they sought to accomplish it in a very short time.

As well as speaking on this Head I should also like to commend the Electric Company and its staff, the Telephone Company and its staff, the Police Force and the Defence Force for the manner in which they involved themselves in bringing about a measure of order at that very crucial time.

The Ministry of Communications and Works also did a very good job of work and I would be ungracious if I did not include my own Ministry which did yeoman services in the constituency of St. Andrew and in the entire Scotland District.

I salute the Ministry of Housing, Lands and the Environment for the manner in which they performed their task and within a matter of weeks the whole country was again alive and on its feet and many people who thought that they would have to wait months before they got a house to go back in were given houses in some cases less than three and four weeks' time.

I salute them, I congratulate them and I would hope that the National Housing Corporation continues to play the important and vital role which it have been playing over the years and especially during the past four years.

Mr. WARD: Mr. Chairman, I would just like to make a very small contribution. What I discovered also during the last catastrophe to hit Barbados in the way of a hurricane was that the National Housing Corporation was certainly in one way very well prepared but in another way not sufficiently prepared. They certainly had all the material that was necessary for any such emergency. They had the vehicles and they had the officers but when I went to the National Housing Corporation I was told by the Manager that they were short of carpenters and if I could secure some they would certainly give me everything else that was necessary.

What I am saying now is purely advisory. I think that at a time like now the National Housing Corporation could well advertise for carpenters that would be available for any reoccurrences of such a matter as a hurricane so that they do not have to ask representatives to find carpenters but they would have 12 in St. Lucy, or 6 in St. Andrew, St. George and right through the Island so that these men know if a hurricane hits Barbados that they would know that they are required and I believe that would also produce better work. I say this not in any critical way, Mr. Chairman.

In any event what I experienced, Mr. Chairman, was that I had to get carpenters who were working for me in St. James and taking them to Christ Church to work and then they wanted them to go to other places in Christ Church so that while the National Housing has done a remarkable job there is definitely room where they could have a pool of labour at their disposal where they do not have to worry people to get trained carpenters.

One last point, I believe that in due course the Defence Force will be able to fill this gap. This has been done in other parts of the World. In Jamaica I am sure

if anything happens, the Defence Force is prepared with materials, manpower and any new skills and remedies in any such situation. I throw this out, Mr. Chairman, not as a criticism but as a suggestion that the National Housing should be prepared not only with materials and officers but also with carpenters because they certainly did not have all that was required on the last occasion.

Hon. C. L. BOLDEN: Mr. Chairman, I want to make my contribution at this time and I want first of all to thank those people who came out immediately after the storm to help their less fortunate brothers and sisters who had suffered damage as a result of Hurricane Allen.

I want also to thank the members of the Defence Force whom I met at 7.30 a.m., in the morning going down Horse Hill clearing trees that had fallen across the road which enabled us to travel around the country in the early hours in the morning to assess the damage that had been caused during the night and I must give thanks to the members of the National Housing Corporation who withstood the harassment which came not only from those who suffered but from those of us who have to represent people in constituencies and I would like them to understand that when we harass them it is because people were calling us to have things done.

There is something which seems to be pressing in today's World that everyone wants everything done at one and the same time but somebody has got to be first and somebody has got to be last but I can say that after the first or second day of operation the National Housing Corporation in conjunction with the Defence Force adopted a policy which I would like to congratulate them on, that is, they put back on the roofs on those houses that had been damaged where the roofs of the houses were blown off so that no further damage would have been done to any furniture, etc., left inside of the building which would have relieved the pressure on the schools etc., that were used for housing.

6.15 p.m.

I want to say, Mr. Chairman, that I personally believe that Barbados and Barbadians reacted well to a situation which could have been rather tragic, and I would like to congratulate all those persons, the people of CERO, the Police and all those citizens who came out and helped without even asking for any sort of remuneration. I know it has been a big task, I believe it is the first such incident that has happened to Barbados since Janet in 1955, and I would wish to say that I believe everybody took it well. I must congratulate the Minister, because I have sat on a Committee with him and I am sure he pressed hard enough, and there are many people outside today whose houses were not damaged in the hurricane but who really benefited from the efforts of the National Housing Corporation. I believe they used the

excuse of the hurricane to carry out the programme which was utmost in the mind of the Minister, that is, to try to give Barbadians proper housing wherever he can.

I once more wish to express my thanks and appreciation to all those who helped, especially in the constituency of St. Joseph, because I believe we suffered most of all. I believe St. Joseph and St. Andrew had the most damage over that particular period.

Dr. CADDLE: Mr. Chairman, I would like to associate myself with some of the expressions of thanks and appreciation to all those who joined together to make good the damage that was done by the hurricane. This has happened before in Barbados, and I believe that that spirit will continue in the future, and I hope that there will always be people who are prepared to acknowledge and give appreciation to those who come forward at these times.

However, I would like to draw to the attention of the Hon. Minister that some time ago the Government made it quite clear that it was seeking international assistance in this matter, and I would like to hear from the Minister to what extent it has been successful. I would also hope that he will tell us what has been the total cost of the repair of these houses, and if to date there are still any houses which have not yet been repaired. If he has the information before him, what has been the total number of houses that have been repaired during this programme.

Hon. L. S. CRAIG: Mr. Chairman, in reply to the hon. member who just sat down, there were 698 houses. This is the figure which we have been able to come up with, but we still find occasionally one or two persons coming up and saying that their houses were damaged in the hurricane and they have had no repairs done. I would not like to express any particular view of those persons who may have come months after the programme has come to an end to seek such assistance, but the final figure which we have to date is 698 houses at a cost of \$1,237,428.01. USAID gave us a grant of \$680,000 and that was the amount of money which we ourselves received as a grant. The Government then had to make up the balance of it, therefore the \$1.3 million which we now seek the \$680,000 was obviously paid into the Consolidated Fund and we had to put our money so as to bring it up to the \$1.3 million. The answer therefore is that 698 houses were repaired at a cost of \$1 320,000.

I would like to say how flattered I am to hear members of the Opposition at least pay some credit to the National Housing Corporation and I am particularly delighted to hear my colleagues, whom I know are well aware of the very tough job which the National Housing Corporation had undertaken. This of course they did not do alone, you have heard sentiments expressed where the

Defence Force, the Agricultural Department in the Scotland District, the Soil Conservation people, all Barbadians played their usual role on such an occasion.

To my colleague, the member for Christ Church South Central, it is not a matter of pooling carpenters, people together, what happens in a case like this, CERO – the Central Emergency Relief Organisation – are the people who know what to do. They contact National Housing Corporation, the entire work force of National Housing Corporation which is the Maintenance Division and the Building Division, all of them are thrown into action and there is no doubt, as the Minister of Communications and Works said, everybody expects to have everything done the same time, and the policy which we adopted was to look after those houses where the roofs were off, put them back on quickly and repair the others, then come back and complete them as well as we could.

I think, however that National Housing Corporation is also trying to set a standard in building chattel houses in particular and that is making sure that they tie the roofs on now with bolts and nuts, because one of the problems we had was with these flat roofs which were just tacked on with eight penny nails in some instances and any high wind would just take the roof off. What we have done with these houses is to tie the roofs down with bolts and nuts. I am not saying that a hurricane will not blow the whole house off, but it is still a little more difficult to blow the roof off than it was in the past.

I can say no more at this point, Mr. Chairman, but to thank my colleagues and members on the other side for lauding the Ministry and all those persons that the Ministry and the National Housing Corporation, especially a man by the name of Mr. Corbin, Louis Redman and Erskine King and other names too numerous to call. They have all played a very important part in making sure that we were able to have these people rehabilitated in a very short time.

With those few remarks, Sir, I beg to move that Head 82 stand part.

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

SUPPLEMENTARY ESTIMATES 1980 - 81, No. 43

Annexed Estimates – Head 50 – Post Office – was called.

Hon. C. L. BOLDEN: Mr. Chairman, we have had to instal two air condition units in the room occupied by the Philatelic Bureau in order to preserve the quality of the stamps that are kept in that building, with the result that our electrical energy bill has gone up, and the sum of \$11,737 is required to meet the cost to the end of the

financial year. This was not estimated for in the Annual Estimates, therefore there is this shortfall.

Under Item 9 – Operating Expenses – this amount is required because we have had an extra printing of commemorative stamps, we have had one extra printing of early transport in Barbados. These stamps are doing reasonably well. We have had to reprint definitive stamps, those are the everyday stamps that are used on our mails, etc., and in the third case we have had a run in the Post Office for postal stationery and we have had to order extra stationery in order to meet the demands.

6.25 p.m.

It seems as if Barbadians are becoming more sophisticated and there are more newspapers being posted out. As you know there is one publisher that has gone six days a week and has increased his publications as I am told, and more are posted out, and the Post Office usually provides the wrappers for this service. This is the basic reason for the \$45 758. These matters occurred at a time when they could not have been catered for during the Estimates of 1980–81. We have taken note of this and the provision for 1980–81 and we hope that we will have a sufficient sum to meet out commitments.

I beg to move that this Resolution do now pass.

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

Dr. CADDLE: Mr. Chairman, I would like to enquire of the Hon. Minister in relation to the issue of commemorative stamps whether these are done on an *ad hoc* basis, and do you decide a year in advance what issues and at what times you are going to issue commemorative stamps, because if it is done on a basis of projecting what you are going to do for the following year, then this question of supplementaries for commemorative stamps would not arise. If it is being done on an *ad hoc* basis, you will always be getting this problem recurring because somebody will come along and say they think you should issue a commemorative stamp on this occasion and I tend to believe it would be better if you can sit back and decide say, for this year or next year what are the important events that you would like to commemorate in that particular year by the issue of a commemorative stamp, and by so doing you would be better placed to determine the amount of expenditure that you will need for the issue of these stamps. If it is done the other way, you will always be having this recurrent problem of coming and asking for additional money for stamps which you might not have thought would have been necessary to issue during a particular year.

Hon. C. L. BOLDEN: Mr. Chairman, it is not done in an *ad hoc* manner. I believe the hon. member is well

aware that there is a Stamps Committee and they decide at least two years in advance what stamps would be issued for a particular period and for particular events. What has happened in this case as the hon. member might know is that our stamp issues are dealt with through the Crown Agents, and there might be a particular issue of stamp which Barbados does not agree on, but when the sales take place and they are selling good, we may get a note from the Crown Agents asking us to proceed with a particular theme which the Cabinet or Stamp Committee had decided they would not have entered into, with the result that you find you are then forced into issuing stamps at the last minute. In this particular case when we decided on Early Transport, the International Year of the Child, Carifesta and Hurricane, those were the ones which we decided on, I believe the Crown Agents asked us if we could issue a further commemorative stamp I do not recall which one it was, and this took place in late December. Similarly we had already settled – and I may say so because I do not believe it is any secret at this point – the stamps that we would issue during the year 1981. We got early indication that there might be an announcement from Buckingham Palace in relation to Prince Charles and we were asked to join in an omnibus issue of stamps in case a marriage was announced. So here it is that although we had settled our issues for 1981, we took the opportunity so say “yes”, because we were told that Royal happenings always encourage great sales of stamps and we did agree that we would join in an omnibus Commonwealth issue of a stamp to commemorate the marriage of Prince Charles. Well the marriage has been announced and we have agreed, but having put in our estimate for the four issues, and we do settle for four issues a year, now we have this fifth issue, so then we may still have to come back to Parliament for a supplementary because of an instance like this, and this is how you run into the problem of having to come for supplementaries.

Here again as I said, you have to decide on what you would portray, you have to take your pictures, they go off to England, the art work is done, it comes back, we look at the art work, we approve it, we look at errors send it back, then you get a rough draft of the stamp coming through, you settle that and then it goes back for final printing. This is done two years in advance before the stamp actually hits the market, but as I have said, you may have instances like this stepping in which for the benefit of the revenue to the Post Office we have to agree to, and I must point out that particularly in commemorative issues, these are really revenue-earning stamps, because if you take the profits you make in your Philatelic Bureau when it is operating efficiently, that then is used to offset the cost of local postage, because our external postage is controlled by UPU conferences which are held once every four years. On internal postage we can agree how much to charge to send a letter based on what it cost you on your revenue. This is the basic

reason why we have accepted the suggestion from the Crown Agents to issue another stamp because we believe the revenue made will reduce the cost of local postage eventually.

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

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

On separate motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. C. L. BOLDEN, the Resolutions were read a first and second time and agreed to. 6.35 p.m.

CHANGE OF NAME ACT, 1981

Order No. 8 was called – To resume consideration of the Bill to provide for change of name.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, Sir, we are more plagued in Barbados than in most countries with difficulties arising out of surnames due to the fact that 70% of our citizens are born to parents who are not married to each other at the time of birth. There is always the possibility of difficulty over what surname to use. People grow up with one name but are told, quite wrongly, that they must use their mother's name.

The Law of Surnames in my opinion is understood by perhaps 100% to 1% of the general population and about 5% of the others and not at all by civil servants. If it was better understood there would be no need for this Act because the surname is acquired by reputation, a name change without formality. There is no such thing as a correct surname. The child who is known by its father's name at the time of birth is the name that it has but it is almost impossible to persuade bureaucrats and the general public of this.

People go to get married, produce a birth certificate and it does not have the surname they use and the Reverend tells them they must get a Change of Name Deed. Then they run across another difficulty. It is very little known that a Christian who is a member of the Anglican, Roman Catholic or Episcopal Church can change his Christian name only at confirmation and as a matter of law may never again change his Christian name. Once you are baptized in an Episcopal Church the baptismal given names can be changed only on your first communion and then your sponsors can give you new names. All those persons, therefore, who change their names to Omatyola and Elombe and so on are in fact

merely acquiring names of no more significance than Sonny, Bossie or Tommy.

I cannot change my name in law at all because I am an Anglican and why not come, Sir, from an eminent member of the legal profession *sotto voce* from behind? While although this Bill, I do not have it here before me, Sir, I speak from my memory, but I think that Clause 3 of this Bill thus preserves the common law and allows the change of name by common law in addition to change of name by provisions of the Bill.

It is probably the best thing, in my opinion, to have some legislation which will bring order out of this entire matter. All those persons who have changed their names to Omatyola or whatever it is will no longer in law be addressable by their former given Christian name. They will be able to use their altered names. All persons who wish to adopt any surname for any purpose will be able to do so within the four walls of the Act and more importantly I think the area where the common law has been insufficient will now be dealt with by this Act. That is the change of names of children of separated parents. I use the words "separated" in this sense with the consent of the other parent.

A Judge in New York who struck a blow of commonsense in the case, I think it was called Honeyman against Honeyperson was perhaps taking a new initiative. In that case those Lawyers who followed that case would recall that a divorced Mrs. Honeyman, changed her name, she was a feminist to Honeyperson and sought to change the name of her child of marriage and the father took her to Court over this, especially since the child was a boy and succeeded in getting some document laid down according to the common law of the State of New York. In Barbados we will not have to depend on judicial initiative. We will now have a built-in right for parents to have some little input into the children's names.

I myself think that the provision of the Bill, I do not have the Bill before me to draw the Section of the Act to your attention, but the provision of the Bill which says that a child's opinion will have to be taken into account from the time it is 12. I think that is a little doubtful. Many 12 year old children really do tend to be swayed by whichever parent has their immediate counselling and I think it is invidious to give small children still very much *in loco parentis* the burden of consenting even to a change of name. I have never been overly happy with the business of cross-examining children to ask them which parent they wanted to be with. I think that this is an exception to that but I suppose it is a part of the law which cannot be helped.

I certainly think, Sir, that the provisions of this Act will now lay down certainty in areas where although objec-

tive certainty existed subjective uncertainty was universal. There have been shifts in opinion. There used to be, so I am told by historians, that in the days when there was a substantial number of white illegitimate children borned in Barbados they used to be the custom among them that the boys took the father's surname and the girls took the mother's surname. I have even ran across this in the course of a genealogical research that was necessary to determine the inheritance.

There have been in parts of Barbados particular customs by which the children of eminent and well placed fathers used to insist carry their surnames. There have been all sorts of customs in Barbados relating to the use of surnames. All are families. I daresay every single person hearing these words as I speak is familiar with some anomalies relating to the use of names. This Act, I hope, will put an end to it although to some extent to those who would now go to Lawyers for Change of Name Deeds who will be charged a little more because the change of Name Deeds come by virtue of an Act rather than by custom.

I cannot recommend it anymore than I have, Sir. I am sure the Attorney General would have wished to be here to answer questions but it now codifies the law of names. It makes provision for people to change their christian names as well as their surnames and it should introduce an element of certainty into the vast area of uncertainty which at present exists. I recommend it to the House. This is not a partisan matter, Sir.

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

Dr. CHELTENHAM: I beg to second that.

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

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Mr. WARD, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 to 28 inclusive were called and passed.

On the motion of Hon. L. R. TULL, seconded by Mr. SIMMONS, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.
6.55 p.m.

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

SUSPENSION OF SITTING

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that this Sitting be now suspended until 7.45 p.m.

Mr. SIMMONS: I beg to second that.

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

On resumption:

Mr. SPEAKER: This Sitting is now resumed.

THE CRIMINAL APPEAL ACT, 1981

Mr. SPEAKER: Order No. 9 stands in the name of the hon. Attorney General to move the second reading of a Bill to provide for appeals in criminal cases to the Court of Appeal and to Her Majesty in Council.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I beg to move that this Bill be now read a second time.

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

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

On motion of Rt. Hon. J. M. G. M. ADAMS seconded by Hon. L. S. CRAIG, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 and 2 were called and passed.

Parts I, II and III were called and passed.

The Schedule was called and passed.

On motion of Hon. L. R. TULL, 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 Hon. L. R. TULL, seconded by Hon. H. B. St. JOHN, the Bill was read a third time and passed.
7.55 p.m.

ADMINISTRATIVE APPEAL TRIBUNAL ACT, 1981

Item No. 10 was called - To move the Second Reading of a Bill to provide for the establishment of an Administrative Appeal Tribunal for Barbados and for related matters.

Hon. L. R. TULL: Mr. Speaker, I beg to move that this Bill be now read a second time.

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

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

COMMITTEE OF SUPPLY

Hon. L. R. TULL: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

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

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

Clauses 1 and 2 were called and passed.

Parts I, II and III were called and passed.

The First and Second Schedules were called and passed.

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

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

RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF LAND AT BEACHMONT, BATHSHEBA, ST. JOSEPH, FOR THE ESTABLISHMENT OF A COMMUNITY CENTRE

Item No. 4 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Beachmont, Bathsheba, St. Joseph for the establishment of a Community Centre.

Hon. L. S. CRAIG: Mr. Speaker, the acquisition which I seek the approval of Parliament is for the purpose of establishing a Community Centre at Bathsheba in St. Joseph. You may recall, Sir, that many years ago there was a Community Centre at Bathsheba somewhere in the 1950's and in recent years, Sir, it was down graded to that of a closed shop. The building on which it was on that occasion has now been demolished.

Bathsheba is an area where there is a lot of activities all year around both by Barbadians and visitors alike to Barbados and it was felt that some form of a community centre should be made available to the people of Bathsheba and Barbadians in particular, Sir, and I am quite sure that the people of St. Joseph and the Minister himself will be very happy to hear that we are now acquiring a portion of land which is quite clearly set out in the Schedule for recreational facilities and for the purpose of a Community Centre.

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

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

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

ADJOURNMENT

Hon. H. B. ST. JOHN: Mr. Speaker, Sir, I beg to move that this House do now adjourn until Monday, 16th March, 1981 at 10.00 a.m., the Estimates. I think that we can make all arrangements with the staff for Estimates as is our usual custom. We will stick in accordance with the distinct provisions of the Standing Order dealing with the Estimates.

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

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