
THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 – 81

HOUSE OF ASSEMBLY

Tuesday, 19th May, 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. C. L. BOLDEN, LL.B., (Minister of Communications and Works); Hon. H. deB. FORDE, Q.C., M.A., LL.B., (Attorney General and Minister of External Affairs); Mr. L. E. SANDIFORD, M.A., (Econ.); Hon. Miss B. A. MILLER, (Minister of Health and National Insurance); Hon. L. B. BRATHWAITE, (Minister of Agriculture, Food and Consumer Affairs); Mr. J. G. ODLE, B.Sc., (Chairman of Committees); Mr. M. C. C. WARD; Hon. H. B. St. JOHN, Q.C., LL.B., (Deputy Prime Minister, Minister of Trade, Tourism and Industry) (Leader of the House); Mr. V. L. JOHNSON, M.A.; and Mr. L. L. SISNETT.

Prayers were read.

Dr. HAYNES, Rt. Hon. E. W. BARROW and Mr. GREAVES entered the Chamber and took their seats.

MINUTES

Mr. SPEAKER: I am advised that there are no Minutes ready for confirmation.

PAPERS LAID

Hon. H. B. St. JOHN: On behalf of the Prime Minister, the Civil Establishment (General) (Amendment) (No. 2) Order, 1981.

I am advised, Sir, that there are a number of other Orders, notice of which I am going to ask Your

Honour to permit me as soon as they come to lay, relating to reclassification of certain areas of the Civil Service will also be presented today.

GOVERNMENT NOTICES

Hon. H. B. St. JOHN: I beg to give notice of a Resolution to approve the Civil Establishment (General) (Amendment) (No. 2) Order, 1981.

Mr. TAITT entered the Chamber and took his seat.

Hon. L. S. CRAIG: Mr. Speaker, I beg to give notice of a Resolution to approve of the lease of land at Bagatelle, St. James to Trowel Plastics (B'dos) Ltd.

ORDERS OF THE DAY

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

SUSPENSION OF STANDING ORDERS

Hon. H. B. St. JOHN: I beg to move, Sir, the suspension of standing Orders 6, 16, 18, 20, 42(5) and 44 for the remainder of the day. We have a large programme today, Sir, and it is necessary to suspend the Standing Orders.

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

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

GOVERNMENT BUSINESS

Hon. H. B. St. JOHN: Item No. 2, Sir.

Mr. SPEAKER: Item No. 2 is the instant Order of the day.

THE FACTORIES ACT, 1981

Hon. H. B. St. JOHN: I am sorry, Sir, I gave notice of the wrong one, it is Item No. 1.

Mr. SPEAKER: I take it you are moving the withdrawal.

Hon. H. B. St. JOHN: Yes, Sir. I beg to move the withdrawal of Item No. 2 and to substitute therefor Item No. 1.

Mr. SPEAKER: The hon. member is seeking the leave of this House to withdraw Item No. 2 and to substitute therefor Item No. 1. If there is no objection, Item No. 1 will be substituted for Item No. 2. Item No. 1 is the instant Order of the day.

THE ROAD TRAFFIC ACT, 1981

Hon. C. L. BOLDEN: Mr. Speaker, before I proceed with the Bill, I want to draw attention to a number of amendments which were circulated last week, and on page 4 of the amendments I would like to look at section 79(9). It reads: "substitute 'Licensing Authority' for 'Commissioner' in line 1 and 'it' for 'he' in line 2." I want to add an "s" to the word "Line" and then add "and 3" at the end. That would correct the whole subsection.

I am also going to seek the permission of the Hon. House to deal with the Bill in Parts after we have finished the second reading, when we go to the Committee stage.

For a number of years, Mr. Speaker, we have heard about a new Road Traffic Act for Barbados. We have heard about problems with the existing Road Traffic Act which was passed in 1937. From 1937 to date there were some 32 amendments which were made to that Act, all in an effort to bring it up to date, but I can well recall at one stage in this Hon. House a few years ago, because of the number of amendments which had gone before, we amended an amendment which had been amended previously and which was only discovered probably a week after that the wrong amendment was made.
12.30 p.m.

That would have arisen because of the number of amendments which crept into the law, and certainly at some time or other confusion would have come about. Since 1937, Mr. Speaker, when the original Act was passed, traffic has grown considerably in Barbados. The preliminary figures which have been produced for me indicate that we have some 35,000 vehicles operating in Barbados today exclusive of bicycles, and a recent count has put bicycles at well over 20,000.

We have had new developments in vehicular traffic, we have had new developments in roadway, we have had new conditions and we have seen innovations to vehicles, to roads etc. which obviously mean that we should look at a new Road Traffic Act to bring it in line with modern day thinking and modern day traffic. This Bill seeks to bring into operation a number of new concepts, and I would wish that everybody would get hold of a copy of the Bill and read it, because it differs considerably from the existing Bill which had been in operation for all these years.

The first thing I would like to point out, Mr. Speaker, is that we are moving away from this business of registration in parochial districts. We are creating a licensing Authority. At the moment we have the regulation of traffic under the Collector of Taxes, there is the Commissioner of Police and there is the Chief Technical Officer, and for this reason we have designated a Licensing Authority for the time being. The Minister will have the power to designate anybody to the Licensing Authority or any institution to carry out the various functions of the Bill; but the long term development is that we should come to a body which would regulate all traffic in Barbados. That body is destined to operate from the Ministry of Communications and Works because I believe that is the place where most of these vehicles will eventually go for some kind of business.

We have now had to look at the development of the minibuses, the transportation system. All over the world, not only in Barbados, but in Great Britain, the United States and in Canada you find that the public transport system cannot cope with the moment of passenger traffic to satisfy the demands of the travelling public. We have had an investigation carried out in Barbados and something which has come to light is that it is impossible for any Government or any authority to provide all the rolling stock to satisfy the needs of the travelling public as the travelling public would want it to be. We have recognised here in Barbados that people want to move from home to work at a given time and between given hours, between the hours of 6 o'clock and 9.30 in the morning. After that, we can withdraw a number of buses from the road. In the evening everybody wants to leave work and reach home between 4 o'clock and 5.30 p.m., and it is humanly impossible to cope with this sort of pressure. But on a Sunday for instance, Mr. Speaker, you may observe buses running every ten or fifteen minutes with three, four or five passengers except for the late hours in the evening when you find those who have gone joy-riding then trying to get back home. That is a clear indication that if you have to satisfy the total demands of the travelling public at peak hours, you would end up with rolling stock which would be lying idle for the most part of the day.

We have looked at the situation in regard to minibuses and the Act will now create a new definition for a

mini-bus, and the definition is a vehicle which will carry between eleven and twenty-four passengers. We have made regulations under the Act, the regulations are still to be tidied, but we have the transitional provisions and we will use the regulations of 1952 until we have cleared up the regulations which we are working on.

We have also looked at the question of the motor omnibus, and the basic reason for defining the categories is this: we want the mini-bus to operate with certain guidelines. The Government has bent over backwards to accommodate the mini-buses in this country. We have licensed approximately 250 mini-buses to date. We intend to regulate the mini-buses only in respect of the routes on which they operate.

We have taken the opportunity in the Act to provide for parking places for public service vehicles. That is a new concept which we have consolidated in the Act. We have allowed for the picking up and setting down of passengers in particular places. We have looked at the Fairchild Street bus stand, and we have provided eight parking lots for mini-buses in the bus stand, and we have demarcated an area next to the Fire Station where they would put down passengers. We are hoping to regulate traffic as best we can under the circumstances.

With a motor omnibus, that vehicle will be a vehicle which would carry over 25 passengers, and we have introduced the definition of a tour coach as a vehicle to carry between eleven and thirty passengers.

Now quite recently, Mr. Speaker, we removed from the Road Traffic Regulations the duty of a motor omnibus to carry a conductor. We have had an outcry from the Union, and I want to say here again today that the removal of that section was nothing to do with the Transport Board's operation. Since we are going to use the 1952 Regulations and since we knew that the new Motor Vehicle and Road Traffic Act would bring in categories of vehicles which would fall under the definition of an omnibus, then we had to tidy up the 1952 Regulations. There are some 27 tour coaches operating in the island today. The bigger ones fall under the category of an omnibus and it is not for us to decide whether or not that vehicle will carry a conductor; it is for the operator or it is for the proprietor or for the group that is using the vehicle to determine whether or not they want a conductor on that vehicle. The law does not prohibit the use of a conductor on the vehicle. We just removed the legal obligation to carry a conductor on the vehicle.

The Act also provides, Mr. Speaker, a new concept in a provisional licence. That came about because under the old law a person was entitled to use a vehicle along the road without registration plates.

12.40 p.m.

If he was reported, he had an excuse by saying that he was taking that vehicle to or from a Weighing Station or to or from a Registration Station and therefore it was a good reason for him using a vehicle on the road without registration plates.

The Police have complained about these vehicles on the road without licence plates. We have reports that vehicles are seen at nights without licence plates and I go further with dealing with what we call a limited trade licence because there are reports that people are using what was commonly called garage licences on vehicles at night and they were not designed for that use.

The provisional licence, Mr. Speaker, will now be issued from the Licensing Authority and there will be no need whatsoever to use a vehicle on the road without an appropriate licence plate. We recognise that there is a large trade in damaged vehicles. People go to auctions and buy vehicles that have been damaged. There are a number of what you call wayside garages which have sprung up over the place and they are doing a worthwhile business but at the same time we must safeguard the public. We must look at the safety of the pedestrians faced with other vehicles on the road that if there is an accident or if anything happens to the vehicle, there must be some form of identification on that vehicle.

We have also looked, Mr. Speaker, at new registration plates. We have had complaints basically from taxi drivers. Taxi drivers have complained that at nights other vehicles draw up in the stands provided for taxis. They ply for hire when they are not registered taxis. I have held several meetings with the various Associations that operate taxis in Barbados. We have had complaints about over-charging of fares and every time you met with the Associations you were told that it is not us, it is the pirates that are giving us a bad name. We have had discussions with the Police, the Tourist Board, the Collector of Taxes and the Taxi Association, all in one big meeting on more than one occasion and arising out of this it has been concluded that we must give special licence plates to taxis and public service vehicles.

If you look at the Fourth Schedule of the Act, Mr. Speaker, you will note what we have come up with in this regard. Private cars, lorries, etc., those vehicles which can be classified as non-public service vehicles will still be registered with the letter indicating the registering parish, the parish in which they will be kept.

For public service vehicles, we have come up with this sort of lettering. Taxis will now carry the letter "Z" before the numerical numbers. A self-driven or hired car will have a hire letter of "H". Mini-buses will carry the letter "B". An omnibus will carry the letters "BN" and the Tour Coach will carry the letters "BT".

Mr. SPEAKER: Order.

Hon. C. L. BOLDEN: Mr. Speaker, we feel that with this sort of Registration those vehicles can be easily identifiable. The Police, for instance, have complained and we must look at the system before. If you wanted to register a taxi in Barbados, you would have first to have the vehicle weighed and I will come to that at a later stage, the weighing of the vehicles. You have to have the vehicles weighed at a particular Weighing Station.

You had to come to MCW first to have it inspected. Then you had to have it licensed then you had to go to the Police to get a hackney licence and the hackney licence was a little strip with a number painted on it which was affixed to the ordinary licence plate. We are getting away from all of that and we are hoping that when this Act has been passed, persons dealing with Public Service vehicles will have a one stop journey at the Ministry of Communications and Works.

Mr. Speaker, we have had to bring into operation a Weighing Station at the Ministry of Communications and Works and this was forced upon us even sooner than we had expected or we were planning to and I want those over there to laugh when I am finished.

When the Minister of Finance in 1980 delivered his Budgetary Proposals, there was an adjustment in charges for vehicles for certain weights. It is surprising, Mr. Speaker, that one of the candidates for the Democratic Labour Party in the coming Elections could present to Rates and Taxes some 30 new Weight Certificates weighed by a particular Weighing Station in Bridgetown, St. Michael, you find out which one, and when Mr. Pile sent them up to us we recognised what was happening.

They were within a space of a month some 500 vehicles that had been reweighed and came into Rates and Taxes with Certificates bearing lesser weights than the previous Weight Certificates when they were registered a year or two years in front. It was Dudley Smith, under Hertz and the Weighing Station was Basil Forbes that was why we revoked the Licences away and we have designated the Ministry of Communications and Works as the sole Weighing Station for the parish of St. Michael. Now, I will not deal with the balance now. I will deal with the balance out there.

Now we have given the Licensing Authority to designate official weighers. We have also given authority to the Chief Technical Officer at MCW to designate official weighers because, Mr. Speaker, we have problems in the weighing of vehicles and we will come to that. We have in Barbados today a number of large vehicles operating in the country. We must recognise that as the

building industry expands, as trade expands in the country, Barbados is a small country and manufacturers abroad will not continue to manufacture vehicles to our specifications unless we intend to pay whatever the manufacturer charges for the vehicles but we must recognise that we have problems with many of our roads in this country.

We have just been looking at Blowers Bridge and we have discovered cracks in Blowers Bridge. We will have to rebuild that Bridge within the next six or eight months for the safety of vehicles crossing the Bridge.
12.50 p.m.

I understand that that bridge was designed by a Mr. Wilkinson so that only one vehicle can pass at a time. We have had words on that bridge, we have had complaints about the Joes River bridge, there is another bridge that we have had complaints on, but all of these bridges, Mr. Speaker seem — well, the Bay Street bridge which was reconstructed a few weeks ago — we conclude that it is the weight of the vehicles crossing over these bridges that are now causing the damage. Bridges were not designed to carry these kinds of vehicles that they are carrying today. Therefore, the Chief Technical Officer of MCW has been given the power to designate a weighing authority because inspectors from MCW have also been given the authority to demand vehicles to drive to the nearest station to ascertain that the weight they are carrying is in accordance with that on the licence plate. That is the reason why we have the licensing authority and the Chief Technical Officer having the power to designate weighing authority.

With the limited trade licence plates that I mentioned before, we have introduced a logging system that book would have to be written up, it would have to say the route the vehicle will take, the time, the time of travel and a copy of that document will go with the vehicle and a copy will remain with the centre. We want to be able to make sure that these plates are used only for the specific purpose and not generally. Since we have brought in the provisional licence which would allow any rebuilder, or mechanic, as the case may be the right to buy a provisional licence to use a vehicle for a limited period. We have had to tie the two in together.

On Section 11 of the Act, Mr. Speaker, we have recognised that Barbados is fast becoming an international centre. Month after month, we get letters from various persons operating in Barbados asking for special licence plates. There has been some confusion in the last Administration and at the beginning of this Administration, as to who qualifies for a special licence plate. What we have done now, is that we have taken the opportunity to correct one of the designation and we have Consular Corp, that the licence will now be CC instead of FC, we call it CC. Diplomat, we will give him CD and a member

of an international organisation, we will give IM for his new licence plates. We do recognise that there are international organisations operating in Barbados and based on reciprocal treatment, we will issue the licence number of IM.

Now, we also looked at the licensing and taxation.....

Mr. TAITT: On a point of order, Mr. Speaker. (ASIDES) Sir, the Honourable Minister has circulated amendments, the amendments themselves state that CC appearing in the draft will be changed to FC. The Honourable Minister in his statement is now emphasising that it shall be CC. It would seem to me, therefore, that the amendments which are circulated which he said that he would be reading into the Record are themselves in need of amendment and I draw it to the Honourable House's attention.

Hon. C. L. BOLDEN: I thank the hon. member. I will clear this with the Ministry of External Affairs because I particularly asked about this and I was told CC. If they want to revert to FC, it is up to the Ministry of External Affairs not me. I have cleared that with the Honourable Minister responsible for that.

Mr. Speaker, in taxation and licensing, for a long time, we have been worried about the rush for renewal of licences on the first of June. We are seeking to move the Drivers' Licence department from the Police to the Licensing authority which will eventually come to the Ministry of Communications and Works. We are also moving a lot of the present re-registration and registration of vehicles from the Collector of Taxes to the Ministry of Communications and Works and we have taken the opportunity that renewal of all licences will be on the anniversary of the first date of licensing. In other words, if you bought a vehicle in September of one year, under the present law, you had to buy a licence from September to the end of May. As a practising Attorney, I have had instances particularly of people coming from abroad who paid for a licence for a year, paid for it in November, December, or January, came back to Barbados the following January and proceeded to drive with the same drivers licence to find that it had expired at the end of May in the year of which it was purchased.

Now, there was confusion between our situation in Barbados and situations abroad. We have now taken the opportunity that a licence whether it is on a motor car or if it is a driver's licence will last a year from the date on which it was first issued. That will stop the rush at the Rates and Taxes, it will stop the rush at the Ministry of Communications and Works and it will stop the rush at the Police Department for the time being, where licences are renewed. We have also checked in the

Act, the conception of a one year or a three year driver's licence, but, that will also become renewable on the anniversary date and not on the first of June in a specific year.

A new concept which has also been brought into the Act is the question of the transferring of a road licence. Under the present Regulation, if you sold your motor car today, in fact, if you had a motor car, you licensed it on the 2nd June, 1981 and you sold it at end of June, 1981 according to the current practice, you sold the money you paid for your licence. It was annoying particularly where people have an accident with a motor car, the car was deemed to be a write off by the insurance company, it was sold out by auction and you would get a letter saying, "send your registration papers to John X who has bought the car." What in fact they were saying to you is that when you licensed your motor car and you disposed of the motor car, you disposed of the licence as well. I have never agreed with that and I am happy to know that numerous persons never agreed with that concept. We have now taken the opportunity to make it absolutely clear that you do not dispose of your licence, when you sell your motor car, you have sold the physical motor car not the licence you paid. But, we have made provisions that a person who has bought that vehicle gives notice to the Licensing Authority in the particular area he is of the acquisition of the vehicle and he will have to license it then, he does not carry over your licence.

1.00 p.m.

The old concept of paying a shilling at Rates and Taxes to have your licence transferred to him is no longer applicable. You retain your licence, but at the same time we have made it an offence, Mr. Speaker, tying back in with those persons who produce a weight certificate not bearing the correct weight of the vehicle. We have made it an offence for anybody to use a vehicle on the roads and pay taxes for a lesser weight than what they should have paid, so we have tied that in with the earlier provision so that those persons who want to reweigh their vehicles, even if we miss some, the Inspectors from the Ministry of Communications and Works or the Licensing Authority would be able to force them to drive to a weighing station and have their weights properly checked, and they would be committing an offence under this.

We have exempted agricultural machinery from taxation. They are allowed to cross the road if going from field to field, but we have also brought into the Act an appropriate section, section 24, which would allow the Chief Technical Officer or the Licensing Authority to charge the owner of any such vehicle or any vehicle on a road which causes damage to that road. I drive around and I notice there are a number of tractor tracks in the middle of the road. People just drive vehicles across the

road and damage the roads. In the long run the roads begin to deteriorate and the Ministry of Communications and Works gets the blame for bad road surfaces. The Act will now give the Chief Technical Officer the right to recover damages from anybody who causes damage to a highway, and I hope that those persons who use vehicles on the roads will now bear in mind that it is for the good of all that they take the necessary precautions when using these heavy vehicles on the roads.

We have retained in our new section 28 the special licences for use of vehicles over above weight on our roads, but we have also allowed the Chief Technical Director to revoke these licences for breaches of the conditions. Now, I want to say here, there are quite a few of these special licensed vehicles on our roads, and, Mr. Speaker, I have seen them travelling in areas where they have no right. One typical example is the Farm, off Deacons Road. There is not one day that you cannot find a big lorry belonging to Mobil travelling from Deacons Road through the Farm and coming out on Carlton Road. This is the sort of thing that happens, that when you go through there you find a depression in the road, water catches in the road, and then everybody will say MCW is not fixing the roads. You have given them the right to use the large vehicle, you have designated the route that it can be used on, but yet still for some short cut, either by instruction from the owners of the vehicles or from the laziness of the drivers of the vehicles, they take all kinds of short cuts. You meet them in roads that one vehicle has to reverse to let them pass, and sometimes the drivers are rude at that when you point out to them that they have no right on a particular road. My officers have complained that when they meet these vehicles in these roads and they try to speak to these drivers the drivers abuse them.

We have now put the provision in whereby those permits can be revoked for breaches of the conditions under which they operate. I will say here that Barbados Light and Power has applied to the Ministry for a licence to use a special generator which they hope to move about in cases of serious breakdowns in any section of the island. They recognise the vehicle is heavy, because it is a portable generator plant to supply large areas. We have granted permission, but the condition inserted in that permission is that they will pay for any damage occurring to our roadways as a result of the use of that vehicle. We do not want to place any constraints on the development of Light and Power or the supply of electricity in any area, like one of our friends in this Chamber who threatened to sue Light and Power because they did not send him a generator last election. That will not happen this time. (Mr. GREAVES: They had to pay too). Oh, I did not know it was you.

Mr. SPEAKER: There must be no cross talking.

Hon. C. L. BOLDEN: No, I am not cross talking, Mr. Speaker, I did not understand it was the hon. member for St. Lucy. He said they paid.

Mr. SPEAKER: You can only understand the Chair at this time.

Hon. C. L. BOLDEN: At this time, Mr. Speaker, but we are making sure that Light and Power has the capacity to serve any particular district when there is an outage because of a fault at one of their generating plants. As I said, they have been specifically told, it has been written into the permit, that they will be liable for any damage caused to our roads by the use of that vehicle.

In the Act, Mr. Speaker, we have incorporated the motor vehicle insurance section which is really the Third Party Insurance. We have put that in in order to give a complete Road Traffic Act. This section will be drastically revised at a later date. We did not want to hold back the Road Traffic Act for the revision of motor vehicle insurance, but I can assure hon. members that the Act with very minor modifications has been placed in this Bill as it is in Chapter 282 of the Laws of Barbados, I think it is Vol. VII, so there is nothing new in that particular section.

As I said before, the drivers' licences, we will now renew on renewal date, but we have looked at another aspect of drivers' licences. At the present stage, Mr. Speaker, we must recognise that with the building boom there is need for numerous vehicles in Barbados. The industry seems to be moving very well, businesses are all moving. As I said before, we have well over 35,000 motor vehicles in Barbados and there is therefore the need for more drivers. I myself believe that the Transport Board needed a special provision in respect of drivers for their buses. Under the old law we could not train anybody at the Transport Board to drive a bus until they held a licence to drive a light goods vehicle for at least two years.

Now, from my observation the women in the Transport Board seem to be driving reasonably well, very well indeed, I should say. In the bigger industry, the construction industry, the Ministry of Communications and Works, the Sanitation Department, you need robust men to drive big vehicles, and therefore I believe that we can absorb all the men who have heavy goods vehicle licences in those departments, the construction industry, and leave the buses, etc. to women. There are women aged 28 to 30 who say they would like to drive buses but they have not got the licences. I have had complaints from many people about the speed at which the buses are being driven. We had complaints of the attitude of drivers. Now, I thought

the best thing for the Transport Board would be to train its own drivers in the way they want them to drive. If you go up there and you take a man who had been accustomed to driving a cane lorry, or driving a sand truck, or driving some other vehicle where time is the essence of his delivery, and he had been driving out there for a number of years, it may be very difficult to ask him now to come and drive at a particular pace and in a particular fashion.

1.10 p.m.

If you gave the Transport Board the authority to train its drivers from scratch, somebody who did not know how to drive before and you put them out there and say this is how I want you to drive, you drive on this side of the road, you park on this side of the road and these are the speeds you must maintain, then I believe you will improve the driving habits of the drivers at the Transport Board. But not only is this true of the Transport Board. You have taxi companies that properly need trained drivers as they want them to be. You have other organisations that would want to train their drivers and therefore, Mr. Speaker, we have removed the condition whereby a person must be driving for two years before they can acquire such a drivers' licence, but you have said that you would limit the age to 18 years of age. As soon as you reach 18, you can apply to somebody, and if they care to train you to drive a bus or a lorry or a crane, then so far so good. We have removed the constraints that were there before.

I hope that the Transport Board will now seek to recruit more women. I believe that we should have a fifty-fifty quota of drivers, women and men, in the Transport Board. We have a number of men at the Transport Board who come in and drive out of the crop season, but as soon as the crop begins, they tell you they want to go back to Sugar Terminals to drive and you must relieve them. You have some who say they want to go to Canada or the United States on the Farm Labour Programme and they want to be relieved. I believe you must have a permanent staff of drivers at the Transport Board that you can rely on 365 days a year; and if you train drivers from scratch to operate your public service vehicles then you would have a decent corps of drivers that would enhance your public transport service in this country. I do not believe that we should go on a hit and miss decision that would take drivers for three, four or five months in a year and let them go elsewhere and come back.

In section 69(3), Mr. Speaker, we have taken the opportunity to write into the Act that the Licensing Authority shall not issue a licence to a person convicted of certain crimes. I believe this Chamber has heard over and over again where people are using vehicles and going around the island stealing crops, etc. Well we feel

if that is what they want a driver's licence for, to use a vehicle, that they should not have the opportunity to use the vehicle at night to raid fields, etc. and come back to town and dispose of the products and set out on a journey again. If they are convicted, then the Licensing Authority shall not issue a licence. It is mandatory. They have a right to appeal to a judge or a magistrate of the District "A" Court and they can put their case to see if the Licensing Authority is correct or not.

Section 79 brings in a new concept, the question of demerit points. Many people have been complaining of driving. I believe last Sunday I saw a Mr. Ulric Rice speaking in the Advocate-News about the way people drive vehicles nowadays. We have figured that we should put something in the Act which would warn people that they must be a bit more careful, and the demerit points would come into play after certain convictions. The Sixth Schedule of the new Bill says what will happen. If you have an accident, not reporting an accident involving injury, if you are convicted you have seven demerit points registered in your driver's licence. Not stopping after an accident you have seven demerit points; driving without due care and attention, four demerit points; driving without reasonable consideration and dangerous driving, four demerit points; exceeding the speed limit, six demerit points; failure to obey a stop sign, six demerit points; failure to obey a light signal, six demerit points; but we have set out the demerit points and what I will term the danger zone is ten demerit points. When you have reached ten demerit points, you will be notified that you are in the danger zone, and when you have reached fourteen demerit points, you will have to show cause why your licence should not be suspended, and we have set them out with a hope that drivers would recognise that. We really do not want to penalise them, but what we want to do is to try to draw attention that their driving habits are not of the best standard. We want to warn them to be more careful.

Now looking at failing to obey a light signal, Mr. Speaker, quite recently a number of complaints have reached my Ministry of persons driving through traffic lights. I really do not know why anybody should drive through traffic lights. I believe we are reaching a stage of impatience in this country; people no longer seem to want to wait a few seconds. We are in the process now of regulating all the traffic lights in Barbados. I believe if you look around you will see a new form of traffic light being erected. They will be vehicular activated. As I said in here before, all the components of these lights were ordered at one and the same time. Some parts have arrived and some parts have not arrived. I can announce that the traffic lights for the Manning, Wilkinson, Challenor junction of the Spring Garden Road are now in

the Island. All of the parts are not here, but we will proceed to set up the lights and they will not be vehicular activated for some time. All the cables are in and we will not have to re-cut the road. We have most of the parts here to set the lights up, but I hope people will recognise that the lights are placed there for their safety, and when they seek to jump the lights they are not only endangering themselves, they are endangering other road users.

At the same time I want to throw out a warning to pedestrians. I have noticed quite recently that pedestrians are ignoring motor vehicles on our roads, for what reason I do not know again, and I would hope that people for their own safety would try not to become involved in accidents. We have started, Mr. Speaker, a programme in the Ministry of Communications and Works of covering all the open drains around the Island, and we are going to start in St. Michael. Those people who travel the Belmont Road, Halls Road, Roebuck Street, will notice that we are creating pavements. We have reached the stage in our development where we must separate pedestrians from vehicular traffic. We are providing sidewalks, but it is a burning shame to see sidewalks along the road and people will still walk in the middle of the road in front of a vehicle and look back and ask if they cannot wait, although there are sidewalks provided.

In Baxters Road, for instance, if we want to move traffic in and out of the city as quickly as possible, we must separate the pedestrians from the vehicular traffic, and we are creating sidewalks, and I will plead with pedestrians to use the sidewalks wherever they are and keep off the main road. St. Mary's Road has just been widened. We have put a two metre sidewalk along that wall. This is a busy area particularly on a week-end, and I would hope that people using that area will now use the sidewalk rather than use the road as I see daily.

Section 8! is a brand new section. I believe for all the years that the courts have been operating in Barbados we have had very few convictions for motor manslaughter in this country. I believe juries from the time they hear manslaughter are rather reluctant to bring a conviction unless a vehicle was not involved. All over the world I believe this situation has been recognised, and likewise we have brought in a new section "causing death by dangerous driving", and I believe that this will go a long way in bringing home to motorists a standard of care which they should observe when driving on our roads. 1.20 p.m.

Mr. Speaker, I now look at speed limits. I believe that the current speed limits are much too low. The speed limits we have today, I believe, were in operation when a motor car would reach its maximum at 30 m.p.h., when, our roads were probably cobble stone, dirt tracks, etc.

At the same time I do not believe that we should use our roads as race tracks. I still believe in a modern

day society that we should have realistic speeds rather than imaginary speeds. I do not believe that you will find any vehicle, including a motor bus, driving at 20 m.p.h. in the rural areas of this country. I do not think you would get through a day's work if you had to travel at 20 m.p.h.

I do not believe that any vehicle travels up Broad Street at 10 m.p.h. unless somebody is doing the drag, as you call it, or liming so therefore I believe that you must have realistic speed limits. The speed limits will be regulated in the Regulations to come. We are looking at these Regulations and I hope, Mr. Speaker, that when they have been completed that we will have some realistic speeds rather than imaginary speeds which we now have.

We have brought in an experimental speed limit and I will tell you why we have brought it in. In our Housing Developments we have some nice, long, well-paved barber green roads. I believe if I search in the Ministry during my tenure over the last two and a half years I will find no less than six letters from persons who have been asking if we can put sleeping Policemen in the roads.

In Oxnards there is a strip that every week we get a telephone call from somebody about the way they drive along that road. In Branchbury in St. Joseph, I have had two letters from people complaining of accidents because of the speeds they drive at. We want to introduce traffic counters. At the moment I must confess that the Ministry of Communications and Works repairs its road by a visual observation. We want to institute traffic counters that we know which roads are to be repaired and upgraded.

We are also looking at a plan to close off certain roads for complete renewal or to close off half the road and reduce the speed on the surface of the road for a limited period after we have gone in. This is because the material which we are getting now for fixing our roads is basically a water-based material. We are told by the Experts that after certain resurfacing of the roads, after putting on the bitumen and colass, etc., that those roads should be left unused for a minimum of 24 hours and then there should be slow traffic over those roads.

As it stands now, you have specified speed limits — 30 miles, 20 miles and 10 miles. I see no legal authority to say the speed limit on this road is now 10 miles or 5 miles an hour. I see no legal authority in the existing Act. We therefore want to have the authority to bring an experimental speed limit for periods while we either look at a re-organisation of traffic flows, while we repair the roads or while we think out what to do in those developments that have got long nicely paved roads that persons are using them as race tracks and the only way to do it is to have legal authority under which we can operate and that is the basis on which we are bringing the experimental speed limits in this regard.

We have also given the authority to remove vehicles from the road, vehicles which are causing obstruction or vehicles which will pose a danger. This, Mr. Speaker, I hope we will not have to use but I can say that if it is used, the power has been given to recover the cost of removing those vehicles.

We have also made it imperative for the Commissioner of Police to produce a Highway Code. I do not believe we have had a modern Highway Code in Barbados dealing with the International Regulations etc, and on this point, Mr. Speaker, I want to throw a word of advice. The Ministry of Communications and Works has constructed a four lane road between the junction by Manning, Wilkinson and Challenor and the Berger Paint junction.

There has already been one accident that I know of on that road because although you have four lanes, you have the down lane or the lane going North which is on the seaside and you have the lane coming into the City which is on the land side and I see buses, I see mini-buses, I see motor cars and I see bicycles all proceeding on the land side of the road going North.

A four-lane road has special driving conditions. If you are going North you go on the seaside of the road. We have signs already put up on both sides of the road but people would still go through the opening to drive on the wrong side of the road in the face of oncoming traffic. This is modern development. I do not believe that we have come to Barbados too early with a modern four-lane road and that is the reason why I would hope that the Commissioner of Police would begin to produce a Highway Code.

I also hope that somebody, either the Ministry of Information or even my Ministry, will begin a series of programmes to teach people the modern concept of driving on four-lane roads.

Section 171 is very new indeed, Mr. Speaker. It is Parking Tickets. This Section will come into operation after the Minister by Order has designated certain areas. Although it is in the Act, it does not necessarily mean that tomorrow morning Traffic Wardens would be out there giving you parking tickets. I believe it was Mr. Nimeford who looked at the traffic circulation and we are committed, we are very much committed to wayside parking.

We have been looking at the Tudor Street/Baxters' Road area. We have been thinking up, Mr. Speaker, how best we can ease the traffic flow in and out of town, whether we should allow traffic on one side of the road for one period of the day and on the other side of the road for the other period of the day. That is, whether you should park on one side of the road in the

morning and the other side of the road in the evening to allow a free flow.

On one-way streets we are trying to accommodate two-way parking but yet still there are persons who are obviously bent on breaking the law by double parking. There are areas where there should be no parking and they are people who proceed to park in those areas.

The parking tickets will operate in the same fashion as the parking tickets operate at the Grantley Adams' Airport. The parking tickets will be handed to you if you are present or if you are not there it would be struck on to the vehicle and as long as you pay a fine, which is a designated fine, within 21 days, then no other legal action will be brought against you.

1.30 p.m.

It is therefore clear and obvious that if you want to contest the ticket then you will go to court. Section 124 allows for Regulations to be made under the Act and Section 129 gives a transitional provision whereby, Mr. Speaker, we will use the 1952 Regulations until new Regulations made under this Act come into force.

There are one or two other points that I want to deal with. Quite recently, I made a statement about certain vehicles driving around Barbados with darkened car glasses. One or two people have complained about my statements about these darkened car glasses. Some people feel that you cannot tell them how to use their own vehicles. Now, I have had discussions after my statement, I have held discussions with a Mr. DaSilva who is the operator of the Sun Guard. As a matter of fact before the statement was made when we were going through the new Regulations, the Police complained about these darkened car glasses. Let me say here and now, we are not speaking of what is deemed a normal tint, they go by numbers. Some vehicles come from the manufacturers with a light tint in the windscreen and the side glasses, and the back glass. We are not talking about those light tints.

The Commissioner of Police has recognised that there is a group of undesirable persons moving along the West coast and South coast and are causing all the problems of crime or most of the problems of crime in the hotel industry. The Commissioner and the Crime Prevention Society in an effort to stamp out this type of offence have created a special squad of policemen to track the undesirables and those policemen have been complaining that these people are now resorting to darkened car glasses and they are losing their trace on them.

Now, I as Minister have a responsibility to the public at large and when representations are made to me that we must do something to stop it, I intend to stop it. The Regulations which will be put into operation

shortly will deal with that because you cannot on one hand complain about crime in a country and on the other hand allow persons to create situations which would foster crime. I am not saying that every person with a darkened car glass would use his vehicle for a criminal action. I am not saying that, but the Police asked us to take precautionary measures.

If we look at the proposed Regulations, Mr. Speaker, the proposed Regulations say:

"The glass of all windscreens and all windows on the outside of every motor vehicle shall be made of safety glass and shall not be tinted to such a degree as to make the occupants of such vehicles unidentifiable."

Now that, as far as I can understand it does not say that we are ruling out all tints.

Now, we have had a report from the CID in which the Police were looking for a known person, a motor car passed them with the windows blackened. Mr. Speaker, if you go out on the road, there are some of them that when they pass you do not know if it is a hearse, an ambulance or what and when the rain falls, if it starts to rain now, you go out there and watch that every one has got to drive with the glasses down, they themselves cannot even see outside. They are not only posing a danger to other people, they are posing danger to themselves.

Now, the Police Officers told us that they were looking for a man, this car passed them with the windows darkened, but sometime later, while out on patrol duty, they got a call from Headquarters asking them to proceed to a certain place to check a vehicle that was parked outside a house keeping a lot of noise with what I call the portable juke boxes. They also said that when they went up and tapped on the glass, as the door opened, there was the very man they were looking for and they were able to arrest him there and then.

Now, I do not want to say that it is a good thing or a bad thing. People will blacken their windows for more than one reason, but the reason that we are hoping to stop is the reason whereby the undesirable characters are using the darkened cars to move around the country. Now, we held discussions as I said with Mr. DaSilva. Mr. DaSilva brought in all his samples of the tints that are available to him and he said at that time he had not done not more than 100 vehicles with a tint. He admits that the lighter tints will do what it is said you tint the window for, to protect the upholstery of the vehicle and to increase the deficiency of the airconditioning. But, he admitted to us that the tint 3M was developed for use in buildings not in motor cars. The tints that are being applied to motor cars in Barbados were developed to use in buildings to increase the aircon-

ditioning efficiency and to put out glare, but not to be used on motor cars. He himself admitted that he has had to reject one or two persons who asked to put what he called mirror tint that when you look from outside, you see your own face reflected on the vehicle. Now, you are either running a country or you are not running a country. You either want to make sure that you can stamp out every available crime or you do not want to do that and in this case, if we depend on the tourist industry, if for our own safety we know that people are resorting to habits like these, I believe it is up to any Government to do something to stamp it out.

It is not only in Barbados that we are looking at this. In sister Caribbean islands they have had to ban the use of any tints on motor car glasses, so we are not the only people to look at it and I would not like to find our situation Mr. Speaker like another Caribbean country. I know a Latin American country that you cannot even walk the streets because people will snatch your jewellery from off your neck or off your hand. We have had recent cases here of people on bicycles attempting this and we have got to make every conceivable effort to stop this sort of thing and therefore, Mr. Speaker, I have no apology to make to the few people out there who believe that they can drive around motor cars with darkened car glasses and complain.

The Police are the people who have to enforce the Law and it is not far away, Mr. Speaker, when the general public in this country were harassing the Police that they cannot find this person, they cannot find the next, they cannot find somebody. You cannot make the duty of the Police more onerous by not creating the legislation which will remove the pressure they are under now and that is how we look at it. We are trying to give the Police as much policing duty as possible and move administrative work from the Police Department. We are hoping very shortly to move the whole licensing department from the Police Department into the Ministry of Communications and Works and we will relieve all those policemen whose time is now taken up writing up licences every month.

1.40 p.m.

We are hoping to do that, so we are trying to improve the status of the police and at the same time bringing Regulations that will help the situation.

Now, another thing that I want to speak about is specification of vehicles. The Ministry of Communications and Works is responsible for inspection of vehicles that come to this country. Quite recently we have had persons importing particularly large lorries and trailers into Barbados. They do not ask of us the specifications, as one letter I have had stated, the man told us that he picked up a lorry and two trailers at a very good price in Puerto Rico and that we must

license them, but he will carry a restricted load. How am I or how are the officers at MCW to know what is his restricted load? The moment we license the lorry and he takes it into Belleplaine and loads it — because as far as we understand from the specification of the axle weight capacity, that vehicle will carry 30 tons of sand, and 30 tons of sand on our roads, Mr. Speaker, is no mean sport.

The Bay Street bridge was broken down. I am happy to say that when the bridge was pointed out to me on a Friday evening and they told me "Mr. Minister, we have to pull it down by the next week, but you cannot say anything." That bridge was completely broken away from its support, and we thought at the time that it was a light job, but the whole bridge was broken away and it could only have happened by a heavy vehicle crossing over that bridge. We have buses crossing that bridge every day, we have buses crossing the Blowers bridge every day. I was at Blowers last Tuesday morning inspecting the bridge at Blowers to find that that was already cracked in the centre, and we will have to renew that bridge, so we therefore must ask importers — and when I say importers I do not mean the recognised garages, because anybody is an importer who obtains a licence or does the necessary things to bring something into this country — I am asking every one of them who are importing any type of vehicle into this country to have it cleared with the Ministry of Communications and Works before they bring it into the country. We must protect ourselves and we cannot allow one or two persons to dictate what they must do contrary to our Regulations.

Mr. Speaker, I also want to deal with the question of registration of vehicles. Now, we have brought in, as I said, in the Fourth Schedule, new licence plates, and I am hoping that come the 1st June vehicles that must be registered as public service vehicles will all be registered with their new recognisable licence plates, and I will tell you why. We have offered mini-bus permits to a number of people in this country, I believe even to the detriment of the Transport Board. Last year the Transport Board obtained subsidies of \$13 million for operating expenses, besides \$3 million for capital expenses, increase of stock. We have got 30 new buses coming on the road in another two months and we have just ordered a further 22 new buses. That means we will have 52 new buses on the roads of this country by December. Based on the projection of Acme Engineering, they will be producing eight buses a month from next month, and we are therefore putting 52 new buses on the roads.

We have been able to obtain chassis of a narrower width than previously and we are reducing therefore the width of the vehicles on the roads. We have issued some 2,100 taxi permits to people to operate taxis in this

country, but yet still, Mr. Speaker, I will get a letter or get a call from somebody who wants a taxi permit because they cannot get the taxi on the road. A lot of people, Mr. Speaker, have taken opportunity of the provisions made by the Minister of Finance that if you own a taxi for five years you can then get a vehicle duty free, and a lot of taxis have not been re-registered this year. Of 2,100 taxi permits in issue, there are only 1,394 that have been re-registered in the period January to December 1980.

Hired Cars, Mr. Speaker. We have some 1,700 hired cars permits out there, but there are only 250 registered with Rates and Taxes. St. Philip, according to my figures, none registered; St. George none; St. John, St. Lucy 17; St. Peter 38; St. James 197. Not only are we losing revenue, but we are operating in a situation where persons probably may be out there using vehicles that are illegally on the road.

When we come to the minibuses themselves, Mr. Speaker, we can only find less than 50 minibuses registered, although they are there. If they are registered, then Rates and Taxes are not doing their work. If they are registered, then Rates and Taxes are at fault, so we have to clean up the system, we must clean up the system. We have tour coaches that are registered as buses, but we can only find 339. The Transport Board alone has about 350 buses. Something is wrong somewhere. We intend to clean up the system now.

From June 1 we will be giving the licence plates, we will know who are registered. We have issued permits. There is nobody out there who can come and complain. Do not mind what Mr. Dudley Smith is saying in St. Joseph, that he applied for 15 minibuses that he will run exclusively in St. Joseph. Do not mind that, we will deal with that in due course. I will let him know that he applied for vehicles to run for Hertz during the regime of his own political party and it was turned down.

Mr. SPEAKER: For polling day.

Hon. C. L. BOLDEN: Thank you, Mr. Speaker. I will deal with that in due course. We must clean it up, and I will also say something here and now, I want to clear the air on something. Those persons who are out there complaining that they are not getting permits to run franchised businesses in the motor car industry, I want to say that they will get none as long as I am here. Hertz, Avis, Budget Car and the lot, let them know that as far as I am concerned, that is a business for Barbadians. When you have a franchised business operating from a name in the United States, the money is paid out there, you only get the operating expenses in Barbados. We have enough cars in Barbados, we have enough people in Barbados, as long as the tourists come to Barbados and they want a car they will find a car here.
1.50 p.m.

There is one thing you must understand. The franchise business will operate in Europe or in North America. Do you know why? If you rent a car in Toronto and you drive it to Miami, you can carry it to Hertz place in Miami or whoever it is, and leave it there. It will get back to its original depot at some time during the course of its life. In Barbados you can only leave it at the Airport; you cannot leave it any place else because the owner will be tracking it down every day to see what you are doing with it, and when I say that I want to reach the question now of when you see "PASS 4" or "6 PASS" on the side of public service vehicles. If we are in the tourist business, as far as I am concerned, we must get all of the money out of the tourist industry or all that is possible.

We have had situations where persons have come to Barbados and rented a mini moke and you pass the mini mokes all over the Island with six people strung all over them from top to bottom, and then the proprietor will complain. They will ring us. Now this is the strange thing about it. They believe the Ministry of Communications and Works is the one all and the be all, it is the God of everything. They will ring us and complain to us about their mini mokes having an axle broken or a spring broken or something bent because the person put too many people on it. Now we have brought the regulations into operation. You mark the number of passengers on the vehicle that has been determined by us, and you make sure that when you rent the vehicle you bring to the attention of the hirer the number of persons that vehicle is licensed to carry, because I would wish and hope that the police and the Ministry's inspectors will do their duty when they find a vehicle which is licensed to carry four, loaded with six or seven passengers about the island. As soon as they get an accident in Barbados, you will hear all over the world about how Bajans drive, but they will not say how many passengers they were carrying in that vehicle, and that is exactly what we are doing where that is concerned.

We come back to taxis, Mr. Speaker. The taxis will have new licence plates, and that is not all. They will have to carry a lighted sign firmly affixed to the roof to show that the vehicle is a taxi. They will also have to carry a photograph of the driver inside the vehicle, and they will also have to carry a fare chart inside the vehicle. No longer do I want to hear people complain that they got in a taxi at the airport and when they got to St. James you hear that they were charged X dollars. The fare chart will be there, and at this point I want to revert to the maxi taxi as you call them with ten passengers and driver. I will tell you why it was moved to ten, too, Mr. Speaker. You see under the other administration.... a lot of taxi drivers abuse the Barbados Labour Party but they do not understand how we have gone out to help them. The other administration licensed a number of transit vans with a board to carry six passengers when the transit

vans can carry up to 15 passengers, but some of the big operators have the same transit vans bringing out twelve and fourteen passengers.

Now I had a meeting with the taxi drivers and I said "tell me your problems" and if you look, Mr. Speaker you will see why I put it to ten and eleven because I said you must leave some space for luggage. Since the Attorney General in his wisdom used and I use the phrase "all of we is one" that I heard outside, now there is no more illegitimate and legitimate children, and the taxis are all one now; there are no transit vans carrying six for some and transit vans carrying ten and twelve for others. Everybody will carry the same number, and I have changed from what it was legislated under the Democratic Labour Party when a number of taxis drivers out there were running big transit vans and could only carry six passengers in them.

Now we have had complaints about the fare to go around the island. I am saying now to all the taxi associations out there, get together and come back to the Ministry and tell us how you want the fares designated for the use of the large vehicles which you now have the authority to use; tell us what you want and we will do to suit. We have eased up the situation at the airport, and as I said I do not want to hear any more complaints from tourists, taxi drivers or any passenger out there. I believe the taxi drivers are good people. I know they are genuine people. I know of the pirates who used to be out there. I have gone out there and I have gone places where I saw my good friend Sydney Byer with "Taxi" written on the wind screen and pull up in a park and he is operating as a taxi. I know he did not have a taxi licence and I went back to my office and I said "Issue Mr. Byer with two permits for taxis to get him out of trouble" because the taxi drivers told me they were going to cut off his hand one day out there. Although I did that he still went and cursed me in Baxters Road, but that would not worry me.

Mr. SPEAKER: You have saved him both hands.

Hon. C. L. BOLDEN: I genuinely believe the taxi drivers out there are decent people, but if you have the pirates muscling in at night and charging any fare they want, then you are going to bring dispute in the ranks. It is not going to affect the taxi drivers alone, it is going to affect the Government and it is going to affect the whole country because if the pirates operate without paying the appropriate taxes, having their vehicles inspected and all these things, then the whole country carries the blame. You do not hear that the Barbados Labour Party is bad, you hear that Barbados is bad. When the tourists go abroad they say Barbados is bad, the taxi drivers are robbers. He does not say that it is a pirate taxi that I used. I have asked the Tourist Board already to start printing the regulations, so that when people come to

Barbados they can pick up The Visitor or any of the Tourist Board's magazines, and they will see exactly what is a legally operated taxi in this country, and that is what we want to do.

I want to commend this Bill to the House. I want the House to understand, Mr. Speaker, exactly what we have in this Bill because I really believe that this Bill is long overdue. Let me tell you something. If you look at the file, the Democratic Labour Party was looking at a new Road Traffic Act from 1960. I went to my Ministry and found the file locked away in a drawer; nobody could find it. We have had discussions, and we have been asked to look at drunken driving. We have looked at drunken driving, we have looked at the English provisions and we recognise in Barbados that a man can hold more liquor than a man in England. A man in Barbados can hold a lot more alcohol than a man in England and it might not affect him the same way. I was a practising Attorney and I have heard doctors come in court and admit that although a man seems to have a lot of alcohol in him, he was capable. Now until those who are advocating for the breathaliser and all these other things can satisfy me that they have the correct medical equivalent to go into the Act, I believe we should shun away from it. I do not believe that we should create laws that are controversial. I believe any laws created are laws for the betterment of a society.

Mr. Speaker, my colleague has just drawn something to my attention.

Mr. SPEAKER: I take it that the Hon. Minister would want some time to wind up.

Hon. C. L. BOLDEN: Yes, Mr. Speaker, after lunch.

Mr. SPEAKER: Then you might take the break and wind up on resumption.
2.00 p.m.

Hon. C. L. BOLDEN: Mr. Speaker, I know that this Bill is going to provoke a lot of criticism from the Other side. They should have something to say about this Bill. They should have gone through the Bill. They should speak about its improvement in traffic management in this country. They should speak about the benefits that this Bill will bring in this country.

One thing I would like to say. They talked about the Transport Board over and over again. In the dying days of the member for St. Lucy he now seeks to ask questions about the Transport Board but this Bill is not the Transport Board's Bill. If he really, really, Mr. Speaker, wants to know about the Transport Board's Bill, when we come back after lunch I will give him an insight into

the Regulations and I would look at the Regulations when we come back after lunch, Mr. Speaker.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that this Sitting do now suspend until 2.45 p.m., today, Sir.

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

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

On Resumption —

Mr. SPEAKER: This Sitting is now resumed. The Hon. Minister was addressing the Chair when the Suspension was taken.

Hon. C. L. BOLDEN: 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.

Hon. C. L. BOLDEN: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill and that the Bill be taken in Parts.

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

COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee.

Parts I to IV inclusive, as amended, were called and passed.

Part V was called.

Hon. Miss B. A. MILLER: Mr. Chairman, Sir, in respect to Part V, there are just one or two comments which I would like to make. Section 66, the Section dealing with physical fitness and character of applicants for driving licence or learner's permit. I wish to remark, Mr. Speaker, Sir, on the fact that we are hearing about physical fitness and the character of an applicant for a driver's licence or a learner's permit but no way in the

Act do I see anything which will convince me in respect of any requirement for competence to be a driving instructor. I am not aware that there is any qualification for driving instructors.

Also at the preceding Section 65 in respect of driving tests, Mr. Chairman, Sir, we have a very serious situation in this country where road manners and good driving are disappearing. We are seeing parking on corners, stopping without signalling, Mr. Chairman, Sir, that is a favourite one, parking on busy highways and I want to know if it were not possible, Mr. Chairman, Sir, for the demerit system referred to by the Hon. Minister at Schedule VI might not include penalties for which demerit points might be a penalty in respect of this matter of parking at corners, parking on busy highways and stopping without signalling.

Apart from being bad manners it is an extremely dangerous practice which is overly common in Barbados and I wish to take the opportunity to ask of the Hon. Minister what qualifications, if any, will either himself or the Commissioner of Police by way of Regulations require for driving instructors and what assurances the general public would have in respect of the competence of driving instructors because it is the driving instructors who do not teach trainees that we do not stop at corners and that we do not stop without signalling first and that we do not over-take without signalling and that we do not park on busy two-lanes or narrow streets and roads and obstruct traffic.

Hon. C. L. BOLDEN: Mr. Chairman, I have taken note of the Hon. Minister's comments on this but if you look at Section 65(1), the Licensing Authority may require an applicant for a driving licence to produce a certificate, signed by a person approved by the Licensing Authority, that the applicant has passed a driving test showing that he is competent to drive.

Our whole concept in moving the whole driver's licence and test to the Ministry of Communications and Works is that we ourselves feel that we have reached the stage where we have to update the present test for driving at the moment. We are going to create a Department of Traffic Management. We are worried about people who park cars around corners. We are worried about people who defy Regulations. We have marked in various parts of Bridgetown and when you drive you will see, "No Parking", "No Parking" and people still do these things.

When we have put together our Department, our tests will be so stringent that we will be assured that when persons pass through the Ministry of Communications and Works and receive a driver's licence that they would have adhered to the Regulations which are present in the test. The Highway Code which we are

developing will be a Highway Code which they must know. You can look and see that the Act provides for a two-part test, so there is no question of our slackening or lessening the efficiency of drivers or drivers' test that are going on today. As a matter of fact, we are planning to make it a little bit tougher because we want to improve the driving skills, as I said in the Second Reading.

2.55 p.m.

I am hoping to ask my Ministry, with the Ministry of Information to create a programme on television showing people good driving habits. I myself am amazed. If you come to the junction of Government Hill and Welches, you will notice that people come up from Tweedside Road and cut across traffic, nobody takes the time to go around the back of traffic. We have to create driving skills which are appropriate to today's world, therefore, I quite understand the Honourable Minister's concern, but this will be developed through the Regulations.

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

Part IV was called.

Hon. C. L. BOLDEN: Mr. Chairman, Sir, I beg to move that Part VI as amended stand part.

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

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

Part VII was called.

Hon. C. L. BOLDEN: Mr. Chairman, Sir, I beg to move that Part VII as amended, stand part and in moving that Mr. Chairman, I want to draw attention that the amendment in Part VII, the title should be back before Section 81 and not where it appears before Section 84. That is the amendment to Part VII. I beg to move that Part VII as amended stand part.

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

Hon. Miss B. A. MILLER: Mr. Chairman, Sir, I have very deep concern about some of the issues which could arise out of Part VII of this Act. This is the part dealing with driving and other offences and general conditions relating to the use of roads. I am particularly concerned, Mr. Chairman, Sir, that the style of life in Barbados, the quality of life in Barbados has reached the stage so that we are now imitating, copying the irresponsible lifestyles which are to be found in the developed western world. I am so worried about this and about the impact that it can have on the health, in fact, on the very psyche of the people of Barbados, Mr. Chairman, Sir, that I have

instituted in the Ministry of Health, a Public Health education programme which I am hoping will lead Barbadians to understand that prevention is still not only better than cure, but cheaper than cure and more painless than cure.

Self care is a very important principle, I think which we have got to draw again to the attention of Barbadians because the number of what I would describe as self inflicted injuries, accidents, preventable accidents. Accidents not only on the highways, Mr. Chairman, Sir, accidents in the home. Drug abuse, unnecessary surgery and a whole lot of things that I would not necessarily bore Your Honour with now, but the one that is of particular interest for the purpose of this debate are those self inflicted injuries. This almost wish among Barbadian young people in particular that we should self destruct, Mr. Chairman, Sir, is of very real concern to me and the whole question of road accidents, traffic accidents arises out of this area of concern.

I have gone to the trouble, Mr. Chairman, Sir of bringing to this Honourable House certain figures because I do not think that the ordinary man, or woman in the street in Barbados has any understanding, if any understanding at all of the kind of toll that road accidents take in our community. For instance, Mr. Chairman for the whole of last year, the year 1980, the number of admissions which we had at the Queen Elizabeth Hospital resulting from motor traffic accidents were 366. Out of that 366 admissions, 245 required operations in the surgery, 245. Those 366 total admissions accounted for 5,957 hospital days and the taxpayers pay for all of this. Now, that is vehicle such as motor cars and so on strictly speaking.

There is another category of traffic accidents involving vehicles such as cycles, animal drawn vehicles and the like. There were 66 total admissions on account of those accidents 14 of which required surgery and they accounted for 321 hospital days and the cost to the taxpayers, the 6 628 hospital days at \$100 a day. Lab services, X-ray services at roughly \$20 a day. Operations, there were 275 operations at roughly \$200 per operation and certain other emergency services, the cost when they first came into the Casualty and so on and so forth, the total cost to the taxpayers for those 366 motor vehicle accidents, as far as the Queen Elizabeth Hospital was concerned was \$861 415. We are heading now for \$1 million a year, it costs us in taxes to care for these self inflicted injuries.

We see young men on motor cycles without helmets behaving as though the airport road and the stadium road are driving strips. I want to take this occasion, Mr. Chairman to appeal to the Honourable Minister of Communications and Works that the wearing of a crash helmet by

those persons who ride motor cycles should be compulsory should be mandatory. In many other countries of the world, it is so. The number of accidents and I am sure that the Honourable Member for St Michael North Central will bear me out on this, the number of road accidents as a result of motor cycle crashes admitted to the Queen Elizabeth Hospital, the overwhelming number of injuries are severe head injuries, many of which might be avoided, or might be minimised if the young men involved had been wearing crash helmets. It ought to be compulsory and there ought to be several demerit points, as a penalty for not wearing a crash helmet, if you are riding a motor cycle. I feel very strongly about this, Mr. Chairman. It puts an unnecessary burden on the Ministry of Health because a lot of those road accidents, a lot of those traffic accidents can be avoided should be avoided and those almost six thousand hospital days might have been hospital days that we could have given to people who are suffering illnesses which cannot be avoided people who are then put on a waiting list because traffic accidents happen to be emergency cases which have to be treated immediately.

3.05 p.m.

There are people who are waiting for operations on account of kidney complaints, there are cancer patients waiting for operations, there are diabetics waiting for operations, there are people suffering glaucoma and all sorts of other illnesses, other diseases, who are waiting for operations and cannot get a hospital bed, because some young man decided that he should try to put his motor cycle into orbit and finds himself requiring surgery and perhaps spending 14 or 21 days in a hospital bed where he need not have done it if he had only taken a little more care, and if the penalties were so stiff and were so savage, because some of our young people, Mr. Chairman, have to be saved from themselves, and I am one who is very much not in favour of any escalation of the speed limit, I am very much in favour of escalation of penalties for speeding on the roads, especially among those young people who ride motor cycles at ridiculously fast speeds on busy highways, such as the highway coming from the Grantley Adams airport.

Now, Mr. Chairman, there is also another point which I wish to make and I do not see in this particular Part nor in any other part of the Act anything which gives me any assurance that the relevant Ministry is intending to do anything about the pollution of our environment which is occasioned by motor vehicles, and I am not only talking about the pollution which emanates from the exhausts of diesel vehicles. Fences are covered in it. You drive along the side of a canefield, Mr. Chairman, and you can see the difference in colour between the grass or the canes next to the road and those not next to the road. I shudder to think sometimes what our lungs must look like, those of us who walk along the side

of the road and who drive on the roads every day out of necessity. The exhaust that we inhale from improperly maintained diesel driven vehicles is a source of serious pollution.

There is also another source of pollution known as noise pollution. Again, Mr. Chairman, this is an area where the chief culprits are young people, young men in particular, in our community who doctor — I cannot think of any other word for it — who doctor or fiddle with the exhausts of motor cycles or other cycles and so make a dreadful noise on the highways. They frighten old people, terrorise children, terrify animals and assault the hearing of anybody within half a mile of wherever they are travelling. Again, I wish to use this as an opportunity to appeal to the Hon. Minister to find some mechanism, some formula by which the Ministry of Communications and Works can make it possible if not to control the entry on to the roads of these "hotted" up or "totted" up vehicles in the first place, then to police them, especially after dark.

I believe, Mr. Chairman, that we are coming to the stage in Barbados where perhaps we will very soon have too many vehicles on our roads. We are intelligent and well educated people, and we can begin to recognise this, and I think that this should inspire all right thinking, civic minded Barbadians to be that more careful — and I am not talking only about those people who drive vehicles and ride motor cycles or pedal cycles or donkey carts; but pedestrians too — all of us who have to use the road system. I wish to appeal to us, Mr. Chairman, to be that little more careful, because we know that we have more and more vehicles on the roads every day, and I am appealing to people to be just a little more careful, because sometimes that is all that is needed to avoid a major traffic accident.

We are paying a high price by way of hospital days, we are paying a high price by way of hospital beds, we are paying a high price out of the Consolidated Fund, which is the taxpayers' money, we are paying a high price out of the Blood Bank. In fact, Mr. Chairman, we are paying an exceedingly high price for the fact that we just do not take the time to be a little more careful, and so the number of road deaths in this community in Barbados is rising at too rapid a rate. Hospitalisation because of road traffic accidents is very quickly becoming one of the chief causes of hospitalisation at our Queen Elizabeth Hospital, and this does not have to be so.

Mr. Chairman, I also wish to take the opportunity under this Part to advert to the problem of derelict vehicles. There has been a great deal in the Press over the past two or three days about the fact that the programme for the disposal of derelict vehicles has been revived, and a great deal, some of it informed, some of it uninformed, has been recorded in the Press. I wish to say from the outset

that the programme to dispose of derelict vehicles has never been abandoned. If it has fallen into the doldrums it certainly has nothing to do with the fact that certain criticisms were aimed at the method of disposal, and the method of disposal was that the Ministry of Communications and Works would make its vehicles available to us to pick up these derelict vehicles and that the Port Authority's tug would be available to us to tow the vehicles out to sea for dumping at the designated spots where we were trying to create artificial reefs. I still think that the creation of artificial reefs, using these bodies of derelict vehicles, is a good and a useful idea, but the fact is this, that the Ministry of Communications and Works and the Port Authority are very busy with their own affairs. The rate and the pace of development in Barbados make it virtually impossible for us to continue to borrow the heavy equipment and the heavy vehicles of MCW and the tug at the Port Authority because those pieces of equipment were too busy on their own business, and so our programme suffered.

In the meanwhile, the Ministry of Health had bought for the Sanitation Authority a huge, very expensive traxcavator and we quickly discovered that it was possible for the traxcavator to crush vehicle bodies. We also discovered, Mr. Chairman, that it was much cheaper to dispose of the derelict vehicles in this way than to dispose at sea, and so we can dispose of a far greater number for less money in a shorter period of time, and so we have revived the programme.

But the question I want to ask of the Hon. Minister, Mr. Chairman, is what penalty is there likely to be under the Highway Code, Regulations or whatever for the abandonment of a vehicle. It is not fair that the Ministry of Health should be the housekeeper or the general scavenger for every other Ministry in this island. That is not our function, and I think that we should seek to discourage or to find some kind of disincentive for people who own vehicles which are about to be abandoned, there ought to be some disincentive for them to put them on the highway or on other people's property, and so leave them to become derelict vehicles for which the Ministry of Health, through the Sanitation Service Authority should have to use the taxpayers' money to remove and deal with the vehicles.

3.15 p.m.

We are making a facility available, Mr. Chairman, at Oldbury, for people who want to abandon not only motor car bodies and motor cycle bodies, but old refrigerators, old stoves and bulky articles, metal articles and things of that kind. All that one has got to do is to telephone the Sanitation Service Authority and make an arrangement for the vehicle to be collected and disposed of.

I am really hoping, Mr. Chairman, that this new thrust in respect of the disposal of derelict vehicles will receive far greater public cooperation than it has in the immediate past. We had an old dump down at the Deacons Farm area where we were stockpiling. The Government's Development Programme tells us that the Ministry of Community Services now requires that site for playing fields, and so we have had to move and we have moved between February and April this year 728 vehicle old bodies to Oldbury where they have been crushed and disposed of in an old disused quarry; but I really want to take the opportunity to appeal to the public to try to follow the programme. We cannot collect derelict vehicles from all over Barbados at the same time, and so we are doing it district by district and we have chosen to do it by the Public Health districts, and we are starting again with the Public Health District known as St. Michael East.

Now the inspectors have done their investigations and they are all of the opinion that there are about 400 derelict cars within the St. Michael East area which should be available for removal at this time. When they finish St. Michael East, they will move to another district and another district and another district, and just so long as the public bears in mind that in due course we will get to them, it is in their interest to draw the location of these vehicles to our notice if they know of them and in due course we would get to them. In the meantime like I say, there is a service which has always been available and persons who have bulky articles which they do not necessarily want to wait to dispose of can take advantage of the service simply by calling up the Sanitation Service Authority; but I should like to see somewhere in the regulations to do with the condition or the control of vehicles on the road or whatever some penalty for the improper abandonment of a vehicle.

We are very indisciplined. We have very bad habits, Mr. Chairman, when it comes to the disposal of garbage in this country, and the disposal of the bigger and bulkier bits of garbage does not enjoy any better practice than the disposal of every day garbage.

Dr. CADDLE: Mr. Chairman, under this part which is dealing with driving and other offences and general conditions relating to the use of roads, I notice that in subsection (4) of Section 84 the Minister may make temporary adjustments of an experimental nature in respect of the maximum speed for any class or description of vehicle on any road. Immediately I become a bit concerned about the increase in speed of any vehicle at any time whatever the purpose may be in this country.

The roads of Barbados were not made for this type of traffic that we now have, and when you look seriously at the increase in the number of vehicles whether they are owner-driven or otherwise, the number of people on the

roads especially some people who do not seem to have anything to do but just hang around the roads, one get a bit worried when any attempt or any consideration is being given to increase the speed of any vehicle on these roads. I think you will make the problem far more dangerous than it now is. I would like to throw out to the Minister or ask him if at any time bearing in mind the condition of roads in this country has he given any serious consideration to the limitation of the size of the vehicles which they permit to ply on the roads of Barbados. Many of the vehicles now seem quite large when you look at the size, and I think the Minister should be aware of the fact that even your buses when they go along certain roads in Barbados, two of them cannot pass in opposite directions and one will have to pull off the road so that the other may pass and this is very serious because of a sign maybe if you care to call it, affluence, you find some people have a desire to have bigger and bigger cars which may be well suited for North American countries with their interesting conditions, but in the context of Barbadian conditions one wonders if such an encouragement or if any encouragement should be given to such a practice in Barbados. Anyhow, that is a matter for the Hon. Minister seeing that this particular clause is included there, but I do hope that he will bear in mind that there are many people in this country who have deep reservations about the increase in the speed of vehicles for whatever conditions he may so consider it necessary to do.

As you go down a bit further, you come to a very interesting point brought out by Clause 85, and this deals with a person who attempts to drive or drives a motor vehicle while under the influence of drink or drug to such an extent as to be incapable of having proper control of the vehicle. There is no doubt at all that many of the accidents in this country occur when the driver is under the influence of alcohol, but I am raising this point because the question of being under the influence of alcohol can be rather debatable and I think the Minister is well aware of that. I wonder if this should not be couched in more cogent terms as to what he has in mind when he talks about being under the influence of drink because in some countries they are specific on the level of ethyl alcohol in the blood and when you examine a person what you look for in the examination rather than leaving it to be debatable as to what should be understood when you say under the influence of drink, because one man's impression about being under the influence of drink may not be another person's impression, and I am wondering if he has given any serious thought to this. Maybe he might have and there could be some reservations or some difficulties in making this clearer, and I hope he will be able in his reply to give us his thoughts on this matter, because as this now stands this is a bit vague and you could very well end up with a lot of litigation and argu-

ment without being able to convict any person on this matter.

It is interesting to observe that there are a number of tourists who come to this country and get involved in accidents, some of them ending in death, who because of being under the influence of drink find themselves incapable of handling a motor car in the normal circumstances. In fact one needs to go a step further and comment on the behaviour of some of these people who come here in our midst and obtain licences to drive vehicles. They seem to have a downright disrespect for the laws of this country, they go through red lights with great impugnt, they drive on the right hand side of the road, they do all types of funny things, they overcrowd the vehicles and things of that nature, and I would like to say that in a way it is refreshing to note that some steps had been taken in the past to enforce that there were to be no more than the prescribed number of people in these mini-mokes and other vehicles, but inspite of that things do occur and you do get these problems and all this goes towards increasing the incidence of traffic accidents in Barbados.

3.25 p.m.

There is no point bringing in a new Bill with all of these provisions if you are not going to set into operation the necessary machinery which will ensure that the Law will have a say as it should have a say.

It is all right to pass a Bill with these types of sanctions and then later on find that they are not being enforced because in the long run the position rather than getting any better will get worse.

The Honourable Minister of Health has talked about noise pollution but she has missed out a very important part which is becoming rather commonplace in Barbados. Those people who believe that they have a right to serenade the neighbourhood or serenade other people, drivers and pedestrians on the road with their music who when driving have their tape decks playing, loud so that very far distances ahead you can hear the vibratory noise given out by the bass of the particular music.

I do not think that it absolutely necessary in this country now-a-days, and while they might be getting a lot of pleasure out of their music, one wonders if it is really music when the sounds coming out from those tape decks can be such as to create havoc on the eardrums of any person within close reach of those vehicles.

Another interesting thing which amuses me here is that which is usually described by a term called "scratching". The Hon. Minister knows what I am talking about, taking off, a terrible noise, scratching off, and then

you see traces of the tyres on the road, that type of thing. I do not think that we should encourage that in Barbados because that also is very disturbing to people's ears and as the Hon. Minister has said, it frightens children, people, old people. It terrifies animals and we cannot sit idly by and allow this type of behaviour to continue in Barbados in the way that it has gone on.

With regards to fellows who own the motor cycles, I have to support her in that censure because whatever they do to the mechanism of the exhaust they make nothing but terrible noises. Terrible noises they emit when they take off with those motor cycles.

The other interesting thing about motor cycles is the way in which they fly on the roads. They pass you on the right. They pass you on the left. If possible, they would go up under the vehicle and pass you too if they get a chance. All of these great things they do with a great risk to themselves and to other users of the roads and I support the Honourable Minister that it must be mandatory that these people wear crash helmets and it is no use bringing in new legislation dealing with traffic problems in Barbados unless you take the opportunity to deal with that particular problem and make provision for these people on these motor cycles to have at all times those crash helmets and wear them. If they do not wear them, they should be penalised.

It is not for the purpose of enabling some persons to sell crash helmets but it is for the purpose of protecting them because very often when you get accidents where the brain is in receipt of their greatest force, you find that very severe damage can be done to the brain and although they might not die, you will find, to use a medical term, that they become converted into a vegetable. They are not any use to themselves or to their family or to the society as a result of having sustained severe brain damage and in these circumstances it is very easy to damage the brain even although there might be an accident and there might not be any external damage to the head, but as a result of the movement of the soft brain within the skull, you find that the tiny matter inside the skull can damage the brain severely and then after a lucid interval which may vary from a day, sometimes two weeks, you will find that the person collapses and has to undergo surgery and when you open up the skull you find that severe lacerations of the brain have occurred.

The idea of a crash helmet is to protect the head against some of these illnesses. It will not protect them against all but it would protect them against a lot of them and would minimise those types of damages. When a person is converted into a vegetable, it is a loss to themselves, their families and their

environment and very often he puts undue strain not only on the Health Services of the country but very often on many of the Welfare Services of the country and I see there can be no reason whatsoever for having this matter of wearing crash helmets mandatory and anyone who refuses to comply should be penalized.

Another point which I have drawn to the Hon. Minister's attention and I see provision has been made for it in this Bill and that is Section 89, as we come to subsection 4. Although this subsection permits the Chief Technical Officer or the Commissioner to remove vehicles from off the road if they consider it necessary, I hope it will be enforced because there is nothing more disturbing at the moment in Barbados especially at the hours when most of the traffic is on the road either in town or out of town to find that some vehicle has the road blocked up, to find that the owner cannot be found or cannot be bothered because there have been instances where they have been nearby in a shop having a drink or carrying on a discussion and the road is blocked because he has decided to park the car there with no observation of others who are using the road. We would like to see on those occasions someone coming and moving the vehicle or asking the owner to get the vehicle away and allow a free flow of traffic.

We also find the situation where people park their vehicles in situations which make it difficult for buses although one is led to believe that you should not park a vehicle within a certain distance of a bus in any direction and very often it is observed that there is non-compliance and this gives rise to a lot of problems on the road and I hope that the particular clause which is included in this Part 7 will be enforced and not just put there for the idea that we have brought in a new Act. It is absolutely necessary that this type of exercise be done because people coming into town or out of town very often find themselves delayed for half an hour or more due to the behaviour or an act committed by some other person who parks his vehicle and goes along and leaves it there. I do not think that it is fair to the other users of the road.

As regards to the question of derelict vehicles on the road, on the pavements in this country and if you go around Bridgetown you will find many of these vehicles taking up the pavements and making it difficult for pedestrians to use the pavements, forcing some pedestrians to get into the road and compete with some of the motor vehicles for the use of the road. There are many such vehicles all over Barbados.

Some people make it their business by buying these vehicles, stripping them and selling them in parts and they leave the shells on the road without any consideration for people. I believe that some effort should be made to get

those people who have vehicles all over the place, crowding up the pavements and other parts of the country, some effort should be made to move them or to get them to move them to the site administered by the Hon. Minister of Health. I do not believe it is fair.

You find in Barbados now-a-days while you agree that people must help themselves and you see an individual helping himself by setting up some occupation for himself rather than going around and asking someone to give him a job and at the same time all of this must be done within the Laws and Regulations of this country and you have some people who set about doing these things without any consideration for the laws of the country. More still, without any consideration for other people who may find it necessary to use the roads in this particular case or the pavements.

If these people are going to indulge in this type of work or occupation then we feel that they must make an effort not to clog up the pavements and parts of the highways and subsidiary roads in this country with derelict vehicles. I am not for one moment saying that one should enforce any penalty for so doing but I think some good public relation effort should be undertaken so as to motivate that they should move their vehicles off these areas and would not continue in that practice and after they have removed the important parts of the vehicles they leave the shells lying around the roads and the pavements of this country causing obstruction and very often creating in most cases mosquitoes, cockroaches and in some cases dogs and cats to occupy them. I do not think it is fair.

3.35 p.m.

When you look at the question that the Government then had to come and set up a programme for the removal of these vehicles from all across the country, I think that is being a little bit inconsiderate. I think that with a little more consideration, we could keep this kind of problem to the minimum. I hope that the Honourable Minister will in his Regulations give serious consideration to this particular matter because it seems to be on the increase, and if it continues, it will be a waste of time building pavements to roads for the benefit of pedestrians because in reality, in practice you find that the pedestrians cannot use them because the pavements then become choked up with these derelict vehicles and these people then have to go and compete with these moving vehicles on the roads. It is not fair to the pedestrians, it is not fair to the motorists, it is not fair to many people in this country to permit such a practice to continue and I hope that the Honourable Minister will be able in his reply to this particular Part to give us his thoughts on the couple of issues that I have raised.

Mr. CHAIRMAN: The Honourable Minister.

Hon. C. L. BOLDEN: Mr. Chairman, let me deal with the comments as they have been raised. In the first place, I must say that we looked at the programme of inspection of private vehicles, we have had a long, hard, serious look at that and I was forced to remove that Section from the Bill before the Honourable Chamber today for various reasons. In the first place, I used to be Minister responsible for Consumer Affairs and I remember in 1977, after this Party came into power and confidence had been returned to the investors and the businessmen in this country, there was a run in the foreign exchange in the latter half of 1976 because people fully recognised that there was a competent bunch of persons in power, they had confidence once more in the society and we had a great influx of motor vehicles in Barbados.

In 1977, when restraint had to be applied to the economy, we placed a monetary limit on the total amount of money to be used for the importation of private motor cars. The importers got around that by bringing in all kinds of vehicles and selling them as private cars. Now, that is why I said in my Second Reading speech that I am advising importers to check out their specifications with the Ministry of Communications and Works before rushing ahead and importing vehicles.

Now, I realise that with the buoyancy of the economy, the affluence of today's persons that if we have a restraint on the importation of motor cars and one must admit that in my day and age, when I left school and went to work, I started off to work at \$60 a month. Today, the maid in the Government Service is earning a minimum of \$116 a week. We must recognise the social pattern of Barbadian life where a mother, father and four children all live at home and where you have those children working and they start off to work. A young policeman who has now come out of the Training told me that he is looking for a house to buy from NHC and a motor car because his net income in his hand is over \$800 a month. We have to recognise these situations and if we have a restraint on the number of motor cars that can be brought to the country, it means that there will be a flourishing business in the repairs of existing cars.

Now, when the Honourable Minister of Health spoke about what standards we have for driving tests *et cetera* the first thing we must recognise is this. We have to look at the persons who are involved. I accept and agree which I said in the Second Reading stage that we must mount a public relations programme on driving technique and skills that are applicable to today's age, I recognise that, but if young people want to get rid

of their pent up energy, it happens not only in Barbados, it happens all over the world. There is very little we can do for that sort of development. I accept that when you had the racing track in St. Philip they could go up there, but one thing with the Barbadian society, everything is a one day wonder. When that track was opened, seven days a week it was fully utilised. It was closed because there was no use for it. There are a few people who indulge in that particular sport today. Unless Government is prepared to buy the track, open the track and leave it open there, I do not really know what can happen.

I used to be a motor cycle rider. I bear the scars, Mr. Chairman of riding motor cycles, crashing in Waterford Bottom getting up and surviving, but I was at a tender age, then. It is the skills which you have acquired that save you from accidents. I remember when Ward B5 was called the Honda Ward. I remember friends of mine who died in motor cycle accidents. I remember those, but that is all part and parcel of the growing up experience in life. I do not matter what you say, I do not matter what Regulations you bring because if you follow the newspapers, the Police have gone to the Grantley Adams Airport and put obstacles across the stretch of the road up there and you have people saying, whatever happens, we are going to use it. What can you do?

I recognise both Honourable Members' concern for the injury pattern, I recognise that. I believe that it is something which we have to live with and if we do our duty providing the public relations programme, policing the various roads, but there is still an escape point. We are at this moment, developing standards for garages in this country. I would like to see the motor vehicle test that is performed in Great Britain. We have got all those particulars and we are looking at it in the Ministry of Communications and Works but it is a good way off.

First of all, we have to be able to make sure that the garages which come into the system have competent mechanics, we have to licence those mechanics before we start testing all vehicles in Barbados. I would like to see the test, but as I said, bearing in mind the restriction on the number of vehicles that are coming into the country, bearing in mind that in an affluent society you cannot ask the young man, or young woman, who is working for a good salary, in excess of what they need for their personal living to walk or catch bus when they want to buy a motor car, therefore, we have to bear with it until the situation changes.

We want to make sure that when we start a total inspection of vehicles that we have garages out there that are registered, mechanics that are registered so that when they issue a Certificate of Competence, a certificate of acceptability that the Ministry can issue the necessary

registration licence based on that certificate and that that certificate is valid. That is what we are working on now at the Ministry of Communications and Works. We are also hoping to start a public relations programme in driving. As I said in the Second Reading, we have begun to experience the incorrect driving on the four lane road which has just been developed. We will have to go out and instruct people the correct way to use four lane roads although we have the signs put up down there already.

Where the crash helmets are concerned, the Regulations are here. I am sorry that we have not been able to lay the Regulations at the same time that we are doing the Act. We have got that into the Regulations already, the transitional provisions in the Act will allow us to use the 1952 Regulations until these have been perfected. These have got to be re-arranged and perfected because we have developed, as I said in the Second Reading, a Licensing Authority instead of the Commissioner of Police, and instead of the Chief Technical Officer, so we are going through the Regulations again to bring it in line now with the legislation which we are passing today.

3.45 p.m.

Parking on curbs, all of this we have taken care of in the Regulations. You have not got the Regulations, but Regulation 31 under Part V states:

"Every driver of a motor vehicle shall comply with the following rules:

He shall not, except in the case of a road roller while actually engaged in the construction, maintenance or repairs of road, cause the motor vehicle to travel backward for a greater distance or time that may be requisite for the safety and reasonable convenience of the occupants of the motor vehicle.

He shall not cause the motor vehicle to travel backward at a junction of any road."

You see, all these are in the Regulations.

"He shall not, in the case of a goods vehicle, and public service vehicle allow any more than one person to sit by his side.

He shall at all times keep the motor vehicle on the left side of the road, unless prevented by some sufficient cause or directed to do so by traffic signs."

All of these are in the Regulations.

"He shall not park within a certain distance of a roadway."

These are in the Regulations. The substantive Act is to give us authority to develop the Regulations, and the Regulations have already been developed.

Now, the hon. member spoke about crash helmets. Crash helmets are already mandatory in the Regulations. We recognise the danger of motor cycles, we recognise that we must protect them as far as possible, and the Regulations already contain a condition that every motor cyclist and his pillion passenger must wear a crash helmet. It is already there.

The escalation of speed limits. As I said in second reading, Mr. Chairman, I want to be realistic. I have practised in the Magistrates' Courts, there is no Magistrate in Barbados today who will convict anybody for driving at 35 or 40 miles an hour. It is an accepted principle that no policeman would report you for driving at 35 or 40 miles an hour. It is accepted. Why must we turn people into criminals? Because you might have one cantankerous policeman out there who will want to get at somebody and report him for driving at 32 5/11 miles an hour. The Transport Board buses could never complete a journey if they had to travel at 20 miles an hour as laid down in the present rules today. We run buses from Bridgetown to Pie Corner, and if you had to drive at 20 miles an hour, stopping to take up and put down passengers, you would never complete a journey, so do not let us fool ourselves that 30 miles is any magic in today's world. Go down Broad Street and you will not find a vehicle coming up Broad Street in the most busy day at 10 miles an hour, which is the legal speed of the road for Broad Street.

I must admit that there are some roads in Barbados where we can safely drive at 60 kilometres an hour without problems. If you are going to the airport tomorrow, go up on that Kent Road and stand up and if you can find 10% of the vehicles travelling up there at 30 miles an hour, Mr. Chairman, I am not who I am. We must be realistic. Why must we allow these unrealistic speed limits to remain in legislation? Let me tell you something. I have practised in court, and I have heard people come in court prosecuted for some frivolous matters, and when you get down to it, there was a little village row between two families and a member of one family is a police officer so he decided to execute the law. Now, as far as I am concerned, if you are right you are right, if you are wrong, you are wrong. I am prepared, as long as I am here, to increase the speed limits to realistic figures, but I will then want strict enforcement of those figures by the law enforcement agency. If you say you should drive at 40 or 60 kilometres an hour, if you go over 60 kilometres an hour, then the law enforcement agency should play its part. I have a duty to do. I want every other organisation or every other institution to carry out their duty as well, and that is how I look at it. I do not believe you

should stick to 20 miles when it is no longer in operation today.

Pollution. Mr. Chairman, we have in the Regulations the question of modification of vehicles. This is the best way we could deal with it. Under section 20 of the Regulations which we hope to bring in, "no vehicle shall be converted from its original construction unless the conversion complies with the specifications approved by the Licensing Authority for such vehicle, and such converted vehicle shall not be used on the road for any other purpose unless it has first been inspected and approved by the Licensing Authority."

I know what you mean by converting vehicles to scratch off, because I have done it too. I used to own a motor cycle and I took off the regulation tail pipes and put on two boiler tubes on it, and I know when you turned the accelerator, you heard a noise and you saw black smoke you knew you were moving. I have passed that age now, but this is the best way we can deal with it.

The question of pollution with all the soot and smoke comes from diesel vehicles. There are set up in Barbados a number of what you call car clinics that people who own diesel vehicles can take the injectors there and have them set to the proper specification. All we can say in the Act is if the vehicle appears not be as had been constructed, it is an offence, and that is why we drafted this regulation like that, because we recognise the situation as well.

Mr. Chairman, let me say at this point in time that I have looked at the Regulations to correct the problems which have been brought home to us during the time that I have been in office. The dumping of old vehicles is all bound up with the wayside garages which I have spoken about. My Ministry has taken 10 acres of land in the Cave Hill area, together with the Ministry of the Environment and the Ministry of Health we have designed a complex for the wayside garages, particularly in the St. Michael area. Unfortunately, as the Minister of Health has said, we have not been able to release our vehicle to do the dumping of these old car bodies, because MCW has more work on its books than we can cater to at the minute. Thanks to the Minister of Finance, the Hon. Prime Minister, we have a developmental programme which is programmed to last for the next eight years. The Prime Minister, the Deputy Prime Minister and myself sit on a Committee called the Planning and Priorities Committee. All major projects come to that Committee. The Ministry of Communications and Works is firmly bound up in the workings of the Planning and Priorities Committee. We are doing the Spring Garden Road, we are building the roads, every vehicle, every tractor, we have to stop renting heavy goods vehicles

from MCW simply because we cannot do without them. We are working overtime every weekend because we have more projects on our hands than we can safely do.

When I hear people complain about the bad roads, they do not understand, Mr. Chairman. I must make a disclosure now. We have so many programmes on our hands we have had to ask C.O. Williams, we have had to ask Roger Manning to help us deliver stone and material in order to complete our programme. We are barber greening the Spring Garden Road now, we are working at the airport, we have two barber green machines and we have just put an order in for a third barber green machine and a second barber green plant, despite the fact that I am now drawing a programme to bring into operation and consolidate all the barber green plants we have in Barbados, one owned by the Ministry of Communications and Works, one owned by Rayside and one owned by C.O. Williams, if we must complete the road building programme that we have in our Ministry today.

With the tenancies programme this Ministry is planning now to go into as many tenancies as possible, based on the number of artisans we have and the equipment we can use, in order to update the roads in all the tenancies now. We just cannot do it, we have more work on our hands than we can manage, and every quarry in Barbados is literally working 24 hours a day to supply the needs of this Government.
3.55 p.m.

Even Acme Engineering has gone working 24 hours a day to produce buses, altering their plans etc. to satisfy the demands of this country. That is what you call an economy on the move.

Mr. CHAIRMAN: Then there is hope for Bel Air and Cottage.

Hon. C. L. BOLDEN: Mr. Chairman, Bel Air is set down to be fixed in the next programme. As a matter of fact, Mr. Chairman, the only reason why we have not been able to get out there is the scarcity of artisans. I am pushing the Minister of Labour to see how many more artisans he can push out of the Skills Training Programme. As I said before, if I can get masons, if I can get carpenters, and if I can get engineers, the work can be done. Today I want to publicly applaud Mr. "Cow" Williams of C. O. Williams Limited for having offered to sponsor a scholarship for a Barbadian to do a technical skill in construction at the University of the West Indies. We have no quantity surveyors in Barbados. I doubt we have more than one Barbadian who is a quantity surveyor.

My Ministry needs five engineers. We advertised and we had three applicants from Guyana, but we only got one, and do you know what we are told? That the

letters we post from here do not reach that skill in Guyana. Now I am still hoping by a little devious means and I hope the newspaper does not publish this, to get on to engineers in Guyana who want to come here because I want them. I need five of them at MCW. (*Asides*) Yes, I am poaching, I am stealing; other words, in Bajan terms, I am tiefing, because our development is going so strong I don't want to stop it at this stage. If I can get them I will take them. We need five engineers at MCW if we must keep up the tempo that we are at now. That is the only thing that is preventing us.

In relation to vehicles on the sidewalks, as I said in the new development in Cave Hill, we are planning a crusher plant because basically the vehicles you find abandoned on the sidewalks are either vehicles which have been stripped by a wayside garage operator or vehicles which have been burnt and not removed by the insurance companies. Thank God Barbados is so small and the Act now provides that the Chief Technical Director can move any vehicle that is a danger or liable to cause obstruction and recover the cost from somebody. I want the insurance companies to know that when vehicles are burnt along the road they must move them because we will remove them and then we will surcharge the insurance company or the owner for removing these vehicles. When they go up to the compound we will put them in a pressing plant and we will press them into blocks of steel and eventually we hope to sell the steel elsewhere. That is the best we can do in the circumstances. But do not blame us because we are not responsible for the vehicle.

I know the gentleman down on President Kennedy Drive. We have spoken to him on numerous occasions and he is prepared to move if we move him. Now I will tell you something. If we enforce the Public Health Regulations and cause him to move or prosecute him, you will hear the Government is a bad one. I must admit that he has a spot of land in Cave Hill too, but having fully utilised his spot he now turns to the road down there. My Ministry officials have discussed with him to even move them off the road to give us clear passage but he wants the Government to move him. That is how they look at this Government, and as soon as you do anything you hear it is a bad Government, but we will move them.

We are developing ten acres, we are giving each wayside garage operator a proper facility, an office a little breakdown section, a place to repair and there will be a common pressing ground to destroy the shelves that are left.

On driving under the influence of drink or drugs, I said in the second reading that we are not satisfied that in the Caribbean we have the correct medical or scientific principle to determine, as the hon. member for St. Michael North Central said what one can hold

as against the next. I personally do not believe that we would take an arbitrary figure and put there and convict everybody on an arbitrary figure. I said at the beginning that we had looked at the breathaliser, but we have left it out until we figure that it has been perfected or that we have reached standards that are applicable to the Caribbean and not to use standards that are applied elsewhere. I would very much like to see a reduction in the number of cases of drunken driving but as I said I do not want to be involved in legislation that will be cantankerous or will cause disputes or quarrels between the public and the Government. So if the hon. member can give me any information that is useful for bringing in a standard, I am with him 100 per cent and will go along with him.

I agree with him when he deals with the tourists who come here and drive on the wrong side of the roads and overcrowd the mini-mokes etc. You were not here when I discussed this, but if you notice vehicles with six passengers marked on the side, that is the reason why we did it because based on our observations and based on complaints, we recognise that they were not only over-indulging themselves in the niceties of Barbados, but they were also inadvertently perhaps robbing the Barbadian hirer of a hire by putting more than the requisite number of persons in a particular vehicle, and that is why we have done it that way. I cannot tell you how to stop tourists coming to Barbados and drinking the rum punch. I believe that is what we are famous for. What I can tell you is that all we have to do is to run a public relations programme to make sure that they do not drive when they drink or do not drink and drive. On the other hand in relation to driving on the wrong side of the road, this is something that internationally every person going from one country to another is entitled to present his driver's licence and get a temporary driver's licence from another country. Here again it is a question of a public relations programme to let the people understand that when they are in Barbados we drive on the left side of the road which is contrary to the accepted practice in their own country.

Now the hon. member talked about these hi-fi sets in motor cars. Section 34 of the regulations is the best we can do with that, and I really and truly do not know how we are going to do it. We have designated unnecessary noise and it reads as follows: "Any person driving or in charge of a motor vehicle which causes an unnecessarily loud or harsh noise to the annoyance or disturbance of any person shall be guilty of an offence." Now that is the best way we can put it, unless the hon. member would like to specifically state that we are banning hi-fis in motor cars. I would like him to tell me if that is what he means.

On the question of driving, I know many of us see things we would like to curtail or rub out of the society, but with the drafting difficulties and the technicalities which are involved, the astuteness of a lawyer in court might be such that although you have a law you might not be able to enforce it, like the legislation passed by the last administration when you tried to curtail the dropping of garbage from motor vehicles, yet you see bottles, bags, boxes scattered all over the road dropped off vehicles. These are things that as we develop and as we observe how things go we will be able to make modifications for these sorts of things.

Mr. Chairman, that is the answer to the comments made by the two hon. members. I am thankful to them for making those comments, and as I say, the only problem we have here is that we have not been able to promulgate or bring the regulations to the Chamber at the same time as bringing the Act, but I hope that in a very short time the regulations will come because we would like the Act to come into force in time for the June licensing of motor vehicles.

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

Clause VIII was called.

Hon. C. L. BOLDEN: Mr. Chairman, I beg to move that Part VIII as amended stand part.
4.05 p.m.

I must apologise, Mr. Chairman. Before you say that, there is one thing I would like to say about Part VIII. Part VIII deals particularly with the public service vehicles and in order to draw to the attention of the Chamber I would like to inform you that we have looked at the comments made by many people in respect of the Transport Board Buses and the mini-buses and under the Regulations, in paragraph 43, I would like to draw to the House's attention what we have planned. Under Section 43 it says:-

"Every driver and conductor of a public service vehicle plying for hire on a public road shall comply with the following regulations:-

- (a) He shall behave in a civil and orderly manner.
- (b) He shall not smoke in or on the vehicle during a journey or when there are passengers present in or on such vehicle.
- (c) He shall not use to any passenger any abusive language or insulting gesture.

- (d) He shall not call out to or otherwise importune any person to travel by such public service vehicle.
- (e) He shall not be under the influence of drink or drugs.
- (f) He shall be suitably attired and wear boots, shoes or leather soled sandals and wear such other uniform as may from time to time be approved by the Licensing Authority.
- (g) He shall wear his badge in such a manner that the whole of the writing thereon is distinguishable.
- (h) He shall maintain the motor vehicle in a clean and sanitary condition.
- (i) He shall take all reasonable precautions to ensure the safety of passengers in or on entering or alighting from the vehicle.
- (j) He shall not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey.
- (k) He shall not at any reasonable time, obstruct or neglect to give all reasonable information and assistance to any person having authority to examine the vehicle.

Mr. Chairman, we have heard several comments. We have read in the Newspapers of people complaining about drivers of public service vehicles and conductors of public service vehicles, etc. I am not saying that these things are true or untrue. All we are doing is making sure that we have provided the necessary Laws and Regulations to satisfy ourselves that public service vehicles, will, in future, be conducted in the standard way, as the Government expects them to be conducted. It is left to the law enforcement Agency to see that these Rules are put into operation.

With this I beg to move that Part VIII stand part.

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

The question that Part VIII stand part was put and resolved in the affirmative without division.

Part IX was called.

Hon. C. L. BOLDEN: Mr. Chairman, I beg to move that Part IX stand part. I want to point out in Part IX, Section 113(1) that where one has lost a certificate or licence, there is provision for issuing a duplicate but there is also the provision that if you find the original you need to bring it in because here again I will not like to go into it.

We have had situations at the Ministry of Communications and Works where persons have come in and said that they have lost their permits for self-driven cars, taxis and mini-buses and the following year with inspection they have turned up with two vehicles. One with the original and one with the duplicate.

I beg to move that Part IX as amended stand part.

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

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

The First Schedule was called and passed.

The Second Schedule, as amended, was called and passed.

The Third Schedule was called and passed.

The Fourth Schedule was called.

Hon. C. L. BOLDEN: Mr. Chairman, I beg to move that this be the Fourth Schedule. Once again I want to point out that the new system of registration plates that would be issued to public service vehicles that public service vehicles mean those vehicles which ply for hire or carry passengers for rewards.

Taxis will now bear the letter "Z", self-driven or hired cars the letter "H"; Mini-buses the letter "D"; Motor omnibuses the letters "BM" and Tour coaches the letters "BD" and I want to say once again all of these plates will be issued by the Ministry of Communications and Works. We will do the weighing of vehicles, the inspection of vehicles, the issuing of drivers' licences and the issuing of licence plates all at one place, all at one time and we have made provision that no person will have to spend any length of time in going to the Ministry when they come and the licences will be renewable on the anniversary of the date of the issue.

With that I beg to move that the Fourth Schedule stand part of the Bill.

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

The question that the Fourth Schedule be the Fourth Schedule to the Bill, was put and resolved in the affirmative without division.

The Fifth Schedule was called and passed.

The Sixth Schedule was called.

Hon. C. L. BOLDEN: Mr. Chairman, I would like to point out to the hon. member that in the Sixth Schedule there is also a demerit point for parking at a restricted place once it is causing unnecessary obstruction which would take care of the complaint of persons parking along corners, etc.

I beg to move that this be the Sixth Schedule to the Bill.

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

The question that the Sixth Schedule be the Sixth Schedule to the Bill was put and resolved in the affirmative without division.

The Seventh and Eighth Schedules were called and passed.

On motion of Hon. C. L. BOLDEN, seconded by Hon. L. S. CRAIG, Mr. CHAIRMAN reported to His Honour, the Speaker, the passing of one Bill in Committee with amendments and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. C. L. BOLDEN, seconded by Hon. L. S. CRAIG, the Bill was read a third time and passed.
4.15 p.m.

Mr. SPEAKER: Order Number Three.

THE COMPANIES (AMENDMENT) ACT, 1981

Order Number Three was called — to move the Second Reading of a Bill to amend the Companies Act.

Rt. Hon. J. M. G. M. ADAMS: This is a Budgetary Proposal, Sir, relating to company fees. The matter has been through the Honourable House and explained many times 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 the 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.

COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee.

Clauses One to Three inclusive were called and passed.

On the motion of Rt. Hon. J. M. G. M. ADAMS, 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 the separate motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. L. S. CRAIG, the Bill was read a third time and passed.

TRANSFER TAX (AMENDMENT) ACT, 1981

Order Number Four was called - To move the Second Reading of a Bill to amend the Property Transfer Tax Act.

Rt. Hon. J. M. G. M. ADAMS: This is a Budgetary measure, Sir. It has already been dealt with in the Budget, it comes into force on the 1st July and opportunity is being given to citizens to carry out their transfers in good time.

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

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

Mr. SPEAKER: The question is....

Dr. HAYNES: Mr. Speaker, I do not propose to deal with the fund raising aspects of this Bill, or as expressed before the view that it avoids rather than places squarely the question of ownership of land in Barbados to non Barbadians.

4.25 p.m.

I wonder whether or not the Hon. Minister of Finance is aware that one of the main contributors to the economy of this country are Barbadians who are resident abroad and who repatriate significant sums to this country for the purchase of food, clothing and other consumer items for their families, and also many of them are interested not only in acquiring a piece of land but also for putting up a house in their own names which they hope to return to in due course. Many of these Barbadians, Mr. Speaker, have had great difficulties in raising mortgages in Barbados because they are treated differently from citizens of Barbados who are resident in Barbados by the lending institutions.

At a time when many of our citizens living abroad are under considerable stress, and where over the years they have made such a major contribution to our economy, I believe that a situation could exist where they could be treated as Barbadians in respect of obtaining mortgages in respect of building homes in Barbados. I believe that it would have a very positive effect on the economy in terms of the fact that the initial investment would be of a hard currency nature, that the monthly payments would be of a hard currency nature, and in a sense by meeting the hard currency costs of building a house out of hard currency in-flows, I think that this would be of tremendous advantage both to the country and to our brothers and sisters living abroad. At the present moment they often have to go through a very unsatisfactory system of trying to obtain such finance by putting the property, for example, in the name of a relative in order to obtain the finance, and indeed unless they have a relative who can meet the requirements of the lending institution, they find extreme difficulties in obtaining mortgages.

I wonder whether or not there is any sharing of this view on the other side, whether they are aware of these difficulties, and whether or not anything can be done in order to assist all Barbadians who are living abroad in this kind of exercise, which I think is to the benefit not only of this country but of course to the benefit of themselves.

Rt. Hon. J. M. G. M. ADAMS: The question raised by the hon. member, Sir, has absolutely nothing to do with the Property Transfer Tax Act, it has to do with the Exchange Control Act, and not for the first time I have noticed that the hon. member does not seem to understand the difference between the two.

The point about ownership of land in Barbados is dealt with by the Exchange Control Act. Under that Act, which I regard as a more effective and efficient means of controlling the ownership of land in the country than the old Colonial Office Aliens Land Holding Regulations which exist in many parts of the Caribbean, foreigners cannot buy land in Barbados without a licence from the Exchange Control Authority. The Exchange Control Authority is the Minister of Finance, and I have delegated the power to the Central Bank which exercises the power along certain guidelines. Chief among these guidelines is that in general no licence is ever refused to a Barbadian who lives abroad. There is a very vital distinction between this Act and the other Act. In this Act all citizens, whether they live in Barbados or abroad, are entitled to the preferential rate of property transfer tax, and persons who are permanently resident in Barbados within the meaning of the Immigration Act are also entitled to its benefits. That is largely, Sir, citizens of the United States who

are permanent residents, have been here 20 years or more and do not wish to take out citizenship, because for most people permanent residence is a step — at least, I believe it will be — on the road to citizenship where dual nationality is permitted.

As far as the point the hon. member made about borrowing money from banks, again the hon. member does not understand what he is talking about. Barbadians resident abroad have a licence to borrow money abroad or from local banks which is not opened to Barbadians in Barbados. If a Barbadian resident abroad wishes to borrow money from Barclays Bank, Broad Street, Barclays Bank, Broad Street is entitled to raise Euro dollars or other funds and lend the foreign resident. He does not have to get Exchange Control permission to borrow foreign currency from a local bank or a bank abroad, and if the banks, and the lawyers, and the politicians who do not know cannot tell their friends to ask a local bank for a foreign loan, I cannot help that. It is open to any Barbadian resident in New York to have a foreign currency account in a bank in Barbados, something which is available to Barbadians only by permission and is not particularly easy to get, he can have a foreign currency account in Barbados, that account can go into overdraft, he can have a foreign currency loan account — I am sure indeed that some of them do — I know that some, now that exchange control has been abolished in the United Kingdom and a full branch of the Barbados National Bank has been opened in the United Kingdom, citizens of Barbados resident in the United Kingdom can open an account in Britain in foreign currency, in sterling, and transfer the money to Barbados to pay for their houses without let and hindrance. The main complaint you used to get used to be from persons in Britain who could not get permission to transfer more than a certain amount of money from Britain to Barbados, not the fault of us in Barbados at all, and the borrowing of the money in Barbados would not have helped with that, because they still would not get the permission to send the hard currency of which the hon. member speaks into Barbados to pay the mortgage.

I suppose in any case, Mr. Speaker, most banks and persons in Barbados are hesitant to lend money to people abroad. I think that that is something that anybody with a modicum of business knowledge and banking practice should know. You cannot verify the man's financial statements in many cases. Persons abroad often have jobs with less security of tenure than the bank wishes in its mortgage clients, the only way when the loan goes sour to handle it is to sell the property, which lenders do not wish to do. There are very few sales of mortgaged properties in Barbados, and the remoteness of the client from his day to day availability to the bank manager is also a factor which I imagine enters into the calculation.

4.35 p.m.

So it is an easy, simplistic and facile argument to put forward, but when it is properly analysed in the light of present day knowledge and of what the Government has done, it will be realised that it is a problem which is now much more apparent than real. The operations of the Barbados National Bank in Britain are specifically designed to deal with Barbadians that wish to buy a property and wish to remit the proceeds via the Barbados National Bank or a British Bank. We have a corresponding arrangement with Lloyds Bank of London. Mr. Pilgrim, the very capable young man who handles the Barbados National Bank's affairs in London maintains his accounts according to the best banking practice and we are now planning to move into the area now that the bank is fully registered in London as a bank that can operate in England. It also operates in the offshore sphere, Sir. Very soon you will see advertisements in the financial journals bearing the name of Barbados National Bank as one of the subscribers for offshore loans.

Now that all that is done we can move into the area of full banking in the United Kingdom where all the problems outlined by the hon. member can be handled not by a commercial bank private owned but by the Government owned bank. Indeed the Barbados National Bank has on its agenda the consideration of the acquisition of premises in England to open an ordinary banking branch. When the demand comes from Brooklyn or elsewhere in the United States the Barbados National Bank will consider opening there as well, and indeed in the fullness of time I have no doubt that the communities in Toronto and Montreal will develop to an extent sufficiently to justify the opening of branches in those places.

I have dealt with those matters at some length although they are absolutely nothing to do with the Bill, although the hon. member does not know which Bill it is in front of him or if he does, does not understand what is in it. We cannot help that, Sir. I am sorry if I have detained the House on a matter which is not properly before it, but some of these arguments have an attraction to those who do not understand, and I therefore thought it wise to cover it as fully as possible.

Mr. Speaker, I beg to move that this Bill be 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.

Clause 1 was called and passed.

Clause 2 was called.

Hon. H. B. St. JOHN: Mr. Chairman, I beg to move that Clause 2 stand part.

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

Dr. HAYNES: Mr. Chairman, the possessor of all knowledge of all matters on this globe has spoken, and anyone seeking to raise a question under a Bill which deals with the question of transfer of property and seeks for a definition either on an individual basis or a corporate basis of what could constitute a citizen or national, permanent resident and otherwise, such a person is automatically dubbed as being ignorant, but what I am saying here again is that from my information and my contact with Barbadian nationals abroad who wish to own property in Barbados, a piece of land and build a house, they are faced with two problems: one in respect of the banks in the country in which they live. These banks are reluctant to provide them with finance for a property which is outside the jurisdiction of the country in which they live. In respect of Barbados they have great difficulties despite the fact that they qualify in relation to their capacity to repay in obtaining this mortgage locally. That is a fact of life, and there are hundreds of Barbadians who are involved. There are hundreds of Barbadians who have bought land in this country and cannot obtain the mortgage to put up their houses in Barbados. In fact, the latest communication that I have had in this regard relates to an architect who lives in Maryland with a substantial income and bought four acres of land in the parish of St. Thomas and cannot get a mortgage in Barbados to borrow \$30,000 to \$40,000; so if the hon. member had any knowledge of what was going on in his own constituency, then he would recognise the essence of the point I have been making.

It does not matter whether it is raised under this Act or whether the matter is raised under the Exchange Control Act. That is irrelevant. The substance of the matter is completely different, and I believe that we have a moral obligation in this country to be much more considerate in respect of our Barbadian brothers who live abroad. Even if we are in London when they are being beaten about we do not even go down to the area and find out what is happening.

Hon. H. B. St. JOHN: Mr. Chairman, I think that the hon. member having spent a considerable time in soliciting the support either financially or otherwise for the upcoming election campaign from Barbadians abroad must put any grievances that they have on the floor of this House, but I think that we should not allow the hon. member to distort the true facts of the situation. It

is possible for a bank in Barbados to lend money to a non-resident with an asset in Barbados, but those funds come from in the international lending market. If you borrow money in Barbados and you use Barbadian savings and the purchase of the goods that you use comes from abroad, you are running down the reserves of Barbados. In the construction industry it is a fact that roughly 50 per cent of the goods and services that are used up in building a building requires foreign exchange. If you deduct the labour, you deduct the quarry stone, most of the rest directly or indirectly comes from abroad. If you say that the quarry stone is local, you still have to take into account that to get out the quarry stone you have to use tractors and traxcavators and fuel has to come in. 4.45 p.m.

Now, Sir, it is true that repayments may come in from abroad but the deposit, the hon. member keeps talking about a deposit. The truth of the matter is that with very, very few exceptions people abroad only pull down 20% of the new cost. They then say that they have the land which is in Barbados already, that when you revalue the land that the 20% that they bring in plus the revaluation of the land amounts to 40% or 50%. That is what they say so that a device to deal with this situation has been created and that is that permission is readily granted for a Bank to use Euro funds.

Mr. Chairman, we also have it with hotels and others and we demand that they borrow a percentage of the amount from the International Foreign Accounts of the Bank by way of the Euro dollar market so I think that when you look at it logically, bearing in mind the duty to protect your foreign exchange, that there is no discrimination against people.

Quite apart from that, I take the point that the Prime Minister made to be a very valid point and the hon. member indirectly concedes that because he says that the foreign Banks abroad do not like to lend money on the security which is outside of their jurisdiction but the local Banks do not like to lend money to a person who is outside of their jurisdiction because in a mortgage you have a personal covenant but the personal covenant is not sufficient security.

You have to have with a personal covenant to repay the amount of the instalment, the mortgage on the real estate but the Banks prefer to take a person in Special Court every Monday morning and get a Judgment, get an Order for payment against them, then go and get an Attachment against their wages and salaries and get the amount of money monthly. They do not like to sell out properties so therefore I do not think that the hon. member is really being objective in this matter.

I know that having gone abroad lately and having trumpeted abroad that their party is in favour of the West

Indians abroad, nobody is against the West Indians abroad. Everybody recognises the contribution that they make but the thing is that I do not think he should use that today at this particular period of time purely for that constituency.

That constituency might be influential but I think that hon. members on the other side recognise that we have a great housing problem here in Barbados and it is our duty to do as we have done to build houses at a much faster rate than they did and they are the first priority. The next priority are Barbadians abroad and therefore I feel that with these explanations the hon. member on sober reflection will recognise the reasons for the policy.

The question that Clause 2 stand part was put and resolved in the affirmative without division.

Clauses 3 and 4 were called and passed.

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

On separate motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Dr. CHELTENHAM, the Bill was read a third time and passed.

Mr. SPEAKER: Order No. 5.

PATENTS (AMENDMENT) ACT, 1981

Order No. 5 was called – To move the Second Reading of a Bill to amend the Patents Act.

Rt. Hon. J. M. G. M. ADAMS: This is a Budgetary matter.

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 was put and resolved in the affirmative without division.

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

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

COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 3 inclusive were called and passed. 4.55 p.m.

The Schedule was called and passed.

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

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

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, the next piece of business which the Government would wish to do is the Civil Establishments Order of which notice was given today. Copies have been circulated. It is a matter of some urgency that the matter be passed and I ask the leave of the Honourable House to do it in all of its stages today. It relates to the salaries of Air Traffic Control Officers and the general staff reorganisation in the department of Civil Aviation and Tourism.

Dr. CADDLE: I would just like to draw to....

Mr. SPEAKER: On what is the hon. member speaking?

Dr. CADDLE: I am speaking on a motion dealing with this Order which came before the Honourable House today.

Mr. SPEAKER: Well, there is nothing before the Honourable House as yet.

The question is..... You may now proceed.

Dr. CADDLE: Mr. Speaker, I just want to draw to the Hon. House's and Your Speaker's attention that this Bill was just about two or three minutes ago put in our hands. We are not disputing his reasons for wanting to do it today, but only a few minutes ago, it has been put in our hands.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, we understand that it has only just been circulated, but we have other matters which we would deal with and then, we would come to this, Sir, subject to Your Honour's ruling. We are in a position to do the Factories Bill, now. We would like to do this today. If it has only just been circulated, hon. members may wish

the opportunity to be briefed on it. We do have the Factories Bill which has been circulated to my understanding.

Mr. SPEAKER: The Rt. Hon. Prime Minister is seeking the leave of the Honourable House to deal with the Civil Establishment Order later in the day to which I take it, there is no objection. (PAUSE) There is no objection for the Rt. Hon. Prime Minister to proceed later in the day.

Mr. SPEAKER: Item No. 2.

FACTORIES ACT, 1981

Order No. 2 was called – To move the Second Reading of a Bill to revise and consolidate the law relating to factories and the safety, health and welfare of persons employed therein.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, this Bill seeks to replace the existing Factories Act in Barbados by a new, modern and up-to-date Bill. It has a very long history and I believe that repeatedly, on the Floor of this Honourable House, hon. members on both sides have called attention to certain defects and deficiencies in the existing legislation.

My understanding of the process which took place before this legislation reached this Honourable House is that there has been a tremendous amount of time devoted not only by the relevant Government departments, but by other interested parties. I understand that this Bill has been in the hands of Trade Unions, Employers' Associations and other organisations for a long period of time.

Basically, the Bill seeks to broaden the definition of the word "factory". It now includes certain open air activities or establishments such as poultry and animal processing plants, engineering works, dock, wharves, quays, elevators and lifting equipment and processes connected thereto. It provides for better occupational health, safety and welfare in factories. This is a very, very important area and I am sure that those of us who have had experience of industrial accidents in Barbados recognise the deficiencies in the existing legislation and the existing inspection procedures.

5.05 p.m.

Sections 53 to 69 are the ones which seek to deal with this. To provide teeth to the new provisions in the Bill, there are sections which specifically empower the Ministers of Labour and Health, under whose joint administration the Bill falls, to make regulations. We have, Sir, also specific regulations governing some processes and protection for particular groups in relation to operations which are likely to be hazardous, and the

groups we speak of are women and children who are working in certain instant processes, certain factories where processes of noxious gases and compounds are being manufactured. It makes specific provision for greater medical certification, and I am sure that some hon. members on the other side would welcome the recognition which the Bill envisages will be given to those medical practitioners who have a special interest in industrial medicine.

All over the world now it is recognised that this is an area of medicine which is deserving of a separate specialisation. I do hope that we will have emerging in Barbados people who regard this as an area of practice to which they will devote special time and study.

Obviously in a Bill of this kind we would also require in our community engineers who wish to specialise in the area of advising factories, and indeed advising the Ministry of Labour on safety regulations in respect of machinery and equipment.

We also have, Sir, the Chief Medical Officer also having specific functions and responsibilities, sections 43 to 52, in regard to certifying health conditions for youth employees. We envisage that sections 14, 101 and 103 will provide scope for co-ordination and co-operation between the employer and the employee in the work place with regard to health, safety and welfare.

The other provisions of the Bill relate to the penalties which are of importance. We have to provide realistic penalties for violation, including penalties to employees who knowingly and purposely engage in activities detrimental to the health and safety of their co-workers and themselves. It is not generally recognised, Sir, that there are over 400 establishments in Barbados which are in fact registered, or ought to be registered with the Labour Department under the Factories Act. I believe it is true to say that everyone recognises that in addition to inadequate legislation there was inadequate supervision, there were inadequate back up services in Barbados, and in view of the fact that there are over twenty thousand people employed in these establishments, be it a significant proportion of our working labour force, and in view of likely projections as to future employment in the activities which will come within the modern definition and the new definition contained in the Bill, I think the rationale for this legislation is very clear.

It is regrettable that it has taken such a long period of time for this Bill to reach the House, but contrary to what others may say, the record of this Government in the course of the last five years has been one of every attempt being made where legislation affects particular interests, to give them the maximum tolerable period for consultation. Some may say that we have indulged too

much in the consultative process, but we are firm believers in the democratic rule and we believe that, provided reasonable opportunity is given to the interest groups to state their points of view, that Government is doing nothing but participating in the democratic process. No one can say that opportunity has not been given to Trade Unions, Employers' Associations and interested parties to participate in the legislation that is before the House today.

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

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

Mr. GREAVES: Mr. Speaker, if I may make a contribution to this Bill, one which is of particular importance to the workers in this country, I do so because I recognise that the Bill which is being introduced here today does break some new ground in the whole area of safety, health and general welfare of workers, particularly those working in the factory environment.

There is, as has been pointed out, a fairly long history surrounding this Bill. If I could just refer to some of the historical background, I think it is important for the purposes of the record. I believe it was somewhere in the late sixties and early seventies that the Barbados Workers' Union began as it did in earnest for a revision and modernisation of legislation relating to factories in this country, and generally the whole question of legislation relating to safety. This was done particularly as the spate of industrial accidents, fatal and otherwise, began to multiply, and I recall one particular incident which, as it were, brought into sharp focus the serious loopholes which existed in the legislation, and it was when one of the senior members of the Barbados Workers' Union, one of our Vice Presidents, met his death at his place of employment, I think it was the Barbados Foundry. I am talking of Mr. Prior Jones.

When we sought to get information as to the cause of his death, we were confronted with the very simple situation that we had no status under the legislation and we could not have access to any reports which were compiled by the Department of Labour in its investigations into this particular incident. But quite apart from that, with the growing industrialisation in Barbados, the fact that more industrial Enterprises were attracted to our shores, and they were not only enterprises where dangerous machinery was used, but also we were moving into a situation where processes were being introduced into the country where chemicals and other dangerous substances were used in the manufacturing of various products.

5.15 p.m.

We became very concerned at what we considered to be the hazards existing in the work place. We have had reports of people having exposure to lead and lead compounds and the effects of that, the exposure to dust and other industrial noises, for example, substances such as I think one very dangerous one which is used in the production of foam. The initials of that is TDI. These are substances which are used in our production processes today and we felt that the time had come for some modernisation of the existing legislation. And so in 1972 a Committee was set up by the former Government. As a matter of fact the Committee was set up in 1972 with the following terms of reference, and I quote: "To review in the light of present day conditions the operations of the Factories Act, 1956 and the regulations made thereunder and to make recommendations with particular regard to the improvement of the provisions relating to the safety, health and welfare of the workers."

The Committee reported on the 12th August, 1974, about two years after and the Committee was made up of people representing various interest groups in the society, representing the employers, representing the Ministry of Health, the Pan American Health Organisation, the World Health Organisation, the Barbados Sugar Producers' Federation, the Barbados Workers' Union and the Fire Department two engineers who had an interest in industrial engineering.

The interesting thing about this particular report, Mr. Speaker, is that one of the members of the Committee, I think the representative of the Sugar Producer's Federation refused to sign the report and the word was that if he had signed it and if the provisions which were recommended in the report had been brought into operation that a lot of the sugar factories in Barbados would have to close down, because it was recognised that the whole question of safety within the sugar factories was so bad.

This was one of the areas which the Barbados Workers' Union had also been drawing to the attention of the Government; so that we had a report and based on that report presumably the whole question of revision of the Act came about. I think it is important at this stage to say that when the draft Bill came into being, a copy was sent to the Barbados Workers' Union which we studied relatively closely and we submitted our comments to the Ministry of Labour. It is important for us to look at some of the problems which are encountered in the working environment and which will necessitate protection, and this is why I say that now we are discussing this Bill it does go some way in meeting some of these problems. One would have liked to see it more upgraded, but nevertheless it is an improvement on the 1956 Act.

As I said, we have in Barbados, as I would say in most developing countries, a situation where we sometimes find in our press for industrialisation accepting factories and various processes into our country without much knowledge about the kind of dangers which they pose to the working environment, and I think that the whole question of dumping by industrialised countries is a matter which we have to be extremely careful about. It is estimated that every day a number of new industrial processes come on the market. Very little is known about all of the effects which these can have and what you will find is that whereas you might develop a process to deal with a particular problem, the side effects of that are not always known, and what is coming out now from research is that a number of chemicals and substances which are used in industry are harmful and would provide very serious hazards to the workers who are involved in either their production or their use, and I would like to say and indeed caution the Government and hope that as soon as possible some attempt is made to revise or indeed to provide in the first instance a list of substances and chemicals which they recognise and which has been accepted as dangerous to the welfare and well-being of workers, and that this could be provided as a guide for people who are working in a particular establishment.

Secondly, I would like to think, and I would have thought that the Minister would have made reference to this, that the list of occupational diseases which we have needs updating. That list as far as I can recall is I believe 20 years old or more, and the time has now come for us to update that particular list and try to ensure that the amount of occupational diseases which we are now, particularly in a modern industrial setting, encountering, are included. For example, if you look at the list, I do not think that there is any mention of vibration and the effects of vibration in the list of occupational diseases, but that is a very interesting development in terms now of the kind of machinery which is used. We see, for example, pneumatic drills and these other implements that have a very serious effect on the nervous system and generally speaking on the person's physical wellbeing, and this is now classified as an industrial disease, and I would have liked to think that the Government would be able to do something in this particular area.

On the question of noise, I do not think that one can stress this too much. There is a general reference to the question of noise and to the fact that wheresoever possible provision should be made to reduce the effects of noise on people who are working in a noisy situation. I would like to stress this because I think that people do not always understand how serious and how dangerous constant exposure to noise can be to their health. Even workers sometimes do not recognise it.

Just let me give you, Mr. Speaker, a couple of examples. Some time ago we came very close to a situation at Seawell Airport with one of the employers there where it was suggested that the workers should be provided with either ear-muffs or ear-plugs because of the constant noise to which they were exposed from the aeroplane traffic at the airport, and we had to fight the employer very hard until eventually at the level of the Ministry of Labour he agreed to provide ear-muffs. When the contract period came around the next two years he was extremely angry because immediately he started out by saying that the Union had forced him into a situation where he bought ear-muffs for workers who were in his employ but they were not wearing them and would we do something about it.

Now people accuse the Barbados Workers' Union sometimes of irresponsibility and all sorts of things which do not give any credit to the organisation, but we recognise that there are times, particularly in the area of safety and health where sometimes you have to save workers from themselves, because out of not knowing, they would do things which may not only jeopardise their health or their physical well-being, but can only cause very serious damage and harm to other people, and we have therefore had to make it as a condition of employment that people who work in that kind of situation would be required to wear ear-muffs or earplugs as the case may be, and if they do not, they can be disciplined, not dismissed, but disciplined so that this would bring home to them the importance of this particular area. There are other areas of occupations where noise poses a serious problem.

5.25 p.m.

I daresay if you were to talk to any people who worked at any Sugar Factory in Barbados for a fairly long period of time employed for 10 or 15 years you would invariably find that a number of them now have some kind of hearing impairment because of the constant exposure to noise and with no proper attention despite the representations and efforts of the Union. No proper provision is made in that particular area but there are areas of employment in Barbados where, as I said, this kind of noise does pose a problem.

Recently I came across a case of a man who was working in the area of well-digging with a big construction firm here in Barbados and he had had to do blasting on a regular basis and now the man is completely deaf. Unfortunately, we have not yet in my view in this country developed the kind of medical and back-up services to be able to deal with the problems of industrial diseases and the problems of industrial hazards and this is an area which I think we should direct our efforts and attention because the question of health, safety, welfare and well-being of the worker in an indus-

trial sector or indeed in any working environment ought to be of utmost importance.

Too often we find the general attitude prevailing among employers in this country and in other countries that they have to get the work done and in getting the work done at any cost and we, I believe, have to pause and try to impress on employers that there must be a little more humanity involved in the work situation and more attention has to be paid to the workers' welfare and the workers' safety in the general working environment.

The same thing, Mr. Speaker, can be said about machinery and the use of machinery in this country and machinery in the factories and we have numerous instances and examples of situations where workers have lost fingers, a part of their hand or feet. There was an incident up in Grazettes about four years or so ago when the workers were involved in shifting a very big piece of machinery when the thing on which it was being moved shifted and the result was that a worker was minus part of his foot.

Some time last year at a factory at one of the Industrial Parks a worker was operating a piece of machinery and quite normally and then all of a sudden that particular bit of machinery behaved in a rather unusual way and the result was that she lost three of her fingers and the explanation given by management was that it was a freak accident, that they had the machinery tested before and after and that up to now they cannot understand how the machinery behaved in that particular way.

We have in this country and I believe that it is a problem which affects most developing countries, a lot of second-hand machinery and old machinery being brought out to Barbados and developing countries. When we go in our quest of industrialization, sometimes we find that the people who invest, when they bring out machinery, bring out old machinery, machinery which has seen better days, but, nevertheless, it is used in the processes here with harmful effects and that is why I think that the provisions which are made in the Act for providing information relating to the age of the machine and the fact that it has to be tested by a recognised inspector before it comes into operation, that these are useful provisions in the Act.

The question which the Act does not make any reference to but I believe that at some point in the not too distant future attention would have to be paid in this particular area and it is the whole question of stress and fatigue which I believe is one of the very growing problems of modern life and modern work life.

The pace of work is accelerating. Employers very often want people to speed up the pace of production and with the introduction of machinery, the pace of work will create the kind of stress, mental and indeed physical fatigue which can lead to very serious problems in terms of workers' ability to keep up the stress and be able to stand up under that kind of pressure without any proper breaks and I know that in some countries stress and fatigue are classified also under the area of industrial disease and something which should be looked at.

I recognise that at this point in time we in this country would not be able to go as far as that and certainly it is an area which ought to be looked at in the not too distant future because we have situations where you find that people sometimes are paid according to piece work and the whole emphasis is on speed and I believe that is the reason why you get also accidents also in some of our factories particularly when workers disregard the handguards and other protective measures that are given to them to ensure that they are protected.

That is why I am saying that I am not at all putting all of the blame for industrial accidents on employers but certainly the attitude of employers is very important in this and I believe bear heavily in this situation and it is because of the constant push of the supervisors and the constant push of the managers to get the work done that the workers find themselves in the position where they are exposed to a number of accidents and possibly other industrial hazards.

This Act also gives some additional powers to the Department of Labour. Now, I think that this Department should play and indeed can play a vital role in our developmental process and particularly in this area relating to safety and health. There is no doubt that the Department of Labour is understaffed and cannot cope with the amount of work which it has to do and this is even at present and with the new powers that will be given to the Department of Labour under this piece of legislation, I am saying that there must be almost immediately a complete reorganization and expansion of the staff down there.

I believe that at the present time the Department is headed by an officer who understands the problem and who is sympathetic towards the problem and who, I am sure, will be pushing for a Department that is properly and adequately staffed but in looking at the staffing of the Department of Labour particularly as it deals with this particular piece of legislation, we would have to look at the question of the factory inspectorate.

This Section is also inadequately staffed and up to about two years or so ago I believe there were only about one or two factory inspectors. Recently there have

been an improvement, an improvement of more inspectors but we recognize that it will take time for such inspectors to be able to measure up to what is required of them under the Act because a factory inspector must have some fairly wide knowledge of the aspects of engineering, some aspects of industrial hygiene and a whole range of disciplines which have to be brought to bear in the general training of factory inspectors in this country.
5.35 p.m.

It would seem to me, Mr. Speaker that we need in this country I would say, about a minimum of 10 factory inspectors to be able to adequately carry out the policing of this legislation. I am satisfied that there are a number of factories in Barbados which are not inspected from year to year. I am satisfied about that, there are a number of these factories. There are sugar factories, there is one sugar factory in particular which I know where the boiler has been condemned by the Department of Labour for about the last six or seven years, but it is still in operation.

There are other factories in the industrial estates where because of the fact that there are not enough inspectors, they cannot visit and certainly a number of protective measures which should be implemented, these measures are not implemented. I am saying, Mr. Speaker that this is a very serious problem and I would like to hear from the Honourable Minister in his reply the assurance given to this Honourable Chamber that the Department of Labour will be beefed up, particularly the factory inspectorate to the tune of about 10 factory inspectors.

This would bring us further to the question of the investigation of accidents and the disclosure of information relating to such investigations. Under the existing legislation, if an accident takes place at a factory, the factory inspector can do the investigations and he hands in that report to the Chief Labour Officer. Nobody, under the Law, I do not even think that an Attorney-at-Law — you cannot get a copy of it. The Barbados Workers' Union which might be the union representing the workers at the work place cannot get a copy of the report. Now this, I am submitting is something which ought to be changed, but certainly, as I understand it, this bit of legislation does make some move in this particular direction even although I think that it falls short, particularly in the area of allowing the trade union to have access to information, but I will deal with that more specifically when we reach the Committee stage and make the suggestion as to how we would be able to deal with that particular aspect of it.

As I said, the draft Bill was circulated to the Barbados Workers' Union and we made a number of

comments on the Bill and if I could just probably speaking refer to some of these because I consider that they are important. The Bill as it stands is called the Factories Bill and it would revise and consolidate the law relating to factories and the safety, health and welfare of persons employed therein. The Honourable Deputy Prime Minister in introducing the Bill indicated that the scope of the application of the term factory is much wider than in the 1956 Factories Act. That is true, but I believe that we have reached a stage in Barbados and I was hoping and certainly, the Barbados Workers' Union was hoping that we could reach a stage in Barbados where we could move beyond a Factories Bill and that we would have a Bill the title of which would be, "The Safety, Health, Welfare and Working Environment." Indeed, that was the recommendation which the Barbados Workers' Union made when it was asked for its comments. Rather than confining the Bill to a factory situation, the Bill should be extended and it should be called "The Safety, Health, Welfare and Working Environment Bill" and then, that provisions would be included in the Bill to take in situations in all work places because to give you a very simple example.

At one of our leading hotels in Barbados, there is a problem relating to the floor where about two workers have fallen and have been injured on the floor because of the kind of floor which has been put down. Now, under the existing legislation and under this legislation, the kitchen does not come under the scope of this bit of legislation. So that, if we had legislation which was extensive, we would be able to take in a number of other areas of occupation because I believe that the concern of any Government should be the concern of the welfare and well-being of the working population because after all, they are the people who keep the cogs of industry going and who provide the wherewithal for growth and development within the society. We do not think, certainly I do not think that we should be limiting the scope of the application where the whole question of safety, health and welfare should be applied. So that, it is a bit of a disappointment, the Bill, as I said does not extend to the point which we had recommended.

Mr. Speaker, the other point which I would like to make relates to the question of tractors and accidents caused by tractors. Now, there is a Section of the Bill which talks about streets and other public places. I am not too sure if....that is on page 15, subsection (d)...if the situation relating to tractors would follow on this, I do not think so, but I would have thought that amendment would have been made in this Bill to deal with that particular problem which is a perennial one where tractors have been causing the deaths and injury to a number of people working on tractors, drivers on tractors and which I believe has become a national problem and every effort should be made to ensure that people working in that

particular area are protected as much as possible. I do not think that it is covered in this particular piece of legislation. So that, the legislation is short in that particular area.

It is useful, Mr. Speaker to recognise that a number of the recommendations which the Barbados Workers' Union made particularly with regards the use of substances and chemicals because the draft Bill was completely deficient in this particular area — that these have been included in the Bill thereby recognising the importance of industrial occupational diseases because as I said earlier on, we have in Barbados a situation where I do not think that enough attention is paid both at the level of the medical profession and also at the level of the employer and indeed, at the level of the Government to the problems which are faced by industrial workers and on the question of exposure to occupational diseases. I am sure that my colleague, the Honourable Member for St. Michael North Central will be dealing with this, but under the — I think there is an Act called the Occupational Diseases Notification Act, Industrial Accidents and Occupational Diseases Notification Act, 1952, I think it was — a doctor, if he, in attending a patient recognises or suspects that that patient is suffering from an occupational disease at the place of employment, he is duty bound to make a report to the Chief Labour Officer.

Now, if you were to check the number of reports which are made, I do not think there are any really, it is inconceivable that in a country where we use chemicals which are dangerous and processes which are dangerous, it is inconceivable that persons in Barbados have not and do not contract industrial diseases and occupational diseases. I think that it is a very serious thing and it shows either a lack of interest on the part of the medical profession, or indeed, it might very well indicate that in the training of doctors very little attention is paid to making sure that doctors get some general insight and particular understanding of this very important problem.
5.45 p.m.

The Deputy Prime Minister mentioned it in his introductory remarks that this is an area which has to be looked at, and I would certainly like to endorse that particular statement, that in the area of identifying occupational diseases, that there ought to be some concerted effort on the part of the Government, even to the extent probably of making it possible for people to be trained, for scholarships to be given in this area, because as I said the fact that we are industrialising and the fact that so much emphasis is being put on industry, we have to pay very careful attention to this.

The training of workers in recognising and in appreciating the need for a safe and healthy working

environment is something which cannot be stressed too much. It is very important and it is vital. The Barbados Workers' Union has certainly taken the lead in this particular area of providing training for its members, because we recognise that we have got to be in a position to give leadership, and certainly give direction, and at the same time to put workers in a position where they can understand and where they can identify very clearly their responsibilities in this particular area.

Certainly under the Act, because of a number of recommendations which we have made, what you will find is that there will be a considerable amount of work and participation of workers in this area of trying to police the Act to ensure that it functions to the best of the workers. I would like to say that the employers in this country do not adopt the kind of attitude that would encourage their members or their workers, their employees to avail themselves of whatever training opportunities there are available so that workers will have a better understanding for and appreciation of the whole question of safety and health. There is a considerable amount of work which has to be done in this area, and certainly, as I said, the Barbados Workers' Union is in the forefront of this and will continue to do this. We would hope that employers would be much more co-operative and would be helpful in getting their workers exposed to this particular area.

This Act, as I said, and as the Deputy Prime Minister in his introduction has said, will require the co-operation if it is going to be effective, of a number of Government Departments and also agencies in this country. In the first place, there will have to be very close collaboration and understanding between the Department of Labour, the Chief Medical Officer and the Fire Department, because those are going to be the three Government Departments which will have to really administer this Act and make sure that the provisions of the Act are adhered to. The Ministry of Health will have to certainly recruit the kind of people with the proper health and industrial medicine background to be able to make a worthwhile contribution in this particular area.

There will also, in my view, be need from the legal point of view to assign at least one attorney-at-law to the staff of the Labour Department. Now, when you try to find out from the Labour Department, for example, how many prosecutions have been done for breaking the provisions, even under the existing Factories Act, you will find that very very few have been done within the last ten or fifteen years, and the excuse which has been given is that the Chief Labour Officer has little or no power and he has to refer the case to the Attorney General, and it goes up there in the Attorney General's Office and gets buried to the bottom of all the other

cases because nobody pays much interest in this particular area, and therefore no prosecutions, or very few prosecutions take place.

There was one particular instance, I understand, where due to the lack of understanding by one of the prosecutors of what really he was to do that a case was lost. The fact is that, in my view, if we are really going to be effective and have an effective piece of legislation, there must be attached to the Department of Labour a full time attorney-at-law whose responsibility it will be to do the prosecutions on behalf of the Department of Labour.

Furthermore, I would like to suggest that there must be at least two industrial engineers on the staff of the Department of Labour, because as I said of the growing problems of industrialisation and the complexity of the problems relating to industry, the Department must have that kind of backup service. The inspectors would, of course, have under the Act the power to go in and investigate, but the industrial engineers would provide the kind of expertise and the kind of knowledge, the whole question of the location of the machinery, the question of the siting of the machinery, the age of the machinery, the testing of the machinery, all of these are matters which require very close scrutiny and a clear understanding of what is involved.

It would seem to me also, Mr. Speaker, that if we are going to make an impact in this area that we must have a laboratory, a well equipped and properly staffed laboratory for the testing of substances and other processes used in industry, and also for the testing of the levels of dust, temperature, noise, vibrations, to mention some of the very common and frequent industrial situations that one would encounter in the working environment that we would want to deal with, and I do not believe that this is too far fetched, because if we are going to be serious about what we are doing, then I believe we have to go the full way in being able to provide the kind of services to ensure that people would get the best out of the situation.

The question of industrialisation, Mr. Speaker, is something which not only is a problem in terms of the impact of it to Barbados, but generally speaking I would think that most of the countries in the Caribbean are moving towards the area of industrialisation, and if for one moment an argument is advanced that it would be too expensive to provide a well equipped laboratory for these various tests, then I am suggesting that this is a matter which could be handled at the regional level, and I believe that we should use the services of CARICOM here, where maybe a laboratory can be set up in a fairly central area in one of the countries of CARICOM where these various tests can be done and the monitoring of the various industrial hazards which can be tested.

I would also like to say that the whole question of not only providing these backup services, but there must be the kind of attitude existing in the society at the level of Government, at the level of the employer, and certainly at the level of the workers, recognising the dangers to which workers can be exposed, that there must be an attitude existing not for suppressing any information which there might be available, but at least recognising it and developing and devising a strategy to deal with the particular problem.

5.55 p.m.

That is why I would want to say that a number of the suggestions which we from the Barbados Workers' Union had made relative to having workers participate in some of these areas have been accepted and have now been included in this Bill which were not there before. It is true all of our proposals have not been accepted, and I am saying it is a pity because I believe it would make for the better and more effective operation of the Bill.

Now I would certainly be speaking again during the Committee stage, but I would like to say that we recognise that this Bill is an improvement on the 1956 Act and we would hope that in the not too distant future, one would see a further upgrading of it to really make it into a modern and important piece of legislation, and we would hope, as I said, that there would be the kind of co-operation, and certainly the suggestions which have been made about the way in which we can get the most effective lists out of this particular piece of legislation and that these suggestions would be taken to heart and acted upon because in the final analysis we are dealing with a situation where we would want to ensure that workers in Barbados work in a safe and healthy working environment.

Dr. CHELTENHAM: Mr. Speaker, both in my capacity as Chairman of the Industrial Development Corporation and as an Attorney, I have been brought into very close working relationship with the Factories Act as it presently exists, and I have come to learn of the strengths and limitations. To that extent I was one of the voices calling for a modernised and updated Factories Act for at least the last five years, and I am glad indeed we have now reached the point after considerable delay at which we are involved in the second reading of this Bill to revise and consolidate the law relating to factories and the safety, health and welfare of persons employed therein.

I must say at the outset, Mr. Speaker, that the last hon. member who has just spoken has given in my view a very exhaustive and accurate and knowledgeable commentary on the weaknesses of the whole Act and in many respects I would find myself echoing some of the points which he made and made very well indeed. The first problem that related to the Factories Act as it presently

exists was that the definition of "factory" was far too limited. The Factories Act was put on the Statute Book at a time in Barbados when factories' operation really meant a few sugar factories, a few sweet drink factories and a few machine workshops. That was on the Statute Book 25 or 30 years ago. I believe we have moved a far way in this country since then. The sugar and the sugar factories have lost a lot of their significance, and manufacturing has grown up and has become one of the principal crops of the economy of this country. The Act was not updated to reflect the reality of a large range of manufacturing operations such as we have had in the last 21 or 22 years in this country. And though common law is for the most part adequate, the law of negligence to deal with a large number of accident situations that take place, the advantage of the Factories Act is that a lot of protective devices have become mandatory for the employers, and it would be a breach of statutory duty if the employers did not provide the many protective measures set out in the Act, and it makes it very much easier for a litigant if he can point to an omission on the part of an employer and as a result establish breach of statutory duty as opposed to establishing negligence on the part of the employer; so that it facilitates compensation and forces the employer too to actually institute the protective measures if the "don'ts" are established. The large range of "don'ts", what the employer cannot do according to the law, I call them "don'ts" are set out in the Act.

To the extent that the definition of Factories has been very much extended to reflect the reality of the modern day industrial development in Barbados, then the Act is very much to be welcomed. Clearly, Mr. Speaker, we could conceivably have defined factory to mean any place where one or more people work and that would perhaps cover every conceivable place, but that has not been done, but in so far as there are gaps, you must remember that the common law is still available to deal with those gaps and there are very few indeed as I have seen from the expanded definition of factories as set out in the Act.

The second point I wish to make, Mr. Speaker, relates to the need for education on the part of the workers and indeed of the employers, and I think the Act as it is now will have the advantage, and one of the benefits of the Act as it is now will be that it will force both employers and employees to become aware of their duties and responsibilities. But it seems to me, Sir, that a large programme of public education has got to be done. I quite often in the course of duty as Chairman of the I.D.C. visit factories and the situation in Barbados is that many factories are very safety conscious and many of them too are not safety conscious at all in terms of the provision of protective devices; but even in factories that have a large range of protective devices conforming

with the Act, we have a situation where many workers refuse to wear the helmets or the devices for the protection of the fingers or whatever and when you ask notwithstanding the fact that there are signs placed everywhere in the factory, when you ask the supervisors and the managers why is it, they say that the workers literally refuse to wear the protective devices.

I remember doing a case just a few years ago, two years ago or so, involving the telephone Company in which a man went up on a ladder to cut a stay wire and the rule at the company was very explicit that all workers going up on ladders had to use a crash helmet, and yet this man who went up on that ladder refused to use a crash helmet. He came down, crashed, was unconscious for ten days or more and suffered serious back injury and injury to his central nervous system. That is a widespread situation in industry. Many of the workers do not seem to understand the benefits of using the protective devices, and I think we have to strengthen and widen the educational process so as to create an environment in which it would be much easier for workers to understand and accept the importance and the necessity for using the protective devices.

I note that the Workers' Union has taken the lead in continuing their work in relation to the importance of safety. Indeed during the course of the last Industry Week, the IDC's theme was "safety in industry" and we too focus on this problem, but I think much more has got to be done employing the T.V., the radio stations and even billboards and so on in bringing all the resources of public information to bear in educating the workers and indeed the employers as to the necessity and vital importance of safety in industry.
6.05 p.m.

I turn next, Sir, to the whole question of the administration of this Act. Under the Act as it presently exist, the old Factories Act, if we may call it so, two Departments in Government have responsibility for the administration of the Factories Act, the Ministry of Health and the Labour Department and I think that they have not administered the Act. I think that we can say so and that would be no mis-statement.

I think it arises from several factors. The first one is this, Mr. Speaker. In my experience, if you give A and B responsibility for a particular mission, A says it is B's responsibility and B says it is A's responsibility and neither A nor B acts, and this has been the problem, Mr. Speaker, and to that extent I think that it is a mistake to continue the present division of responsibility in the new Act and I had hoped that we would not have seen this here because the Ministry of Health refuses to act and the Labour Department says it is the Ministry of Health's responsibility and the Ministry of Health says it is the

Labour Department's responsibility so I would have liked to see the situation where the Labour Department was provided with adequate inspectorate and in addition to that, if a Doctor or two were placed in the Ministry of Health so that Doctors would be answerable to the Chief Labour Officer and all the responsibility would be the Chief Labour Officer's and there would be no question of the Chief Labour Officer saying that it is the Ministry of Health and the Ministry of Health saying it is the Labour Department.

I really hope that before too long because I am really confident that the same mis-management of this new Act will continue and I am very confident about that and I am hoping that after a few months we will not be ashamed to come back or reluctant to come back and correct what, in my view, is an obvious mistake in the division of responsibility for the management of the Act between the Ministry of Health and the Labour Department.

The second reason in my experience why the Act has not been properly policed and limited as it was, much more could have been done under the existing Act is because of the fact that the Labour Department is not properly organized and staffed to deal with these problems. They seem to have had a low priority in terms of the responsibility of the Ministry of Labour and in particular the Chief Labour Officer and little resources have been devoted to this particular problem of the administration of safety and the welfare of the workers in the workplace, and to the extent that this Act was 5 years in planning, I would hope, Sir, that we would have the staff in place ready to administer the Act properly.

In short, Sir, if we take 5 years to plan and build a Hospital and you know that you would have need for a large number of X-ray Technicians and so on, you should use the 5 years of planning constructively and start training your staff for the opening of the Hospital. Equally, Sir, I hope that we would have invested in training officers over the last 5 years in preparation for the expanded number that would be needed to police the Act effectively because it would be no use putting the Act on the Statute Book, with all of these laudable provisions and there is no personnel, trained and adequate enough in size in order to police the Act and ensure that the provisions are enforced.

One of the problems at present, Sir, apart from the problem of noise, the problem of overcrowding, the problem of exposure to all sorts of health hazards resulting from the wide range and the complexity of manufacturing processes that are carried on in Barbados is the fact that a lot of factories have not been built for human beings to work in them at all.

Some of the ceilings are far too low, quite often the ventilation is inadequate, the flooring is deficient and in many respects they have not been properly built with any regard whatever for human beings, for workers, their safety and their welfare and this Act, Sir, pays particular attention to the building of factories, the provision for proper ventilation, the provision for proper lighting, Sir, and in this respect it is a major advancement on the old Act, Sir, and adds to the many reasons, Sir, why I welcome this Act on the Statute Book.

I am also impressed with the fact that lawyers working both for the employers and for the victims of accidents, the workers, can have access in this Act before the House to the Report of the Labour Inspector. The position is, Mr. Speaker, that quite often when an accident takes place, a report is made to the Labour Department. Immediately, or as soon thereafter as practical, an Inspector goes out to the place of the accident, he investigates and he makes a report. If he moves quickly and that machine had no guard, he can often see for himself that the machine was unguarded and report that but under the old Factories Act, the lawyer working for the injured worker, could not call the Labour Inspector as a witness to say that immediately after he went and investigated that the machinery was not securely fenced or not fenced at all because I think it was Section 20 of that Act which prevented him from giving evidence and that was quite often the most credible evidence there was.

Sometimes we know that workers are reluctant to speak the truth against the employer for fear of losing their job or for one reason or another they might not be on friendly terms with their fellow employer and to that extent the truth is not quite spoken and the report of the Labour Officer would be the most credible evidence in those circumstances as to whether the machinery was fenced or not, whether it was securely fenced or not securely fenced but we have had quite often in the Courts to deal with the second best evidence, Sir, not the best evidence because of the fact that the Labour Inspector who investigated was not available to give his evidence so that provision, Sir, is again one very much to be welcomed.

In addition, Sir, we have had a situation where many employers have precluded lawyers and engineers from coming on to their premises after an accident to investigate the workplace. They say, "Oh no, you cannot come in here." The Act provides, Sir, that the employee who has been injured and his attorney and/or advisor, may enter the workplace so as to investigate the layout of the workplace, the premises and the factory and determine whether or not there is a good case to bring against the employer. That provision, Sir, is very desirable and very much to be welcomed.

Mr. Speaker, Sir, I note that there are opportunities under the Act, Sir, for the Minister to make regulations and I very much hope that regulations will be made at a soon date and that the Act will come into effect at a soon date.

6.15 p.m.

There can be no doubt about it, Sir, I think that the last Honourable Member who spoke and who deals from day to day with these problems, to some extent, I deal with them on a regular basis, Sir, we can all agree that there is a large need and an urgent place for this legislation. I very much hope, Sir that it will come into effect at a soon date and that the personnel resources Sir necessary to police the Act will be provided by the Ministry.

We, at the IDC, Sir have all along felt the need for this piece of legislation and I welcome it because much as we are in a haste to industrialise, we have always taken the view that in a haste to industrialise our country, we should not lose sight of the necessity to make proper provision for the safety and welfare of our workers.

Dr. CADDLE: Mr. Speaker, this Bill has taken some time to reach this Honourable Chamber, but that is understandable because I would concede that a lot of preparation, a lot of ground work had to be done to get this Bill here.

My contact with the preparations for this Bill goes back to my position as Minister of Health and I do recall that the Chief Public Health Engineer, Mr. Archer was then sent on a workshop in Ireland to attend discussions on industrial health and hygiene and as a result of his attendance there, he came back and made a report to the Ministry of Health on the findings of that workshop and of the need for introducing comparable legislation in Barbados. Unfortunately, the Ministry of Health could not move this along as it wanted to because they were not the sole authority for policing that particular Bill.

However, my chief concern here in this Bill, as it stands before us stems from the fact that I am a medical practitioner with a special interest in skin disease, or dermatology and I want to restrict my observations particularly to that area. For a very long time, in the absence of a very good Bill, workers in this country have been at a great disadvantage when matters pertaining to their health arising from work have been discussed and they have sought to seek redress one way or the other for any damages pertaining to their health which occurred in the course of their employment. It has not always been easy because in Barbados, there seems to be a large amount of ignorance, particularly in relation to conditions in many of these factories and more especially in relation to substances, chemicals which do promote disease in people exposed to those chemicals or substances. Sometimes, it is sur-

prising to find that the owner of the factory is not fully aware of the health hazards of some of the substances being used by his factory. Worse still, the worker, or his representative, if he is so fortunate to have a representative in this case do not seem fully aware of all pertaining to the use of these particular substances and then, you find the public at large being completely ignorant of what is involved.

For a very long time, people's knowledge has been confined to the manufacture of sugar and even there, at close analysis, you will find that there is a lot of ignorance surrounding those operations. I do not think that there are many people in Barbados who are fully aware of the fact that in that industry, there are diseases occurring to workers which come directly from exposure to certain substances in that industry. For example, the bagasse which comes from the operation of such an industry as a by-product, if inhaled and I know that it has been inhaled to some extent by some workers, it produces a form of lung disease falling in the group better known as pneumoconiosis. The prickles on the cane blade produce irritant dermatitis and the serrated border of the cane blade can deal some very serious cuts in the skin of an individual and if these cuts are not properly attended to they can give rise to chronic ulcers in the skin. I have mentioned that to show that even in the area of the sugar cane industry which we talk about and seem to know so much about, there are pockets of ignorance.

So therefore, when you come down to a question now of modern industries, I leave you to imagine, Sir how much greater is the ignorance surrounding or pertaining to the operations of those particular industries. Sir, I have had the opportunity of attending to people who did not even know that some of their problems stemmed from exposure to substances and when you think about drawing it to the attention of the managers and the owners they were even more shocked to hear that the work was producing this type of disease. In Barbados, we have the printers industry, we have the manufacture of paints and in those, you find that people are exposed sometimes to lead fumes and I am fully aware that in Barbados, some workers have had great problems as a result of constant exposure to lead fumes have had to give up work only to find later on that no compensation had been given to them, just dismissed with a shake of the hand and then have to go around suffering not only from the point of view of their health, but from the point of view of getting another job and this brings up the question really of how adequate the medical service is in this country to deal with problems pertaining to industrial health. It is my opinion that a lot more would have to be done in this area to get that field adequate enough to deal with this problem.

There are some doctors in Barbados, by virtue of their training who have some knowledge of industrial health and who will be in a good position to render assistance and advice in this area, but a lot can go wrong as has

happened not only in Barbados, but in other parts of the world and I do not want anyone to draw the conclusion that only doctors in Barbados may not be aware of industrial health because industrial health is a new field, a new discipline and it is expanding or changing depending upon the new industries that are developed and the new substances which go to subserve these new industries and if one has not taken any step to make oneself familiar with the conditions in new industries, it becomes very difficult to identify these conditions when a worker presents himself to you.

For example, a worker may very well present himself to a doctor and be diagnosed as a cold, simple bronchitis later on to find out that rather than his condition getting better with the medicine that has been prescribed by the doctor that it is getting worse and subsequently on further investigation he found that he has developed a disease as a result of exposure to some substance, the inhalation of some substance, some vapour, some dust and the inhalation of that dust that vapour has precipitated some form of asthma which is now threatening his life. This is the position in Barbados and I find, Sir that it is rather annoying because workers find it very difficult sometimes even when their case has been properly diagnosed and the evidence presented to the worker, they find it difficult sometimes to get even humane consideration from the employer.

What I am concerned with is not so much the health regulations as pertaining in this particular Act, but regards to what should be good conditions at work and what should be done in the examination of young people. What has really distressed me is that there is a void here in relation to the health of people who have become in some way disadvantaged as a result of working for a very long time under certain conditions at work and what is even more distressing is that in this void, you find that workers who very well may be exposed to substances and developing some form of industrial disease may still find some difficulty in getting their problems corrected because as I said of the large amount of ignorance which exists at various levels in this society. Sir, what I would have liked to see included in this Bill just as I notice in one Section, certain steps have to be taken in relation to the employment of young people, proper examination and so on. I would like to see something to that effect brought out where a person who is not a young person as identified by this Bill gets proper examination.

6.25 p.m.

It is very easy to use words such as "adequate" and "sufficient" but it is common knowledge nowadays that unless you set about to specify by use of the appropriate form what a particular doctor must look for and must report on, you could very well find that in a report

of an examination some of the important things which should have been looked for had not been looked for, and you need not necessarily claim that this was negligence on the part of the doctor. Even nowadays in some countries in simple things like immigration, immigration authorities specify on a form what are the areas they want a doctor to examine and report on. You find that insurance companies likewise have a form in which they specify the areas they want the doctor to examine and report on, and you find, as I am suggesting here that in the case of industrial disease, examination of workers who have been constantly exposed to these conditions, we need something more definitive than just saying go to a doctor and get an examination, because unless a doctor has training or has experience in that particular discipline he may very well find it extremely difficult to make the type of observation and the type of report that will enable either the employer, the lawyer or the Chief Medical Officer to come to a definite conclusion as to the cause of the particular worker's disease.

Therefore in this area I believe that that is a void which should not have been permitted to continue or to find its way into this Bill.

Sir, let us look seriously at what is going on in Barbados. There are, nowadays, most of the factories sited in industrial estates, and therefore it may be a lot easier for a Factory Inspector to keep track of the majority of these, but there are some factories which are sited in residential places, and why I am drawing that fact here is that I am aware of some of these factories sited in residential areas which have been a source of irritation to the residents who live near to these factories. In fact, some of these factories have come there long after the residents have been residing there. In other words, a person has gone into an area, bought a building and decided to convert it into a factory, and you find that the fumes and dust from these factories when carried by the wind go to irritate people living not far away, maybe less than 15 yards away from the factory site. This has given rise to a lot of irritation on the part of the residents, and serious steps, sometimes even legal steps, taken by the residents to have a curtailment of what to them is a nuisance have failed. In fact, I have participated in court in such a case, and up to this day, two years later, no definitive action has taken place as a result of those deliberations in court.

That is also very important, because while we are concerned here with workers and their work places, we also have to be concerned with the environment at large and how it affects not only the people working in the factory, but people who live near the factory and are affected by the effluvia or the emissions coming from the particular factory, and this is very important.

When you come, Sir, to the conditions within the factory itself, if you look at any of the sugar cane factories in this country, one is appalled that these conditions have been permitted to survive for so long, not only from the point of view maybe of the inertia on the part of the Government, but one must also wonder why maybe the Unions in this country have not been more vociferous in their demands for changes in the conditions of some of these factories, because when you look at the condition of light, the condition of heating, the condition of ventilation and those things, you find that they are missing, or that they are not up to the required standard, and one wonders how many workers have been able to continue working under such conditions for all these years.

Sir, people tend to blame the worker when an accident occurs. When I say people, very often those who are in the management tend to blame the worker and say that he is careless, he is negligent when an accident occurs, but if you check out these accidents you will find that in the majority of these accidents it is the lack of proper conditions and facilities in the factory itself and not negligence on the part of the majority of the workers who get injured. In other words, I would like to say that the contention that the worker is negligent in the majority of the accidents occurring in a factory is a myth and one which has never really been critically analysed to establish the truth or the lack of truth in that statement. People have come to accept it because maybe certain people by virtue of their positions are able to impress their thoughts or their thinking on many other people in the society. But when you look at the factories in Barbados, not only sugar factories but even some of the newer factories, one can see on close examination that the conditions, the protection that should go with the factories, the security of the machinery and all of those things which would make it safe for a worker are very often absent, and when these accidents do occur there is nothing to blame the worker for. One has to be surprised that more accidents do not occur and at a more regular rate. The noise, vibration, ultraviolet radiation, infrared radiation, ionising radiation, these are some of the hazards today taking place in industrial development in any part of the world.

When you look at the question, Sir, of some of the transistor and computer components where you find many of them now in Barbados, where especially a lot of women are being used to assemble these things, a lot of strain is put on the eyes of these individuals and after short periods of time working constantly in these areas their eyesight fails. I know, Sir, that not much attention is being paid to the care of eyes for these people, and after a while when their sight has failed to such a degree that they can no longer work satisfactorily in that particular field, they just have to gradually go out and if lucky they may find a job somewhere else.

I think that the attitude of some of the employers towards the employees in Barbados in these new industries especially is such that we wonder if we are still living under conditions which we associate with the days of slavery. It is remarkable that in this day and age that people can see employees purely from the point of view of production only and not see them in their rightful role as human beings who have certain needs and who are entitled to some respect, and the employer has certain obligations to discharge towards these people. It is because of this attitude that we find on many occasions workers get injured in Barbados and then they are left neglected for a very long time, or sometimes they are sent for first aid attention and not sent to get proper medical attention, and then when the worker has to go off on his own to obtain adequate medical attention and pay for it, and the doctor on the basis of his findings then has to give a report to the worker to take back to his employer, you find there is a conflict between them, that is, the employer and the employee. I have had cases drawn to my attention where the employer very boldly wanted to claim that when the particular worker was checked out in the manner he wanted him checked out nothing was wrong with him, and therefore the injury he had might have been got on some other occasion or afterwards.

6.35 p.m.

I had a case in my office where a lady had a piece of needle broken off in her finger, and that piece of needle remained in that finger for about five days. When she got damaged and went to her boss and said she had a piece of needle in her finger, he looked at it, didn't see anything, applied some first aid and left her there. Being a foreign body it produced separation and when the lady came to me, I had to remove the finger nail and in the course of removing the finger nail one was able to find the tip of the needle still embedded in her finger. When this matter was reported back to the owner of the factory up in Grazettes, not far from where my office is, the lady was shabbily treated contending that on the particular occasion when this was examined there was no evidence of any needle in this lady's finger.

I draw these examples to show how callous and inhuman some employers can be with their employees. What the employer very often claims to appreciate is that unless the condition of health of the worker is good and the morale is good, his productivity will never be as good as the employer wants it to be; so if the employer is interested and concerned about the productivity of the worker, he should have an interest in ensuring that the worker is always at his best health, and if anything happens to reduce that good health of the worker or his best health; then the employer has another obligation to assist the worker in returning to his best health as quickly as possible.

Sir, in the area of new industrial development in this country there are a large number of chemicals or substances which can produce a variety of disorders and diseases within the human body, and it will become necessary on the part of the Ministry of Labour and the Ministry of Health to make the public, the worker and the employer aware of these various substances that can and do produce disease in people. It will also become necessary on the part of the Ministry of Health maybe to hold workshops with doctors in this country to make them more acquainted in some way with the new developments in industrial health. As I said earlier on, this is a new field and unless you have taken steps to equip yourself with that discipline, you will not be able to function as well as you ought when you are presented with problems arising from industry.

I repeat it will become necessary for the Ministry of Health to assist doctors in this country in becoming more acquainted with the hazards which are likely to stem from the industries as a result of the industrial development of this country by holding regular adequate workshops for the benefit of the workers.

Just to give an example, Sir, there are some chemicals, benzidine for example, which can produce cancer. There are some coal tar preparations which when applied to the skin can also produce cancer. There are a large number of chemical irritants which produce forms of irritant dermatitis in the worker, and worse still cause a problem of allergic dermatitis where the workers as a result of exposure to a particular substance and maybe due to peculiarities in his own system develop an allergic response to this particular substance. Whenever he is exposed to it, he behaves in an abnormal way either by forms of a dermatitis, by forms of asthma or some other immunological reaction. You find that the inhalation of certain substances, as I said earlier on, can give rise to pneumoconiosis the most common one or one which you would be familiar with in Barbados would be bagasse, but with the introduction of new industries into this country, it is very likely that we will see some of the other forms of pneumoconiosis developing in Barbados, and if doctors and people are not made aware of this, these things can go undiagnosed for a very long time and during the period that they remain undiagnosed, untold harm can be done to the worker.

We are talking, for example, about a cement factory in this country, but I do not know how many people are aware that cement can produce a very severe form of dermatitis as a result of contamination of the cement by chromate. This is something that happens to masons who work regularly with cement, and you are likely to find more of that can occur when you have a cement factory where dust can be blown for long distances from where the site is and where the workers themselves

unless adequate precautions are taken can be exposed continually to cement dust.

In the whole of these areas, Sir, where new chemicals and substances are being used in countries outside of Barbados, it has come to be accepted that certain precautions have got to be taken. Too often in Barbados, maybe because we are trying to reduce the unemployment rate rapidly, we seem to overlook some of the precautions that we should take or some of the obligations that repose in the workers in this country, and we permit people to come in here and set up industries without having the necessary precautions which they would be enforced or obliged to take in other countries.

I hope that with the coming into operation of this Bill we will not be so negligent any longer and we will be just as determined as people in the United States, Canada, Great Britain, Western Europe and Japan in ensuring that the necessary precautions which must be taken to protect workers or to minimise the risk of developing some form of industrial disease are taken at all times by people in this country wherever and whenever it is necessary.

In the area of investigation of these diseases, it becomes necessary for the Ministry of Health to set up in this society laboratory facilities and to have the necessary people trained to assist in the identification and diagnosis of these diseases. It may be necessary to go a step further and to have the facilities available to ensure that people who have suffered as a result of exposure to certain substances can have the necessary treatment and so make them worthwhile or rehabilitated in the society again. We also have to be concerned in the area of insurance for workers against this type of problem. We are already aware that a worker if he gets injured while at work is covered by the national insurance scheme, but I think we would have to go a lot further in the protection of workers to ensure that any insurance scheme would go a bit further in not only covering for physical injuries as now occur, but also for other injuries which may occur to him in the course of his work and for any disability which might occur as a result of these disorders. I am not thinking in terms of losing a finger or a foot or things like that; I am thinking more in terms of diseases, dermatological diseases or industrial diseases which have reduced the capacity of the worker in some way to work or which has caused the worker now to change his work; and you have to bear in mind that if a man has worked at a job for many years and has become old, it becomes more difficult to retrain him, and if the fellow develops an allergic response or some form of chronic disease, dermatitis from a particular substance after having worked with it for 25 years or more and it is now difficult to

retrain him and he has to give up his work and go home, it will be necessary to have some adequate compensation or some adequate coverage for him and some form of insurance, because at that late age he may find it rather difficult to get another job and since he cannot work on the job any longer he will have to be retrained, and it is generally agreed that the retraining of old people or people at a certain age can be very difficult.

In any case, when you look at the employment situation in Barbados in relation to jobs or change of jobs, it may not be as easy as some of us would like it to be. So these are points which come forcibly to mind as a result of the introduction of this new Bill. There are other areas which I can talk about, but I have decided this evening to hold my contribution to the area of health because I recognise by virtue of my practice in Barbados that the worker in this country for a very long time has suffered as a result of inadequate legislation pertaining to conditions of work in any of the factories or places in this country, and I hope that as time goes by and we have seen the operation of this Bill and we are able to analyse the working climate in this country and identify the problems confronting the workers in this country, we will be able to come and update this Bill more and more and make it more in keeping with what obtains in some of the more industrialised countries of the world, more to the benefit of the worker and also to induce better harmonious relations between the worker and his employer and generally between everybody, the employer, the worker and the people at large in this society.

6.45 p.m.

Hon. H. deB. FORDE: Mr. Speaker, Sir, if I may reply to one or two comments made by the hon. member. In the first place I think this debate is indeed a non-partisan approach on the beneficial nature of this legislation which is now before the House and all of the four speakers who have spoken so far in the debate have generally welcomed this, not only as a reform measure but as a very necessary piece of legislation concerned with the safety, health and the working conditions of people working in factories in this country.

There have been one or two points on which comments have been made and I rise on behalf of the Government to reply and in some instances to qualify some of the matters. If I may in the first instance deal with the statements made by the hon. member for Christ Church East in which he adverted to a division of the functions of administration under this Bill.

Mr. Speaker, the main responsibility for the administration of the Factories Act resides with the Ministry of Labour and more specifically with the Chief Labour Officer and the Labour Office. It is true that

there are aspects of the Bill for instance relating to the duties of the Chief Fire Officer as indeed related to the functions of the duties of the Chief Medical Officer of the Ministry of Health and the Ministry responsible for the Fire Office which will be involved but this in no way derogates from the primary responsibility being placed solely within the Ministry of Labour through its Chief Labour Officer and I think that if one looks at the Factory Legislation throughout the Commonwealth and to a large extent this Bill reflects updated legislation in the United Kingdom, you will notice that the administration of the Bills or the legislation in those other jurisdictions is approached in a similar manner.

It is not necessarily a bad thing or a wrong thing or an ineffective thing for that matter for this division of responsibility to be set out in an Act particularly where one knows that more than one sphere of activity is involved and I do not know other than in very large countries where there is an abundance of human resources and skills that you can find a small developing country like ours Ministries that are fully staffed with Specialists in various fields of administering Family Legislation.

In my view the essential thing is to have an effective co-ordination of the various Ministries who have responsibility for this subject and a close liaison with the workers' delegates and the Workers' and Employers Committee provided for in the Act to ensure that the Act functions properly and is properly administered.

I think if there is a point to be made the point will be this as indeed other bits of our Labour Legislation cannot be properly executed unless the Ministry of Labour is adequately staffed and has accessibility to adequate statistics but that does not necessarily mean that you must set up within the Ministry of Labour a few Doctors and few Fire Fighters who would look at the equipment, etc to ensure that the Legislation is properly administered so that the structure of the Legislation in my submission to this House is not necessarily defective.

In fact, I think that for a developing country it is adequate but what we have to ensure and I know the Minister intends to ensure is that there is sufficient co-ordinated mechanisms in order to implement the various legal provisions of this Bill. That is the assurance I would like to give the hon. member for Christ Church East and to say that the Bill in itself as a legal measure has not got an administrative weakness. If there is any weakness that we have to guard against it is whether or not there is follow through action in relation to the provisions of the Bill.

The second point that I should like to advert to, perhaps, Sir, is the point made about the scope of activities that are now encompassed within the definition of "factory". In fact I think it is extremely

wide and it covers a host of activities which should have been covered a long time ago and if I may advert to some of the comments made, the useful comments made by the Barbados Workers' Union, the Bill has taken into account the suggestions and recommendations of the Unions, particularly extending the scope of "factory" to cover building operations and operations not necessarily within a closed confine but in open spaces as well which partake of the nature of "factory" and which can have the deleterious effects on the health and welfare of a worker.

One must remember that in this Bill a lot of consultation has gone on not only between the Governmental Agencies but with the Workers' Representatives as well and there are strong features in this Bill in providing for the Employees' Representatives to have a leading role on the job in the factory by legislation and in some instances where we have made provision for this, we have used the imperative word "shall" and not the word "may".

There is no discretion on the part of the Employers to prevent the Workers' Committee from functioning in instances where they have responsibility to see that the safety and welfare of the worker is safeguarded on the factory floor itself and to this extent it is a revolutionary bit of legislation.

I expect to hear some die hard, conservative, old-fashioned employers criticising this. I expect to hear them and I am waiting to hear the comments coming from a few pressure interest groups who would say that this is going to mean a more expensive form of running their factories and that it is going to mean that the workers are taking over Management functions, the usual foolishness which is turned out by people who want to live in the 15th Century, not even in the 19th Century but the time for that has long since passed in this country and if Barbados is industrialising, as hon. members have said, we must be wary that we are not in the process of destroying the people who in the last resort are carrying the major responsibility for this country's progress and those are the workers of Barbados themselves. We need productivity from them and we need their health to be safeguarded.

Sir, I believe that the Minister intends as well to make sure that an Educational Programme comes in with the implementation of this Bill and now I only can express the hope that he will use the facility provided by the Barbados Workers' Union very admirable training facilities in order to hold Seminars with the Government, of course, paying part of the cost and providing part of the expertise because I think it is necessary to give the workers as well as to educate the employers about their rights, duties and obligations in this set of legislation.
6.55 p.m.

Mr. Speaker, I believe that the contribution made by the Honourable Member for St. Lucy in particular on the provisions of this Bill is one of the most valuable contributions which I have heard in the Honourable House on what is a specialised piece of legislation and as the Honourable Member for Christ Church East said, it certainly displayed a very deep working knowledge and intimacy with occupational health and safety standards and the need for adequate legislation. The comments made by the Honourable Member for St. Michael North Central as well on the medical ill effects which can be produced by inadequate legislation and inadequate policing of legislation of this nature are comments that we must seriously take to heart and use and see that the abuses of which he spoke are prevented from occurring.

I know that the Honourable Minister is in touch with the International Labour Organisation about looking at the regulations and other ways in which we can upgrade legislation dealing with other services and enterprises in agriculture for instance and in fact, as late as February, 1981, I believe that some technical assistance was offered and this is being pursued. I would hope that the Regulations will soon be available, so that the Bill can be fully implemented. I am sure that the Ministry of Establishments will give early consideration to providing the necessary manpower for enforcing the provisions of this Bill.

One last comment, if I may be allowed, Sir. I know that the Honourable Member for St. Lucy when he spoke, adverted to a case, which because of the lack of manpower, it was not prosecuted on time. He was under the impression, Mr. Speaker that this was due to the Attorney General's chambers. In this regard, he is perhaps like a lot of mistaken people who believe that the Attorney General has responsibility for prosecutions. The responsibility rests with the Director of Public Prosecutions and we have chosen under the Constitution to give him an independent role, so that even prosecutions under this Act do not come to the Attorney General, but are now carried out by the Director of Public Prosecutions, but, I will convey to the Director the comments made and indeed, I know that we have since taken steps to increase through Parliament, the number of officers available to the Director and in fact, I will be recommending with the concurrence I hope of the Honourable Minister of Labour and Community Services that a special officer be assigned to look at all labour legislation and prosecutions under this Bill and I am quite prepared despite our lack of adequate manpower to ensure that the person is even attached to the Ministry of Labour, so that this type of legislation will be in force in the future, Sir.

Hon. H. B. St. JOHN: Mr. Speaker, the time being 7.00 o'clock, Sir, I beg formally to move that this 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.

SUSPENSION

Hon. H. B. St. JOHN: Mr. Speaker, Sir, this is a convenient time, I beg to move that this Sitting be now suspended until 8.00 o'clock.

Dr. CHELTENHAM: I beg to second that.

The question was put and resolved in the affirmative without division and Mr. SPEAKER accordingly suspended the Sitting at 7.01 p.m.
7.01 p.m.

On Resumption:

Mr. SPEAKER: This Sitting is now resumed.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, I beg to move that Your Honour do now leave the Chair and that the House go into Committee on this Bill and that the Committee be instructed to deal with this Bill in Parts.

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

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

Mr. CHAIRMAN: The House is in Committee.

Part I was called.

Hon. H. B. St. JOHN: Mr. Chairman, Sir, I beg to move that Part I as amended stands part.

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

Mr. CHAIRMAN: The question is.....

Mr. GREAVES: Mr. Chairman, just before you put it to the vote, under the citation, the name of the Act, I had referred in my speech on the Second Reading to a suggestion which was made through another source about changing the title of this Act to the Safety, Health, Welfare and Working Environment Bill. I was hoping that the Honourable Attorney General in his reply would have alluded to the reasons why the point was not taken. I still believe, Mr. Chairman, that we would have to think in terms of widening the scope and the actual sweep of this legislation, so I wonder if the Honourable Attorney General could give some indication on this particular matter.

Hon. H. B. St. JOHN: Mr. Chairman, Sir, modern drafting requires that there should be as succinctly stated as possible and "Factories Act" is a compendious expression and much as we understand and sympathise with the underlying motive which motivated the Honourable Member to raise this query, regrettably Sir it cannot be accepted, Sir.

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

Part II was called.

Hon. H. B. St. JOHN: Mr. Chairman, Sir, I beg to move that Part II as amended stand part.

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

Mr. CHAIRMAN: The question is that Part I as amended.....
8.05 p.m.

Mr. GREAVES: Mr. Chairman, under Part II I would just like to refer to one particular incident which I believe will be of interest to the Committee in terms of making provision for safety in the boiler furnace type operation. Quite recently, I think it was last week, at Haymans Factory, a worker was supposed to be involved in cleaning part of the furnace, and the hot ash, what happened was that the workers had been cleaning the furnace when the ash was still in a very hot state, and situations have been known at other factories also to develop where hot ash in its red hot state has fallen down and burnt a number of people. As a matter of fact, only last week a worker working in this section, cleaning the furnace at Haymans Factory, died as a result of very serious burns which he received in this particular area. I do not think the point can be stressed too much about emphasising precautionary measures, not only from the point of view of the worker but also from the point of view of the employer.

The point I was making earlier in the debate in this Session on this matter is that employers sometimes by their attitude and sometimes by their whole approach push workers into situations where they feel that they have to finish work by a particular time, because the employer is not averse before the factory closes down to make sure the factory is all cleaned up and ready for starting at the beginning of the week, and in this particular situation I believe that the worker was pushing to get the work done, but we have to be very firm in making very firm legislative arrangements to ensure that employers do not connive at the breaking of any of these regulations or any of the laws relating to safety.

Under section 25(8) I would like to think that we should make sure that we have proper protection for the workers working in these dangerous areas.

The Hon. Attorney General in his response to points made by myself and the hon. member for Christ Church East on the provision of an attorney at law in the Department of Labour did suggest that he would take the matter up with the Hon. Minister and certainly he would make sure that one of the legal officers in the Department would be dealing specifically with matters relating to prosecutions under this particular Act, and I would like to just impress upon him that I think it is something which is very important, because we need to push and to let employers, and people generally speaking, recognise the importance of this particular legislation.

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

Part III was called.

Hon. H. B. ST. JOHN: Mr. Chairman, I beg to move that Part III as amended stand part.

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

Mr. SANDIFORD: This Part places certain responsibilities upon the Chief Fire Officer to inspect certain factories to which the Part applies, and I believe there was a reference generally to the point I wish to make by the member for Christ Church East, but I would like to get some assurance that the Chief Fire Officer and the Fire Service generally is being provided, or has been provided with the necessary personnel to carry out the additional functions that are imposed by this Act, or will be imposed by this Act upon them.

Hon. H. B. ST. JOHN: Mr. Chairman, for a long period of time, certainly in my Ministry which deals with gases and to a certain extent with quarries, we have been in constant consultation with the Fire Department as to a new role which they will have to perform in relation to safety from the point of view of explosions and fire. I believe that the Minister responsible for the Fire Service will be able to testify that they have been exposed to a lot more training than they have been in the past, particularly with reference to this new role. The establishment of the Fire Service certainly has been increased in the course of the last five years, and I am sure that he will be able to give us more specific information on that, but we have always envisaged that there would be an expansion of the scope of work which would devolve upon that Department under a number of Bills, the first of which has come to the Legislature in the form of the Factories Bill, but we have a Gas Safety Act, there is a Quarries Act which has been drawn by international experts, and it is envisaged that the competent authority in

relation to explosions and fire will be the Fire Service, and they have been already exposed to some degree of training. The Minister responsible for the establishment will deal with that.

Hon. H. deB. FORDE: Mr. Chairman, if I may just briefly say that a Civil Establishment Order for the increase in the establishment of the Fire Service was passed by this House not so long ago increasing the Fire Service by 15 additional persons. I believe that they are including one Officer or Sub-Officer and additional Fire Officers, and it is proposed shortly to bring another Establishment Order before the House increasing them by a further 67 persons, including officers to look after appliances. This is with a view eventually to integrating the ambulance service within the Fire Service, and it is envisaged further that with the increasing responsibilities for this type of work and function and responsibilities under the legislation dealing with petroleum safety in petroleum matters, that we will have to have some additional staff in due course.

In the meantime, training for the Fire Service has begun in these specialised fields, and in fact, Mr. Chairman, over the past two years we have been intensifying training in aerodrome fire fighting and equipment methods, and we are at present in contact with overseas agencies in the United Kingdom with a view to sending people for training in relation to factories and we have done some training to deal with fire hazards connected with petroleum and gas.

8.15 p.m.

In fact, the principal Training Officer, the Chief Fire Officer, my Permanent Secretary and myself have in recent weeks been meeting and settling the details of the five year development training plan for the Fire Service which includes overseas service, training in overseas establishments as well as additional in-training in the Fire Service here; so that although we do some initial recruit training and some repeat training, we will be intensifying local courses whilst at the same time intensifying overseas courses that are available to the Fire Service.

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

Part IV was called and passed.

Part V was called.

Hon. H. B. St. JOHN: Mr. Chairman, I beg to move that Part V stand part.

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

Mr. GREAVES: Under Part V, Mr. Chairman, section 59(3) relates to first-aid. Now it might appear to

be a small point, but I think it is one which ought to be taken very seriously because there are situations at a number of factories where the existing regulations relating to the first-aid kit are not observed. We have come across situations where when an employer knows that a Union officer is visiting the plant or somebody from the Labour Department, they would try to get a couple of things in the first-aid kit. There was one ludicrous situation which was described to us by a worker when it was discovered that a visit was going to take place by a factory inspector that a box was painted up white with the usual red cross, and there was nothing put in the box, but it was just put on display.

I think that this provision ought to be carefully checked because there are situations at factories where the absence of a properly maintained first-aid kit cause problems, and I believe that this is going to be one area which we should try to make sure is enforced, and certainly the point which has been made about having the regulations implemented or drawn up as soon as possible after the passage of this Act to make sure that they would go hand in hand so that the provisions of the Act can be properly adhered to we would like to see enforced as quickly as possible.

Hon. H. B. St. JOHN: Mr. Chairman, Section 59 is very specific and it does not even require regulations. The Chief Medical Officer can give directions as to what is to be kept in the first-aid box. I want to say this: one of the salutary features of our industrial atmosphere in Barbados of late is the number of factories which are employing nurses as an essential part of their employment roll. I can think of at least seven in my area alone which are now employing people who have returned from England and it is a fact that a large number of people are returning who have been employed in community nursing or in industrial nursing in the United Kingdom, and they are now being employed as an integral part of the pay-roll and my Ministry is really encouraging people and I know the IDC are encouraging people that it is a good thing to have a nurse around, because accidents of all kinds do happen, and when once they have the nurse around, I can assure you that these nurses are insistent on a minimum standard of available drugs and equipment within the first-aid box, and I agree with the hon. member who spoke just now.

I think it ought to be easy for the Chief Medical Officer to set out as a general prescription that where you have to have a first-aid box you should have a minimum of so many things. We do not want to wait on regulations for that. That is an administrative job for the Chief Medical Officer. The ILO has standards, everybody has standards in relation to this, and we should get this out co-terminus with the Bill almost so that we will have it. There has been some improve-

ment at least in this area. There are a large number of factories which have nurses and we need some more to have. That is a fact, but there are a large number, and increasingly you see them there with the uniforms. They have a lot of power in the factories too and we would like to see some more employed.

The question that Part V stand part, was put and resolved in the affirmative without division.

Parts VI and VII were called and passed.

Part VIII was called.

Hon. H. B. St. JOHN: Mr. Chairman, I beg to move that Part VIII as amended stand part.

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

Mr. SANDIFORD: Maybe the Minister of Health would be able to throw some light on this, but section 72 refers to the medical examination that is to be carried out by a factory doctor, and I am wondering if it is envisaged that such medical examinations might be available to young workers and prospective workers under the proposed national health service or if it is envisaged this would be outside that particular service.

Hon. Miss B. A. MILLER: Mr. Chairman, I had intended to speak on this Part to say that this Bill has been monitored at great length and contributed to by the Ministry of Health. The Ministry of Health views with much concern the whole question of occupational health, to the extent, as I am sure the hon. member for St. Michael South must know, that we have posts of senior medical officer of occupational health in the Ministry. It has not been filled for some time. It is not easy to find and recruit persons who are interested in occupational health. It is an area of public health where expertise is very scarce, and I am happy to be able to say tonight that in very recent months we have at long last been able to recruit someone who will be taking up that post within a matter of weeks.

The function of section 72 is not that the Ministry or that the national health service should in any way monitor or be in control of these matters. The intention is that each factory, company or firm would have retained the service of a doctor and should so monitor the health of its employees.

8.25 p.m.

The Ministry through its Medical Officer of Health who is in charge of Occupational Health should have an overall interest and function in matters pertaining to Occupational Health, matters of technical advice, matters which are to be found in this legislation, gases and conditions of work.

The Occupational Health Medical Officer will work very closely with the Public Health Engineering Unit which is a Unit in the Ministry which goes in and around Factories and monitors noise levels, dust levels, general conditions of work, Public Health situations and in particular Industries and Trades. It is also the Unit in the Ministry which very carefully keeps track of all of those new industries with hazardous components which are finding their way into modern Barbados and this is the kind of role that the Medical Officer in charge of Occupational Health will function in.

We have three Medical Officers of Health and a Chief Medical Officer of Health who operate with the Chief Medical Officer of Health and just to give you some kind of idea of the kind of priority that we put on Occupational Health you will see if I tell you that the three Senior Medical Officers of Health are divided between one in charge of Environmental matters, one is in charge of all of the Institutions, the Hospitals and the Clinics, and the third is in charge of Occupational Health. That is the kind of priority that it enjoys in the Ministry of Health.

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

Part IX as amended was called.

Mr. GREAVES: Mr. Chairmam, Part IX deals with the Special applications and extensions of the Act and I am wondering if the Hon. Minister can give some indication as to whether the points made about tractor drivers and the problems which they face whether this can be covered in this area or not.

Hon. H. B. ST. JOHN: Mr. Chairman, Sir, I listened with great interest to the problem of the tractor drivers which was raised by the hon. member. I am afraid that there is nothing, in my opinion, in this Act which would cover the situation raised by the hon. member.

My own belief is that the Road Traffic Act which we passed earlier today is the proper Bill and the Regulations under that Act to deal with that. "Factory" has been defined as premises under the extension definition. It covers building operations and works of engineering construction, ducts, wharves, warehouses and ships. It really does not cover movable equipment but under the Road Traffic Bill that we passed earlier there is power vested in the Minister to deal with construction design of motor vehicles and I think that is the proper place to deal with that.

The accidents in relation to tractors. I know what the hon. member is talking about. When I used to practise law there were tractors in which accidents occurred in which workers were sitting on one of the

trailers behind and the equipment that they had for stopping the last trailer did not function properly and when the main tractor stopped, it disconnected and sometimes the trailers used to go one way and the tractor went another way. I think those are the kind of accidents. The trailer in front may disconnect. It is a question of disconnection. It is not a question of turning over of the vehicle but it is a question of the disconnection because of the pins not being of a proper standard and things of that kind.

I agree with that and I think that the Motor Vehicle and Road Traffic Act is the proper place to deal with that and it is certainly within their power to pass Regulations dealing with safety in respect of that. It is usually the brakes or a disconnection of the lock pin, as they call it. It is a matter for the construction and design of movable vehicles and it should be and must be dealt with. I would say in this connection that one of the most heartening things of late is that the Engineers themselves, the Professional Engineers of Barbados had a Safety Seminar here in Barbados earlier this year and they brought in a retired Head of the Canadian Industrial Safety Consultative Organisation.

None of these Bills will work unless there is a permanent Consultative Committee in existence comprising of Employers, Trade Unions, Engineers, Doctors and other people who are interested in safety. It is impossible for us to sit down and put into any legislation rules which will cover each and every situation which may arise. We have to have standards and the standards should be published. I have absolutely no doubt that the Law of Negligence will force some people to comply with standards if there are generally accepted all over the world under the Common Law doctrine of a safe condition of work.

I think that the Engineers' Association have stated that they are willing to take the lead in having this Advisory Committee and the Act does envisage this. I am positive that they will take suggestions from the Member Organisations or the Employers' Organisations or from the general public on this Bill together with the Road Traffic Act which will deal with many of the situations for which we had no legislations governing in the past.

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

Part X as amended was called and passed.

Part XI was called.

Hon. H. B. ST. JOHN: Mr. Chairman, I beg to move that Part XI as amended stand part.

Mr. GREAVES: Mr. Chairman, under Part XI in Section 101 a suggestion was made that there should be

some provision for the Trade Union representing the workers at the work place to be included specifically as one of the groups who would have access to get into the factories to investigate any accidents which occur.
8.35 p.m.

I would like to suggest that that point be taken and furthermore under Section 102, subsection (3), I would like to further suggest that the trade unions representing the workers at the work place be added to the group of persons to whom information could be disclosed relevant to any investigation which is made by a labour officer on an accident taking place at a work place.

Hon. H. B. St. JOHN: Mr. Chairman, Sir, section 101 does envisage that trade unions can enter factories and see inspectors' reports, who after all would fall within the definition of representative of workers at the work place, but the trade union. Trade unions are representatives of the workers at the work place. In addition to that, the worker himself can authorise a person. It is not beyond the ingenuity of the trade union when they have representatives at the work place to have that as part of the conditions of work. There is no difficulty with that. I think 101 really says that, representative of workers at the work place, that is the trade union.

Section 102, information. If you can inspect the report and take copies, what is the difficulty? Under 102 Sir, (ASIDES) we are dealing with parts. In this Part, Sir, this clearly envisages that you may enter the factory and may see inspectors' reports. Where an accident that results in injury, Sir, or in the death of a person occurs in a factory, any person authorised by the injured person, by his representative, by representatives of the workers at the work place, or as the case may be by representatives of the deceased may examine any report made by the inspector in connection with such accident and enter the factory for the purpose of investigating the accident. It is sufficiently clear to cover all of it.

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

Part XII was called.

Hon. H. B. St. JOHN: I beg to move that Part XII stand part, Sir. This is the one that envisages a safety committee at each factory and I think that it is very important that we should envisage that this is a new departure, Sir. I would like to see a national organisation Sir. There is an amendment that is needed, Sir.

Hon. H. deB. FORDE: Mr. Chairman, Sir, the Honourable Member for St. Lucy has drawn to my

attention that there is an omission in this Clause, subclause (3). I wish to amend subclause (3) to insert the words, "information relating to" between the words "all" and "work place" in the second line of paragraph (d) of subclause 103(3).

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

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

Part XIII was called.

Hon. H. B. St. JOHN: I beg to move that Part XIII stand Part. I want to say this, Sir. Part XIII is the one which provides for Regulations both by the Ministry of Labour and by the Ministry of Health. It is under these clauses that a number of the problems which the Honourable Member for St. Lucy raised could be dealt with. If you want to have statistics in relation to accidents, the Ministry of Health can make Regulations providing that accidents and diseases taking place at the factory should be reportable. They keep saying that in a Bill of this kind, you must have the general framework, but that there must be other institutions in your community, who will ensure that the Bill carries out the general objectives. You cannot sit down as a Legislator and deal with every situation because none of us have the competence to deal with the wide facet of possibilities that could occur. But, it is on the Bill, these two Ministries as representatives of the workers and as engineers and as doctors to have Regulations to deal with these situations.

There is one that was drawn to my attention made by an engineer. He said that the essential part of accident preventative is the ability to X-ray steel equipment to see when cracks have started and we do not have mobile X-ray equipment for industry here in Barbados, we cannot test welding joints and things of that kind. When I was abroad recently, I asked about this and every standards institution in the countries that I went to had a number of these equipment that they can X-ray as a preventative measure, a number of welding joints and various pieces of equipment to see whether the first line track is appearing. We have to spend money on having these facilities available for the engineers to do the work. The engineers are not going to in the context of Barbados go and invest in that kind of equipment because they are not going to have any use...one engineer might not have enough cases per year to have it, but if we have the Barbados Standards Institution, that is the proper body to deal with it. Having that equipment, the taxpayers will pay for it and it will be there as a matter of prevention. We cannot ask the doctors in Barbados to have the same X-ray equipment that they have at the hospital. We cannot do it, but we have to spend some

money in these areas to ensure that a certain minimum level of equipment is kept within your country to be used by the Specialists. We hope that as a result of suggestions made that a number of these preventative diagnostic devices in factories will be made available.

I beg to move that Part XIII as amended stand part.

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

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

Part XIV was called.

Hon. H. B. St. JOHN: I beg to move Sir that Part XIV as amended stand part.

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

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

Part XV was called.

Hon. H. B. St. JOHN: I beg to move, Sir that Part XV as amended stand part.

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

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

The First Schedule was called and passed.
8.45 p.m.

The Second Schedule was called.

Hon. H. B. St. JOHN: I beg to move that the Second Schedule be the Second Schedule to the Bill.

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

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

The Third Schedule was called.

Hon. H. B. St. JOHN: I beg to move that the Third Schedule be the Third Schedule to the Bill.

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

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

On the motion of Hon. H. B. St. JOHN, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN reported the passing of one Bill in Committee, with amendments, and Mr. SPEAKER resumed the Chair and reported accordingly.

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

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I beg to move that the next Order of Government Business be the Civil Establishment (General) (Amendment) (No. 2) Order which was laid earlier today.

Mr. SPEAKER: The Civil Establishment Order No. 2 is the instant Order of the day.

RESOLUTION TO APPROVE THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (NO. 2) ORDER, 1981

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, the Government has been engaged for some months in the exercise of regrading a number of posts in the Public Service to accord with new responsibilities or with the recognition of existing responsibilities attached to those posts. We have received submissions from the National Union of Public Workers relating to a whole range of Government posts of which the most important, perhaps, are those relating to posts in the Ministry of Civil Aviation and Tourism and those in the Ministry of Health affecting nurses and nursing officers of various grades.

Independently of those submissions the Government has also undertaken its own review principally of the senior posts in the Service, and is proposing to undertake a review of the posts on the Key Scale which are not the most highly paid posts in the Service, but which employ perhaps the largest share of public workers. This latter is in obedience to an undertaking given to the Barbados Workers' Union during the last salary revision, although not sought by the Union and not pursued by the Union since that salary revision.

The immediate posts contained in the Civil Establishment (General) (Amendment) Order, Sir, relates to what is perhaps the most immediate problem, which is the upgrading of positions at Civil Aviation and Tourism, more particularly the positions of Air Traffic Control Officer, Instructor and other offices at that level.

The Addendum to the Resolution, which I hope has been circulated, sets out the broad outlines of the Order. We seek to upgrade the posts of Airport Manager and Deputy Airport Manager, and a number of other general grades, we rename a number of posts — the Technical

Director to be renamed Chief Engineer — we changed one of the posts of Senior Executive Officer to Senior Personnel Officer — I believe one replaces the other — and we create posts of Personnel Officer in lieu of posts of Assistant Executive Officer. We also create ten posts of Supervisor to replace the existing arrangement of paying a special allowance to Air Traffic Control Officers who supervise shifts.

In the area of air traffic control itself, Sir, the maximum of the salary grade of Instructor is being raised from \$1,663 a month to \$2,125 a month, which is an increase of more than 25% over and above the salary increase granted to the holder of the post earlier, which is an increase of \$462 per month. We do not believe that at this level Instructors can possibly have any argument about their emoluments.

Air Traffic Control Officer I, Mr. Speaker. Virtually all the officers in this position will be upgraded in the scale and at the same time there will be an increase in the maximum salary from \$1,663 a month to \$1,772 a month. The increase is \$109 a month, Sir, but the scale has been shortened and nearly all officers will get an increase greater than that.

The scale for Air Traffic Control Officer II has been shortened to six points. I believe it was ten or eleven previously, and the maximum has been raised from \$1,375 a month to \$1,519 a month. Most officers, Sir, as a result of the shortening of the scale and the upgrading, will get \$216 per month more.

This matter is urgent, because — I believe the expression is the Air Traffic Controllers are feeling their oats, Sir — they are feeling their capacity to paralyse the working of the airport and they are making demands for upgrading which I think may reflect their own feelings of the importance of their position as well as the importance of their work.
8.55 p.m.

The Government has been able to eliminate these slightly irrelevant considerations from its analysis of the matter. We do think that the air traffic controllers are underpaid, we do think that despite recent rumblings, and some of the rumblings have been directed against the National Union of Public Workers as much as against the Government, we think we have a responsible lot of air traffic controllers. We do not have the near madmen that control air traffic over much of Western Europe where you do not know from minute to minute whether you can land in Paris or whether you have to fly to Milan and where when you turn up at the airport with a booked first class seat confirmed, you know this is only the beginning of the negotiations as to whether the aeroplane will arrive, and if it arrives whether you will get on it or not. I am sure that the air traffic controllers in

Barbados will never reach that stage. Thank goodness we have a more responsible labour force and the extremely improved conditions which will be given to the ten supervisors should go a great deal towards providing promotion opportunities for the good controllers. It is a valuable and worthwhile career and we believe that this salary structure should provide general job satisfaction and should add general salary satisfaction to the job satisfaction involved in the responsible position of air traffic controllers.

We have brought these postings and these regradings in at this time because they have been agreed and there is really no reason for holding them up any longer; but the Government has made a number of decisions on other civil service positions which have yet to be discussed with the National Union of Public Workers, and therefore have not come to the House in the form of a Civil Establishment Order. I do not intend to touch on the areas where the Government is unable to agree with the NUPW because a meeting is being held tomorrow morning at 10 o'clock with the Chief Establishments Officer and the Union, and I would not wish to prejudge in any way the negotiations and discussions which will take place. Enough to say that I expect that a good deal of time will be taken tomorrow to settling the regradings in the Nursing Service on which so far the Government is unable to agree with the submissions of the Union.

There are a number of posts where we have agreed with the Union and it would be tedious for me to read out from four foolscap pages which I have here every post whose upgrading the Union has proposed and we accept. The Chief Labour Officer to Grade "C", various promotions to Grade "D" and various promotions in the lower fixed point grades and the "Z" grades. The most significant perhaps is the grading for cooks, laundry workers, Library attendants, maids and head gardener of the Queen Elizabeth Hospital where we have been able to agree in all these cases with the Union. For example, we had promised for a long time that maids would be put on a scale so that they can improve their salary increases even over and above the 37%. We are agreed and as soon as the whole package can be settled, we will bring it to Parliament to put them on a sliding scale with cooks on a yet higher scale; but these are matters of detail that will be dealt with tomorrow.

The most substantial changes, and these are changes to which I can refer because they do not form a part of the NUPW submission, are that the Government intends to create a grade of Deputy Permanent Secretary and supplying a number of Ministries with a deputy Permanent Secretary. We think that the workload in many Ministries has increased to such an extent that the Senior Assistant Secretary is not merely an official who should be separated by five points in a salary scale from the Permanent Secretary; he is basically a deputy Permanent Secretary, is already doing that work and

should be recognised as such. In consequence of that a number of posts of Senior Assistant Secretary will be abolished. The name of Senior Assistant Secretary, Assistant Secretary and Administrative Assistant it is proposed, Sir, subject to final agreement of Cabinet will all be changed to Senior Administrative Officer, Administrative Officer I and Administrative Officer II. The Senior Administrative Officers who do not become Deputy Permanent Secretaries, will also be upgraded upwards to recognise the very considerable responsibility that rests upon the shoulders of Senior Assistant Secretaries under our present system.

There are a number of proposals. For over a year and a half, there has been on my desk a submission from the Association of Permanent Secretaries. I do not think I have got the name exactly right, but there is a Union of Permanent Secretaries and they have written to me. I propose to recommend to Cabinet the acceptance of their request that after five years as Permanent Secretary Grade "B" the Officer will receive the emoluments and allowances of Grade "A". This will apply, Sir, only to Permanent Secretaries, not necessarily to other persons in Grade "B". After representations from a number of persons notably among whom has been the Deputy Prime Minister, the hon. member for Christ Church South Central, I propose to recommend to Cabinet to upgrade the position of Auditor General to Grade "A". He is a constitutional officer and he should receive full treatment. The other constitutional officers at his level are all graded "A" in the Public Service and he should receive the highest emoluments that are available.

Special treatment is also proposed for the office of Director of Finance and Planning, but that will be announced at a later stage when Cabinet has fully agreed with that matter. We consider, Sir, also that it is time to do away with the little grade of "BI" which occurs at present and is occupied only by the Controller of Customs and the Commissioner of Inland Revenue. We propose that the Controller of Customs, the Commissioner of Inland Revenue be upgraded to Grade "B", they are all Permanent Secretaries, and that they should be joined by the Director of National Insurance whose new responsibility with administering the Unemployment Insurance Scheme qualify him by any standards for the salary of a more responsible position.

There is general agreement with the National Union of Public Workers on necessary regradings in the Prison Service and there will be some renamings: First Class Officers we agreed should be renamed Principal Officer, Second Class Officer should be renamed Senior Prison Officer and Third Class Officer should be renamed Prison Officer Simplicitur. We intend to settle this with the National Union of Public Workers and settle the relevant salary scales at the meeting tomorrow and sub-

sequent meetings as may be necessary to effect agreement.

I hesitate to tell the House the cost of these proposals, Mr. Speaker. They go throughout the Service from maids, cooks, laundry workers up through Prison Officers up to the very top of Permanent Secretaries and a person who indeed already is at the topmost grade, Grade "A", and it will be understood that you cannot deal with so many people without substantial expenditure, but we are finding, Mr. Speaker, that as Barbados becomes more prosperous salaries paid to qualified persons in the private sector are far outstripping those paid in the public sector.

9.05 p.m.

The lower reaches of the public sector in many cases there is parity and indeed there may be more than parity and when we come to the reclassification exercise which will accompany any Salary Revision agreed with the Barbados Workers' Union and the National Union of Public Workers next year any lagging posts will be equalised as far as the Government is able to afford with similar posts in the private sector. All of this, of course, Sir, as I said, you will understand is going to cost money.

Finally, I will sound a word of warning. It is very easy for a Government to determine that its officers should be well paid but there is a corollary to that. The Government has to raise revenue and it has to raise revenue to pay public service salaries. Productivity is difficult to measure except perhaps on the key scale and not always then and we are not always sure that increased salaries result in increased productivity so the general public has to understand that a price has to be paid for improved salaries in the public sector.

I myself will be very glad to get away from the over-heated atmosphere that has accompanied industrial negotiations during an Election Year. The hon. member for St. Lucy is perhaps the only exception in the over-heating process. He has maintained his customary, moderate stance which is exhibited everywhere except perhaps in this Chamber. I only hope that his colleagues will return with the same attitude of responsibility in industrial negotiations and understand that when we negotiate, we are not negotiating to destroy a country but we are negotiating to build it up and that the Barbados Workers' Union as a whole can be led by the example of the hon. member and negotiate on a basis of reason and not a basis of rhetoric.

I very sincerely hope that I have done the hon. member no harm with his political Party by these words of praise. I do assure him that no harm was intended and if he wishes to hear words of dispraise he only has to attend some of Mr. Roy Brathwaite's meetings in St.

Lucy in the coming weeks. Nonetheless, I think we must give Jack his jacket and pay tribute where tribute is due. The Barbados Workers' Union have for many years demonstrated an attitude of reason which ideology and ambition have been portrayed during this year of 1981. I sincerely hope that when ambition is quelled and ideology is subdued that in 1982 we can again return to an atmosphere of reason in industrial negotiations.

I dare not ask the same for the other Unions, Sir. We just, I fear, have to go along with them as this Government and the previous Government has gone along with them for a number of years. Nonetheless I am sure that tomorrow's negotiations will produce a formula acceptable to public servants and I very much hope that they can be brought to a conclusion which can be embodied in the legislation without any great delay. For short term delays may be fatal to the prospects of medium term legislation.

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

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

Mr. SPEAKER: I realise that the motion has been seconded but I am giving thought to a similar matter relating to the staff of Parliament which must be dealt with forthwith and I am hoping that every one concerned and presently delaying the matter will take note of what is being said in here at this moment.

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

PRIVATE MEMBERS' BUSINESS

Hon. H. B. ST. JOHN: Mr. Speaker, Sir, I beg to move that Private Members' Business be now taken for 20 minutes.

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

THE BARBADOS CHAMBER OF COMMERCE (AMENDMENT) ACT, 1981

Order No. 1 was called – To move the Second Reading of a Bill to repeal and replace the provisions of the Barbados Chamber of Commerce Act, 1868 (Act 1868-7).

Dr. CHELTENHAM: Mr. Speaker, Sir, I seek the support of this Honourable Chamber to repeal and replace the provisions of the Barbados Chamber of Commerce Act, 1868, in order principally to widen the objectives and functions of the Association. The Chamber of Commerce, Sir, is really a creature of statute. It was created by an Act of Parliament in 1868, more than 100

years ago and the Act as it now stands, Sir, reflects quite accurately the narrow range of activities with which the Chamber was concerned at that period in our history, Sir.

Principally, Sir, the Chamber was then concerned with protecting the interest of its members in relation to the limited range of trading activities, principally importation, distribution, narrow range of exports principally sugar and its by-products and re-exports so far as Barbados was an entrepreneur port.

Over the last 25 years in particular, Sir, the composition of the Chamber has altered significantly. In the early days it was narrow and represented the narrow merchantile elite and not only has the composition changed significantly, Sir, but the range of interest has widened quite enormously.

9.15 p.m.

The Chamber is today concerned not only with importation, distribution and exports, but it is concerned to a large extent with manufacturing, Sir. It is a significant new dimension, Sir which has been added to the business of the Chamber over the last 25 years. Nevertheless, the Act does not reflect this new focus, this new interest and this new trading activity. This Act seeks principally, Sir to expand the range of objects reflecting the new area of interest and also Sir to add to the amount of money, Sir which the Chamber can hold. This is an important repealing provision that we are seeking because the Chamber is hoping to build a new Headquarters and under the old Act, Sir, they can hold no more than £10 000. Clearly, it is scarcely likely that a new Headquarters for the Chamber can be built for anything like £10 000.

So that, this Bill is concerned largely, Sir with bringing the Chamber into conformity, Sir in terms of its objectives, concepts and practices of a modern day commercial association, Sir. I am indeed happy Sir to be in a position to make the principal speech in the Second Reading of this matter.

The question that the promoters be allowed to proceed was put and resolved in the affirmative without division.

Dr. CHELTENHAM: I now move, Mr. Speaker, Sir that you do now leave the Chair and the House go into Committee for consideration of this measure.

Mr. SISNETT: I beg to second that.

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

COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 12 were called and passed.

Mr. CHAIRMAN: Clause One. There is an amendment to Clause One. This was not included, so we shall have to do it over again.

Dr. R. L. CHELTENHAM: I beg to move, Sir that Clause One as amended stand part.

Mr. SISNETT: I beg to second that.

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

The Preamble was called and passed.

On the motion of Dr. R. L. CHELTENHAM, seconded by Mr. SISNETT, Mr. CHAIRMAN reported the

passing of one Bill in Committee with amendments and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Dr. R. L. CHELTENHAM, seconded by Mr. SISNETT, the Bill was read a third time and passed.

ADJOURNMENT

Hon. H. B. ST. JOHN: Mr. Speaker, Sir, I beg to move that this House do now stand adjourned until Tuesday, 26th May, 1981 at 12.00 noon.

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

The question was put and resolved in the affirmative without division and Mr. SPEAKER accordingly adjourned the House at 9.27 p.m.
9.27 p.m.