
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1981 – 86

HOUSE OF ASSEMBLY

Tuesday, 4th May, 1982.

Pursuant to the adjournment, the House of Assembly met on Tuesday, May 4, 1982 at 12.20 p.m. o'clock.

PRESENT

His Honour W. C. B. HINDS, J.P., (Speaker); Hon. L. S. CRAIG, (Minister of Parliamentary Affairs and Leader of the House); His Honour C. L. BOLDEN, LL.B., (Deputy Speaker); Hon. Miss B. A. MILLER, (Minister of Education); Mr. J. G. ODLE, B.Sc., (Chairman of Committees); Mr. B. M. TAITT, B.A. (Hons.), M.A., LL.B. (Hons.); Hon. DeL. O. BRADSHAW, (Minister of Housing and Lands); Mr. L. L. SISNETT; Mr. R. E. BRATHWAITE; Hon. Dr. D. G. BLACKMAN, (Minister of Transport and Works); Mr. M. A. KING; and Mr. A. TRUSS.

Prayers were read by Archdeacon F. A. Cayless.

Mr. L. E. SANDIFORD, Hon. V. L. JOHNSON and Hon. L. R. TULL entered the Chamber and took their seats.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, March 2, 1982.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move, Sir, that the Minutes of the meeting of March 2, 1982 be taken as read.

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

Mr. SPEAKER: If there are no observations from honourable Members, let those Minutes stand confirmed. *(Pause)* Those Minutes are confirmed.

The Minutes of the Meeting of Tuesday, March 22, 1982.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move, Sir, that the Minutes of the Meeting of Tuesday, March 22, 1982 be taken as read.

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

Mr. SPEAKER: If there are no observations from honourable Members, let those Minutes stand confirmed. *(Pause)* Those Minutes are confirmed.

The Minutes of the Meeting of Tuesday, April 6, 1982.

Hon. L. S. CRAIG: I beg to move, Sir, that the Minutes of the meeting of Tuesday, April 6, 1982 be taken as read.

Mr. N. K. SIMMONS entered the Chamber and took his seat.

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

Mr. SPEAKER: If there are no observations from honourable Members, let those Minutes stand confirmed. *(Pause)* Those Minutes are confirmed.

ANNOUNCEMENTS BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: I have to announce that I have received copies of Accounts and Statements for the month of February, 1982, as prepared by the Accountant General.

I am also to announce that I have received a message from the Other Place in respect of an amendment to the Stamp Duty Act, Cap. 91.

Hon. L. S. CRAIG: Sir, announcing your message, Mr. Speaker, I also have the message from the Deputy President of the Other Place, Sir, and I would hope with the leave of the House, to deal with this relatively minor amendment during the course of the day Sir, if it be the wish and pleasure of the House.

PAPERS LAID

Hon. V. L. JOHNSON: Mr. Speaker, Sir, I am commanded to lay:

The Factories (Amendment) Regulations, 1982.

Hon. DeL. O. BRADSHAW: Mr. Speaker, Sir, I beg to lay:

The Annual Report and Financial Statements of the Caves Authority for the year April 1 1980 to March 31, 1981.

Hon. L. S. CRAIG: Mr. Speaker, I am commanded to lay, Sir;

Statement showing sums advanced to the Postmaster General for the payment of Money Orders for the month of February, 1982.

On behalf of the Rt. Hon. Minister of Finance and Planning, I am commanded to lay:

The Annual Report of the Central Bank of Barbados for the year 1981.

And also, Mr. Speaker;

Statements showing Net Customs and Excise Receipts for 12 months ended March 31, 1982.

GOVERNMENT NOTICES

Hon. L. S. CRAIG: Mr. Speaker, I beg to give notice of the following:

A Resolution to approve the compulsory acquisition of land at Clapham, St. Michael for construction of a bus lay-by.

A Resolution to approve the compulsory acquisition of land at St. Barnabas, St. Michael for the resiting of houses to be affected by the construction of the new St. Barnabas/Wilkey By-Pass Highway.

A Resolution to approve the compulsory acquisition of land at Glebe Land, St. George for extending and improving the Thelma Vaughan Memorial Home.

A Resolution to approve the compulsory acquisition of land at Holetown, St. James for the construction of a Police Station and Magistrate's Court and also for the provision of accommodation for the Rates and Taxes Division.

12.30 p.m.

A Resolution to approve the compulsory acquisition of land at Waterford Plantation, St. Michael for the construction of a water reservoir for the Barbados Water Authority.

A Resolution to approve the amendment of Resolution No. 74/1979.

A Bill to make better provision for the public safety and defence of Barbados during a period of public emergency.

A Bill to amend the Narcotic Drugs Act.

A Bill to provide for the registration and control of travel agents and for related matters.

A Bill to grant an additional sum of money out of the Consolidated Fund and appropriate the same for the service of the island for the financial year ended March 31, 1981.

FIRST READINGS OF BILLS

On the separate motions of Hon. L. S. CRAIG, seconded by Hon. L. R. TULL, the following Bills were read a first time:

A Bill to make better provision for the public safety and defence of Barbados during a period of public emergency;

A Bill to amend the Narcotic Drugs Act;

A Bill to provide for the registration and control of travel agents and for related matters;

A Bill to grant an additional sum of money out of the Consolidated Fund and appropriate the same for the service of the island for the financial year ended March 31, 1981.

ORDERS OF THE DAY

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

Hon. L. S. CRAIG: Mr. Speaker, Order No. 1 is the instant Order of Government Business. It is the only Item on the Order Paper under Government Business and I believe that after a very long and hard-working session

many of my colleagues have come back after a short break full of vigour, but I am almost sure that this Bill, to my mind, is not controversial. It is another piece of revolutionary legislation in the country.

I have not set out to suspend the Standing Orders, therefore giving my friends and colleagues on the other side the opportunity to do Private Members' Business, so that they cannot complain that the Government does not assist them at all times.

Order No. 1 is the instant Order of the day, Sir.

THE AGRICULTURAL HOLDINGS (OPTION TO PURCHASE) ACT, 1982

Mr. SPEAKER: Order No. 1.

Order No. 1 was called – To move the Second Reading of a Bill to make provision respecting the purchase by tenants of agricultural holdings for the purpose of facilitating agricultural development in Barbados.

Hon. L. R. TULL: Mr. Speaker, the Minister of Agriculture is not currently in the House and I will do my best to deal with this matter which is a further step in the Government's plans for expanding the services and ownership of people living in plantation tenancies.

During the year before the last, we introduced in this House the Tenancies (Freehold Purchase) Act. At the time, it was pointed out, and indeed we continue to point out, that it is one of the most revolutionary pieces of legislation to be passed in this country, not only in this century, but indeed in its history, because the first time it brought within the ambit of ownership, the land which people living in plantation tenancies and their fore-parents had worked and slaved for over three or more centuries.

We have at this point to extend what we are doing by bringing, not only the house spots which were really the target of the Freehold Purchase Act in the tenancies, but also the agricultural land that has been rented over the years by the tenants of plantation tenancies, we want to bring that land within the ownership of the tenants.

The agreement with the Inter-American Development Bank to do some of the financing of this project, a project that is also being financed by the Government of Barbados, requires, as a pre-condition, that there be a mechanism for the transfer of title to tenants, and this legislation that we are bringing before the House today seeks to effect just that.

The inadequacy of the Security of Tenure of Small Holdings Act has made it necessary for a new piece of

legislation, rather than an amendment to that Act, to bring about the change that we are contemplating.

There is need for facilitation of the freehold transfer of agricultural holdings in identified tenancies to the participants in this Rural Development Programme. The Ministry of Agriculture feels that there is need, in accordance with the pre-condition of the Inter-American Development Bank, to provide a price formula to be fixed, so as to conform with the provisions of the Constitution.

The land that is in contemplation is land that is currently rented to tenants in plantation tenancies, and land which is not adjacent to the house spots on which the tenants are now currently living.

It is important too for us to look at the whole aspect of our Rural Development Plan in terms of the diversification of agriculture in the country, and we believe that the steps we are taking with the plantation tenancies will go a long way towards the impetus to carry out the Government's policy in that regard.

It is not at all untimely, Mr. Speaker, for reference to be made to the general conditions obtaining in plantation tenancies in Barbados. We had, recently, one year of a bad sugar crop, and that one year has brought home the dramatic impact the importance of sugar and agriculture, generally, to the economy of Barbados.
12.40 p.m.

The importance of agriculture, the importance of the workers in agriculture, cannot be underestimated. We hear, Sir, this year of all the difficulties arising out of one bad sugar crop. We hear about jobs and services, employment and interest rates; we hear repeatedly of rises in consumer products and so on, and each and every one of these are directly related in one way or another to the success or failure of sugar, year after year in this country.

Yet, Mr. Speaker, the agricultural community districts in Barbados remain the most depressed districts in this country. And I am submitting that there is not adequate compensation to the people in the agricultural community in Barbados in relation to their importance to this community.

You see, Mr. Speaker, all across the urban and suburban areas of Barbados the machines pouring out hot asphalt and you see the road machines in the road, and you see the best buses there in the fleet. You find all the housing units going up, you find also more community centres and the playing fields springing up like mushrooms all over the urban and suburban areas in this country.

But in the agricultural belt, where the people of this country are making such an important contribution, they are still living in benighted conditions. And I have a responsibility, as a representative of an agricultural constituency, a constituency that makes a great contribution to the economic well-being of this country, to put their case. While a lot of roads are being built and beautifully surfaced to provide room for limers, the people who are cutting the canes are walking through veritable pitfalls to get to their homes after reaping the sugar cane.

It is my contention, Mr. Speaker, that if we are not to cause a dysfunctioning in our society that the people who make significant contributions should have significant rewards.

The Barbados Labour Party, in the last few years, has taken some positive decisions towards improving the conditions of the people in the agricultural belt, and it would be unworthy of me if I did not put the emphasis on what we have been doing. The whole policy of making the agricultural tenancies come within the ownership of the people who have been living on them for many years is perhaps the most significant.

Now we have also earmarked over a period of years, a considerable amount of funding for the repair of tenantry roads in Barbados. I get the feeling however, Sir, that the bulk of the money for repair of tenantry roads is not spent on plantation tenantry roads, but on the urban tenantry roads.

Further, Mr. Speaker, the Government has made it possible for the people who live in chattel houses — and by the very nature of the plantation tenancies, houses are chattel-owned — to acquire mortgages for the first time on chattel property, and that has made a significant change in the very lifestyle of people living in the plantation tenancies. I am very well acquainted with it. I spend a lot of my time in these tenancies and I see what has been going on.

It is important again, Mr. Speaker, that if we are not to ask, not only agricultural workers, but the peasant farmers in Barbados, to carry an inordinate load of the responsibility of keeping this country going, that they, too, must have a bigger share of the national economic cake.

Over the past two years peasant farmers have been losing money on sugar and sugar canes. And, indeed, it is common knowledge that peasant farmers have been asked for the last few months to repay to the sugar factories part of the money that was paid to them in the last crop.

Now I am not criticising it. I understand the reason why it happened. But you know, Mr. Speaker,

difficulty in it — whether it is right or wrong, the burden remains the same — that after peasant farmers have received the money for their crop and have spent the money, to be asked to repay part of that money is a burden that they have not anticipated and is a very difficult one to bear.

Yet, Sir, they are the ones who are suffering loss in agriculture to keep this country strong. They are the ones carrying the burden on their backs.

We hear, over and over again — and I can attest to it, because I myself am a peasant farmer, so I know a little about this thing — that it is extremely difficult to have proper ploughing facilities for anything other than the big plantations in Barbados. And I understand that recently a new arrangement has been made by the Ministry of Agriculture to meet this difficulty, and I welcome that new initiative. But I know, as of today, that there are hundreds of small farmers in Barbados who are finding it extremely difficult to get any rotavation, any ploughing and so on, of their lands throughout Barbados.

Mr. Speaker, the Bill before us sets a clear formula through a drafting mechanism to make it possible for those agricultural lands in the tenancies that are currently being leased or rented by the tenants on the plantations to acquire that land. And as I said, it represents an expansion of the programme of development for people who have suffered so long and have received so little.

I have great pleasure in moving that this Bill be now read a second time.

Hon. DeL. O. BRADSHAW: I beg to second that and reserve my right to speak.

Mr. B. M. TAITT: Mr. Speaker, the honourable Member on this side who would normally deal with this matter is not well today, and therefore we would have thought that since the Minister on that side and the Shadow Minister are both absent, that the debate would have waited for a subsequent time. And to my mind the debate will probably still wait for a subsequent time because the honourable Member who introduced this Bill says he has great pleasure in putting it before this honourable House, but it seems to me as if he took the opportunity to quarrel about certain matters concerning the activities of his Government.

Mr. SPEAKER: You do not suggest that the Chair permitted quarreling to take place in this Honourable House.

Mr. B. M. TAITT: No, Sir. I was suggesting on the contrary, that the honourable Member was so confused that we on this side perceived him to be engaging in a

quarrel with himself, for it would seem to me that for him to attack the fact that in the suburban and other areas you can see asphalt being poured — I have no doubt that he was referring to areas such as the Ivy and Back Ivy and places like that — he was suggesting that those persons who live within one mile of Bridgetown ought not to have the roads which that asphalt pouring is bringing to them.

I would have thought that after six years the Government would have got its priorities so organised that it would be able to pour asphalt with equal ease in the Back Ivy, in St. Peter, (Mr. SPEAKER: Thanks to the honourable Member) in Alkins, and everywhere.

I think however that it is not for me to defend Government policy. It is for the Minister, and if he attacks Government policy in this regard, and it shows that the Government does not have its priorities right, and the left hand does not know what the right hand does not know what the right hand is doing, that is not for me to interfere with.

12.50 p.m.

I would however, say, Sir, on the question of the small peasant farmer, that when he says that peasant farmers must have a better share, again, Sir, the honourable Member should address his colleagues, in the executive branch of the Government, and draw to their attention that in order for the peasant farmers, and all of the farmers in Barbados, to have an appropriate share, or even a better share, that there has to be a comprehensive policy dealing with all of the ramifications concerning the share which the various sectors should have.

It seems to me, Mr. Speaker, that it is the wrong-headed attitude to attempt to pit the small farmers against the industrial workers, or the small businessman against the peasant farmers, in terms of discussing who is getting what share. It seems to me that where you have a Ministry of Agriculture that embraces both the consumer affairs and the farming affairs, that it ought to be relatively easy to bring the two shares of the respective sectors into some kind of consonance.

It would seem to me that if you are allowing the importation of a large number of useless material... (Asides). The honourable Member asks *sotto voce* "like what so?" I am thinking of such things as canned snails and other similar paraphernalia about which I do not wish to go into detail, because that debate has been entered into before. When you have that kind of importation and at the same time the small farmer is not given the opportunity to sell his product in the marketplace, and he is not given the opportunity, through a policy, to have his marketing facilities expanded — when you have that kind of approach to development, it does not

fall well from the mouth of the honourable Member to talk about the share which the peasant farmer is not getting.

Mr. Speaker, only recently I had occasion to speak to two small farmers who indicated that it would appear that a new policy is about to be brought to bear in the Government agency that is responsible, or one of the Government agencies that is responsible for assisting farming development, and especially small farming development.

It now seems — and the honourable Member for St. Michael West Central could probably confirm this — whether the policy is changing or has changed — that small farmers will not be able to sell their products at the outlet which was established primarily to assist the small farmer. It now seems as if they have to have a certain quantity of product before they would be able to sell it at that particular place.

I did not intend to get into a long debate today, but the honourable Member drew attention to the fact that a number of small peasant cane farmers, who received their price for their sugar cane last year, are being called upon to repay it this year. The fact that they are being called upon to repay is, in itself, an inequitable situation; but the manner in which they are being called upon to repay it is a matter which ought to form the basis of a serious policy reform of the Government.

I do not believe that the mere fact that the farmer is at the mercies of the sugar factories in order to have his canes accepted, that it is the duty, the right or responsibility of the sugar factories to impose any policies on the small farmers. There are 20 000 small farmers in Barbados, it is alleged, and those 20 000 small farmers ought to have a say in the manner or the methodology in which the sugar factories, or the Sugar Estates Ltd., or whoever will make those decisions, will determine that they are going to take money from the farmers.

What is happening is that a number of small farmers — and all honourable Members in here must be aware of it — are discovering that when they send their canes from this year's crop, that money for last year's crop is being deducted. (Asides) I am being told that there is no evidence of it. Let me put it this way, Sir, they have been notified that that is their intention, according to what the farmers have said.

I am not like the honourable Member — a small farmer, Sir. My farming is confined to rearing about 20 small pigs and I have two lime trees, Sir, so I cannot lay claim to being a small farmer. But I know a number of small farmers, and they complain to honourable Members on this side that they find it extremely difficult to live with the conditions which have been imposed upon them this year, in terms of monies which are to be recovered.

If the honourable Member says that I have the facts wrong, I would appreciate some honourable Member, on that side, getting up and explaining, in some detail, what is the problem which the small cane farmers have in relation to the payment of money.

The fact is that those farmers had no input. And one thing I would have to give to one of the previous Ministers of Agriculture, the honourable Member for St. Joseph — I do not give him a lot, Sir — but one thing you would have to give to him is that he was not afraid, in the face of that kind of onslaught by the powers that be, to make a public statement which would indicate the position for the small farmer, *vis-a-vis* that kind of arrangement.

The honourable Member says that rotavation and ploughing is hardly available to small farmers. This is a state of affairs, Sir, that has spanned both Governments. It was a position when I had the honour to be part of a Government, Sir, and six years later, under the other Government, it is still being adumbrated by the honourable Member, the Attorney General.

Now, Sir, the present Minister of Agriculture has just appointed what has been described as a high-powered Advisory Committee on Agriculture. That, no doubt, Sir, will be about the 20th Committee appointed over the last 15 years to deal with the development of agriculture.

I am not going to stand on my feet in this Honourable Chamber and criticise the Committee, or any other Committee, appointed with the sworn purpose of assisting with the development of agriculture in this country. But what I would say is this: since most of the experts in agriculture seem not to have been successful in devising and designing a proper agricultural policy for Barbados, perhaps the time has come to find out from the farmers themselves, the same small farmers to whom the honourable Member alluded, to find out from them how they would run a proper agricultural development programme in this country.

But, Mr. Speaker, I would make bold to say this: The real problem stems from the attitude which we have seen displayed — on the one hand by the Prime Minister, when he had spoken on this matter; when he sought to suggest that there is too much talk pro small farmer; and those honourable Members who have held the portfolio of Minister of Agriculture who have, in fact, sought to promote the interest of the so-called small farmer, and therein lies the rub, Sir.
1.00 p.m.

It would seem to me Sir, that we have an attitudinal difficulty, a conflict if you will, between the philosophical base, on which the Minister of Finance starts off to assess agricultural development, and that of the Ministers who sat in that office and who holds that

portfolio. Until that conflict is resolved, where the Ministers of Agriculture, who put forward an agricultural policy, and who outline to the country an agricultural policy, can feel that the Minister of Finance is supporting that policy whole-heartedly, and not giving it lip service; when those two things are brought to reconciliation, then we are going to begin to have an agricultural policy in this country which is clear, which is lucid, and which is going to be useful.

As to the concept of this being a revolutionary piece of legislation, Sir, let me say that that Government has the self-appointed role of having brought the most revolutionary pieces of legislation, according to them, each time they bring down a piece of legislation. If they say it is revolutionary, who am I to say it is not?

But what I would say is this: in 1955 they had a Bill passed which provided at least as much protection as this one does — from Chapter 237..... (*Asides*)..... The honourable Member, the Attorney General, says that I am talking foolishness, *sotto voce*. Chapter 237 is the basis on which this Bill has been brought here. Sir, let me refer the Attorney General to the Security of Tenure of Small Holdings Act. It is on page 2 of this Bill, Sir. The Security of Tenure of Small Holdings Act of 1955 provided protection for small tenants in this country. I would give way, Sir.

Hon. L. R. TULL: The honourable Member is obviously confusing himself between the securing of the right of the tenant and the acquisition of right of ownership. The Act of 1955 dealt with right of tenants. This Act is removing them from status of tenant to land ownership. Can you not see the difference?

Mr. B. M. TAITT: Mr. Speaker, Sir, fortunately you understand what I am saying.

Mr. SPEAKER: I am expected to.

Mr. B. M. TAITT: Sir, I will make the point more slowly for the honourable Member who just sat down. I said that he said that this is a revolutionary piece of legislation. I am saying that in 1955 that was the revolutionary piece of legislation because it provided security of tenure. That is what I said. But the honourable Member, who is a lawyer, is expected to understand such mundane phrases as security of tenure. When he gets up after hearing such a phrase and suggests that there is confusion between security of tenure that protects the tenant, and acquisition of land for the same tenant; the honourable Member is either floating or he does not understand what he is saying.

Mr. Speaker, the honourable Member says that you cannot have acquisition of land for a tenant. But in this very Bill, the only person who is qualified for acquisi-

tion is a qualified tenant. The honourable Member, in his own legislation, states that in order to qualify for the benefits of this Bill, you have to be a tenant continuously working the land, for five years, or for five years out of seven. That is his own legislation; so the tenant will be able to acquire the land. I do not know why it is so difficult.

The point is, Sir, that they are now making provisions for tenants to acquire the land. The acquisition of land is the dependant on a number of things: the willingness of the tenant to acquire the land. All they are doing is saying that the tenant who has been working the land for some time has the first right to purchase the land he has been working, and the landlord has to sell it to him, so long as the price has been agreed upon. If the price is not agreed upon between the landlord and the tenant, he can go to the court and have the Judge fix the price. The honourable Member can correct me if that is a misunderstanding of what this Bill seeks to do. That is the revolutionary part of it.

All I am trying to say, Sir, is that it really is not useful when we have an evolutionary process in Barbados where, going back to 1955, we have seen the same Act I referred to — the Security of Tenure of Small Holdings Act — where we saw the Democratic Labour Party bringing in legislation to secure the tenancy of those living in what has been described as a tenantry — we see the other Government coming and continuing that reform and making provisions for those persons living in the country in tenancies to own the piece of property; we see where they are continuing on that line of making provisions for a tenant to purchase the land which he has been working — it does not make sense to try to suggest that that evolutionary process based on the concept acceptable to both sides of the House to try to suggest that one.....(*Asides*) You should understand that.

Mr. SPEAKER: Kindly address the Chair.

Mr. B. M. TAITT: I am sorry, Sir. *Sotto voce*, the professor was trying to explain that his adult students do not understand.....

Mr. SPEAKER: I take it you mean the honourable Member.

Mr. B. M. TAITT.....the difference between the permanent revolution according to Trotsky, as opposed to the revolution according to Tull. The point is — and I do not wish to go on with this — is that this is a process which has been happening in Barbados ever since 1951, when we got emancipation — so-called — and it is a process which all of us expect to continue, where those who have worked on the land, those who are the descendants of those who torted on the land, will be able to benefit in more substantial terms than hithertofore.

Mr. Speaker at another time one would have an opportunity to deal more with agriculture per se. I agree with the Hon. Leader of the House that this is not a Bill that was designed to detain this Honourable House for any long protracted period so I will not add to the length of time that has already taken so far.

I would say that we on this side have nothing in this Bill against the interest of the small man. We cannot find anything that will create any controversy in the community. We believe that it is a Bill that is a natural child of other Bills which have been passed in this Honourable House and which have been supported by this side. So we will not oppose this Bill. We will agree to it.

We draw to the honourable Member's attention, however, as we have pointed out when the previous legislation was passed — I believe, last year — that there was some question as to the constitutionality of a section of that legislation. It has not been tested, as far as I know, and we have every reason to believe that there will be persons who will wonder at the constitutional efficacy of the demand that a person sell his property to another person while that property is not being seen by the Government in the same terms as land that is acquired. 1.10 p.m.

We understand the concept, we accept the concept. But I believe that the Attorney-General might wish to indicate the thinking of the legal luminaries or the legal advisers on this particular aspect of the Bill, whether the spirit of the Constitution did not envisage that a man's property would not be taken from him without compensation, and whether it was not envisaged that when that property was taken, it would have been taken for public purposes.

I am not saying that this Bill is unconstitutional, I am only drawing to the honourable Member's attention that there is a thread which runs through this Bill which was present in the previous Bill and which we had raised questions on. I would not wish him to feel that not having raised the same question here, that we do not hold ourselves with an open mind concerning the questions we raised in the previous discussion on this type of acquisition.

Thank you very much, Mr. Speaker.

Hon. L. S. CRAIG: Mr. Speaker, this is not a subject, Sir, which I normally speak on, but I really could not sit here since I was partly involved in the initial stages of this Bill, Sir, when I was in the Ministry of Housing and Lands.

I must confess, Mr. Speaker, that politics is a strange business — a strange business. Anyone hearing the honourable Member for St. Michael West this morning in here putting a case for the small land owners in this

country, would believe, Sir, that this is something so dear to his heart and so dear to the hearts of the Democratic Labour Party, Sir.

If ever there was a bare-faced, shameless, outrageous, political party in the Western Hemisphere, it is the Democratic Labour Party. Bare-faced and shameless!

It was the Leader of the Opposition followed by his satellites that set about to destroy the idea of agricultural concept in Barbados with one of the most outrageous and stupid statements ever made on a public platform, that he would not like to see a single cane blade grown in this country again. That has to live with the Leader of the Opposition, though his contribution is one that can be written in golden letters in this country, that must haunt him and his party, Sir.

And, the Member for St. Michael West, in particular, and the Member for St. Michael South Central, took it upon themselves, Mr. Speaker, to go through the entire country asking the people of this country not to cut the canes — to let Senator David Seale, Sir, and people of his ethnic group cut the canes. No wonder then today, Sir, we can see the earth in this country turned into a black desert because of the number of cane fires in this country, and thereby destroying all the lands of the very small holders, land owners who we set out to help, Sir.

Whenever there was a cane fire, Mr. Speaker, in this country, the small land owner and his portion of land, which this Bill is setting out to make available to him, by right to purchase, suffered the destruction of the very fire — suffers that destruction — Sir. All the vegetable gardens, all the pea trees, all their pumpkin vines, that they have to depend on, as part and parcel of that land, to help supplement their income, gone through the vicious tactics of the Opposition Party; by going through the country — rather than telling them to make sure that Barbados would have a bountiful crop, to make sure that the canes are harvested on time — and joining, hand in hand, with a political imbecile preaching race.

And it burns me inside, burns me, when I hear them get up in here talking about an agricultural policy. You never had one, and what little there was — by us, when we came into power — you destroyed, and you continue to destroy them.

And talking about small businessmen and small plantations and small farmers — all the little men that had their little shops in Barbados, you closed down with the stroke of a pen. Closed them down! And the only contribution you made during that time was to offer a shopkeeper a thousand dollars. I remember you on television the night — posing like Sydney Pottier — that is what you call yourself — at that time you were Minister of Trade, saying you would give a small shopkeeper \$1000 to help

him, when a fridge alone had cost over a thousand dollars. Over 400 shops, through your policy, you closed down in this country.

The small farmers, you destroyed! I remember seeing all the carts all about Bridgetown, the BMC could not take them, they did not want them. And now this morning you hear, rather than your coming and saying; well, this is a good Bill — as you said at the end of your speech — and we have no quarrel with it, 'we have nothing to say about it, pass the Bill, let it go into Committee, let it be read a third time and be passed, do your Private Members' Business and let us get out', you are up talking about you are putting a case for the small farmers. What case? What case can you put for a small farmer when you set out to destroy them?

All this Bill is seeking to do, Sir, is to give the tenants that live on the plantation the right to purchase the piece of land that he formerly worked for the purpose of supplementing his income. And if that is not something in the interest of the small man in this country, after giving him the right by law to purchase the house spot on which he lived all of his years, from the plantation owners and give him a stake in the land, well, I do not know what is revolutionary then, Sir.

I see the Acting Leader of the Opposition rushing for the Manifesto. I can tell him. At page 10 — nothing at all, absolutely nothing at all on it. I have here before me a snow cone cart painted up. Nothing at all in it on agriculture! They say they will bring back the old shrimp boats. Brazil does not want them, Guyana does not want them, Dominica does not want them — nobody wants them. We cannot even get them sold. All the people's money got tied up down there. All the shrimp industry you had about here collapsed.

All that sort of nonsense was your policy on agriculture, and you have the gall to get up here this morning putting a case for the small man, the small agricultural holder. What case can you put when you encouraged the people in this country by your ignorant utterances not to cut the canes? It will haunt you until you die.

We can afford to defend the people in the agricultural belt because they have always supported this party and we know that we have made a contribution to them, and to the entire society as a whole. But you have no case, no case at all on agriculture.

You spoke about setting up high-powered committees. But in your own Manifesto here, you said there were too many committees, in your own Manifesto on page 10. All you are talking about is setting up a committee and a task force and the agricultural society is going to direct you.

They cannot direct us. We will have consultations with them when we feel to do so. They cannot direct us. If we feel that they are going the wrong direction, it is the duty of the Minister of Agriculture to give them his policy directives.

Now, what do you have here? About one committee. Of course you did not have any part in this because I am sure that you would never have said that there were too many committees because all that you have done in here is talk about committees, a shrimp committee, a flying fish boat committee, a sea egg committee, a barracuda committee — all the committees and task forces. That is all you have in here on agriculture.

What we have done is simply set out this morning to make it law that the plantation owner must sell the portion of land which the tenant formerly worked, so that he can continue to supplement his income and make a contribution to the country's domestic bill. That is all. That is all we set out to do, to give them a firm stake in the land.

But the Member for St. Michael West is a town boy anyhow, so he would not know really, he cannot appreciate the feeling of the people who I represent in the agricultural area.
1.20 p.m.

I know how it is, I have seen them at age 80 in Springhead, bent, and they said they were working at the plantation for 50 years. But they were eating sardines and a piece of yam on Sundays and their only companion was a dog, and that is what moved me towards the old age pensioners and the agricultural workers, because that remained vividly in my mind.

But you do not go anywhere, you are between Bank Hall and Daphne Fenty's house, your constituency group house, so what do you know about agricultural workers, apart from telling them not to cut the canes, to let Senator Seale cut them, that black people this and white people the next?

Do you see what happened with Odum? I warn you, I have a funny mouth, I have not planned to tell you goodbye yet, do you hear? You are on a bad wicket, I am giving you some thought, I believe I am telling you goodbye. I warn you. I mean the Member for St. Michael South, Sir, my good friend. He begged me already not to put my mouth on him. I told Dr. Caddle goodbye, and I told Evelyn Greaves goodbye. I feel like telling him goodbye if he does not keep out of those stupid people's business. You have a contribution to make.

Mr. Speaker, I was part and parcel of this Bill in its initial stages, and I would hope that when this Bill is proclaimed, that those people who now rent the lands would be rushing to the plantations to purchase the lands.

I cannot go into the legal aspect of it since the A. G. and the legal luminaries on this side will deal with that area, but I have dealt with the political side of it, and it has my blessing.

I sincerely hope that the plantations will not make it in any way difficult. I hope the Bill is that tight that they cannot be in any position to go and buy 25 or 30 acres of land and try to subdivide it or measure it out with a long step rather than using the land surveyors. I sincerely hope that this Bill gets an easy passage, and that is my contribution for what it is worth.

I sit on this note: the Opposition has absolutely no character if they come out talking about agricultural policy in this country. They never had any, therefore they would not be in a position to prescribe the medicine for it. They have not been able to diagnose the case, therefore I do not want to hear anything from them on agriculture.

I am tired with them on the fiscal problems of the country. I heard the Member for St. Michael West, before he sat down, say that they are going to deal with agriculture *per se* next time. We just had the Estimates, we just had the Budgetary Proposals, but he is going to deal with it next time. There is not going to be any next time.

Mr. C. L. BOLDEN: Mr. Speaker, this Bill raises serious implications for the Government of the day, and I would hope particularly that some of the technical officers in the Ministry of Agriculture will begin to realise that the Barbados Labour Party has a policy on agriculture in relation to small farmers.

I do not know whether the Government has studied the offshoots of this Bill. The Bill, for the first time, will make peasant farmers into land owners. They will now have to pay taxes, and in return they are expected to have a policy of agriculture designed for small holders so that they can reap monetary returns at the end of every working period.

Let me deal with the problem as I see it. The Government must now take a firm stand about the Extension Service which are connected to the Ministry of Agriculture. And I am minded to say that in the interest of the small farmers of this country that the Extension Service should be removed from the Ministry of Agriculture and attached properly to the Barbados Agricultural Society, an agricultural institution.

I say that with good authority and good reason. It is one thing for a political party to write a Manifesto, and to put forward its views on agriculture; of what it would like to achieve in the country in a specific time. But the problem lies in transferring the political will and the political ambitions to those whom it had intended to

benefit if you get certain technical officers outrightly frustrating the wishes of the Government.

Now that you have got this Bill, it means that you need the technical services of some institution to more precisely guide the small farmers in the proper use of the land they now own. Before it was the plantation land, they paid a nominal five or ten cents a week for it irrespective of its size. The year they did not feel like working it, they did not have to work it. It is now their own, and it is for the reason that the Barbados Labour Party wants to push agriculture in this country, that it is giving the right to peasant tenants to own the area of land; so that they can cultivate it to its maximum full well knowing that they will get the return, and in turn benefit the country as a whole.

If we take the present instance of the sugar crop, Mr. Speaker. During the last week I was bombarded by persons, living particularly in the north eastern part of Barbados. These are the figures I collected for last year's crop. Freight was \$12 a tonne, cutting was \$8 a tonne, loading, \$8 a tonne; and many of them had to pay heading at \$18 a day.

The factories are now asking them to repay \$14 a tonne out of \$70 a tonne which they receive in the first part of the crop. But if you take those figures and you look now at labour costs, fertiliser costs, cultivation costs and taxes, you find that the small farmer has worked for nothing.

I used that example to show you, Mr. Speaker, that there are profitable crops that can be grown by small farmers; high value crops, that are not profitable to large plantations because of the method of reaping and the costs incurred.

There are also crops that small farmers can grow, only if they have the guidance from the technical officers of the Ministry of Agriculture, which would be very profitable to small farmers and benefit Barbados both locally and in its export market.

I can tell you that there are some of the officers in the Ministry of Agriculture who have said to me that I could not have a small farmer programme. I am sorry the Minister is not here, the Minister must now insist that the Ministry follows a programme for small farmers as well as a programme for large farmers, and that the political will must be transferred, through the correct technical officers, to the small farmers who should benefit by it, and I will give you an example.

1.30 p.m.

We had in this country an Agricultural Economist called Attlee Brathwaite and when we sat down and

decided that it was ripe for Barbados to increase its onion production, we called a planning meeting and we said that the Ministry of Agriculture, provided the small farmer did his cultivation, would provide the seeds, the pesticides and the weedicides for the first year, in order to bring the small farmer into onion production.

Instructions went out for results to be brought back to the next planning meeting a month later. It is surprising to know that the answer came back that no small farmers were interested in growing onions.

Subsequently, I called a meeting of the Extension Officers and I said to them that I was amazed that a high value crop like onions, that could be grown by small farmers with the benefit which the Government was then offering was rejected. Do you know what an Extension Officer told me? He said all we were told was to go out there and ask which small farmer wanted to grow onions, nothing else.

That is the reason why I say that the Ministry and the Government must make it possible to see that the political will and the political desires are transferred through those who would benefit by it.

The honourable Member speaks about the agricultural doldrums in the last administration and in this administration, but you must first look at why agriculture is in the doldrums. You must first look and see why some of the people in the Ministry of Agriculture spend six months in every year running between the Ministry and the Head of the Civil Service complaining about what is written on each other's report instead of doing the people's work outside.

These are things that the Government has got to look at now, because now that you have small farmers who are land owners — and if you had 200 000 small farmers before, I am sure you are going to have more now — you need to make sure that those officers who should create the policy, the technical policy out of the political desire, must now get down and do the work that they should do and not waste the Government's time.

Another thing, Mr. Speaker, is that you will find that a lot of these lands are situated in difficult areas. There has been a policy for the longest time, by both administrations, that you throw marl fill on the road in reaping season and before the crop is half-way the roads have deteriorated again. That is why I say there are lots of spin-offs that are going to come from this Bill today.

I am happy to see that the Government has done everything to equalise the land holding position in this country. As the Leader of the House said, you have some

fly-by-night politicians, who get in the market square at 7.30 Sunday night, talking about how much land is owned by white people and black people own nothing, but I am sure that by the time the Barbados Labour Party has completed its work, that the land holding in this country will then be equalised. There will be no reason for anybody to think that the small man in this country has not got a stake in his own society.

This Bill is a Bill which the Democratic Labour Party should not seek to criticise, because they were the first persons who raised the issue of the constitutionality of causing the plantations to transfer land to the peasants. And it is surprising that the very plantation owners of whom the Democratic Labour Party was saying that we were expropriating their lands, are the persons who are running to you daily asking when are you going to take their tenancies over.

I would like to hear from the Minister of Housing how many more land surveyors he has employed within the last six months, because I have got a lot of tenancies in my constituency. My constituency stretches from the tip of St. Michael up into the coast of St. John, a long constituency.

I feel proud that there is a lot of Barber Green in my constituency because I have said in this Honourable Chamber, time and time again, that you cannot have perfect roads in the urban areas while people who live in the rural areas must walk with two pairs of shoes — one for the mud and one to change off — or else have mud between their toes.

Mr. Speaker, I do not believe that this Government will follow the policies of the Democratic Labour Party. When we talk about roads, the Democratic Labour Party Government had a policy of paving the roads from Grantley Adams Airport to Sunset Crest three times a year. They never went into the rural areas. They never went into the tenancies. They spoke about a Tenantry Road Programme — you cannot deny them that — for two consecutive Manifestos, they spoke about a Tenantry Road Programme. But I can say that when I went to the Ministry and I looked at the road, at Blackinans, every time it came up I was told that will come in the next Estimates. They never attempted to satisfy the needs, the desires or the ambitions of those people who lived in the rural areas.

Mr. Speaker, I believe everybody should now realise the value of the agricultural worker, particularly he who works in sugar. From the time that we had sugar in this country, it has rescued us. I remember the Leader of the Opposition, not coming to Parliament with a Budget, but he went on the television and at the end of the programme said that it was not a taxation measure, it was a comfortable fire-side chat, after which \$40 million was

taken out of sugar. Forty million dollars was extracted from the earnings of sugar in this country after he said he wanted to see no more cane blades.

Then I remember in 1977, the then Leader of the Opposition stood up in this Chamber when the news broke in the House that the St. Philip Parish Church was afire due to a cane fire, and he said "retribution". Those were his words. He was satisfied that the people of this country should burn down the sugar canes in the country, even to cause the destruction of a sacred institution, a church, and he got up and said "retribution".

I have seen the newspapers and I have heard the priests call on the Democratic Labour Party, time and time again, to come out and openly tell the people of this country not to destroy the sugar crop.

Well I can say one good thing for my friend, the honourable Member for St. Michael West, and it is that he has come out like a man, as far as I have read in the newspaper, and said that if he is aware that any member in his political party was associated with the burning of canes, one of them would go.

But I would like to remind him — and I can give him evidence — that in 1978 the police, the fire brigade and the CBers were able to track certain prominent members of the Democratic Labour Party wherever a fire started.

That is why the law was amended, because as the law stood then you could not have prosecuted them. The law was changed for that specific reason, because certain people in Barbados believed that the way to get rid of the Barbados Labour Party was to destroy the sugar industry, cause more hardship in the country for the people to revolt.

But you cannot destroy the will and the aspirations of the people; you cannot destroy people who have sense. As long as you have opened the doors of the universities for free education to the people of this country, you cannot fool them the way you did before.

I well remember the May Day ceremonies in Queens Park when they used the occasion to tell the people of this country what they wanted them to do. They wanted more Nazism and more this and more of the next. But I believe the people of this country have seen the light today. They recognise that it is their own future they are destroying and not the future of a political party.
1.40 p.m.

With 42 cane fires yesterday, who can tell me that there is not an evil hand at work destroying the cane crop? And the point about it is this: every time a small farmer loses a plot of canes, he has lost all he has worked for during that particular year, and more.

I believe this Act will bring home a sense of responsibility, particularly to the plantation workers. They will now be landowners in their own right. They will now understand what it is to own something and to use it beneficially. This will give them a sense of belonging.

And they can say, thanks to the Barbados Labour Party, they have been placed on the same footing as their masters. They will remember their foreparents, who could not cast a vote in this country because they were not landowners. They will remember how the Barbados Labour Party fought for them to give them that right, and they will say, 'we have now gone full circle with the Barbados Labour Party.' — and not the Democratic Labour Party, that keeps raising the issue of the constitutionality of legislation of this nature.

I have not yet seen it tested. I have not yet heard it tested. Far from that, I know plantation owners who are only too glad to get rid of their land and I know tenants who are out there queuing up to get documents in their hands.

A man with a piece of land is a bold man in Broad Street. He goes to the bank and the bank says, "What security do you have?" And he says, "I have the Title Deed to my land." And although it might be sold at a low price now, I have never known of a market where the value of land has fallen. Land prices have always risen and therefore I would say that these people are fortunate.

I am happy to be associated with a political party that can satisfy the feelings and the aspirations of all those people. And I hope that when the Bill is passed, that the Minister will be in a very good position to carry the effects of this Bill through as soon as possible.

There is going to be a snow-balling of effect here. As I can see in other sections of the tenancies programme, there is a shortage of Land Surveyors. I believe the Government should look at either recruiting surveyors from abroad or trying out a system where those persons who are in training at the Community College can be utilised in areas — because I understand that some of them have passed major parts of their examinations, they are able to do certain work.

I hope this would be investigated, so that we can put on record that the Barbados Labour Party had done everything that it has promised the people during its last two campaigns.

Hon. DeL. O BRADSHAW: Mr. Speaker, Sir, I rise to make my contribution to this Bill. The Barbados Labour Party in 1980 introduced the Tenancies Freehold Purchase Act and it received the blessing of this Honourable Chamber, without, unfortunately, the support of the Opposition party. That Act is very much welcome by

all and sundry, because it has, like this particular Bill today, an objective — an objective of placing a portion of land, on which the tenants lived over a number of years, in their possession.

It was the aim of the Barbados Labour Party to ensure that land ownership was not only the prerogative of the better-off people in society, but also of those persons who had worked on the plantations and who gave of their sweat and toil without any tangible rewards.

The Bill before this Chamber, Sir, seeks mainly to give those tenants, who were required over the years to work and slave on the plantations — because their service was tied to the land as long as they worked on the plantations — ownership of the land. We must understand the history of this particular Bill, because when one comes to deal with it, one must see it against a particular background. And we see why it is that this Government has introduced what we term a revolutionary piece of legislation.

All of us should be reminded, that in order to ensure that labourers served on the plantations, they were given a portion of land, and some were given the house spots. The day that the labourers refused to work, they were either chased off the house spots or had the land taken away.

This Bill seeks to correct that and tidy up the loopholes, because not only would the tenants be able to own the land, but the tenant will now be able to do whatever he feels like with his land. He will have the benefit of a Title, which he could now take to the bank as some sort of security.

I must say, Mr. Speaker, Sir, that there are some problems which one has got to identify. Among these is that in some plantation tenancies, the owner of the agricultural holding is not near to water mains and the purpose of this Bill seeks to give that tenant access to irrigation services. I can tell you that there are some tenancies — and one that springs to my mind is the tenantry called Hothersal Plantation Tenantry — where the tenants of the agricultural holding are some one and a half miles away from the water main.

I hope that some sort of compromise is made between the owners and the tenants so that an exchange of land could be made possible. If that is done, Mr. Speaker, then the land, which I regard to be some one and a half miles away from the water main, would then be near to the water main, so that the tenants will benefit from it. That is one of the objects of this particular legislation and I do hope that this will come about.

There is a problem which has been brought to my attention and that is that there are some plantation

owners, some landlords, who have refused to proceed forthwith to convey the lots to the tenants on their request. And I want to give them a warning, because Section 5(2) of the Tenancies Freehold Purchase Act makes it compulsory and mandatory for the landlord, and it says the landlord should proceed forthwith to convey the land or the lot to the tenant. And I say that, Mr. Speaker, because I can see a similar problem resulting from this particular legislation, because there are some landlords who will be required to convey the lands to the tenants, and if they have been behaving in such an irresponsible manner before, then I can see that this is going to become a problem.

It is all right for us to say that provision is made in the laws and provision is made here, because there is a recourse to the law courts where a landlord refuses to convey the lot of land — but I say that this is one of the problems.

We must also identify the problem of having sufficient surveyors to do the work because the surveying must be done. It is a pre-requisite, and as the honourable Member for St. Joseph has said, there are insufficient surveyors.

1.50 p.m.

We cannot get enough surveyors to do the work at the moment, because there is a lot of tenancies and plots which have got to be done. We have been appealing to some of the landlords, and some of them have been responding admirably. They have been getting their own surveyors to do their work and in those cases we have been defraying the cost of the services. We welcome that.

And I would take this opportunity to appeal to some of those landlords to convey to the tenants who have lived and sweated and toiled on the plantation for years their lots free of charge. It is nothing that one is asking; it is not too much that one is asking. I understand because I came from that sort of background — where people have worked for years on the plantations and in their later years they cannot find the money to purchase.

The Government has come a long way in providing money for tenants. Those tenants who qualify can be rest assured that this Government has not only said that you are now able; there will be money there for you, we have made it possible for you to purchase the lot by provision of a Loan Scheme.

I will take this opportunity to say that the Loan Scheme for the Tenancy Freehold Purchase Act, to allow persons to purchase the lot on which they live, is now ready. The Committee has been appointed, has had its first meeting, and those qualified tenants may now apply to the Barbados National Bank, or they can collect the

forms from the Ministry of Housing or the National Housing Corporation and they can now apply for the loan.

Some \$400,000, Mr. Speaker, has already been placed in the Barbados National Bank for on-lending to those qualified tenants. I will also say that there is an element of subsidy, or some concessionary terms that are attached to these loans.

I think that these are things that tenants must understand. We are not sending them out there to sweat and hunt for money. We are making provisions, and I am sure that money is available, for those persons who are qualified for the agricultural holdings, at the Barbados National Bank. One hopes that the landlords and tenants would take it very seriously and do everything in their power to expedite the conveyancing programme so that they can benefit from the Loan Scheme.

Mr. Speaker, Sir, I do hope that all will get together and try and move towards allowing the tenants to benefit from this scheme and at the same time to bring about the implementation of this particular legislation. Everything should be done in order to facilitate the smooth implementation of this particular Bill.

Thank you, Mr. Speaker.

Mr. R. E. BRATHWAITE: Mr. Speaker, I am very happy to stand here to support this Bill this afternoon. I think it is one of the best pieces of legislation to ever come before this House. Mr. Speaker, I will say that this is nothing new today in Barbados, because, as far as I know, the Barbados Labour Party was trying to introduce a Bill like this since the 1950s.

I will say that the honourable Member for St. Michael West would do well if he was a Member of Parliament in the 1950s. That was the day when you could fool some of the people. I remember, in that day the members of the Democratic Labour Party would always tell you.....

Mr. B. M. TAITT: Mr. Speaker, on a point of order, Sir. The honourable Member just said that the honourable Member for St. Michael West would do well if he was a Member of the House in the 1950s; because that was a time when you could fool some of the people. I am sure the honourable Member might not be aware of the imputation in that statement. I would ask the honourable Member to rephrase that statement, Sir.

Mr. SPEAKER: That is no point of order.

Mr. R. E. BRATHWAITE: Mr. Speaker, what I was trying to say is that I remember that this same Bill was introduced in the 1950s, and I remember members of the

Democratic Labour Party going through the length and breadth of this country telling the poor people of this country not to purchase those spots because you would have to pay taxes, and the taxes would come to more money than the rent you have to pay the plantations. So I am very surprised.

Mr. Speaker, there are a few questions I would like to ask this afternoon of the Minister in charge, because there are quite a few smarties inside of Barbados.

There are many people who believed that the Barbados Labour Party would get back in power and they set out about seven or eight years ago, sold the plantations, but they still own the tenancies. You can see a considerable amount of Warren Plantation up there owned by Mr. "Cow" Williams, and the old owners, the Mannings or the Chandlers, own the tenancies. I would like the Minister to let me know what will happen to such tenancies.

We have quite a few like that in the parish of St. Lucy where there are owned by certain friends of the owners. And they are saying that they have nothing more to do with the plantations. They divided that section from it, and people have worked 40, 50 or 60 years on those particular plantations but now the tenancies are owned by private owners.

I would like the honourable Minister to tell me what he would do with such an issue. I have one of these problems, which is a very serious one. The gentleman has sold the plantation, and the old people are willing to do things; but they just cannot make a move.

Mr. Speaker, I would say to the members of the Democratic Labour Party that this Bill is very simple. It is an Act to make provisions respecting the purchase by tenants of agricultural holdings for the purpose of creating agricultural development in Barbados. And the honourable Member moved all around here this afternoon, and he never talked about the goodies that the Barbados Labour Party is trying to do for the poor people of this country.

Mr. Speaker, I always realized that there were people who knew it was a very good Bill and would have in it the Tenancies Act where the tenants living on the plantation would purchase a lot of land. But I never thought that the Barbados Labour Party would be so mindful of those other people who toiled on those plantations, but live elsewhere where they are paying rents on other places, and those people were not entitled. But this afternoon I am happy to know that the holder of the plantation and those same people who work on the plantations and rent those lots will be taken care of.

The honourable Member spoke about the small farmer. I am a small farmer. I am bold enough to tell you, Mr. Speaker, we never had it so good. It is no problem getting rid of the produce. We just had, a few weeks ago, a project opened at the Springhall Development and the honourable Minister came in here and he told us where he would be sending the produce, what a pound we would have to pay to send it to Trinidad.

We all know that the Democratic Labour Party falls short as far as agriculture is concerned. I remember in 1974 when you think of the price of sweet potatoes and yams, carrots and all the other things in this country, it is amazing. I wonder if the Democratic Labour Party was still in power what would have been the price of those commodities today. Mr. Speaker, when you think of the control of the Barbados Labour Party as far as agriculture, we all should commend it for a job well done.

Mr. Speaker, he also spoke about the movements of the present holders of the small farmers with the factory holdings.
2.00 p.m.

I believe that this is the first place for law and order and we should be good examples. I said that we sold cane year after year under contract and if the price is good

Mr. SPEAKER: Is the honourable Member likely to complete his address in seven minutes' time.

Mr. R. E. BRATHWAITE: Yes, Sir, I will get through in time for it.

Mr. SPEAKER: You may continue.

Mr. R. E. BRATHWAITE: I would say, Mr. Speaker, that we have to set an example.

The honourable Member for St. Michael West gives the impression that the Sugar Factories Limited only called on the peasant farmers to pay back this money. They called on the whole island as a whole. In 1974, I would say if the Democratic Labour Party had Springhall completed, when the best sugar price we ever had was around, we would be a little New York today. We would not have to be worrying about the things that are going on. But they are making noise now that the sugar price is bad.

I mean, last year was a very serious year. The weather was against us, the price was against us. Everything was against the people. And I definitely believe, Mr. Speaker, that the Sugar Factories Limited are sincere with what they are about. They like to pay big money for our canes. They are interested in the sugar industry. And

when those people call on us to return something that they did not received over there, I do not think we should try to encouraged people to try to give them a problem, because I definitely believe, Mr. Speaker, that if the Sugar Factories Limited had intended to cheat us, they could cheat us and we would not even know because they have the rights.

We do not have anyone who really can go in there and tell them what to pay us. We have to try to reason with them. And the idea that you are going to slip someone in there is out, because they have their special accountant, they have their cane growers and they have all these people and they would do, perhaps, their own thing and we would not even know about it. So we should all be very happy to contribute some of this money back to them.

He made a very good point there, I would commend him on that one. I recommend that you have doctors of agriculture. It is good, but there are some times I would say that we want more dedicated workers than doctors. At times we have this Dr. This, but I would like to see one of those cane cutters, on the Agriculture Board the one that cut the most canes for the year, people of that calibre who will be able to put the small farmer's case, where he could see how things are going. And he would be able to see, because sometimes you know doctors have things on a very high scale and it means then he might overlook the small man down there. So I would commend him on that. I believe that we should have such a person on such a board.

Mr. Speaker, I would also like to ask the honourable Member about the ploughing system in Barbados. I would say that up to last year things were very good, they were very satisfactory. I think the honourable Member for St. Joseph spoke about changing it over to the Agriculture Society to deal with it rather than have it in the style it used to be in before. Mr. Speaker, I believe that would be a good idea, because I think I heard that they are trying to start it along that line. But I would like to appeal to the Minister, if he could do all that lies within his power to speed up that section of it, because there are lots of people over there who are suffering to have their lands ploughed. And as you know, last year it was neglected, although it was no fault of the ploughs. We had a fair amount of bad weather and it was impossible to plough along that line.

And I would say, Mr. Speaker, that this Bill is very, very progressive, because as you know, when you have people who own a plot of land and they reach age 65 and the plantations nowadays refuse to employ them, those same people can continue to employ themselves. And when one is working for himself, he always works harder and he always produces more. So I would say that this is

a very, very good Bill and I would say, Mr. Speaker, that this party is really taking care of the masses of this country. Not only is it taking care of the small man, it is making him feel happy so that he can take care of his needs.

Mr. Speaker, I remember the Honourable Member for St. Michael West coming in my district and telling the people over there not to cut the canes, let the owners of the plantations cut them. That night he called the Wilkinsons and the Mannings and those people. I feel that that was a very, very serious statement.

Mr. Speaker, I would not try to be unkind to anyone, but as we all know ten years ago the people who were rushing to buy up the plantations of today. We all know the people who were rushing to buy up those plantations and I would not tell you the particular parish, but in one particular week we had a cane fire at every plantation in that parish, and the plantation that was owned by a member of the Democratic Labour Party was clear. The only plantation which did not have a fire was that particular plantation. So friends, not that I am trying to give an impression, but I am just saying that people seem to be more careful, and as soon as they see a fire lit up close around certain people's plantation they run and out them; but as soon as they see them lit up around other plantations they fan them so that they could just have a good spell.

So, Mr. Speaker, I thank you very much for listening to me on this issue and I would like to commend this Government for thinking of the small man in this country as far as agriculture is concerned. I thank you.

SUSPENSION OF SITTING

Mr. SPEAKER: This sitting now stands suspended until 2.45 p.m. today.
2.10 p.m.

On Resumption

Mr. SPEAKER: I understand that the honourable Leader of the House is seeking leave to give notice of a Supplementary Bill, if there is no objection.

Hon. L. S. CRAIG: I reckon, Sir, I will have to move that items (g) and (k) under Government Business be now reverted to.

Mr. SPEAKER: You may proceed.

Hon. L. S. CRAIG: I beg to give notice, Mr. Speaker, of a Bill to amend the Barbados Water Authority Act, 1980.

FIRST READINGS OF BILLS

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that a Bill to amend the Barbados Water Authority Act, 1980 be now read a first time.

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

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

QUESTION TIME

Mr. SPEAKER: It is now Question Time. I am advised that there are no replies.

Hon. L. S. CRAIG: Sir, I am quite sure that there is still a reply here to a Question. For some unknown reason this Question keeps cropping up here all the time, Question No. 13, asked by the honourable Member for St. James North, whom I do not see in his place again, Sir. But I am sure this was done already. (A VOICE: It was laid.) I am not quite sure if it was laid, Mr. Speaker, it is not on the Order Paper, but I had got the impression that it was held over. Apparently, it has been laid.

Mr. SPEAKER: I am sure that instructions had been given that the Reply should have been tabled. When instructions are given by the Chair they must be carried out by the Clerks at the Table, and I would hope that they have been complied with.

This brings us to the end of Question Time. It is now time for Private Members' Business. (Mr. L. E. SANDIFORD: The Reply was laid.) If the Reply was laid, the House ought not now to be hearing it from the Opposition benches, it is for the Clerk to advise the Chair and the Chair should be able to speak with authority that it has been laid. I am more than grateful to the Opposition.

PRIVATE MEMBERS' BUSINESS

Mr. SPEAKER: Order No. 1 stands in the name of the honourable Member for St. Michael South Central, who I do not now see in his place. Order No. 2.

RESOLUTION re TRANSPORT BOARD BUSES

Mr. SPEAKER: The honourable Member for Christ Church West Central.

Mr. M. A. KING: Mr. Speaker, I take it that I have the opportunity to wind up at this stage, because I had moved the passage of the legislation earlier and a number of honourable Members have spoken on the Resolution. I do not propose to delay debate on this Resolution much longer.

Since the moving of this Resolution, a number of honourable Members on both sides of the House have spoken on the matter. And from the contributions which have been made by honourable Members, I got the impression that the only honourable Members who seem to have understood what the Resolution was all about were honourable Members of this side. The honourable Member for St. George South, when he replied on the Resolution, did not seem to comprehend the point I was making about equality before the law for all persons who were subject to the jurisdiction of the law.

Now, if one does not comprehend that that is one of the basic principles of the Rule of Law, then it is pointless arguing about the concepts of the Rule of Law. So I will let the contribution of the honourable Attorney-General be the best critic of his own contribution on the subject, and I need dwell no more on the speech of the honourable Member for St. George South.

3.00 p.m.

I would like, however, Mr. Speaker, just to turn for one brief moment in this winding-up to part of the comments made by the honourable Member for St. Michael East, because in the course of his contribution on this Resolution, he sought to introduce what I consider to be certain principles, which, carried to their logical conclusion, could be dangerous.

He reverted back to the philosophies of Kant and Haeckel in support of his argument, and he used that as a basis for the point of view he was articulating; that the policemen should have authority to exercise an independent judgment in deciding whether or not they should charge a person with offences which were obviously being committed in the face of the policemen.

Now the moment you are going to give the police authorities a discretion as to whether they charge a person or not, I say that that is importing a dangerous element into the administration of the law.

What a police officer has to be concerned about is that if he sees a breach of the law being committed, it is his duty as a police officer to enforce the law, and, if necessary, to bring the person before the court. The police officer is not in a position and should never be in the position where he is prosecutor, the judge and the jury in his own power, because the moment you allow that, and give to the police officer the right to say that I should arrest this person and not that person, or that I should charge this person and not that person, where the police officer sees a breach of the law being committed and you allow that, you are opening the door for all sorts of irregularities and unfair practice.

For the honourable Member for St. Michael East to have introduced the concept that a police officer should

have the right to exercise a discretion, and leave it at that, is to import a dangerous element into police practice.

Now taken to its logical conclusion, what the honourable Member is, in fact, saying is that if a police officer sees someone stealing — the person may be hungry alright, and may be stealing out of sheer necessity — the officer, should investigate the circumstances — see whether the person is stealing with justification or not, and if he is satisfied that there are sufficient ameliorating circumstances, then that would be a sufficient reason for the police officer to exercise a discretion and say I am not arresting that person, I will use my own independent judgment and decide that that is a person who needs a break.

What the Rule of Law demands is that there should be equality of all before the law. All persons have to observe the law, the police who are the law enforcement agencies have a duty to fulfill in ensuring that the law is observed, and when the police officer is assured that the law is broken, he has a duty to report it to the authorities, bring the matter before the courts if that needs be, and have the courts pronounce on that matter. That is the surest way to ensure that there is justice in your community, and I need not expand too much on this.

But the same theories which Kant and Haeckel and the German philosophers of a couple of centuries ago articulated...*(Asides)* Nineteenth century. You must know your jurisprudence, Kant, Savigny, Stamler, the whole lot of them the theories which they promulgated have been the basis on which the Nazi rulers of Germany founded their own philosophy as to what was right and what was wrong in Germany. So that I say, taken to its logical conclusion, the principles which are being adumbrated by the honourable Minister — although I know that he has heart in the right place when he wants to suggest that the police should not exercise their power arbitrarily — is that when you take those philosophies to their logical conclusion, as was sought to be done by Hitler in Nazi Germany, and Mussolini, you have the seeds of the type of repression and dictatorship which later manifested itself in the early to middle part of the 20th Century.

Mr. Speaker, the point of the Resolution is merely to require that due observance be made to the process of the Rule of Law, that at every turn we must seek to ensure that all citizens are equal before the law, that no person — and when I say person I include Corporations as well — is given special treatment before the law, and that where the Transport Board, which is a statutory corporation, is found breaking the law, it should be hauled

before the courts, just like any other citizen in the community, and be made to answer for the wrong-doings of its officials.

So when the police take action and deal with law breakers in the Transport Board, they should not be cursed and criticised by members of the Government, because they are doing a duty which has been assigned to them and they are doing a duty which is demanded of them by the principles of the Rule of Law.

With those few comments, Mr. Speaker, I would urge that the Resolution which has been before this Honourable House do now pass.

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

Mr. SPEAKER: Order No. 3 stands in the name of the honourable Member for St. Michael South Central whom I do not now see in his place.

We therefore revert to Government Business.
3.10 p.m.

When the suspension was taken, the honourable Member for St. Lucy had just completed his address. Is there any other honourable Member who wishes to exercise his right?

Rt. Hon. J. M. G. M. ADAMS: I only very rapidly wish to say, Sir, in answer to the constitutional point, that the earlier Bill is not in breach of the Constitution and this Bill does nothing to offend the Constitution, and that the honourable Member for St. Michael West really does the country a disservice when with one eye on the Press, cocked carefully towards Mr. Martindale, he dictates tomorrow's headline based on nothing whatsoever that can reasonably be put before the country on an objective basis, when he knows that the reply, which the Attorney-General is going to make on the point, will very likely be ignored by the Newspapers.

I think there will have to be a point at some stage, Your Honour, in which we really consider whether that part of the Rule which speaks of the duty of the Press to carry fair and accurate reports of the House of Assembly's proceedings on penalty of being excluded from the House be examined by the Chair and by honourable Members. That is my only contribution.

Hon. L. R. TULL: Mr. Speaker, Sir, there were a number of points raised by the honourable Member for St. Michael West that are really explainable from the first statement he made, that the Shadow spokesman for Agriculture on the Opposition Benches is not here and therefore he thought the debate would have been put off. But the honourable Member is so hypnotised by his own

voice that nevertheless he must go on, and he made a contribution that was characterised by a lot of inanities and a lot of conflict in thinking.

His contribution was also characterised by some serious misconceptions in law. The most important one was in relation to the gratuitous wave of the hand in which he said that in this particular Bill there is a trend of unconstitutionality, and it is important that that point be answered — and answered in the full.

In drafting this legislation, the Cabinet, my own Chambers, were very concerned in making sure that there was legislation that was in consonance with Section 16 of the Constitution of Barbados. And Section 16, if the honourable Member had taken time to look at it, and look at the Section of this Bill, he would have seen that not only was the constitutional provision adequately reflected, but that two separate Sections of this Bill related to that very constitutional provision.

I think that the Bill sets out, quite clearly, that there should be agreement between the landlord and the tenant as to the price on the transfer of the plantation land. And it goes further and says where there is no agreement, and even if there is an agreement, because it deals with both, Sir. Where there is no agreement, there is access to the Law Courts based on the same provision as the Land Acquisition Act. But it goes further; even where there is agreement, there is still access to the Courts, by either party, to vary the provisions of that Agreement.

Now, how the honourable Member can just get in here in the light of that, and say that there is an unconstitutional trend in this legislation is really beyond me. But it reveals to a very large extent, the ignorance of the person who was making this statement.

The honourable Member is very bad in his judgment on picking issues. He has a way of picking the wrong issues. He has a way of picking the wrong opponents. And I am sure he must have been ashamed by the contributions of honourable Members immediately after him, who were able to address themselves, substantially, to the issues involved in this piece of legislation and to move away from the inanities that quite often characterise the debates coming from the honourable Member.

He also, in the course of his contribution, Sir, revealed a certain lack of understanding of elementary English. When the point was made that it was revolutionary legislation, I understood it to mean in relation to the Act that was introduced last year, the Freehold Purchase Act.

And the point was made that this was an extension of the principles of that Act — one relating to the acquisition of house spots for people who have been tenants for five years continuously, or for five of the last 7 years before the implementation of the Act, those people could acquire their house spots in the plantation tenan-

tries, and that they could pass on by succession their ownership of title to the land.

And this particular Bill goes a step further, by saying that these people will now be entitled to acquire arable land, not the house spots, in plantation tenancies even where the arable land is not contiguous to the house spots that they are acquiring.

The honourable Member praised, in aid of his very weak argument, the fact that in 1955 the Small Holding Security and Tenure Act was the revolutionary one and not this one, and reveals a certain ignorance of the law by seeking to equate the status of a tenant with the status of a land owner. And even when one sought to point out, more in sorrow than in anger, that there was a very different status from a tenant to a land owner, the honourable Member exceeded himself in his ignorance by continuing to make the same point.

If 1955 was a landmark year for giving security to the tenants in the tenancies, Sir, then 1980 was even more significant landmark in giving rights of ownership to people in these plantation tenancies. The honourable Member makes the point that you are not giving them; they still have to pay for it — one of these very specious arguments — but he did not address himself to the fact that they have to pay a very nominal price for acquiring the land.

They can buy a house spot in a plantation tenancy today for a price lower than the cost of some roller skates in Bridgetown, and he is complaining about that. And the honourable Member for St. Michael West voted against the Bill when it came before Parliament several months ago.

It is important, Sir, that I answer the point made by the honourable Member for St. Lucy who wanted to know whether the rights of tenants to acquire in this legislation will stretch in the case where the rab land is owned by one person and the arable land is owned by another. I have checked, and I can give the honourable Member the assurance that they, too, are caught within the net of this legislation and that those persons will be entitled to seek ownership under the provisions of these two separate pieces of legislation, the one that was passed already and this one today.

I think, Sir, that that has clearly cleared up the points made by the honourable Members and I beg to move that this Bill be now read a second time.
3.20 p.m.

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

On the motion of Hon. L. R. TULL, seconded by Hon. DeL. O. BRADSHAW, Mr. SPEAKER left the Chair and the House went into Committee, Mr. ODLE in the Chair.

Mr. CHAIRMAN: The House is now in Committee.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

Hon. L. R. TULL: I beg to move that Clause 3 stand part and I am making a motion, Sir. I would like to refer to one part of Clause 3 where it states that the freehold of the agriculture holding will be purchased at a price to be agreed upon between the landlord and the tenant. That relates to the point made earlier by the honourable Member for St. Michael West. The point is made in relation to his point about constitutionality.

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

Clause 4 was called and passed.

Clause 5 was called.

Hon. L. R. TULL: Mr. Chairman, this relates to the termination of compensation and states that where there is absence of agreement between the landlord and tenants as to purchase price that the matter may go before a Judge of the High Court in accordance with the provisions of the Land Acquisition Act. Again, Sir, I mention this to show the law is quite explicit here and there is no question of breach of any constitutional provision in this country.

I beg to move that this Bill stand part.

The question that Clause 5 stand part was put and resolved in the affirmative without division.

Clauses 6 to 14 inclusive were called and passed.

The First, Second and Third Schedules were called and passed.

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

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

3.30 p.m.

Hon. L. S. CRAIG: Earlier in the day, Mr. Speaker, on your announcement of receiving a message from the Other Place, I sought the leave of the Honourable House to move the amendment to this Bill. And in so doing, Sir, I am seeking the support of Members on both sides to concur in this matter.

It is to delete the rate of duty of "\$10.00" appearing opposite the item under the heading "LIFE"

and substitute "\$2.00", Sir. I think this has been circulated and I hope that honourable Members will support this amendment coming from the Other Place, Sir. (Mr. L. E. SANDIFORD: Typographical error?) (Mr. B. M. TAITT: Apparently.) (Mr. B. M. TAITT: Are these typographical errors?)

Mr. SPEAKER: The Opposition is enquiring if it is a typographical error.

Rt. Hon. J. M. G. M. ADAMS: The Opposition would be in a better position to enquire if, when the Act had first come before the House, they had discovered the things which the honourable Member for St. Michael West put into a Press release a week or ten days later.

I have been in the House 16 years now, and I think this is the first time that I have ever known a Member draw the attention of the public to the fact that he had not read an Act of Parliament properly when it was before Parliament, and to condemn himself for not doing his homework on an earlier occasion.

If instead of making an airy-fairy speech, to make up for his catastrophic failure before the television cameras, he had taken the interest of the insurance industry as much to heart as he did in columns of the Press, we might have discovered that due to a series of errors, that nobody can identify, wrong figures appeared in respect of Stamp Duty on insurance policies.

In seconding that we concur in the amendments moved by the Other Place, I will give this explanation. Recommendations came to the Ministry of Finance for a revision of fees in respect of Stamp Duty and other matters, from the Registration Department. Among these recommendations were certain ones that related to the insurance industry. These are fees which appeared to be charged in cash amounts and the Registry thought it was its duty to update them.

On the relevant form, emendations were made, and then they were remade, all in manuscript, and it seems that those responsible for drawing up the ultimate results could not distinguish between the different entries in a well-known handwriting and confused some, one with another, producing a result that was really not intended at all. I thought one had been deleted, the main one which would have put a prohibitive tax on the policies.

Although this was done well before the budget — you know, Mr. Speaker, Sir, that things still have a way of being last minute, no matter how long you prepare them. You prepare something a year in advance and it still has last minute difficulties — they passed unnoticed, even by those who are paid by the electorate to be watchdogs of the public purse and to pay attention to the interest of all and sundry in society.

As a result of the mistake having been noticed — and it was noticed before the effusions in the Press — a

comprehensive look was taken at the charges against insurance policies.

Insurance is not on a good wicket in these days of inflation, Sir. The whole system of life insurance was conceived when inflation was half and one per cent a year. Now that inflation is 10 per cent and 12 per cent a year, it is not so easy to sell insurance policies, especially not in a country where there is no equity market for the companies to invest in.

And the Supervisor of Insurance, along with our adviser in insurance, made certain recommendations as a result of which some of the taxation on insurance companies has been reduced, not increased.

The Ministry of Finance, of course, has to shoulder the responsibility for an error creeping into the Schedule of the Stamp Duty Act. Perhaps, it is an argument for being able to correct these things by Order rather than having to bring them to the House every time.

No great matters are involved in the changing of cash amounts for Stamp Duty. Of course, on this occasion, there was a matter of principle, and therefore, it came in the budget where it could be fully debated. But that, Sir, is the answer to what happened in connection with the insurance charges.

Thank you, Sir. (ASIDES)

Mr. SPEAKER: I take it that honourable Members concur in the amendment. *(Pause)* Do we have the concurrence of honourable Members in the proposed amendments? *(Asides)* Do we have the concurrence of Honourable Members?

Mr. L. E. SANDIFORD: There is no opposition, Sir.

Mr. SPEAKER: The honourable Member has stated concurrence in the proposed amendments.

Hon. L. S. CRAIG: Mr. Speaker, that brings us to the end of Government Business, Sir, and also to the end of today's sitting. And in moving that this Honourable House do now stand adjourned until May 18, 1982 at noon, I would like just for the Record, Sir, to draw the attention of my colleagues, in particular on the Other Side, because sometimes these things can be overlooked and then there are always problems and so on.

I have not seen the Leader of the Opposition for several months. I heard he was not well and I heard of a Press report, a Press release, I was not here at the time

and I really had looked forward to seeing him today, Sir, in fine health and so on, but I have not again seen him. And I know that Standing Order, I think 72, Sir, always deals with absence of attendances of Parliament and I am not sure, Mr. Speaker, how long the Leader of the Opposition did not attend a sitting.

All I am doing is trying to draw it to his colleagues' attention because one may overlook this. I mean you could just overlook it and I am only doing this as a favour. I hope that honourable Members on the other side are aware of the time that the Leader of Opposition may not have attended a sitting. I do not know if he may have written Mr. Speaker, asking permission for his absence, Sir, asking for sick leave. I just do not know.

I would hate that one morning we come in here, Mr. Speaker, to hear that the Leader of the Opposition has no seat. Now that would really hurt me. I would hate to see him go out that way. I want to be in here to see him bow out when he retires and we have big speeches and big dinners for him and the Prime Minister having some monument placed and so on. He has made his contribution.

It can be overlooked and I am simply warning honourable Members. They may not want this for him. They may have other moves. They may have other reasons for not drawing it to his attention. But I am saying it that he could know. Please draw it to his attention.
3.40 p.m.

If he has not asked for sick leave, or if his time has not yet expired, draw it to his attention. You all may have other reasons. But I feel, Sir, that it is my duty as Leader of the House to look at every single aspect, on both sides, Sir.

THE ADJOURNMENT

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that this sitting be now adjourned until Tuesday, May 18, 1982 at noon.

Mr. J. G. ODLE: I beg to second that.

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

3.43 p.m.