
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1981 – 86

HOUSE OF ASSEMBLY

Tuesday, 16th November, 1982.

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

PRESENT

His Honour W. C. B. Hinds, J.P., (Speaker)
Hon. L. S. Craig, (Leader of the House)
Hon. H. B. St. John, Q.C., LL.B., (Deputy Prime Minister)
L. E. Sandiford, M.A., (Econ.)
Hon. Miss B. A. Miller
Hon. L. B. Brathwaite
J. G. Odle, B.Sc.
Hon. V. L. Johnson, M.A.
Hon. DeL. O. Bradshaw
L. L. Sisnett
R. E. Brathwaite
Hon. Dr. D. G. Blackman
A. Truss

Prayers were read by Archdeacon F. A. Cayless.

Mr. P. M. GREAVES entered the Chamber and took his seat.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, November 9, 1982.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that the Minutes of the meeting of Tuesday, November 9, 1982, be taken as read.

Mr. SPEAKER: If there are no observations from Hon. Members, let those Minutes stand confirmed.

ANNOUNCEMENTS

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

PAPERS LAID

Hon. H. B. St. JOHN: Mr. Speaker, I beg to lay the following:

The Annual Report and Statements of Accounts for the Insurance Corporation of Barbados for the year ending December, 1981.

The Senate and House of Assembly (Remuneration and Allowances of Members) Order, 1982.

The Ministers and Parliamentary Secretaries (Remuneration and Allowances) Order, 1982.

GOVERNMENT NOTICES

Hon. H. B. St. JOHN: Mr. Speaker, I beg to give notice of the following:—

Resolution to approve the fixing of the rates of salary and allowances of the posts of the Personal Staff to the Prime Minister.

A Resolution to grant the sum of \$173,805 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1982-83 Part I — Current as shown in the Supplementary Estimates, 1982-83 No. 6 which form the Schedule to the Resolution.

A Resolution to grant the sum of \$1,253,437 out of the Consolidated Fund and to place it at the disposal

of the Government to supplement the Estimates 1982-83, Part II Capital as shown in the Supplementary Estimates 1982-83 No. 7 which form the Schedule to the Resolution.

A Resolution to approve the Senate and House of Assembly (Remuneration and Allowances of Members) Order 1982.

A Resolution to approve the Ministers and Parliamentary Secretaries (Remuneration and Allowances) Order 1982.

A Bill to amend the Magistrates Jurisdiction and Procedure Act.

BILLS READ A FIRST TIME

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that a Bill to amend the Magistrates Jurisdiction and Procedure Act, be read a first time.

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

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

ORAL REPLIES TO QUESTIONS

Hon. L. S. CRAIG: Mr. Speaker, I beg to give notice that Oral Reply to Parliamentary Question No. 16, asked by the Hon. Member for St. Michael West is now ready.

Rt. Hon. E. W. BARROW and Mr. L. E. SANDIFORD entered the Chamber and took their seats.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

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

SUSPENSION OF STANDING ORDERS

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 22, and 42(5) be suspended for the remainder of today's sitting.

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

Mr. L. E. SANDIFORD: Mr. Speaker, I wonder if the Leader of the House could just tell us why the Standing Orders are being suspended.

Hon. L. S. CRAIG: Sir, the answer to that is that the Leader of the House proposes to make sure that

Government Business is well taken care of today. But I give the Opposition, as I have done in the past, the assurance that, if possible today, we will do Private Members' Business. Of course, you know I have not got to tell you why I have suspended the Standing Orders. You could have asked me that behind the Chair.

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

Dr. R. C. HAYNES entered the Chamber and took his seat.

Hon. L. S. CRAIG: Mr. Speaker, Order No. 3.

RESOLUTION TO COMPULSORILY ACQUIRE LAND AT BLACK ROCK, ST. MICHAEL

Order No. 3 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Black Rock, St. Michael for the purpose of road improvement.

Hon. DeL. O. BRADSHAW: Mr. Speaker, this Resolution seeks parliamentary approval for the acquisition of two strips of land in the Danesbury/Black Rock area. The total area is 334 square metres. The land is owned by Mary Jackman.

Earlier this year, parliamentary approval was given to a Resolution which sought to acquire a number of pieces of land in the same area. This particular 334 square metres was not included in those acquisitions because at the time the survey plans were not available, and it was thought that it was best to seek parliamentary approval for those areas of land for which survey plans were available.

Now that the survey plans are available, this Resolution seeks parliamentary approval so that the processes as set out in the Land Acquisition Act, Cap. 228 of the Laws of Barbados, are complied with.
12.30 p.m.

I would wish to inform this Hon. Chamber that despite the problems – or the reported problems – which these acquisitions have been plagued with, I have met with a number of persons whose properties were compulsorily acquired and, so far, all of them have indicated a willingness to compromise.

There was one particular acquisition, which was the subject of Press reports giving the impression that there was some great reluctance on Government's part to settle satisfactorily. I would wish to say that I met with that particular property owner and his attorneys, and we have reached a compromise. The attorneys for the vendor have accepted the proposals put forward by me on behalf

of the Government, and the vendor has actually acceded to that compromise.

In the case of Mrs. Jackman and this particular acquisition, one hopes that, during the process of the negotiations, this, too, will be resolved somewhat amicably.

The acquisitions, and this one in particular, Mr. Speaker, deal with the Spring Garden Road. Work is progressing quite satisfactorily, to the best of my knowledge, and this acquisition is part of the area of land to be acquired.

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

Rt. Hon. E. W. BARROW: Has there been an indication, Mr. Speaker, that the Resolution has been seconded?

Hon. L. B. BRATHWAITE: Mr. Speaker, I beg to second that Resolution and reserve my right to speak.

Mr. SPEAKER: The question.

Rt. Hon. E. W. BARROW: Mr. Speaker, I was very surprised to hear the Minister say in his opening remarks that this acquisition relates to some land in the Danesbury area.

I happen to live in Black Rock for some time, in that immediate vicinity, and the former Member on the other side, Mr. Maurice Ward, is one of my neighbours.

The first thing I would like to do is set the record straight. The land, as I understand it, by the University Drive is not in the Danesbury area — it is in the Walmer Lodge area. Danesbury is much closer to Bridgetown and there are several parcels of land and owners intervening between what is misdescribed as Danesbury, but is more correctly known as Danebury, and Walmer Lodge, where the old national buses used to turn around. So, I would like to set the record straight.

When the Hon. Member says that he has met with owners and they have reached agreement with counsel for the owners, I hope that he is not misleading the House that the persons who have the fee simple absolute in relation to the Danebury property have agreed on any kind of price with the Minister.

I am aware that the Minister paid a visit down there in relation to getting a further building demolished, and I am told this was being demolished up to this morning, in an effort to straighten the alignment of the road.

It is not my information, from any of my associates, that the owner of the property has reached any agreement with the Minister, or that the counsel, who the Minister happened to see that particular day when he went, has reached any agreement. This is one of the dangers of meeting with Ministers.

When I heard that the Minister was going to be there, I deliberately refrained from letting my presence be evident on the spot, because I prefer to do things by correspondence, where you can produce the evidence or the lack of evidence.

I think it is very unfair, when the survey plans have not even been concluded — a comprehensive survey is being done on the land being acquired — the Ministry has not afforded the property owners, since they have done so many re-adjustments, a look at the correct alignments.

Furthermore, I had a conversation with Mr. Maurice Ward last week, on the spot, the two of us, and he had not received any information from the Government about the right of way to which he, as proprietor of the Tower Hotel, is entitled; or about my proprietary rights as the owner of a domestic residence in Paradise Beach Gap.

They have diverted the road completely, and have not got the permission of the persons — with the possible exception, maybe, of Paradise Beach Club — who own the right of way, to divert the right of way.

Now when you buy a property and you have a right of way to that property, as you know, Mr. Speaker, that is a proprietary right. A right of way is a proprietary right; it is not just permission to pass. This is what we call appurtenant to the dominant tenement. It is something which is appurtenant to the land. It is not appurtenant to a person — it is appurtenant to the land which we own in that area.

Now, Mr. Ward and his family have been proprietors down there as far back as I can remember, over fifty years. I certainly have been down there twenty years and I do not understand how a Government with its panache of legal advisers — even if they are short staffed, they are over 26 on the establishment — can go and obliterate a person's right of egress and entry into his own property, and then, the next week, tell you that you have to go around by another road — there has been no legal transference of the title — and after giving you the alternative road, to come back, last week, and block that road again — and put a hump over the two gutters that they built over the thing. That is what is happening down there. I was there until this morning.

The whole trouble is, Mr. Speaker, that they have the National Housing Corporation dealing with some of

these matters, they have the Ministry dealing with some of these matters, they have the legal people dealing with some of these matters. Nobody knows, there are not any highly qualified people who are being brought in to make these assessments.

As far as I am concerned, I think the Minister ought to send somebody to speak to the proprietors down there about the obliteration of their rights of way.

I already have a pending action against the hotel for building a dining room across the other end of the right of way.

Now, one of the.....

Mr. SPEAKER: Please. That does not concern this debate.

Rt. Hon. E. W. BARROW: No, Sir, we are concerned with the acquisition of the land. This right of way is not at Danebury, but in the immediate vicinity.

One of the incidents of a right of way, as the Hon. Minister of Education will inform her colleague, is that it must have a *terminus ad quo* and a *terminus ad quem* — that is an exit and an entry.

I have neither exit nor entry, as a result of the actions of the Minister, because the other people have blocked up my exit to the sea, and now the Minister has gone and obliterated my right. So I will have to come by helicopter, and my guests must now descend by helicopter or parachute, Sir.

Mr. SPEAKER: In terms of this Resolution, I wonder if the right Hon. Member is purporting to be Mrs. Jackman.

Rt. Hon. E. W. BARROW: To do what, Sir?

Mr. SPEAKER: Is the Member purporting to be Mrs. Jackman?

Rt. Hon. E. W. BARROW: No, I could never propose to be Mrs. Jackman, Sir. She is a lady of great antiquity and a lady whom I much respect. I would not like to impersonate Mrs. Jackman.

Mr. Speaker, I think I ought to let you know that Mrs. Jackman's property that they are acquiring the 300 square feet of, is directly adjacent to the right of way which I am complaining about.

And I am drawing it to the attention of the Minister that they have not got in touch — I have an interest, I declare the interest now — with Mr. Ward or myself —

these are the two that I can swear for — and I hear — you are not supposed to give hearsay evidence.....

(Hon. L. S. CRAIG: Ward at the top and you at the bottom.).....

Rt. Hon. E. W. BARROW: That is right. No, but he has the right of way, too, the same right of way. No, he has the Tower Hotel. He lives on the opposite side, Mr. Speaker, but he also owns the Tower Hotel.

(Hon. L. S. CRAIG: So you have to come in by helicopter.)

Rt. Hon. E. W. BARROW: The right of way has been blocked up. I have not been informed of the intention of the Ministry to block up the right of way, one day you go down and you have to make a detour, and the next day you have to do a fly-over like if you are on a scenic railway. This is not satisfactory.
12.40 p.m.

The whole question of the acquisitions for the Spring Garden Road has not been handled in a systematic and legalistic manner. It has been going along on a piecemeal basis. The Ministry has been playing one landowner against the other: getting one to accept \$3 a foot and the other one to accept \$6 a foot — all on the same stretch of road — and saying that, "Well, this person accepted \$3."

That is not the way we go about it. They should have had, in my humble opinion, an independent assessment — not by the Ministry, but by people outside — to save all these arbitration proceedings that will necessarily be followed now, under the Land Acquisition Act.

Furthermore, even the persons, with whom such some kind of agreement has been reached, have not been paid. People have had their houses moved around, people have had their buildings demolished — and they have not been compensated.

I understand the problems which the Government is having in this respect, a shortage of funds, but, then, my humble submission is that they should not undertake these very expensive cosmetic operations, like the Central Bank and so on,.....

Asides.

Rt. Hon. E. W. BARROW: Because you didn't have any money to pay the people, that is what you got to do with it?

Asides.

Rt. Hon. E. W. BARROW: You are not paying money to Central Bank either?

Mr. SPEAKER: Let us just confine ourselves to the.....

Rt. Hon. E. W. BARROW: Yes, Sir, but I thought the Member who was on his feet had the right to speak, and I did not know he had to put up with this kind of humbug.

Mr. SPEAKER: The Chair is concerned with the Hon. Member for St. John, the Hon. Leader of the Opposition.

Rt. Hon. E. W. BARROW: Right, Sir. I will follow your advice and ignore them. They are not worthy of your notice or mine. I was just merely trying to be polite to the Hon. Member, but I will be more polite to the Chair.

So, what I am suggesting to the Hon. Minister is this: a right of way is land, according to the Real Property Act, and if you are obliterating somebody's right of way, then you should acquire the land by serving notice, under the Land Acquisition Act preferably, because there are at least six or seven persons who have that proprietary interest, but in the Real Property Act a right of way is land.

It is an easement, it is true; but it comes under the definition of land in the Real Property Act, and, therefore, should be the subject of a proper notice or some kind of notice, but, in this particular instance, we got no notice at all.

This is the first occasion that I have had to make a personal complaint, but, although it may appear to be personal, it is not only myself; it is a question of the procedures and principles which ought to be followed in the obliteration of people's proprietary rights — and all the landowners share the same view.

Mr. SPEAKER: The question

Hon. DeL. O. BRADSHAW: Mr. Speaker, I want to reply, very briefly, to the Hon. Leader of the Opposition. The Hon. Leader of the Opposition must be aware of the negotiations that have taken place between the Ministry and persons affected by the acquisition of the Danesbury/Walmer Lodge area.

Danesbury and Walmer Lodge are adjacent, they are in the same vicinity, and if there was some error in correctly or accurately describing the area, I apologise. But I know the Danesbury area is within that vicinity, and I am sure that he is able to identify the area, otherwise he would not have made the comments that he did.

The question of not compensating people for land that have been acquired is not because Government does not have any funds. It is not that, and I hope that the Hon. Leader of the Opposition and Member for St. John will not continue to mislead this Hon. Chamber.

He, himself, knows, because he has dealt with these matters of this sort, that it is because some persons are not able to produce the necessary documents. Before payments can be paid for any acquisition, Mr. Speaker, one, the vendor must produce evidence or documentation to prove that they own the land.

The question of rights. If the Government pays money to an ostensible owner and then the real owner produces documentation after we have paid money, the Government is liable to pay a second time, and that is why we have made sure that any documentation that is produced or requested by the Ministry is correct. We want to make sure that it is a *bona fide* sort of document.

We are not going to pay because people want us to pay — people ask us for all sorts of things. We can only pay and compensate according to the Land Acquisition Act, of which the Hon. Member is fully aware.

The question of accessibility. I take the point raised by the Hon. Member. I, too, am concerned, because when the road was constructed, all the property owners, or most of them, were told that they would have an access. Strangely enough, it was only during last week Friday that it was drawn to my attention, by a letter of complaint to the Ministry, that the access was blocked up.

But it is no fault of the Minister of Housing. The contractors, or whoever they are, would have temporarily blocked the access to these houses and, while it is regretted, one must accept that it is not really the fault of the Minister of Housing and Lands. I do not construct roads; I acquire the land, and I am involved as far as compensation is concerned.

Now, I want to refute the Leader of the Opposition's charge that the Government has no systematic and legalistic manner. I want to defy him and anyone at all who says that the Government has not followed the law in acquiring these properties. We have conducted ourselves according to what is set out in the Laws of Barbados, Cap. 228. We have done nothing contrary to law. We have not breached any law in carrying out that process of acquisition.

So, for the Hon. Member to impute that the Ministry, or the present Government, acquired lands without resorting to, or complying with, the laws of Barbados, is highly improper — and I want to refute that.

I must say that the Hon. Member represented a couple of those persons who had problems. He should have declared his interest in matters like these, because I think he is a consultant — his name appears on some of the letterheads that come to the Ministry — on most of the properties down there. He could say that he represents them. He can say that. He should have declared his interest.

And the Hon. Member knows that he invited me to the site. We have had a very mutual understanding on these matters. There have not been any problems. He, himself, Vernon Smith, and the Hon. Member for St. Philip North, and the vendors themselves, and we have reached a compromise. The attorney for some of these persons, Vernon Smith, has accepted the proposals put forward by the Government and we have correspondence to that effect.....

Rt. Hon. E. W. BARROW: On a point of elucidation. The correspondence which the Hon. Member refers to is prior to the visit of the Minister to the site. So how could he have settled it on the site when the correspondence was prior to that?

Just one further point, Sir. He mentioned that my name appeared on a letterhead as a consultant. But that does not mean that I have been consulted on every letter that goes out from that office. You do not understand the nature of a consultant. A consultant carries consultant fees.

Mr. SPEAKER: Please, please.

Hon. DeL. O. BRADSHAW: Mr. Speaker, there are real consultants and bogus consultants. If you are a real consultant, you will be aware of all the facts pertaining to a particular matter.....

Rt. Hon. E. W. BARROW: Mr. Speaker.....

Mr. SPEAKER: I cannot hear.....
12.50 p.m.

Rt. Hon. E. W. BARROW: I am objecting to the language used by the Hon. Member. The Hon. Member said that I am a bogus consultant, Sir. You should make him withdraw it, Sir.

Mr. SPEAKER: I cannot entertain the Rt. Hon. Leader of the Opposition. Whatever has taken place was invited.

Hon. DeL. O. BRADSHAW: Thank you, Mr. Speaker.

I would like this Hon. Chamber to know that we have had correspondence from persons that were referred

to by the Hon. Member for St. John, and the owners have agreed and the work is actually completed. The Hon. Member was supposed to be a consultant and does not know that.

I am sure that the Hon. Member did not really mean to impute the motives that he did impute at that time, but I would hope that all the other property owners, when they have problems, would consult the Ministry, and I can give them the assurance that I will try my best to resolve these very ticklish and delicate matters.

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

RESOLUTION TO APPROVE THE COMPULSORY
ACQUISITION OF LAND AT THE BELLE, ST.
MICHAEL FOR THE PROVISION OF A
PLAYGROUND FOR BELMONT
PRIMARY SCHOOL

Order No. 4 was called — To move the passing of a Resolution to approve the compulsory acquisition of land at the Belle, St. Michael for the provision of a playground for Belmont Primary School.

Hon. DeL. O. BRADSHAW: Mr. Speaker, Belmont Girls' School, situated near My Lords Hill, was, and is, without adequate facilities, even though it existed for quite a number of years.

The owners of the Belle Plantation have, over the years, allowed the school to use an area of land owned by them, and the Ministry of Education has decided that it would be best to make this recreational area permanent. Hence, they have recommended to the Ministry of Housing that this area of land be acquired.

The Addendum to the Resolution is pretty straightforward. All it seeks to say, in short, is that parliamentary approval should be given to the acquisition of this area of land to be used for recreational purposes.

There is no question of building or polluting the water in that area, since it is not anticipated to have any structure built there. Any building will have to take into consideration the water zone, because this area of land is in the zone one area, and it is prohibited by the Town Planner to erect any structure which would see the pollution of water in that area.

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

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

Dr. R. C. HAYNES: Mr. Speaker, it is my intention to make very few comments on this matter, but there are one or two very pertinent ones.

Firstly, one is concerned, once again, about the spate of acquisitions in the absence of funds to pay for those acquisitions, and, secondly, a matter that is of considerable concern to me is that we have been acquiring land again and again for the purpose of playing fields, as set out in this land acquisition, yet, when those lands are acquired, it would seem to me that there are very few funds or very little effort made to put those acquired lands in a proper state of repair for use as a playing field.

We are expending Government's money for the purpose of acquisition.....

Mr. SPEAKER: Please, please. I appreciate the Hon. Member's feelings, but I am going to confine the Hon. Member to what this Resolution is all about, not about developing land after it has not been paid for or paid for. We are not going into that this time.

Dr. R. C. HAYNES: Mr. Speaker, I am talking about a land acquisition and the purpose of the land acquisition, namely "for a playing field, and I am trying to point out that there is little point in expending money on the acquisition of the land unless it will be put in a proper state for the purpose for which it is acquired. This is the burden of my argument.

I say that in the full knowledge that of the \$400 000 made available through a vote of this Parliament for the purpose which I have just outlined, that the Hon. Minister of Sport has entered into a programme to spend \$300 000 in his own constituency — \$300 000 in an area which is deemed, by all the experts in that particular field, as being unsuitable.

It means that the remaining \$100 000 will not meet the purpose of even upgrading bare land of this nature, which is being acquired, without even contemplating a superstructural development on the particular piece of land.

I want to make it clear that there is no point in spending money on acquiring land unless you are going to plan in such a way as to make sure that, after that land is acquired, it is put in a proper state, that the funds will be available for that purpose, and that whatever funds are available, bearing in mind the limited resources in this country, that that should be spread throughout Barbados and that all the citizens of Barbados should have some access to those funds.

I do not know what will be the cost of this acquisition. I believe that, with proper community

motivation, maybe \$10 000 or \$15 000 might well be enough to fulfil the purposes of this acquisition, that is, to turn the particular area into a suitable playing field. But if \$300 000 would be spent in one particular area, it means that we would just be acquiring a lot of raw land, spending money in acquisitions and then abandoning the land.

It is my duty to bring to this Hon. House's attention that there is a component to an acquisition that goes beyond the legalistic process of acquiring the land. There is a purpose for the acquisition and it must be the intention to use the funds available for the purpose of putting that particular piece of land in the best possible state for which it has been acquired.

1.00 p.m.

I am not against the acquisition, Sir; I am not against the acquisition to provide a playing field for school children. All I am saying is that with the funds available, out of the \$400 000, let all the children throughout Barbados, let all the sporting groups throughout Barbados, have a little piece of the action.

Sir, if one were to go to Carrington's Village, you will see what, for a few thousand dollars, could be done with a piece of land.

I am sure that if many of these playing fields had an allocation of \$5 000, the community would match with another \$5 000 — and so the playing fields throughout the country could be upgraded. But it is unfair, totally unfair, to all of us on this side and on that side for any one Minister to take up \$300 000 out of a vote of \$400 000 and spend it on a little spot behind the Nightengale Home down there in his constituency.

Hon. L. S. CRAIG: Mr. Speaker, I am very....

Mr. SPEAKER: Please. The Hon. Member for St. Michael North West caught my eyes.

Mr. L. A. WEEKES: Mr. Speaker, Sir, the tone of the Minister's introduction suggest to me, Sir, that, by introducing this Resolution, the general policy of the Government is to provide playing fields generally for children.

I would hardly want to deny the children of Belmont School the opportunity to have a playing field, since I understand the benefits of such a facility, but, Sir, if this is a general policy, then, Sir, I feel that I should enquire by suggesting to the Minister that there are other areas very much in need of such a facility, and, in my view, some of them would not call for the Land Acquisition Act in view of the fact that the Government would have already owned some of this land.

I am particularly thinking, Sir, of a similar primary school, a very prominent primary school, which, for a number of years, was unable to get the kind of facility that we are now getting at the Belmont Primary School.

Eagle Hall Primary School has no playing facilities at all, but the Minister, I believe is particularly aware of the particular area, and not far away, Sir, in the Fernihurst Development, there is a large area which is lying idle and lacking in development and, after all, these children would like to have a sports area like anybody else, and like Belmont, as well, and certainly it would enhance the reputation of that school in particular.

I would like to suggest to the Minister that he has to look at that particular area which is no more than 200 or 300 metres away from the school, if so far, and that, in collaboration with the Minister of Sport and the Minister of Education, since this is a policy, they should develop that particular area.

Not only would it serve the school, because there is the wider community. Fernihurst is a very big area and, certainly, it would provide for those children as well as it would provide for the school children. I think the general area would be very well served by this facility.

Sir, I mention this because the Government owns the land already. They need do nothing more but to make it available or get it in readiness, so to speak, Sir, to provide those other children in that school with a similar facility to that at Belmont Girls' School. Thank you.

Hon. L. S. CRAIG: Mr. Speaker, I rise to support this Resolution for the acquisition of a portion of land to provide facilities for the children in the Belle Gully area and around Howell's Cross Road, for those children who go to the Belmont Girls' School.

It is surprising however, Sir, to hear the Member for St. Michael South Central, whose argument is based primarily on "the knowledge" that my colleague, the Minister of Labour and Social Security, should spend \$300 000 in his constituency out of \$400 000.

That is unfair, I take it, as he has made it quite clear. His argument is that the money should be spread around, that everybody should get a bit of the action.

My colleague has the responsibility of providing for this country playing amenities, whether it be in his constituency, in yours, Sir, or in mine. But sometimes I am afraid when I hear the Member for St. Michael South Central, who seems to take an injection on mornings to talk a lot of nonsense and not remember the things he has done in the past.

I recall in 1976, Sir, when I became Minister of Community Services, the records of the National Housing Corporation showed that, 1974 between 1974 and 1976, there was an exchange of correspondence between a Dr. Richard Christopher Haynes, correspondence between a man by the name of Dr. Richard Christopher Haynes, and a man called Mr. Power and the National Housing Corporation, whereby the now Member for St. Michael South Central had taken it upon himself to demand from the National Housing Corporation a pavilion not a member of Parliament then, Sir. He was not a Member of Parliament. He was seeking at that time to be a candidate.

Dr. R. C. HAYNES: On a point of order, Mr. Speaker. The Hon. Member is mistaken. I have never entered into any correspondence with any Mr. Power, and that statement is incorrect. The making of that statement in this Parliament before has caused a lot of problems, and he is not going to get me into that position again.

Mr. SPEAKER: Point made.

Hon. L. S. CRAIG: Sir, it is said in here that you have freedom of speech. I am prepared to go outside and state publicly that there was correspondence between yourself and Mr. Power and that you further visited Mr. Power — not only wrote to Mr. Power, but you visited Mr. Power.

Dr. R. C. HAYNES: On a point of order, Mr. Speaker. The Hon. Member has gone further now and said that I visited Mr. Power. I would like to say that I never visited Mr. Power — and I do not know Mr. Power.

Mr. SPEAKER: That is no point of order.

Hon. L. S. CRAIG: I will put you at great ease, Mr. Speaker — not you, Sir, the Member. I am prepared to go outside now in the presence of any person at all and say that you visited Mr. Power's home, that there was correspondence between you and a Mr. Power and, also, with the National Housing Corporation.

At that time the Member for St. Michael North was the Minister of Housing, and he allowed the National Housing Corporation, under his guidance, to allow you to take a house built for people to live in and carry it up in St. George, change the front of it and turn it into a pavilion — because at that time you were seeking election honours.

1.10 p.m.

Now, you are critical today of a Member of Parliament seeking to carry out his duties and to make sure that he provides, not only for his constituency but for the entire community, the services which he thinks are a priority. That is what you are complaining about.

But you had the gall and the audacity to go up to the member.....

Of course, you should be the one taking the blame, a political invalid like you. You allowed a Dr. Haynes to make you give him a house which people were to live in and turn it into a pavilion so as to catch the eyes of the community at the time. You should hang your head in shame; you, the Hon. Member for St. Michael North, rocking back there in a red garnsey.

Now, Sir, this party can boast — we have nothing to be ashamed of — about providing playing facilities in this country. In six years in power we have built 15 pavilions across this country and upgraded all kinds of playing fields for the young people.

The Leader of the Opposition, the right honourable gallant and learned Member for St. John would never say that because he gave St. John a playing complex — a pavilion, hard courts, lawn tennis courts — the full works, at the time.

Was he spending money in St. James? Far from the Hon. Member providing something for the community, your Government took away Radcliffe Grounds from them, and the same Brittons Hill area was without a playing field until we were able to go and buy Mr. Challenor's house and now provide for them a playing field or give them the right to play on them. And you get up talking about somebody spending \$300,000.

You are always jumping in things you should not get in, not remembering that you, not as a Member of Parliament, bullied them at the time to go and take up a house, deny poor people a house, to put a pavilion on somebody's land, and then we had to go and fight and pay for the land. That is the sort of behaviour you indulged in and now you are talking about somebody spending \$300,000.

We have a proud record. We can be justly proud of that. Fifteen pavilions in six years!

Rt. Hon. E. W. BARROW: On a point of order, I hear the Hon. Member saying you this and you that. I hope he is not abusing the Chair, and I think you ought to direct the Hon. Member that he should not extend himself in haranguing another Hon. Member, but he should properly address the Chair, and when he says you do this and you do that, I would look askance at Your Honour, because I have never heard you had done any of these things.

Mr. SPEAKER: The Chair gets it from all Hon. Members. That is no point of order.

Hon. L. S. CRAIG: Sir, I know the Chair is quite competent of pulling me to my feet when the occasion arises.

Now, Sir, what are we asking for here this morning? To provide additional facilities for the young people of this country.

Again, for your information, Mr. Speaker, and for the information of the Hon. Member for St. Michael South Central, who said that he was informed that \$300 000 was spent on raw land, over the years you had people like E. D. Lewis and Senator Wes Hall coming from down there, the Seymour Nurses of this country came from that area — but never had the opportunity to have a playing field. They had to play on the Carlton Cricket Ground. Now this Hon. Member sees it fit to provide facilities in that area and he is condemned this morning.

That very district in which we are going to have a playing field produced a great batting star of this country, Mr. Seymour Nurse, Senator Wes Hall, E. D. Lewis, Vanburn Holder and all of them. They were denied the opportunity.

(Asides).

Hon. L. S. CRAIG: And, Sir, Senator Clyde Griffith, I am reminded — soon M.P. Clyde Griffith; I am sure about that. All that Belfield area produced such cricketing stars, and they had to go to Carlton or to the Mental Hospital and play.

Now that the Minister is making it possible for those young people who live in the area to have the facilities which they so richly deserve, he is condemned this morning by no other person than the Hon. Member for St. Michael South Central as spending \$300 000 out of \$400 000. What would you like him to do?

Sir, you cannot even complain because during my term of office I had to carry things down there that you never had all the days of your life. There was nothing in St. James for all the batting stars, even the Albert Padmores.

And, Sir, I forgot that the very area of Belfield produced a former goalkeeper for Cable and Wireless, the Member for St. Michael West. Even he is from down there. The Member could not get up this morning and say that this is an unfair acquisition. I forgot him. He was not really a star in his own right. He used to fill in when others did not turn up, and that is how I forgot him.

With those remarks I support the Resolution and sincerely hope that in the future the Member for St.

Michael South Central will make sure that he looks into a number of matters before he opens his mouth and makes these complaints.

Rt. Hon. E. W. BARROW: Mr. Speaker, just a very short intervention. I hope that a pavilion is not going to be built on this playing field. I should just like an assurance from the Hon. Minister that no buildings are going to be erected, because the Minister has said that this is in a Zone 1 area, and Zone 1 area has a complete prohibition against any kind of buildings.

Even in Zone 2, as you are aware, buildings are not allowed, and the people in Seaview in St. James were prevented even from having water-borne systems to their houses they had there for fifty and sixty years, because Seaview happens to be in Zone 1 area.

We know also that, in the construction of the St. James Secondary School at Trents, the Government encroached on Zone 1 and the explanation given by the Minister at the time was that "we are the Government and we can do anything."

I hope this spirit does not pervade the acquisition which the Minister has now asked us to approve, and I hope that, subsequently, when a water-borne system goes up, or if a water-borne system of sanitation is constructed anywhere in this area, that the Hon. Member does not come back and say that the House had approved of that water-borne system by approving this Resolution which I, personally, do not oppose.

We must remember that the Belle is right on top of the main water supply system for the city of Bridgetown. The Belle pumping station, as far as I know, is the largest pumping station in Barbados.

I, too, regret that the Minister of Labour did not see fit to provide St. Giles with a playing field on the only open area of land, but that he is so anxious to accommodate his constituents that he has put houses on the only available flat piece of land in the Ivy area. I think that the boys' school, which certain eminent members of this community have attended — I do not think the Hon. Member went there — certainly deserves a playing field. Not that I am against the girls' school having some kind of playing field area, but certainly such an eminent school as St. Giles deserves some kind of consideration, whereas Belmont probably could be accommodated right opposite.

1.20 p.m.

We have 13 acres of land belonging to the Sports Department, and it would not be any great difficulty for the young people from Belmont School to go across the road, under proper supervision of course, and play on the

Blenheim playing field, which has a pavilion and all the necessary facilities.

Although I am not a St. Giles man myself — I am a Wesley Hall College man — I think St. Giles deserves a playing field, whereas Belmont has a playing field within easy access.

I am supporting the Resolution, provided, Sir, that they do not put any water-borne sanitation there to contaminate the supply of all the inhabitants of Bridgetown.

Hon. Dr. D. G. BLACKMAN: Mr. Speaker, I rise to applaud and support the presentation of this Resolution in this Hon. House.

This Resolution seeks to acquire a portion of land which is adjacent to the school premises of Belmont School. It is adjacent to a piece of land which, historically, used to function as a playing field in a day when people were so starved of recreational facilities that any piece of open land was deemed appropriate to play games on.

The land that now exists as a one time playing field is not a flat surface, but it is precipitously bounded on the northern area by a huge 30 foot drop; and if you pursued it in a north-easterly direction, you would end up in one of the numerous wells to be found on the Belle Plantation.

It has been a long time in coming, and I hope, Mr. Speaker, that while this Resolution says that the land is for the use as a playing field for the children of Belmont School, it will also be extended to the entire area of Belle Tenantry and upper Licorish Village that is.

I say it for this reason. The people in that constituency have long been accustomed to seeing recreational facilities established in their midst and they would have to gaze at them yearningly like someone longing for the Promised Land and denied entry.

The Leader of the Opposition alluded to the fact that 13 acres of land which we know as Blenheim is located in the middle of that area. I am very happy that he raised that point, because it is an extremely sore point with me — of which I am never tired of talking.

The recreational planners at that time put down a playing field there which was put there almost exclusively for people who did not live in the area, and, time after time, the residents of the Ivy, My Lord's Hill and Belle Gully found themselves brusquely and uncereemoniously

chased off the playing field at Blenheim while carpet-baggers and interlopers from elsewhere came and enjoyed themselves.

While I was Minister of Labour and Sport, I had little difficulty in removing a group of people, who described themselves as the Prison Officers Sports Club, from the northern part of the ground. Happily, the northern part of the ground has been liberated and returned for the people of the district.

Before I left, there was an agreement on the southern part of the ground which is monopolised by the Barbados Cricket League to be handed over to the residents of the Ivy and Howells Cross Road as well as Martinique.

That agreement has not yet been honoured, Mr. Speaker, and I have warned privately and I sound a toxin publicly(Laughter), Mr. Speaker, that if this agreement, solemnly entered into, whereby a piece of suitable land was identified for the BCL and they agreed in my office to occupy that piece of land making the southern section of the ground available for the people in the districts aforementioned, the people in the Ivy do not have infinite patience and may well be tempted to take matters in their own hands. (Laughter).

As a responsible representative I have had to restrain them this far, but I am only a human being. So I would urge all those concerned to take immediate steps to see that the commitment, entered into when I was Minister of Sports, is honoured, and that the BCL goes to other climes and remove themselves from that community so that the people in that community can avail themselves of the playing field thereby obviating the necessity to build a playing field in the St. Giles area.

If the honourable Member, when he presided over recreation, had ensured that Blenheim was to be used by the community in the Ivy, he would not now find himself in the invidious position of standing before this Hon. House arguing for a playing field to be located in the St. Giles area.

In any event, Mr. Speaker, the people in the lower St. Giles area, the lower Ivy area, historically do not play in the Ivy; they play on Kingston, in Welches behind the gas station. They play there with the people from Martinique, Flint Hall and Licorish Village – that is where they play and even if a playing field were to have been constructed on Atwell Land, I seriously doubt it would attract people who live in the St. Giles area or Martinique. They would go elsewhere.

Mr. Speaker, there are over 1 000 people living in the Belle Tenantry. I know it is identified as a Zone 1 area, but I believe that fears about putting houses there are, to a large extent, alarmist.

From time immemorial, the people in the Belle Tenantry have been defecating in the water that we drink and I am not aware that we are any worse off for it. It is a fact that, historically, people in that area built pits to a depth of four or five feet where they encountered water and they excreted freely in this water.

I believe that the arbitrary identification of areas as Zone 1 areas, coupled with an absolute prohibition against building, can sometimes be a very extreme edit coming out of the Water Authority.

It has to be borne in mind that there are already 1 000 people living there – it is not an unoccupied area – and these people have been using primitive means to unburden themselves for many, many years.

Of course, that community is now rapidly being modernised, Mr. Speaker. This playing field is simply one more effort of bringing modernity into an area where people feared even to thread even during the course of the day.

If you happen to visit that area now, Mr. Speaker, you will see roads where only mud tracks previously existed. You will see light where only stygian darkness prevailed after the sun went down, and this, hopefully, brings into the area facilities which the people of that area can utilise fully.

I sincerely hope, Mr. Speaker, that the Minister of Education will use her goodwill to emphasise to the Headmistress that that playing field is community property. If you want to preserve the peace, then it cannot be used exclusively by children but must be used by members of the community – who used it to play BCL cricket for years anyhow. So, there can be no question of the facilities that are going to be established here lying under-utilised after school has closed.

I am happy that a similar arrangement has now been effected between the Community College and the residents of Tichbourne, where the wisdom of the leadership of the Community College prevailed in making access available to the residents of Tichbourne for playing there.
1.30 p.m.

Once again, Mr. Speaker, I applaud this Resolution. It represents one more important step further to establishing a high quality of life in an area that was well known for its backwardness.

Thank you, Mr. Speaker.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, I want to support this Resolution. Also, I am advised that the owners of the Belle Plantation have over many,

many years been kind enough to permit the children from the Belmont School to play on that land, and I want to take the opportunity to say, "thank you" to them.

I want, too, to perhaps re-assure Hon. Members about this particular land which is in process of acquisition. It is what has been described as "land not fit for agricultural use." We have heard the Hon. Member for St. Michael East speak of the rough nature of it. It is land situated in Zone 1, and certainly I, above all others, am fully aware and appreciative of the importance of that zone.

The intention is that this should be used as a playing field. There is no likelihood that a building or structure of any kind will ever be erected upon it, or that it would be put to any use which would in any way prejudice the water supply system which the reservoir and pumping station at the Belle makes available to surrounding residents.

I just want to give that assurance. We are fully appreciative of the sensitive nature of this land. It does not lend it self really, Mr. Speaker, to any other use than that of a play ground. We may remind that the Belmont School is a primary school. So it is not likely that any grandiose pavilion with water-borne or any other kind of system is likely to be erected there.

I am very pleased that the primary school children at Belmont have finally, after many years, been able to achieve a playground which they can call their own, and which I have no doubt they will continue to share, after school hours, with the surrounding residents of that area.

The Belmont Primary School, Mr. Speaker, Sir, is one of those schools currently engaged in the teaching of primary education. It is a school which I have no doubt in these days will become subject to the actions of the Barbados Union of Teachers, actions to which they have every right.

But perhaps this is an opportunity, since we are talking about the Belmont Primary School, just to make one or two facts correct. It is very easy for people to get up Mr. Speaker, Sir, and make large and grandiose statements. The primary school teachers, of course, have the right to strike, and they are engaged in certain strike actions.

(Asides)

Hon. Miss B. A. MILLER: We are talking about the Belmont Primary School, Mr. Speaker.

Mr. SPEAKER: About what?

Hon. Miss B. A. MILLER: The Belmont Primary School. The object of this acquisition is the provision of land for a playground for the Belmont Primary School.

Mr. SPEAKER: You are going to teach something on this land?

Hon. Miss B. A. MILLER: I beg your pardon, Sir.

Mr. SPEAKER: Is this land for teaching purposes? What are they going to teach on this land?

Hon. Miss B. A. MILLER: I cannot hear, Mr. Speaker, Sir.

Mr. SPEAKER: As I understand the Minister there will be some teaching process on this land....

Hon. Miss B. A. MILLER: Yes, of course, of course, not only now it always has. You see this land has been used for recreational purposes.

Mr. SPEAKER: And strikes.

Hon. Miss B. A. MILLER: Yes, Sir. Those teachers who go on strike will not be able to provide the supervision for recreational facilities at the Belmont Primary School.

Mr. SPEAKER: I quite agree, but when you sow in the wind you reap the whirlwind.

Hon. Miss B. A. MILLER: Quite, quite, quite, Mr. Speaker. Except to say that today some primary school teachers are engaged in the rotation of strikes, and my information as at 12.30 p.m., Mr. Speaker, Sir, is that some 46.7 per cent of the teachers in the schools affected by today's strike in the primary schools....

Mr. SPEAKER: I am afraid that I cannot hear the Minister on this.

Hon. Miss B. A. MILLER: You cannot hear me on that, Mr. Speaker?

Mr. SPEAKER: I am afraid that I cannot.

Hon. Miss B. A. MILLER: Well the point has been made, Mr. Speaker, Sir, I am much obliged to Your Honour.

Mr. L. E. SANDIFORD: Like other Members who have spoken, I rise to support this particular Resolution.

Mr. Speaker, you are, of course, exercising your very wise decision making from the Chair in preventing the Member from talking about matters which may be

considered extraneous to this particular Resolution, because it might have opened up a hornets nest. But we would not really get into that particular matter now — no doubt there may be other occasions for that.

I give my support to this particular Resolution because it is really continuing a policy of providing over the years, as resources become available, opportunities to enable the young people of this country, and those who are not so young, to have facilities whereby they can participate in sport and recreation and develop a healthier nation. So, this particular provision for the Belmont Primary School is to be welcomed.

But that is not really the main burden of my contention. I would like the Minister to give an assurance, whichever Minister is responsible, that when once this land has been acquired for the development of a playing field and the playing field is, in fact, developed, that it would be maintained in a good and proper condition.

Very often, Mr. Speaker, we come into this Chamber and we pass money for acquiring land for a variety of purposes, including playing fields, and when such facilities are provided, the upkeep and maintenance of those facilities leave much to be desired.

I can think of some areas, Sir, even in the good parish of St. Peter, let us say Mile and a Quarter, where playing fields.

Mr. SPEAKER: I think the Hon. Member is referring to Warleigh in St. Peter.

Mr. L. E. SANDIFORD: Warleigh, St. Peter. Yes, yes, areas acquired. And those of us who have been able to win the majority support from the voters in the constituencies have to find ourselves telling the very people who supported us, and those who did not support us, "Well, I am trying to get something done to maintain and upkeep or to provide additional facilities." I am really making a plea that where we have these facilities, especially in areas which have made a significant contribution towards the development of sport and recreation in this country, and have assisted greatly in spreading the name of Barbados far and wide, that adequate facilities should not only be provided, but, in situations where they are provided, that they should be adequately maintained. 1.40 p.m.

Mr. Speaker, this is, of course, the time for beating the constituency drum. A number of persons have been doing that, and I would like to see that just as at Belmont these facilities are being provided, and we hope that both there and at Warleigh and other areas in St. Peter that the facilities, when provided, would be properly maintained.

I would like to draw attention to the fact that in Bayville, on the Bay Pasture, we have facilities there — but these facilities are in dire need of maintenance. The ground and the facilities there.

Mr. Speaker, this is in the area from which Sir Garfield Sobers came; he came from this area, and recently there was a very grand welcome given to that outstanding hero of Barbados. He even stopped at the Garrison to watch the Member for St. James North bowling some hop-and-drops and making — how many runs you made?

Mr. SPEAKER: On the Belmont pitch.

Mr. L. E. SANDIFORD: But the very ground on which he played at the Bay Pasture is now in dire need of maintenance and upkeep, and I am merely making this appeal to the Minister to take a look at that facility and the facility at Warleigh in St. Peter in order to ensure that they are maintained and that adequate facilities are provided there for the people of those areas.

Mr. P. M. GREAVES: Mr. Speaker, I join with other Hon. Members on this side to welcome the provision of a playing field for the pupils of the Belmont Primary School.

I believe that sporting activities, sport generally, is a necessary discipline for young people and for children at school. For that reason it is most welcome.

There are other areas in this country.....

(Mr. SPEAKER: Like Boscobel, St. Peter.).

Mr. P. M. GREAVES: like Boscobel, St. Peter where such facility is lacking, and I am making a plea to the Hon. Minister of Education or the Hon. Minister for Housing, or the co-ordinated effort of them both, if that is required, to provide the children of Boscobel in St. Peter with an appropriate playing field so that they, in time, can become well rounded citizens in this country.

I also put in a plea for the children at Buxton Boys' School. Buxton School is situated on a very very busy highway, it is adjacent to it. So you have the highway on one side and not even a proper yard — it is not even a paved yard — on which the pupils of Buxton can play. In the area of Buxton there is open land not far from Buxton, and I am making a plea for the same Hon. Ministers to take a look at Buxton and see if they can provide some playing facilities for the children who go to that school.

Recently, the Eden Lodge Primary School was constructed. It was cited on land acquired from the

Lodge Plantation. I would have thought that the original intention was that the area of land to the north of the school would have been used as some playing field for the children of Eden Lodge Primary School. For one reason or another, that playing field is fenced in a way that the children from the Eden Lodge School will have to climb through that fence in order to get on to the playing field.

Then, again, Sir, there is some open land in that area and it is very possible — because Eden Lodge Primary School and the Buxton Primary School are in close proximity to each other that the acquisition of one piece of land could serve the children of both schools, because the schools, as I said, are situated close to each other.

I am appealing, therefore, to the Hon. Minister of Lands and the Hon. Minister of Education to see if something can be done for the children at those two schools.

Hon. V. L. JOHNSON: Mr. Speaker, in a way I am very grateful to the Hon. Member for St. Michael North for his intervention, because I think he manages to provide the correct answer to the Hon. Member for St. Michael South Central. When you listen to him, you would not get the impression that for 15 years he ran the Government in Barbados. He, Sir, was Minister responsible for Sport for more than five of those years, and therefore had the opportunity to provide all the recreational.....

Mr. P. M. GREAVES: Mr. Speaker, on a point of order.

(Hon. V. L. JOHNSON: All right).

Mr. P. M. GREAVES: Do not mislead the House. The Hon. Minister is misleading the House, he is saying I was Minister for Sport for five years. One, I was not in Government for 15 years; two, I was never at any time even Acting Minister for Sport in this country.

Mr. SPEAKER: Point taken.

Hon. V. L. JOHNSON: Mr. Speaker, the Democratic Labour Party was in power for 15 years, he was a member of the Democratic Labour Party, he served as a Cabinet Minister for a good portion of those 15 years and also had the distinction of serving as Acting Minister of Finance for some few years during those 15.

Now, Sir, for him to be coming in here today and making a plea for a playing field at Buxton will demonstrate the difference between the Democratic Labour Party and the Barbados Labour Party.

I find myself in the position of being castigated, as Minister responsible for Sport in this island, for seeking to provide for the residents of the greater Black Rock area a facility on which they can play. As a matter of fact, this facility that we are providing, which the Hon. Member for St. Michael South Central say we ought not to provide, is a facility that would service St. Michael West, St. Michael North West, St. Michael West Central and St. Michael North. All of those constituencies which I have just named frequently play on the Belfield Playing Pasture. 1.50 p.m.

In addition to that, Sir, Belfield field will be providing playing facilities for the Nightengale Home, which has been expanding in recent times and which, for a long time, has not really had adequate facilities for recreational purposes.

The park that we propose to build, Sir, is not merely going to be a playing field. We propose to build a playing field, a recreational park and a community centre, together with suitable recreational facilities for youngsters. In other words, a kiddy park is going to be included in those plans.

What we are providing, Sir, is a very elaborate concept, a concept relatively new to Barbados and which I am satisfied the Hon. Member for St. Michael South Central would have difficulty conceiving. It is not just a pavilion with some raw ground around it. It is an amenity that will significantly enhance the general ambience of the Black Rock area.

Now, Sir, I have the distinction of representing the constituency in this island that has produced the largest percentage per capita of sportsmen. I do not believe there is a single constituency in this island that has provided more sportsmen than the St. Michael West Central area and — I do not have the opportunity now to enumerate it — I am very proud that I have been accorded the honour of representing these people.

This happens to be one of the most densely populated areas in the island and the facility will service Wavell Avenue, Yearwood Road, St. Stephens, Fairview, Seclusion Road — general Black Rock, Sir. It therefore is a facility that is long overdue. The residents of that area are entitled, in my very humble opinion, to some facility that would bring a measure of community life. It is a sort of integrating influence.

We have been building facilities and we have been excluding them from other people's use, but what we are proposing in Belfield will be an integrated park that will harmonise various constituency entities that operate around it. So, far from just being a facility for a limited group of people, it will have the distinction of providing

for a major part of the St. Michael area an area that would bring a great deal of pleasure to those persons who will be using the facility.

So, in that spirit, Sir, I am very pleased that I have the honour and opportunity to serve those people, and I am very pleased that the Hon. Member for St. Michael South Central has demonstrated that his party would not see it necessary, or fit, or possible, or proper to provide for the people of that constituency — and when I say “constituency”, I mean the wider constituency — the facility which, in my humble submission, Sir, they have been deserving for a very long time.

Hon. L. B. BRATHWAITE: Mr. Speaker, I have one or two things to say, and among them will be something which might be rather unpopular, but I feel I must say it nonetheless.

The Rt. Hon. Leader of the Opposition made mention of the fact that a Minister, or somebody responsible for something on this side, said at some stage that we were the Government and therefore the question of the siting of the St. James Secondary School in a Zone 1 area was no big thing since we were the Government. This is not really strictly correct, I want to put the record clear.

(Aside.)

Hon. L. B. BRATHWAITE: I am not concerned with who said that, or otherwise. I am not aware that it was said. What I do know is this.....

Mr. SPEAKER: You will put the Belmont Primary...

Hon. L. B. BRATHWAITE: Mr. Speaker, the question of the St. James Secondary School has relevance to Belmont in the sense that Belmont is in a Zone 1 area and we are dealing with the question of the pollution of the water supply of this country, the responsibility for which I am largely responsible, and I think that in a matter of this nature I am entitled to speak on that so long as it has any relevance at all to the water system.

As a matter of fact, I have also heard, Sir, during the course of this debate that facilities should be put for any playing field, no matter where it is, so that the people from the surrounding areas might be allowed to use those facilities.

Now I want to say very clearly that the laws of the land should be observed at all times, and, no matter how highly placed you are, you should not seek to flout those laws — and nobody, no Minister, no person, no matter who you are, should seek to encourage anybody to do anything that is wrong so long as you know provision is there not to do it.

When the school was to be built there, careful precautions — I am talking about the St. James Secondary School — were taken about the question of the Zone 1 area and the question of pollution. It was not an arbitrary decision taken to put the school there.

A study was made of the water supply in that area and the lines were redrawn — not redrawn because the Government wanted the lines redrawn, but, rather, because the Chief Engineer of the Waterworks Department and the other people involved felt that the lines should have been carried further on, excluding not only the area where the school was sited on but other areas as well within that particular area, and, therefore, there was no question of seeking to flout the law.

The Government never sought to do it, and I am one of those who feel strongly that Government should always be bound to a law and Government should not be exempted. Government should set examples and Government should be the guiding light within the community for people to follow in terms of health standards, environmental standards and all other standards such as those.

Now, Mr. Speaker, I want to make another point, and I believe the point is going to be regarded as unpopular and controversial; but somebody must be controversial at some stage and somebody must also at some stage be unpopular for the things they have to say. It is not those people who pander to the crowd that really do the community good, but it is those people who have the courage of their conviction to get up and say how they feel on matters.

I am a bit worried over the question of the proliferation of playing fields in Barbados and the tendency to feel that there must be a playing field in every spot or in every village. It is true that there are certain areas that are isolated and you may have to give them certain facilities, but I feel that in a place like Barbados, with very limited land areas, that we have got to protect that precious resource and not be taken in because people feel that, because somewhere has a playing field, they, too, must have a playing field.
2.00 p.m.

Playing fields must be shared, and there is no question of allowing any group in any community to feel that they have a right to dominate any playing field. They must share playing fields. That has been the practice over the years in Barbados and it must continue to be the practice where you share with your playing fields.

In St. Andrew, Mr. Speaker, you do not have land that every village can have a playing field. They share. Three or four different cricket clubs play on one playing field. What is the position in Singapore? What is the

position in a place like Hong Kong where you have very limited land facilities?

In Singapore, it is reasonably good in terms of transportation, but when you have Blenheim in My Lords Hill, or where this school is, or in a place like Beckles Road, an area that the Hon. Member for St. Michael South was referring to, you do not need a good bus service; people can walk from there to somewhere where a playing field is in order to practise and to perform the art that they love.

I think the time has come, Mr. Speaker, when they should be a serious rationalisation of playing fields, and we have got to look very seriously at it. We cannot go on to do it like this.

The Hon. Member for St. Michael North dealt with Eden Lodge, with about three different areas in his constituency. To me, it looks like a luxury that in a small area like that, a compact little area like that, you have three playing fields, or at least to be looking at that. I do not know, Mr. Speaker if we can go on forever doing this.

The time has come, and of course it is on us, when we have got to utilise the lands which we have available to plant food to feed our people, and we have got to use the land very carefully. It might not be surprising if one day we find that we might well have to take back the playing fields we have put down to plant food.

With those remarks, Mr. Speaker, I beg to support this Resolution.

Mr. SPEAKER: I want to hear the Hon. Minister before he sits. When the Minister started, he addressed the Chair on the point with particular reference to the Trents Secondary School and where it is sited.

I attempted to direct his attention to the Belmont area, and the Minister made the point that the Trents Secondary School was said to be in Zone 1 and that the Belmont situation is also said to be in Zone 1. The Minister went on to clarify the point and said, in respect of the Trents Secondary School, that the lines in Zone 1 were redrawn.

I want to hear you as it relates to the Belmont situation now. Are you going to redraw the lines or what is going to take place, otherwise what has been said bears no relation one to the other. I have been listening very carefully for this.

Hon. L. B. BRATHWAITE: Mr. Speaker, I am glad you have been listening because I was also thinking at the time I was speaking. I made the point about the St. James Secondary School to clarify an argument advanced by the Rt. Hon. Leader of the Opposition.

The honourable introducer of this Resolution, the Minister of Housing and Lands, said there would be no building upon this area at the Belle. As far as I am aware there is no re-drawing of the line as far as that is concerned, and therefore the Belle continues to be a Zone 1 area, and the question of the Belle does not hold the same position vis-a-vis the site on which the St. James Secondary School was built.

It is that argument which I was advancing, and I went on to say during the course of my address to the Chamber that I do not think that there should be any encouragement by any person or anybody to construct any building, or to seek to pollute the water supply of the country which is contrary to the law of the land.

I thought, Mr. Speaker, that I had done that so clearly that there was no further need for a clarification on my part. I do not know if you want me to further clarify the point. If so, I would be willing to do so.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that this sitting be suspended until 3 p.m.

Hon. DeL. O. BRADSHAW: I beg to second that.

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

On Resumption:

Mr. SPEAKER: This sitting is now resumed. When the sitting was suspended, the Resolution for the compulsory acquisition of land at Belle Plantation was before the Hon. House.

If there is no other Hon. Member who desires to make a contribution to the debate, the Hon. Minister.....

Mr. W. O. FRANKLIN rose.

(Hon. Dr. R. L. CHELTENHAM: You want to talk again. You talked already. You want to talk again.)

Mr. W. O. FRANKLIN: Mr. Speaker, I would like to endorse the feeling behind this Resolution, the purchase for the provision of playing facilities, and would only hope that the necessary precaution will be taken to ensure that there is no pollution as a result of this construction.

On this particular point, Mr. Speaker, the provision of playing facilities is very welcome to me, I note, with

some degree of pleasure, that the Ministry of Agriculture has now taken hold of River Plantation in St. Philip, on which there is a portion of land at Bayley's that has been used for years by the people of Merricks, Lynch's and the surrounding districts for the playing of volley ball and a game of cricket, and it was well on the slate of the Ministry of Housing, in the last portfolio, I understand, for the development of this trend of providing facilities for schools like Belmont.

The Bayley School could well do with the provision of similar facilities, and I would only invite the appropriate ministry to have a look at the possibility of developing this area at some time in the near future.

Thank you.

Mr. R. E. BRATHWAITE: Mr. Speaker, I rise to support this Resolution. I heard quite a lot this morning about playing fields this place and the other place.

I definitely believe that a place like that on the Resolution this morning should have had a playing field a long time ago.

(Hon. L. S. CRAIG: Belmont.)

Mr. R. E. BRATHWAITE: Belmont should have had a playing field a long time ago.

But, Mr. Speaker, I would say that for the last 35 years, we never had anything at all in the parish of St. Lucy; and I thought the Hon. Member for St. Michael North, knowing that he comes from St. Lucy, knowing that he was a member of the last Cabinet and St. Lucy was a constituency where the Democratic Labour Party could always boast on, they did not see fit in 15 long years to erect not even one playing field in this constituency.

I would say, Mr. Speaker, that some people have a tendency to give the impression that the white people in this country are the worst people in the world. I do not agree, because as a boy, I remember the place where I was educated at, the Parry School, we had a nice place there, the Parry School pasture, one of the best pastures that we had in the parish of St. Lucy for playing cricket and football.

Then the Democratic Labour Party came, and the only place that they could find to grant the Telephone Company permission to put a telephone exchange was on the same pasture. So, it means that the Democratic Labour Party found six playing fields in the parish of St. Lucy and when they came out of existence, they left the parish with five.

(Mr. P. M. GREAVES: It belongs to Vic Johnson.)

Mr. R. E. BRATHWAITE: Instead of adding one more playing field, they subtracted.

Mr. Speaker, we have a place known as St. Swithin's School — I know the needs of a school which does not have any playing facilities — and the problems of going to one. Good luck. I would say to the nice people there at St. Swithin's. Government now owns the land there abutting and bounding that school, and I would make an appeal to the Hon. Minister of Agriculture to release a piece of that land so that the children at St. Swithin's would be able to have playing facilities. And also St. Clement's.

I heard the Hon. Member for St. James North speak about this person from the Bayland, this person from the Ivy. People say that Charles Griffith came from St. Lucy.

I would say, Mr. Speaker, that it is sad that some of the young people have a tendency to move from the North of this country, and I hope the Barbados Labour Party would not make the same mistake as the Democratic Labour Party, because for the last 15 years they could not tell you of one pavilion or anything whatsoever in the north of this island. You never heard it in St. James, St. Peter, St. Lucy, St. Andrew, St. Joseph got a little spark because they had a by-election up there.

But, Mr. Speaker, I just would like to let you know the things that are happening in our constituency right now. There is a place down there called Crab Hill which has one of the best teams in Barbados. A man from Christ Church came, he bought the land, he ploughed the land and he turned it into agriculture. We welcome that.

But I am appealing from the depths of my heart to the Hon. Member in charge. We have the land there, it is quite easy to acquire, and the gentleman who owns the land is quite willing to sell this land. I am appealing to the Hon. Minister to do all that is in his power so that, when the cricket season starts next year, we will have a playing field for all those boys and girls and have all the facilities over there.

Mr. Speaker, there is a part called Checker Hall, where I am from. We never had anything, anything at all.

(Hon. L. S. CRAIG: You had better give them a piece of your land.)

Mr. R. E. BRATHWAITE: Sir, I am begging, through you, that the members will concentrate a little more on the north.

I remember hearing since I came into this place that there is a playing field somewhere in Christ Church where you do not get even people to play on it. You have a waste playing field somewhere in Lowthers or somewhere like that.

(Hon. L. S. CRAIG: Lowthers.)

Mr. R. E. BRATHWAITE: Lowthers, yes, Lowthers.

I am wondering why it is that the people from the north are treated like that. Mr. Speaker, when I think about the Maple Cricket Club, you hear quite a lot of people now boasting and saying that Maple is a very strong team, but the Maple team is made up mostly of people from St. Lucy. But people have to leave all the way up in St. Lucy to come to St. Michael to get a chance to play cricket because they do not have any facilities down there.

So, I am appealing Sir, to all the Ministers in charge to plan together and share a little of these facilities in the north.

I am sure I know your faith for the parish of St. Peter, the area of Speightstown and Road View and all around there, and it is very difficult because they do not have any playing facilities around there. I am sure that the Hon. Minister — I do know him, he is a boy from Boscobel — will continue with that playing field at Boscobel that you and the people in Boscobel will be happy and satisfied with the leadership of the Barbados Labour Party.

Thank you.

Mr. SPEAKER: The Hon. Minister.

Hon. DeL. O. BRADSHAW: Mr. Speaker, Sir, I think that we have had a pretty interesting debate, especially relating to playing fields and the provision of recreational facilities for the youths in particular of this country.

I would like to reply briefly to the Hon. Member for St. Lucy. I am fully aware of the lack of recreational facilities in that particular parish and Parliament has already approved the acquisition of 11 acres in Checker Hall and four and a half acres of that acquisition will be reserved for recreational facilities.

As far as the Hon. Member for St. Philip North is concerned, he should address himself to what the Democratic Labour Party did not do in the 15 years of their tenure of office. They did not provide any, not one single playing field in the whole of St. Philip, a parish that elected, on a number of occasions, members for that particular party.

We, the Barbados Labour Party, have provided one at least, at Chapel in St. Philip, and negotiations are still in train to provide yet another one around the Bayfield area. I am sure the Hon. Member would be glad to hear

this. We have not really discriminated or abandoned our pledge to the people of St. Philip or of Barbados, generally.

3.15 p.m.

Mr. Speaker, as far as providing recreational facilities for schools are concerned, there is a particular problem, and the problem relates to the question of compensation or the price offer.

The Government is willing to acquire lands and place them at the disposal of residents, but we have got to examine carefully whether it is wise to purchase at any price. For instance, in St. Peter, the Government has already had parliamentary approval for the acquisition of an area of land in order to provide recreational facilities for the Alexandra school.

But, Mr. Speaker, when one has to deal with a vendor who is refusing Government's offer and is asking for \$43 000 for agriculture land, one has got to ask oneself, what are we coming to in this country? Government has acquired this land — and now the vendor is asking for \$43 000 per acre for two acres of land.

Now, Mr. Speaker, these are the problems, Sir. That is why, as was mentioned earlier, Government cannot negotiate at an earlier stage on the question of a price.

In this particular case, Government has made an offer to the Belleview Estates Limited, because, in 1975, it was the Democratic Labour Party Government that actually put things in trend for the provision of such playing facilities at the Belmont Primary School. But they did not follow through, and it was the subject of a Planning and Priorities decision which was taken and endorsed by Cabinet, and hence we have got this Resolution before this Chamber today.

The vendors, Belleview Estates Limited have allowed the school to use the land over the years, and they have actually offered to sell or make the lands available to the Government or to the school. And I want to go on record as congratulating the management of the Belle Estate Limited for such a kind gesture. I hope that this sort of public spiritedness will prevail when it comes to acquiring lands or properties for public use.

We have submitted an offer for some \$4 736 to management of Belle Estates Limited, and we are awaiting the acceptance or refusal of that offer. But, judging from the sort of negotiations that have transpired over the past six months, I am optimistic that a satisfactory and amicable solution will be found, or we will arrive at some acceptance on the question of compensation.

Now it has been recommended that two houses be resited in order to provide an access to the playing field.

And, here again, the owner of the land has offered to make two sports available where these can be resited. I also welcome that kind gesture. The responsibility for resiting these two houses that are involved will be that of the National Housing Corporation and, as soon as it is possible, we will effect the resiting of these two residents.

I want, Mr. Speaker, Sir, although I do not want to stretch this debate or go outside the particular ambit of the Resolution, I would want to say that the question of zoning and building in Zone 1 has been raised in this Hon. Chamber. When I introduced this Resolution, I pointed out that there would be no permanent structure erected there, and I also pointed out that I was aware, and Government is fully aware, of the implications of permitting people to erect water-borne facilities in a Zone 1 area. We know the dangers. We know, the possibility of pollution of the water supply, because, in the Belleview area and that vicinity, there is a Belle Pumping Station and a reservoir, and we would not want to have any proliferation of water-borne facilities which would, in the end, lead to the ill health of each and every one of us.

But I have had discussions with people who are versed in the area of advising on water and health matters. We have also had discussions with the Chief Town Planner and the manager of the Barbados Water Authority and health officials, and we have discussed at length the question of the best possible structures and how best we can control the building in a Zone 1 area.

I want to say this, — I want it to be on record as saying this, or repeating it — that you can build in a Zone 1 area provided you have the necessary protection. You have certain protective measures which have got to be adopted. What you have got to consider is either you treat at source or you have to treat in the reservoir. And all of these implications have to be looked at — whether the expenditure involved in the treatment in the reservoir is more or less than if you treat at source.

What we have said is that we would not want to see a breach of the prohibition order, that is building in a Zone 1, and hence we have decided that we would discourage people from building in Zone 1.

So, there is no question of any structure going in the Zone 1, and I want to give this Hon. Chamber the assurance that the school already has toilet facilities, and the students will be using those present facilities, and there will not be any pavilion, as such, on that particular area.

One other thing, Mr. Speaker, because something came over to me and I have got to correct this. The people in Belle Tenantry, all of them living in there, especially two persons that are being affected by the resiting, those persons, under the Tenantry Freehold Purchase Act, have a right to indicate to their landlord their interest in purchasing the lots.

We have examined the question of the Zone 1 and whether we would allow persons living in a Zone 1, and who qualify under the Tenantry Freehold Purchase Act, from having the opportunity to own their land.

We realize that it would be rather unfair to prevent 700 — odd persons, who qualify under that Act, from owning the land which they have lived on for years.

What we did was meet with the Town Planning officials, and we have come up with a solution whereby they would be able to buy their land. But Government has already said in this House, and is on record as saying, that we will consider sewerage in the Belle, around Licorish Village and My Lord's Hill with a view to having it linked up with the Sewerage Plant.

We have also looked at this sort of system that can be used and we have thought in terms of the septic tank. The reason for this Mr. Speaker, is that the septic tank will prevent any excretion in the water from polluting the actual water supply.

We have taken certain measures, so I do not want anyone to feel that the Government is not aware of the dangers in allowing people to erect structures.

On this question of compensation which the Hon. Member has put forward, it is not that Government does not have any money. I want to make that quite clear — it is not that Government does not have any money.

That is the argument used by the Hon. Member for St. Michael South Central. Money is always on his mind. I feel that he does not sleep, but that he walks in his sleep talking about money. Everything is money, money, money.

It is not that Mr. Speaker, Sir. It is that sometimes it is difficult for people to establish that they are the true owners, as I have said already, and we are asking them to get affidavits to support their claim, and that is why sometimes we cannot pay the money as early as possible.

The Hon. Member for St. Michael North has raised the question of playing facilities for the schools in his area, at Buxton. He really should not be quarreling with this Government. I want to assure him.....

(Asides)

Hon. DeL. O. BRADSHAW: Well, I said I am hoping that the Hon. Member did not quarrel. He should have taken up the issue with the Member for St. Michael South, who was at one time Minister of Education, and he should have seen the necessity of providing recreational facilities for that school.

Now what are we doing today? What we have done in this Hon. Chamber in debate today should have been done ever since — we should not be dealing with this particular acquisition. As I said, it was due to the short-sightedness of the Democratic Labour Party Government, and they have got to take the full blame for not doing this here before.

Mr. Speaker, Sir, as I have said, we hope that, in this particular case, the vendors will reach a compromise, and the Government is only too willing to remit them the compensation that is agreed upon.

All I would wish to say is that the Ministry of Housing and Lands, I must repeat, brings these Resolutions after a recommendation of the parent Ministry. In this case, it was the Ministry of Education that asked the Ministry of Housing and Lands to have this Resolution brought before this Chamber.
3.25 p.m.

I would like to set the record straight here again that it is not the Ministry of Housing that goes around looking for lands for these purposes, but if it is recommended by the relevant Ministry, then the Ministry of Housing, if it is endorsed by the Cabinet, will proceed to take appropriate action.

Mr. Speaker, I do not think there is much more to say on this matter because the consensus is that the House is supportive of this Resolution.

I now move that this Resolution do now pass.

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

RESUMPTION OF DEBATE ON THE FACTORIES ACT, 1982

Hon. V. L. JOHNSON: Mr. Speaker, when we were here last week we introduced the new Factories Bill, and I would only say two small words now before I move the Second Reading.

Just yesterday, the International Labour Office (ILO) and UNIDO conducted a seminar at the Labour College at Mangrove, and I was able to declare the session open, and one of the matters that was very obvious was the fact that, in spite of the fact that the tripartite

organisations responsible for these matters in this Island — the Barbados Workers' Union, perhaps I ought to say the Union, the private sector and the public sector — are expected to participate in the effort to provide a safe environment in which workers can operate, it was shocking for me to discover, at least during the time that the preliminary sessions were in force, that not a single representative from the private sector was present at that conference. That, Sir, I think goes to underscore feelings which I have expressed before — that there is a shocking and scandalous lack of regard for the matter of safety among the private sector organisations generally.

As if fate would mock us, we introduced this Bill last Tuesday, I declared this week Occupational Health and Safety week, and one other fatality occurred within 24 hours in circumstances which, again, could have been avoided.

This year has been a particularly disastrous year in this respect, and it goes to demonstrate that we, all of us, this side as well as that side, together with all the organisations that are involved must lend a collective effort to the business of providing for a safer environment in the interest of protecting the health, welfare and safety of the workers in this island.

The Bill that is before us has been under study for a long time. It was circulated to the various organisations, including the Unions of Barbados, and some of the comments that we received from the Barbados Workers' Union have been incorporated in the Bill. We believe, therefore, now that we have a document that clearly sets out the intentions of this Government. What we need now is the collective will of all parties concerned to make sure that the ambitious statements and expectations set out in the Bill, itself, will come to fruition.

I now, Sir, would like to move that this Bill be now read a second time.

Hon. DeL. O. BRADSHAW: I beg to second that.

Hon. L. B. BRATHWAITE: Mr. Speaker, I rise to second this Bill, and in doing so I would just like to make a few remarks.

The honourable introducer of this Bill was at pains to point out a number of new measures which will come into this new Factories Bill, which was hanging around for a considerable length of time now. I was the most surprised person when I heard the Deputy General Secretary of the Workers' Union stating on radio that the union was not given an opportunity to see this Bill, but my understanding is that the union saw the Bill. The Cabinet was led to believe that they saw the Bill and they were well aware of what was happening.

It has to be borne in mind that, even though you might let a union or any group of people in the community see a Bill, in the final analysis what comes out must be that of the Cabinet, since the Cabinet is responsible for all measures that come from that body.

Mr. Speaker, I think we can safely say that the introduction of this new Bill dealing with workers in the work place is certainly a new charter for the workers in this country. The Minister has dealt very fully with the workers in the work place, and especially in the area of machinery, and he has spelt out the problems which they have been experiencing there.

Since, as Minister responsible for Health, I have a very serious obligation under the Act, we in the Ministry have been looking very carefully at the total implications, and we have also been looking at the question of the agro-medical approach to this subject of the worker in the work place.

We in Barbados are fortunate that, for over a number of years now, we have had the Pesticide Control Board which looks after the pesticides which come into Barbados, and actually pronounces upon their suitability for the country or otherwise. You have the pesticides and you have the weedicides that come into this country, and we have got to look at the question of the people who have got to work with those chemicals and to ensure that the health of those people is protected.

Invariably, we see, when we move through the country, that workers who have got to use very delicate sprays are out there without masks on their faces or any protection for their nostrils, and we think the time has come when, whether the workers like it or not, it should be insisted upon that they should have the masks in order to protect themselves from the toxic fumes that come from these chemicals which are sprayed, these various pesticides and weedicides.

3.35 p.m.

As a matter of fact, and I think it is very well known, some people are of the view that we should stop pesticides and weedicides, because, in terms of pesticides, when you get rid of the pest by way of a particular pesticide, you will find that it will come back in some form. Therefore, you always have to be looking and experimenting with new chemicals, so that when pests become immuned to a particular pesticide you have to introduce another type of pesticide which will take over from that in the process of time, and so the community becomes more and more affected by these chemicals which are let loose in the atmosphere.

It is felt that in some communities it is best to let nature take care of itself by withdrawing these pesticides and allowing the processes of nature out

there to perform the job which these pesticides are performing.

In terms of weedicides, I suppose that we have reached the stage where we find it so difficult to get labour to work that we have got to use the weedicides to assist in this exercise.

I would hope that, from an environmental point of view, that we would one day reach the stage where we would have to withdraw these pesticides and weedicides from the market. At present, it looks to me as though we will have to continue with them.

Looking ahead, I would hope that some system would evolve whereby we would be able to adopt other conditions for these controls rather than the present type of chemicals which we let loose in the atmosphere in order to prevent these pests and weeds which we now control by these very terrible chemicals.

Now, Mr. Speaker, we have spoken a lot about what happens in the factories, but this new Act looks at the whole question of agriculture as well, and what happens out there to the workers in agriculture; not only from the point of view of weedicides and pesticides but also the question of the type of mechanical equipment which is used out there.

Too often we hear of a man driving a traxcavator, or a tractor, or some kind of unit, who goes out there and, because there is no protection for him if the vehicle overturns — there is no head protection — that man suffers terribly as a result.

I remember in my constituency of St. Andrew, a man, only about three years ago, — less than that — lost his legs working on a back hoe, and it was because there was no proper protection there for that man.

A number of experiments with equipment, equipment not only in agriculture but in all facets of industry, are let loose on the developing world. They use the developing world as guinea pigs for these types of machinery, and I want to see a halt to that. I do not think that we should be as anxious as we are to allow that type of equipment to come to our shores. We should ensure that they are safe when they come here.

I want to see more and more equipment used in agriculture and elsewhere, also in industry, and especially to do with road building and road maintenance, with provisions whereby the drivers, who have got a very delicate job to perform, are properly protected. We are not seeing enough of this.

There is another thing that is very worrying to me — the Act, itself, does not say anything about this

— but this has to do with the question of the people who are out there on the streets, the pedestrians who are exposed to dangerous equipment that is on the road.

Some time ago, Mr. Speaker, a woman, I think, lost her head because of some accident with a unit which was on the road. When the car collided with the unit, the unit just raised the head of the woman and the top of the car and she lost her life — a lot of damage was done.

I believe there are certain units, Mr. Speaker, which roam the road in the day, but which should not at all be on the road. Sometimes when you see them, they are just up and down, up and down, and you wonder if they are going up into Heaven or if there are going down into a well, or what there are really doing. This is a very dangerous situation, Mr. Speaker, and I would like to see a situation whereby better can be done and safer equipment is brought on the road.

I am also very unhappy when it comes to equipment being moved, either in the day or at night, when pedestrians are travelling on the road. It is indeed a very serious situation and, Mr. Speaker, we have got to take a very serious look at this situation as well.

Mr. Speaker, the honourable introducer of this Bill adverted to the fact that there are very, very bad conditions which exist in a number of work places in our society, and he appealed to business houses out there to ensure that these conditions do not exist forever.

We know that there are a number of people who come in here as entrepreneurs who believe that all they have to do is to come and set up shop, make quick money and run away — and they are not particularly concerned about the standards which exist in the workplace for the worker.

I am happy, Mr. Speaker, that in this Bill conditions are so laid down that the Chief Medical Officer, the Minister of Health along with the Minister responsible for Labour and the Chief Labour Officer will have certain important obligations. For example, there must be proper water within the work place for the workers to drink and there must be proper conditions under which that water is kept.

Now that is something very important. The worker must not be allowed to operate within the work place which has certain toxic chemicals, where you are dealing with lead and where the smell of lead is abroad. There must be an extraction of these types of smells and chemicals and, therefore, the Ministry of Health will have an important role to play in these areas.

There is another thing you get from some business people, people who are in industry, who are extremely

heartless, and they feel that the worker should not even get a break to go to the bathroom. They feel that they must always be standing and they must be always on their legs.

This Act makes provision that, if the task which the worker has to do is one in which the worker can sit, the workers can sit in comfort, and he must also have a stool whereby the workers foot or feet could rest.

Now this is an important innovation in this new Act and, to me, this is going to bring about, to a great extent, the emancipation of the workers in this country who have over the years been working under horrible and deplorable conditions.

Another thing. We seek to make sure that workers do not work in the basement of a house which does not offer certain conditions for workers to truly work in, and we feel that, with these new innovations and with the address to the problem which existed in the past, the workers, Mr. Speaker, will be able to work in the future under better and more humane conditions.
3.45 p.m.

While some business houses might regard the workers as just cogs in the machine, and not even good cogs in the machine, the workers are very important and vital in any industry and much as you become sophisticated in terms of machinery, you still need to have manpower.

Too often, you hear about computers. But the computers make a tremendous amount of mistakes. Of course, the computers can only produce what is fed into them by man, and, therefore, that tells you very clearly that the most important part of any industry, the most important part of any development within the most modern society is the question of the input of man, because the computer, itself, is made by and is a creature of man.

Therefore, Mr. Speaker, the worker must always be seen as an important and essential element within the scheme of things, and whenever you set out to improve the work place, you must always be concerned with the best conditions to be offered to the worker.

The worker should not be seen as a second class person. I think Mr. Frank Walcott of the Union said that the worker is not just a statistic, the worker is an important element within any industry, and I would support that entirely.

Quite recently, Mr. Speaker, a meeting was held in St. Lucia consisting of medical personnel as well as agriculturalists involved in agro-medicine. The reason for that was to get the link between the problems of the

industry in agriculture and the question of the weedicides, herbicides and pesticides, and the danger which those insecticides and weedicides can have on man — the problems of cancer and all types of diseases that can develop in man.

They came up with a number of proposals, which the Ministry of Health is now studying, and I have suggested that these proposals should be sent to the Ministry of Labour so that they will understand what took place in St. Lucia at that important meeting.

Long gone are the days when the worker was not even seen as an important chattel. There was a time in this country when the worker was not seen to be even as equal to the cattle on the estate. I put it that way because I want to see it in that light. But those days have long passed, and I want to see Mr. Speaker, a new thinking in the society, a thinking whereby the worker is not only seen as a hewer of wood and drawer of water, but as an important and essential being in the establishment of any industry.

The honourable introducer of this Bill referred to Intel, and I would like to go on record, myself, as paying tribute to them for the type of environment which they have created for the workers in their establishment. While it might not be possible for all people in business to develop the type of sophistication which Intel has developed in their new complex in Christ Church, I believe that they can start moving towards that goal.

The desire for the quick buck and the anxiety to fleece people and to move out should be seen for what it is worth, and I think the time has come, Mr. Speaker, when people who have come in here to fleece and rape the country should be told in no uncertain terms that they are unwelcome and that we can do without them.

I believe that we will be better off, when inviting industrialists to come to this country, if we spell out clearly to them what we expect of them, and ensure that when they come they are not left in any doubt as to the standards which we expect of them.

We do not want to have our institutions overcrowded with people who become ill as a result of bad conditions within the work place. We believe that the work place should not only be seen as a place to make money for the owners and the workers, but a place for comfort for the workers. The work place should be seen as a place where, when you leave home on mornings, you go to it with a sense of joy and pride, a place to look forward to; and when you go home on weekends, you are anxious to go back on the following work day. These conditions can only be so, Mr. Speaker, when the climate is so created that the workers will feel happy to work in those conditions.

It is unfortunate that, in this society in this year of grace, 1982, Government must continue to introduce legislation to ensure that workers are given the type of conditions and the type of rights to which they are entitled.

One would have hoped that the modern day employer, especially in industry, would so see his task as a task to provide good conditions for the workers and to develop the type of rapport with the workers where they would see themselves as brothers and sisters rather than as masters and servants, because I believe that those days should not be with us in this day and age.

Mr. Speaker, the honourable introducer of this Bill has spoken widely and adequately on all the implications of this Bill, and, with the exception of a few points which I have made, I do not think it is necessary to further prolong the very able speech which he has made in outlining this very important piece of socialist legislation, and without much further ado, I take great pleasure in supporting this legislation.

Mr. P. M. GREAVES: Mr. Speaker, the Hon. Minister of Labour ended his speech by saying that this Bill clearly sets out the intentions of his Government. I can go further and say that this Bill sets out the plans of the Democratic Labour Party Government.

I welcome this Bill on behalf of the Opposition. It has been a very long time in coming, and I hope that this Bill will not suffer the same abortive attempt in dealing with such an important matter as it suffered, as we are all well aware, last year when it, or a Bill like this, was first brought to Parliament.

This Bill, Sir, is more than, I should say, eight years in the making, and it is now roughly seven years since Cabinet endorsed the recommendations of a committee and sent those recommendations to the Attorney General's Department for drafting.

There is a history to this and I should like to fill in this Hon. Chamber. In 1971, when I became Minister for Labour, at that time I held very frequent consultations with the various Heads of Departments and, in particular with respect to this Bill, the Chief Labour Officer. I also used to receive in my office regular monthly reports from the Labour Department.

3.55 p.m.

I became aware, acutely aware, of the dire need to bring the Factories Act of 1956 into the present day. I had consultations with the then Permanent Secretary, Mr. Alwin Howell, and when he was succeeded by Mr. Carlisle Burton as my Permanent Secretary, I had consultations with Mr. Carlisle Burton and, together, Sir,

we established a committee with representatives of the engineering profession, representatives of the Ministry of Health, of Pan American Health Organisation and the World Health Organisation.

I think we were very fortunate at that time to have a Medical Officer of Health in Barbados who had a particular interest in industrial diseases. Mr. Burton was aware of him. So he, too, Sir, was drafted into this committee.

This committee was also comprised, Sir, of representatives of the Barbados Manufacturers' Association, representatives of the Barbados Employers' Confederation, representatives of the Sugar Producers' Association and of the Barbados Workers' Union.

The terms of reference, Sir, of this committee was to review, in the light of present day conditions, the operation of the Factories Act of 1956 and Regulations made thereunder, and to make recommendations with particular regard to the improvement of the provisions relating to the safety, health and welfare of workers.

Sir, this committee reported on August 12, 1974, and I hold in my hands now, Sir, the report containing the recommendations of that committee.

(Aside.)

Mr. P. M. GREAVES: This really was not really acquired. I was the Minister at the time it was handed in, and I have this document here now, Sir. So that, Sir, is the background to this Bill that is now before this honourable Chamber.

Eight years ago is a long time, Sir, and, in the interim, a number of workers have lost their limbs and a number have even lost their lives.

I would like to believe, Sir, that a substantial number of these casualties could have been saved. If this is not so, Sir, if this Bill now before us does not contain provisions for safeguarding workers, if properly policed, then, Sir, we are clearly wasting our time debating this Bill.

Over the past month, we have had four deaths in industry. The Hon. Minister of Labour referred to one death since he, himself, began his introduction of this Bill. That may very well be so, but since then we have had two burials.

Over the past week, within a week, two persons who fell were buried. One fell from the roof of a building and the other fell off a building — I am not sure what part of the building he was on. But one fell from the roof of a building, Mr. Skeete, and another man from St. Thomas fell off a building, Structural Systems.

Prior to that, not many weeks before that, we had an accident where a tractor overturned in St. David's, the area where I live. The driver of that tractor lost his life. And, of course, there was that well-remembered one, the accident in Bank Hall, where the welder lost his life.

I am on the opinion, Sir, that these deaths could have been avoided. I do not want to sit in judgement, Sir, on these matters — perhaps, these matters might well reach another place — but since we are dealing with provisions relating to the health, safety and welfare of workers, I believe, Sir, that I cannot help commenting on the manner in which these unfortunate persons met their deaths. I do not want to go any further, Sir, into this.

Sir, this Bill contains far reaching provisions in terms of the measures it proposes for the health, safety and the welfare of the workers. What it does, Sir, is that it enacts all the recommendations of the Committee which I set up in early 1972, and more. I understand that at some point the Bill was submitted to interested parties and the Barbados Workers' Union made a contribution. Even though they, themselves, were represented on the Committee, they made further recommendations, some of which, it is my understanding, were accepted.

Perhaps, it is regretted that the Committee did not have unanimity. There was one member of the committee, the representative of the Sugar Producers' Federation, who found that he could not sign the document and he, himself, promised that he would have submitted a minority report at some point. Up to the time, Sir, that I left office, the minority report did not reach my office, and I do not know if, in fact, he did submit a minority report.

But I want, Sir, to pay tribute to the Barbados Workers' Union which, over the years, never let up an opportunity to press for the modernisation of the factories' Ordinances under which we operate. They continue to press, and, in fact, I think, particularly this year when we have had comparatively more industrial accidents and probably more fatalities than is normally the case, we can see the wisdom for the pressures that the Barbados Workers' Union were bringing to bear on those persons who have to administer the Act.
4.05 p.m.

Over the years Sir, we have had some very serious accidents in industry. The increase in industrial accidents is coincident with the growing industrialisation in Barbados. Perhaps, Sir, it is fair to say that our concerns, our precautions, did not keep pace with the development in industry.

Physical damage, and in some cases, Sir, permanent damage, has been caused to the life and limb of the workers — the impairment of sight, loss of hearing, and,

Sir, a wide range of occupational diseases connected with industry.

To some extent, if one can point their finger, the IDC — the Industrial Development Corporation — has been remiss, and Governments, too — not just the present Government — Governments, Sir, must take the blame for this as well.

Our haste to industrialise was done, Sir, in good faith in order to relieve the burden of unemployment and in the interest of the country generally, and we left it to the employer, and we left it to the provisions, Sir, the protective — if one may so call it — or restricted provisions of the common law to give protection to the worker's health and safety.

The employer at common law has a duty not to expose the worker to unnecessary risks and to provide a reasonably safe plant and a safe system of work, including, of course, effective supervision.

But how many employers, unless he has had experience with the law, are aware of his duties, Sir, at common law? How many of them are aware, Sir, of their common law obligations? Profit, Sir, as we have heard here from both Hon. Members who have spoken on this Bill, is the prime motivation and chance is taken with the safety and health of the worker.

In some of our factories you will find bits and pieces of material strewn all over the floor, impeding the free flow of persons who use the floor; and, of course, Sir, in case of emergency, the worker has to jump and skip and trample in order to make a quick get away. There, Sir, is a danger in that. That is a practice that we will have to stamp out.

In that confusion which often reigns on the factory floor, we find that dust accumulates, and dust, too, can pose a problem to the health of the worker. But that is not the only danger to the health of workers we find in these factories.

The Minister of Labour alluded to various chemicals and substances in use in industry today, and the dangers that those substances pose to the health of the workers. But there are, too Sir, some fibres in industrial use which are irritants to the workers. Some workers have developed an allergy as a result, and some have finally developed skin problems.

Now, Sir, we are in the area of problems, because the employer is very loathe to accept that that is the cause — that working with his material is the cause of the occupational disease that the workers are suffering. He is very loathe, Sir, to accept that.

In my own professional work, Sir, I have been consulted by a young female who has suffered in this way, and, unfortunately, she is reluctant to take what I would consider to be the obvious step.

We are here in an area of law not particularly tried in Barbados and that is so, Sir, because we would need the expert supporting evidence in order to secure for that worker the compensation that would be her due. It is regrettable that in Barbados we cannot find that kind of evidence, that kind of specialization that is required, in any numbers.

So why do these things happen? Sir, these things happen because, on the one hand, there is no inspection done at the factories and, on the other hand, there is no requirement for persons to be medically examined.

To that extent, Sir, a latter extent, I welcome the provisions in the Bill where some persons have to subject themselves to medical examination. I think, Sir, that the Bill should go further and require all persons working in dangerous substances to be medically examined.

I well remember, Sir, that, some years ago, there was a factory established as what is now called the Grantley Adams Industrial Estate. That factory was dealing with the manufacture of finished products, high, if you like, precision instruments, and the workers at that factory from time to time complained about the strain that that kind of work placed upon their eyes.
4.15 p.m.

I well remember that. I believe that you, Sir, remember that as well. I think I remember reading about this in some paper that is apparently now defunct. This was a fact. Workers at that factory complained about their eyesight and it would appear that intense concentration in the work of this kind can have very serious effects on the workers' eyesight.

The point I am trying to make is that there are certain demanding jobs that are hazardous to one's eyesight. They are hazardous to one's hearing. There are certain jobs that are dangerous to workers' well being, like working in the paint shops, and it is these kinds of workers which, in my view, should be submitted to regular medical inspection as of right, not in consideration of whether they want to or not — in their own interest — because I am sure that one would have to force the workers to do this, especially if the workers feel no ill effects from what they are doing. My view is that as a right the laws should be so framed, whether in a substantive Act or in Regulations, to require such workers to submit themselves to regular examinations.

It may take a worker a very long time to know, and to know why his health was affected. Production falls

imperceptibly and his usefulness to the employer is now gone.

In those situations, it is regrettable to say, we find the employers looking for ways and means of getting around the severance payment legislation in order to get rid of those workers out of whom they have squeezed probably the best years of their lives.

And I want to say to this, Sir. It is my view that such medical examinations, such as I have been speaking about, should be carried out not at the expense of the workers, but they should be at the expense of the enterprise. There should be a Schedule of such jobs that are inherently dangerous, for which regular medical examination of the workers who are engaged in those jobs should be required.

The human body and the health of the workers must never be an exploitable instrument for the enrichment of a few, whether they be Barbadians or non-Barbadians. Our principal consideration must be that the health, welfare and safety of the worker, and his well being must not be sacrificed in the interest of easing the unemployment situation in this country.

Today in this country we have moved into the era of the power tools and the compressors, and it is in this area that we find the greatest abuses and disregard for the health and safety of the workers. You have in industry today power tools in operation without the appropriate safeguards. You have circular saws and other power cutting equipment that are in use in close proximity to where the workers either are working or have to pass.

These are things I think that the Ministry of Labour must look into, because you find these dangerous cutting instruments located in factories between machines and materials, or on the work bench, and they pose a considerable danger to the safety of the worker. These things can happen, Sir, because there is no effective inspection of the plants.

From my recollection, Sir, the machinery that has inflicted the greatest danger is the compressor. It is usually very badly or very dangerously sited on the floor of the factory. When it is not in use, workers come and rest against it, persons put objects on top of the compressor, but the compressor is an automatic machine and it comes to life or reactivates automatically when the pressure drops, or on some given pressure, and it is possible that that could mean for some persons, the unwary ones, the loss of a few fingers.

The compressor should be sited against a wall in the factory — out of the way of the workers, but, better

still, the compressor should be sited outside the factory floor itself.

There are some IDC factories, which were not built really for that particular purpose, where you find that no particular provision has been made for the compressor. I understand that that is being corrected today and that the compressor is being placed outside of the building, because very often you find the compressor being operated by the workers without the safety valves. Little do they understand the dangers to which they expose themselves, their fellow workers, and even the plant by using the machine in that way.
4.25 p.m.

This bring me now, Sir, to the question of lay out of the factories which also poses a problem. I just mentioned the IDC. The IDC has been building factories in Barbados, merely what you call "shells". There were multipurpose factories and not built for any particular enterprise. The industrialist comes along and he has to fit in his machinery as best as he can in a particular shelf. He moves in, the industry grows; but the size of the plant remains constant.

You find then, Sir, that there is overcrowding of machinery, because, if he is lucky, he can get another factory elsewhere, but there is not every industrialist who can get alternative factory space, so he has got to improvise — and the result is that the place is cluttered with machinery. He employs more people, so we have an overcrowding of machinery, we have overcrowding of persons, machines placed too close to each other, and you find, Sir, that the factory becomes hot and there is very little ventilation.

Added to this, Sir, is the fact that there is not enough or no adequate storage space. So on the same factory floor, we find bits and pieces of raw materials, bits and pieces of unfinished materials and as well the finish product. These are things, Sir, that the Ministry of Labour must look into.

I would now like to advert to the problem, Sir, of overloading, and I regret to say that I have found no reference whatsoever in this Bill to that particular problem, but that is a problem in Barbados today. You will find materials from the factory, finished and unfinished. You will find raw materials loaded in lorries with workers placed on top of them. You will find finished materials as well loaded at the factory, and a worker or two is expected to ride on top of those materials.

The same thing, Sir, applies to chemicals, as I have just been reminded. You see a number of cylinders, gas-filled cylinders, on lorries, and those lorries

are loaded with those cylinders. There is no proper protection for the persons riding on those lorries, for the persons driving those lorries, and there is no regard for the safety, Sir, of the general public. I think that this is an area which I think the Act or the Regulations should address.

And I cannot leave this point, Sir, without advertising to the problem of crowding workers, as if there were animals — I think, perhaps, Sir, that “herding” might be the more appropriate term — on to open lorries and transporting them in that way. It is undignified, it is an insult to the workers, and should find no place in Barbados in 1982.

I recall some years ago a magistrate in his court commented on this practice, which he said should be stopped. I would like the honourable Minister to look at this problem, because, Sir, it is not only dangerous — it is inhuman. There are far better ways, safer ways, and more in keeping with the dignity of the person, for transporting workers from one place to another.

Sir, I have brought to notice these problems. Some exist because there is no statutory authority to deal with them, but they all exist because there is no effective inspection in operation today — and today does not necessarily mean 1982 or 1976. There is no proper inspection — that is why we have these problems today, and unless the Government is prepared to do something about this problem and employ a sufficient number of persons in order to properly police the provisions of this Bill, when passed into an Act.

Unless Government is prepared to take those kinds of steps, then, Sir, there is no point our carrying on debating this particular Bill, because things would go on as there were before — people will lose their fingers, their hands and their lives.

And unless Government is prepared to take that bold step, it is going to cost them money. Let us face it. This Bill has implications for cost to the Government and to the employer, rightly so, but all done in the interest of the worker and, hopefully, eventually in the interest of good relationships and production in this country.

There should be regular inspections of the safety valves that the compressors are required to carry; regular inspections. I would say, Sir probably not less than once in every two weeks. Boiler gauges should also be frequently inspected. The compressor, itself — not only the safety valve — the compressor, itself should be inspected perhaps, Sir, every two years or so. That in itself should be inspected and the same, Sir, applies for the boiler, and there should be no room whatsoever for a malfunctioning safety valve or a defective gauge — no room for it.

I said “a malfunctioning safety valve,” but very often, Sir, you find compressors with no safety valves at all; and if the pressure switch is not functioning as it should, and then there is no safety valve, well then, Sir, what we have is a time bomb.
4.35 p.m.

One of the problems, Sir, is that anyone can walk into a store or go to anyone who has a compressor and purchase it without the Ministry of Labour or the Department of Labour being made aware of this, and I would say that the Department of Labour does not know where all the compressors are in this country. There are some compressors in tyre repair shops. Again, Sir, some of them are operating without due regard for safety, and the Department of Labour does not know where they are.

It is my view that the Regulations should prohibit the sale of these compressors unless they are properly fitted with a safety valve and unless a report of such sale is made to the Department of Labour. After all, the Department has a statutory duty to inspect these machines. It cannot carry out those functions unless it knows where those machines are.

I go further and say that when these machines, new or used, change hands, or when they go into operation in a place for the first time, before they are used, they should be subjected to a full examination by persons representative of the Department of Labour and should have passed a test as being fit for use. The same, Sir, applies to all new machinery which is potentially dangerous.

The factory floor, too, should be fully inspected. I mentioned Sir, some of the problems of overcrowding and the problem of cluttering up of these factory floors. These factory floors should be fully inspected.

This is the rationale for increasing the quantity of supervisory staff and improving the quality of such staff. What we have now, Sir, is a bare-bone operation, grossly inadequate even for the legislation that we have today.

The staff must be increased in terms of quantity, the staff must be improved, Sir, in terms of quality. This new legislation has implications for far more expansive and extensive responsibilities, and these inspectors must be properly trained in order to properly carry out the functions that they are required to carry out under the Bill.

There are persons in the community today who can provide that kind of training for these persons. Mr. David Massiah, an engineer, has served the Department of Labour well over the years, but, as far as I can recall, his services are only requested after there have been some problems — then he goes in and makes his reports. I believe that some consultations with

Mr. Massiah will lead to an early implementation of the Bill when passed into an Act.

There are others in the community who can give some good service, some persons who are not connected with the Department of Labour, but who have worked with Mr. Massiah. He knows who they are, and I believe that they can be of immeasurable help to the Department in helping them to police the provisions of this new legislation.

We have got to move away from reacting to a problem to preventing the problem. That is what the Ministry has got to move into, in other words, in the area of preventive occupational hazards.

I would also recommend that the Government enact measures requiring employers to insure their employees. This is done, but it is not a requirement that employers should be required to take out with some generally accepted insurance company — a policy of insurance to offer coverage to the workers who have been injured and who have been adjudged must be compensated for the injury that they suffer, whether that injury be loss of life or some skin disease.

That is not revolutionary. As I said before, some employers already do this in their own interest, because if the court makes an award of \$40 000 to a worker, it might mean all the difference between the continued operation of that enterprise or closing down, so if that enterprise has an insurance and is required to carry insurance, well, then that insurance will have to pay the money.

This is not revolutionary, as I said. In this we will be merely following the lead of the United Kingdom which in 1969, enacted the Public Employees Liability Compulsory Insurance Act. It operates differently from employment injury. Sir, it can operate in the kind of way that public liability insurance does, but in this case, Sir, this one that I am referring to is restricted to the employees and not to the public at large.

As a matter of fact, it is in the interest of those enterprises, generally to take out public liability insurance, and it is not that expensive. I think there should be a requirement and the worker would have established his entitlement to it. It is not like a question of being insured on the job and you receiving employment injury for it under the National Insurance benefits. This, Sir, would operate differently, because a worker cannot expect to put his hand in a machine to cut his fingers off in order to, perhaps, benefit to the tune of \$15 000.

I must say that the fact that a worker has not done all that he should have done in his own interest should

not debar him from some compensation under this Act — in other words, contributory negligence.

We all know, Sir, that workers can be negligent. I have seen workers operate in factories without using the protective devices that are required, without using proper guards. I have seen workers using machinery without guards.

4.45 p.m.

When machinery is not in use, the guards should be on. They should be protected, because some of them operate by a mere flick of the switch, and a switch can be flicked without one realising it, resting against it — and unless the guard is on, a worker or someone on the factory floor could lose their limbs.

I have seen workers in the paint shop without their masks and the appropriate protective gear. I would say, Sir, that the employers should take disciplinary action — this should be a requirement. I join forces with the Hon. Ministry of Health. This should be a requirement of any legislation, and the employer, in his own interest, in the interest of that worker and his fellow workers, should take disciplinary action, Sir, against that particular employee.

This Bill, Sir, as I said, is far reaching. It has implications for the education of the workers, because the problem that I was speaking about just now has to do with education. It has implications for the education of the employer, as well as it has implications for those persons who are required to police it.

I believe, Sir, that if those persons involved are properly trained, this Bill would redound to the benefit of the worker, it would redound to the benefit of the employer, we would have better, or we could have, or should have better employer-employee relationships, because, after all, if a worker's perception of what the employee is doing is detrimental to his health, the worker is very quick to down tools. We have seen it operate in this country from time to time.

So, if everybody does what he should do, then it would redound to better relationships for the good of the country generally. If my judgement is correct, then that Committee, way back in 1972 or 1974, that set out the parameters for this Bill would have struck a solid blow for production in this country.

Dr. R. C. HAYNES: Mr. Speaker, we have just listened to a very able presentation by the chief spokesman for the Opposition. It was thorough, it was well thought out and, indeed, Sir, it bore the stamp of superiority of knowledge, superiority of attention to detail, as compared with the presentation by the chief spokesman for the Government.

Sir, I would like to look at one or two other dimensions of this Bill. The Bill, Sir, states as its Objects and Reasons that it would "revise and consolidate the Law relating to factories and the safety, health and welfare of persons employed therein."

When one examines those particular objects as set out in the Bill, one finds, Sir, that the chief spokesman for the Opposition really came to the very heart of the problem in that, whereas the Bill was initiated by the Democratic Labour Party, and whereas the Bill has now come before this Hon. House, the Bill is restrictive in many ways.

I would have thought, Sir, when I read this Bill that the Bill should probably have more properly been defined as the "Occupational, Safety, Health and Working Environment Bill". I say this for this reason, Sir. When one examines this Bill, one will find that the Bill itself is so heavily caught up in definitions of what constitutes a factory that where there are certain areas that did not fall within that definition, then the Bill has to go on to spell out one or two areas, Sir, which would have to be included in the Bill as though they met the requirements of a factory.

Now, Sir, this is a very important matter, and I believe that it is a piece of legislation which one can regard as having made its very first step when it is passed in this Hon. House.

It is a pity, Sir, that, over the past six years or so — I am not saying that some steps were not taken — that more steps were not taken in order to establish the infrastructural framework in order to make this piece of legislation meaningful.

In other words, Sir, this Bill touches at the heart of science and technology; it touches at the heart, Sir, of various important professional skills; it touches at the heart of methods of policing the provisions of the Bill, many of which are dependent, Sir, on having those skills available to the Labour Department.

It, Sir, depends on an effective co-ordination of activity between the Labour Department and the Health Department and, indeed, Sir, unless that co-ordination and that machinery is set up then the Bill could be completely useless. Unless you have, Sir, provision for co-ordination between the Ministry of Health and the Ministry of Labour and you have the professional infrastructural support, then all the words contained in this Bill would do absolutely nothing to improve the occupational health, safety and environment of the worker.

Here, we should not be primarily concerned with the kind of thing that obtains at the moment, where you

pass a piece of legislation and then when something happens, a worker is injured, and you find that an employer is in breach of that legislation, then you take action against that employer. The action behind this Bill should be to create an environment in this society which would be conducive to better working conditions and certainly, safer working conditions.

Now, Sir, the looseness of the situation in Barbados in respect of management has been very clearly set out by the principal spokesman for the Opposition.

It is important that management understand that this is one of their major responsibilities. The question of health in occupation is a responsibility that spreads from management, from top management, middle management and, also, a responsibility that devolves on the workers themselves.

4.55 p.m.

Now, Sir, I want to give you one or two instances where you will find major deficiencies in this Bill. I will look at the health area. This Bill places a lot of emphasis on a factory doctor. In the context of Barbados, Sir, what can a factory doctor do? A factory doctor certainly can respond in situations where there is an injury to a particular individual.

I would like to suggest to you, Sir, that this Bill should have had built into it, enshrined in it, the principle of industrial medicine as a speciality; that the Hon. Minister of Health, when he got up to speak earlier, should have been able to say, "Just as I have a Chief Medical Officer, and just as within that department I have a specialised officer in the area of epidemiology, that is an epidemiologist, I would have a specialist in industrial medicine."

You have to start off at that level. You have to have somebody who has specialised training in that particular area. If you do not have that person, there are many persons in Barbados. It takes about three or four years of specialised training. It is a good field, for example, for a housewife or a doctor who is a mother, an excellent field for someone in that kind of area.

I am talking about a genuine specialist in industrial medicine. That person not only has to do medicine, that person has to do public health aspects of medicine. He has to know about all the things that the chief spokesman for the Opposition was talking about — all about boilers, all about gauges, all about the hazards that you would find, say, in a sugar factory.

He would have to know, Sir, all about the hazards, that the Port workers would be exposed to; he would have to know Sir, all about the hazards, say, that workers on aircraft at the airport would be involved in; he would have to have, Sir, available to him, and in Barbados, the

infrastructure to cope with preventative medicine in this area; he would have to have some knowledge and have facilities for things like audio metric studies, where it is known that persons who have been exposed to noises at certain levels can become deaf over a period of time -- we have the modern jet aircraft coming into Barbados -- and there are other instances, long term problems, that can develop as a consequence of noise. That is not anything that I would wish to get into in any detail.

The general principle that I want to get across is that there is no point having a factory doctor in the context of occupational safety unless that factory doctor has gone through a process of training.

Now, you cannot expect to have one factory doctor looking after all the areas of occupation in Barbados. This means, Sir, that you must have a desk within the Ministry and out of that desk would flow the information -- a series of conferences will take place -- and the doctor say, who is assigned to look after the sugar factories would have special training not only, of course, in matters relating to his particular discipline in which he will have already been trained, that is cleaning wounds, or treating wounds and so on, but he will know, when he goes in there, the particular things for which he has to look.

I speak, Sir, from experience. You take simple matters like lighting and computerisation. Remember that I said that probably the Bill should have had that wider scope and the factories component probably come in as a subsidiary element within it. Right here in Bridgetown, Sir, I know of a situation where with the introduction of computers without changing the lighting system within an office wall, that that created a series of problems for the persons working in that particular place.

It is true that I offer consultancy services, from the medical aspects of that, to that particular organization. But I had to call in an expert on the question of light, call in an expert, and he, himself, had to seek further advice in order to come to a conclusion to deal with that particular problem.

I, Sir, in relation to the dock workers, have provided the services for about 12 or 13 years now. I know the kind of medical problems; the type of injuries they get when they come to me. I have gone to the docks from time to time and I have looked around, and I have some idea of the kinds of hazards -- but you really need an expert in that field.

If you look at the kind of heavy equipment that is used down there, the kind of hoist that they use -- I do not even know the names of the equipment -- how would you know in Barbados today whether or not a chain or something on a crane has reached a dangerous point? What facilities have you got for testing it? What facilities

have you got, really, for looking at these engineering problems and testing them? I would submit to you that that infrastructure is not there.

I speak, Sir, of the medical infrastructure, because it is a constant theme throughout this Bill. I only raised this to point out that there is no point whatsoever appointing someone as a particular factory doctor unless that person has experience or access to experience that relates to the particular area in which he is dealing.

I would venture to say, Sir, that probably more accidents occur in the home in Barbados than in factories. I would venture to say that probably the most dangerous place in Barbados is the home, and there are thousands of people employed in homes in Barbados. Many of us know that it is only in later years that there has been adequate electrical inspection and so on.

These people are also employees, they are part of the work force, and can you imagine someone, for example, employed as a maid, who is using an electric iron and probably something is wrong with the grounding, and the person gets electricuted or something like that?

There is nothing in this Act that covers that person or even recognizes them as employees in the context of the need for coverage in these terms, but they are as much exposed to risk as anybody else.

As a matter of fact, Sir, there has been a lot of research done around the world, and I would tell you that in most countries the place where accidents occur most frequently, and in some countries where fatal accidents occur most frequently, is, in fact, in the home itself. I have only dealt with one aspect of it, showing the need for infrastructural support and proper organisational support.

5.05 p.m.

Another problem we are going to face is this. Unless you have a health co-ordinator, you are always going to find that there will be problems between the Ministry of Labour and the Ministry of Health, and I will tell you why. Unless you establish a special desk in the Ministry of Health, you will always find that the problems relating to occupational safety would be regarded as an imposition rather than as a duty on the part of the medical profession within the Ministry of Health. That has been the tradition.

I am not attacking any specific officers, they are over worked. We are very proud of our public health doctors in Barbados, they have done a magnificent job.

All I am saying is that occupational health has never been one of the priorities, and if you are going to bring

this Bill, then you must upgrade that particular department and you must have a health co-ordinator of sufficient standing, that is, that person has got to be of the standard of a specialist in industrial medicine if he is going to be able to command the respect of the professional officers that would be required in the Labour Department and other related areas.

He also will have a duty to train the nurses, because, although there is a certain element of common ground related to all occupations, there are specific hazards in different areas of industrial activity.

For example, there may be a danger related to chemicals. Here in Barbados I am quite concerned, because, more and more, I can only say "chemical mixing plants" seem to be mushrooming all over the place, and I doubt whether the people, themselves, who are looking after those companies, or who are agents for those companies, or who are employed in those companies, really understand the long term effects of the chemicals which they are using.

Many of these effects can affect the body maybe 20 years after exposure. Indeed, they may affect a generation to come, and all it takes is a small society like Barbados which has a heavy incidence of in-breeding, quite obviously, is through chemical damage to have some genetic abnormality and in 20 or 30 years' time you will find the expression of that gene magnified significantly throughout this country.

The impact of toxic chemicals on the genetic structure of the population in a small society like Barbados can be quite severe and far more telling than in other societies.

We only have to look at the genetic strain which has led to the development of diabetes in Barbados, or hypertension. These are inherited illnesses, and because we are a small island community, and because almost everybody is related to somebody in one way or another, then the problem is significantly magnified as compared with other wider societies where you would not get that same concentration of density of abnormal genetic material.

Mr. Speaker, I believe, and I would like to support the excellent contention, very well articulated in detail, put forward by the principal spokesman on our side where the mechanical engineering aspects of the Department of Labour must be upgraded if this Bill is going to make any sense. The electrical engineering aspect, and also, once again, their health programme, Sir.

It is not only specialised medicine in relation to factories, you know, we need some attention to medicine in relation to aviation. I have had a few years of exposure

to this, I have picked up things at conferences around the world and so on, and I can tell you this. There is a lot of stuff in this area that can affect people working in those particular areas, which you would not even think about based on your normal training as a medical practitioner.

Again, Sir, I believe that there is a need for a special programme of audit, and, with your permission — I think I must tell you that this is a photostat document.

Mr. SPEAKER: Please, please, I am sure this Hon. House is going to suffer from much that it would normally have benefited from in the past. We seem to be losing confidence in each other in this Hon. House, I regret to have to say it, and I am not going to sit here and allow people to take up all sorts of documents or bits of paper and start quoting from them, having them inserted into Hansard and, when finished, neither the person who quoted from them, nor the Chair nor this Hon. House can benefit anything from them, because they are not founded upon anything that is creditable.

I will not entertain the Hon. Member quoting anything from any document unless I can first see it, have a copy of it, and if it is not an original I will not and cannot entertain it. It is as simple as that.

It has been my experience sitting here listening to an Hon. Member quoting from a document and when he was asked to produce it there was all fiddling and what not and all sorts of things, and we are getting away from these bogus situations. The House must suffer, if it must, from this as long as I am here.

Dr. R. C. HAYNES: To continue, Sir, it is almost impossible to get access to research material because much of the research material is in libraries, and the research material in the libraries themselves is in the form of photostat copies.

If you go to the Law Library, and you want to get a research document.....

Mr. SPEAKER: We are not now discussing the possession of libraries. You are making a contribution to the question.

Dr. R. C. HAYNES: Anyhow, Sir, the Industrial Accident Prevention Association, which is a well known association in Canada, which is of worldwide renown, which has set up programmes for many countries for many years, has strongly recommended that you have a system of audit, and that a system of audit should be built into your legislation.

Now, what do they mean by "audit", Sir? By "audit", what they mean is that every time an accident is

reported, a team goes in to that particular organisation and that a complete record is kept of all accidents, of all the circumstances in which the accidents occurred, so that over a period of time within the context of the society, or within the context of the particular industry, you can then develop a system whereby you will be able to determine on the basis of research what are the areas that you should really focus on within those particular industries. 5.15 p.m.

Sir, I have heard many statements made, and there are a lot of assumptions made as to the main sources of accidents in Barbados.

Similarly, Sir, I would like to state that that association has put out a document which has been accepted by many countries, "The Plant Accident Prevention Programme", which deals with the whole area of training of management, the structure of management in relation to safety and prevention, the whole system of working conditions, it goes through the whole system of accident investigation, injury records, the question of training and the vital need for Governments, themselves, to spend money and make use of the existing infra-structure that they have within their own countries in order to train the workers in the need to observe the conditions of health which has been laid down for them by statutory provisions within the country. It also sets out a constructive approach towards the health programme and it is an association which I would recommend to the Minister, which he could possibly contact and get their information on that particular matter.

Now, Sir, if you look at the statistics in Barbados of accidents between 1975 and 1979, some very interesting figures show up. Of the number of accidents reported to the Ministry of Labour — there were some 3,121 — the highest among them were those in sugar cultivation, 923. The next biggest area was in the area of construction, that surprised me a bit, and the next biggest one, Sir, was in the area of wholesale and retail trade, and, as the principal spokesman for the Opposition pointed out, a major area was in the area of transport — that was a major area where accidents have occurred.

These are statistics from the Department of Labour between the period 1975 and 1979, and when you look at a breakdown of those statistics, Sir, what you find is that what is termed "prime movers" in the Bill accounted for 0.6 per cent; transmission shafts — none were reported, but that does not mean that there were no accidents; transmission belts, 0.3 per cent; lifting power, 4 per cent; lifting non-power — and by lifting non-power this means human lifting without the aid of any mechanical help — 5.35 per cent; under the term "operative" as defined in the Bill, 5.35 per cent; explosions, 0.58 per cent; electricity, 2.21 per cent; falls

of persons, 120 in a four year period 0.87 per cent and, very interesting, Sir, stepping, on striking against or being struck by some object, 21.19 per cent. Now, Sir, another important area, handing objects out of machinery and so on 5.51 per cent and the use of hand tools, Sir, 15.89 per cent.

I believe, Sir, that if the Minister were to direct his attention to the information available within his own Ministry, — it is public information, it is information that any research worker who is interested in the matter can easily ask for and get — it is nothing to hide, it is public information — that he would be able to extrapolate from those figures and would be able to see the particular areas according to reports made to the Department of Labour, and be able to pick up from those areas in which he can direct his attention immediately.

Now I was surprised, Sir, to see.....

Mr. SPEAKER: I am not surprised because the Hon. Member has come to the end of his speech.

Dr. R. C. HAYNES: Thank you, Sir.

Mr. C. L. BOLDEN: Mr. Speaker, may I congratulate the Government in bringing to this Hon. House what I do consider a very important and up-to-date piece of legislation in the form of this Bill.

Despite what the last speaker has said, this Bill conforms with the present legal situation that now exists in the United Kingdom, and which will certainly have a great influence on the matters set out in the Bill based on precedents which we, as practitioners, will have to use in settling the various matters which will obviously fall under a Factories Bill.

There is only one thing that I have my reservations about in this Bill, and I would have thought that, bearing in mind our present situation in Barbados, the Minister would have seen it fit to have included in this Bill a Schedule and a particular section which would have given him the authority to add new enterprises which would be covered under this Bill.

I believe, that with Barbados in its present state of development, and I think all of us know that from time to time we have got to bring various institutions to this country, which come with special skills and technology, and we can be caught out on a limb where persons are employed with these institutions who find themselves coming into a situation which would normally have been covered under the Factories Bill, but because the institution or the particular technology or skill was new to us, they would have to rely on the ordinary law of negligence.

I also would have liked to see that either some method was found, or a companion Bill should have been brought along, dealing with particular illnesses that can occur arising out of our agriculture pursuits. We talk a lot about agriculture and I think it is time we recognised that the workers in agriculture need some special protection as well.

Mr. Speaker, you only have got to go back to the 1930s and 1940s, up to the 1950s and look at the people who worked in the sugar factories in this country. Before we had the up-dated technology of blowing the bagasse out of the factory, it used to fall under the factory in what they called a "hopper hole", and you would well remember the big baskets that the women had to carry on their heads with the hot bagasse and the hot mud.

Years after, those people suffered from rheumatic pains all over their bodies, because they were carrying this hot bagasse out of the factory in these baskets on their heads. None of us know for sure, except the doctors, how many of them have suffered from lung diseases caused by inhalation of the stuff out of the same sugar factory bagasse while carrying out that occupation. 5.25 p.m.

I think we have reached a new stage in the agricultural development of our country. Since we have been pushing for vegetable cultivation, one can pass any field on any dry day where there is a tractor operator working a rotavator, and you can see the black dust or the brown dust which engulfs the whole machinery — and it is obvious that the worker is inhaling that sort of stuff.

You might know, as has been said just now, that workers can become involved with one of the machines. There is not a single month that goes by when you do not hear of a situation where a tractor working in a field overturns and the driver loses his life.

There is another area in the agricultural field that needs urgent attention. Under the present law in England, you cannot employ a person under the age of 18 to use agricultural sprays which might contain poisonous chemicals, and every day you pass the field you see people with spray cans on their shoulders spraying the sugar cane field, spraying the grass at the side of the road etc., and that is why I said that I think we should have taken the opportunity to look at some method of incorporating the dangers involved with agriculture into this Bill, or to have brought a companion Bill to protect these people.

Annually, we move towards the mechanisation of the cane industry. We have a new type of machinery which has several moving parts, and I am sure that, before long, you are going to hear of accidents with these

machines in which workers are either seriously injured or probably lose their lives outright.

Now, Mr. Speaker, that brings me back to the point, as I said, of Barbados in today's world using up-dated machinery and updated technology which must come to us from foreign lands.

When the chief spokesman for the Opposition spoke about not allowing machinery to go into operation before they had been tested, I knew he had good intentions, but his intentions have gone too far ahead, because we would first have to set up a National Standards Institution to write specifications for every piece of machinery which is coming to Barbados, and publish those specifications so that importers would know that they must not import this machinery unless they meet the specifications laid down — but we have not got the expertise or technology to do that.

We must not allow ourselves to be carried away. And I am saying here and now that while we need experts — the Minister must understand that he needs fully qualified experts in the related fields of endeavour which he intends to pursue at this time, and not the diploma course people who are going to be carried away when they go to do factory inspection — but we must not be carried away.

I know, for instance, of a situation, Mr. Speaker, where, a few years ago, on the question of the inspection of a boiler at a sugar factory, the particular engineer wrote out specifications which could never have been met in this country, and he said that, as far as he was concerned, that was the only way he would allow that factory to start working, if they met the specifications which he put down. But to do that, you would have had to renew the entire factory in a three months' period to satisfy him.

That is why I say you need to carefully select experts and qualified persons whom you are going to bring within the Ministry to do your necessary investigations and inspections, and not select those persons who are going to become so elated with their position that they are going to tell the qualified engineers, who have designed the machinery, what must be designed.

If that happens, we would be defeating the purpose. We would fall into the section of the Bill which allows employers to appeal to the court and then the department would find itself looking like dodoes, because those persons cannot stand up under cross examination when it comes to those things. I think that is the first thing the Minister will have to carefully observe in this section of the Bill.

Now I want to raise the question again of foreign technology and foreign contractors coming to Barbados. I have sat in court and heard the story of one of the contractors operating in this country where a man lost his life. While the lawyers were negotiating adequate compensation, the employers of that institution were butting about the alleys of Barbados at night, and they put a sum of money into the hands of one of the relatives of the deceased person and came back and said, "As far as they were concerned, the matter was settled." That same institution stood up and boasted that they had just come from Haiti where the only thing they pay for the loss of life was the funeral expenses.

I am going to suggest to the Minister that there should be an amendment to this Bill....

(Asides)

Mr. SPEAKER: I think the Hon Member for St. Joseph is still addressing the Chair.

Mr. C. L. BOLDEN: Yes Mr. Speaker, I apologise.

What I want to suggest is that, particularly where you have fatal accidents or very serious accidents, there should be written into this Bill that no settlement is regarded as completed or concluded until that settlement has been approved by the court or by the Labour Department. I am very serious about this, because you cannot have people coming to this country and believing that they can treat the workers of this country as if they were nothing and settle behind the door.

My friend on the other side talked about creating an insurance policy for employees, but there are a lot of insurance companies that do not like to pay. You have a situation where the relatives of a deceased are out there starving because the bread winner has either lost his life or has been seriously injured, and you get the insurance companies sparring off for years while the dependents are out there suffering.

I would like to recommend a system, Mr. Speaker, which I have just encountered in one of the states in the United States. Wherever there is a fatal accident, on the presentation of the death certificate, the relatives of the deceased are paid a fixed sum of money — in this particular case, \$50 000 irrespective of liability. That is paid by the insurance company. The relative then has the opportunity to contest liability or go into a second phase of settlement.

I would not like to discuss the second phase of settlement — that is for the Minister, and if he wants I can tell him privately how it is done — but it shows a respect for the deceased and the dependents of the deceased, because, as long as a life has been lost, they

recognise the breadwinner has gone and his dependents must live pending the settlement of his estate etc., and this is something I would like to see the Minister seriously consider before this Bill reaches finality. The insurance companies will have to pay, whether it is National Insurance, whether it is private insurance, whatever it is, you must have regard for the dependents of the departed. I would very much like the Minister to seriously look at that.

Another point I would like to raise, Mr. Speaker, is that we talk very much about sweat shops in this country. I want it to be clearly understood that I am not saying that an employer is entitled to put as many people as possible, or as he wants, into any given area, without regard for their safety, health or welfare, but I think we must within reason look at the total package of what is happening in this country.

If the Government of this country is going to put out a policy of providing work areas for industrialists from abroad, it is for the Government to pass the necessary legislation saying how many people can be employed within that given area. It is for the Government to go further.
5.35 p.m.

For a long time, I have been asking the Government to make it mandatory that people do not smoke in certain areas where the general public must have access to, like the Post Office downstairs, like the buses, like the factories, where you have 200 people working and only 10 or 12 will smoke when the day comes. It is for the Government to do that.

If the Government sets down, rents a building out without proper control over the number of people who can work within that area, you cannot blame any employer who seeks to derive the best out of that given situation.

The Hon. Member also spoke about people being moved on open lorries. The Hon. Member should not bring that situation in here, he should not, because when they amended the Motor Vehicle and Road Traffic Bill and the outcry was the number of packages falling off lorries, people sitting down on top of lorries and falling off, and when I, in Opposition, suggested that it should be an absolute liability to move vehicles unless the contents were fully enclosed and unless people were properly secured, that Government refused to accept the amendment.

You cannot at one time pass the legislation in the way you want it and come back in a few years and criticise the very legislation which you have passed, the legislation that allowed people to move people on top of open lorries and on goods as they feel like.

So, we must, Mr. Speaker, look at the total situation in regard to workers' health in this country and we must start from a position where we know we can manage, and, as I said before, the Minister must be prepared to employ competent and qualified persons to police the areas he wants policed.

Now, another point is this. What is the sense of talking of prosecution in a Bill, when, in truth and in fact, you have no one capable or competent of collecting the necessary evidence for a successful prosecution.

It reminds me of the days when a Mr. Emtage was Chief Price Control Officer in this country. Mr. Emtage would send out his Assistant Price Control Officers and they would go out and try to catch people selling goods over the control price. But then, Mr. Emtage would have to make out his own complaint and come in court – and Mr. Emtage got as many falls in court as a young jockey trying to ride an old stallion used to get in the training ring before he got out, because it is useless trying to go to the Crown Law Office for an officer to come down to prosecute one of these cases.

The Minister must make it absolutely clear that he needs an attorney attached to his office if he wants to police this Bill in the proper way. That is what the Minister must understand, because I have seen numerous prosecutions fail because of certain technicalities, which can never be known to the layman if the Minister wants to really enforce this Bill, and enforce it by showing people that he means to prosecute in terms of the Bill that you have legislated.

How simple is it, Mr. Speaker? In a recent case, forgive me for calling the name, they prosecuted Goddard's down in Fontabelle, but they prosecuted Goddard's Food Fair; and when they got in court, the attorney sat down, allowed all the evidence to go in, and when the prosecution closed the case, got up and said, "There is nothing called Goddard's Food Fair." The prosecution went through the window. Nothing happened! So, it is quite clear that we need a basic structure in the Department of Labour to execute this Bill.

If you cannot employ the engineers, the builders and all the experts, you need some sort of consultative situation where you can call in these people when you need them and have them do the job in a professional and efficient manner. You need the necessary legal staff to do your prosecution, and you need, above all, Mr. Speaker, the sort of personnel within the department that will keep looking at this Bill in relation to the activities in the outside world – and, forgive me saying so, do not think that the civil servants can do it, because they always have imaginary situations about what is happening out there.

I remember when I was Minister of MCW and I wanted to connect the upper bus stand and the lower bus stand, by sending the buses that came from the east and south down to the Lower Green, then around the Harbour and come back up, and bring the buses from the north that went up to this bus stand and then down, one of the biggest objections put on the file was that if you send the buses down the wharf side, one will fall into the wharf. The greatest objection – created by a civil servant who has never had experience in the outside world.

That is why I say that you have to be careful with whom you employ to put to police this Bill, because they are going to run away with the idea: they are going to want imaginary situations that cannot exist.

Even the English legislation provides, and makes it absolutely clear, that although there are some activities for which you cannot provide all the protection that is absolutely necessary, you must accept the risk – and once that risk is accepted, the employer knows his liability, the worker knows his obligation.

That is why I say that you must be very careful how you bring this Act into operation, and I suggest that you take a careful look within the Ministry, have a structure that is able to do justice to this beautiful piece of legislation. It is hopeless passing legislation of this nature and then find that the legislation is just there, but there are breaches willy nilly – and daily.

I again compliment the Government on it. I have checked the Bill and I have looked for the flaws. I have checked it against modern decisions in England on industrial relationships and the Factories Act.

When the Hon. Member talked about the Bill is full of definitions – that is the law. It takes into account a lot of things. As I said, I regret very much that it has not looked at the agricultural situation as it exists in Barbados today, and I would hope that the Minister would find some way of bringing that into the Bill or quickly coming back with a Bill which would give the necessary protection.

Mr. Speaker, for instance, people who work in coal mines suffer from lung diseases that never show up for a long time. If you have been reading *Times* magazine, you will notice that there are a series of cases in the United States dealing with diseases related to asbestos. People who have been working in asbestos factories are now beginning to show the effects of asbestos in their lungs. The biggest asbestos manufacturer has just filed for re-organisation in the United States in order to get himself out of the millions of dollars of claims that are now being filed against him.

I hope that we will look at this in relation to this sort of industrial disease where the Government can step in early and make recommendations and make the necessary provisions for people who might have to work in these situations.

That is why I said that the Bill, itself, is properly drafted, and why I said that we must look at those situations where risks might be taken and make the adequate provision for areas of employment where people would have to be employed knowing full well that there is a particular risk in this particular aspect of employment.

Thank you.
5.45 p.m.

Mr. SPEAKER: The Hon. Member for St. Michael South.

Mr. L. E. SANDIFORD: Thank you, Mr. Speaker.

I would like, Mr. Speaker, to start by congratulating the Minister responsible, who introduced this Bill, for the very good job that has been done in bringing this measure before this Hon. Chamber. I would like, also, to express my appreciation to the preceding Ministers who would have done a considerable amount of work in bringing matters to this particular stage. I believe my friend and colleague knows specifically to whom I am referring.

This is a matter which has a fairly long genealogy, and, while we are giving out the bouquets, I would also like to express appreciation to the Member for St. Michael North, who would have done considerable work as Minister of Labour in getting the original committee set up, in bringing the report to the Cabinet and sorting out the recommendations so that the appropriate legislation could subsequently be drafted.

This is a matter in which the Democratic Labour Party can be proud of the substantial base and preliminary work that was done in respect of this measure, and which the present Government has carried on. The present Minister of Labour has, therefore, found it a very good wicket on which to bat and he has brought this measure before us.

But I am going to make a prediction, Mr. Speaker, that this Bill will be back before us for amendments in the not too distant future. I believe that before this debate is ended we will be having the Minister getting up and saying that there should be some amendments to the Bill due to some errors or something like that.

That seems to be the pattern; it seems to be the pattern. There seems to be a lack of solid, careful work. I

do not know if it is that the Government does not have the solid persons who can sit down and do a thorough and detailed analysis, but something seems to be wrong in the State of Denmark.

Let me take an example here. I look at Part VIII of this Act....

Asides.

Mr. L. E. SANDIFORD: Of the Bill — thank you, Mr. Speaker. Part VIII of the Bill is entitled Medical Examination of young Persons and Clause 70 (3) says,

“Any fee payable in respect of a medical examination carried out pursuant to this section shall be paid by the employer”

and that in dealing with the examination of young persons — shall be paid by the employer. And then, when I turn to Clause 100 on page 151 of the Bill, Clause 100 (1), I see it stated that the young person is responsible for payment of the fee charged for his initial examination.

Now I would like to know whether I am misreading and misinterpreting this Bill, or if there is a genuine conflict within the Bill and a genuine contradiction in the terms of the Bill. I do not know if the Minister got the point that I am making — it is a very thick Bill, Mr. Speaker, and we have to take it very slowly — that Clause 70(3) states that any fee payable in respect of a medical examination carried out pursuant to this section shall be paid by the employer, and on page 151, clause 100(1) it states the young person is responsible for payment of the fee charged for his initial examination.

Now it could be that, as someone, Mr. Speaker, not trained in the art of drafting or indeed of interpreting these legal documents, I may be misinterpreting it. But, to my layman's view, it appears to me that very deep inside of this piece of legislation is a contradiction as to who should pay for that initial examination of young persons. I would be glad if the Minister could clarify this matter, and it may be necessary for him to seek postponement of the measure so that a proper examination could be carried out.

Mr. SPEAKER: In Committee

Mr. L. E. SANDIFORD: Pardon me?

Mr. SPEAKER: In Committee stage.

Mr. L. E. SANDIFORD: Well, Mr. Speaker, there is a principle involved here. I do not think that it is merely a detail for that stage. I believe.... Yes, you are right, it can be done at committee stage.

Aside.

Mr. L. E. SANDIFORD: Yes. Mr. Speaker, okay.

But the principle behind this is, and I hope this is the intention of the Bill, that that initial fee, in my view, should be — well, I will leave it to the Government to decide who should pay. I simply raise the question that if young persons are to be employed, and an employer sees that he has to pay these fees, it may be that the employer might not be as eager to employ young persons as if he did not have to pay that initial fee. That is a possibility.

I hope that I am wrong — I would like to see the employers pay the fee — but it appears to me that if an employer feels that he is burdened by having to pay medical fees for the examination of a young person, this may work adversely against the employment of young persons in industry, and with unemployment rising in this country — the latest statistics give us no cause for concern, no cause at all for concern — as our economic situation worsens and the statistical measure of employment deepens, I think the Minister of Labour should pay special attention to this particular matter.

I do not wish to belabour the point, Mr. Speaker. The whole matter gives us every cause for concern. I will rest that particular matter at that stage.

I want to turn to page 94 of the Act, Clause 59, and it is stated there — Clause 59(1), on page 94 of the Bill,

"There shall be provided and maintained so as to be readily accessible a first-aid box or first-aid cupboard of a standard approved by the Chief Medical Officer and where more than 150 persons are employed, there shall be an additional box or cupboard for each additional 150 persons."

I do not wish to go into the actual mechanics of how this will actually work on the factory floor. It seems to have a few problems inherent in it, but maybe the Minister, when he comes to discuss the matter in Committee, might be able to get on to that. It is not that particular aspect that I am really dealing with at this stage, Mr. Speaker.

I am really making the general point that that provision, within the context of Barbados, may be extravagant — it may be extravagant — and we may be able to make some other arrangements more suitable for the arrangements within the factories in Barbados on that particular measure.

5.55 p.m.

I am told that sometimes safety boxes are provided and materials may be provided, but, somehow or another,

when a check is being made later the materials may not be there, they may just disappear. I do not know if the factory inspector.....

Mr. SPEAKER: Please. The Hon. Member for St. Michael South is going into details. That is a matter for the Committee stage of the Bill, not a Second Reading speech. This is the time for Second Reading.

Mr. L. E. SANDIFORD: I accept your ruling, Mr. Speaker, on that particular matter. I will have something to say a little later about the first aid box, I will have something a little later to say about the first aid box, but I will pass on.....

Mr. SPEAKER: By repeating yourself?

Mr. L. E. SANDIFORD: No, Mr. Speaker. I believe I am as imaginative and creative as other persons were when they were on the Opposition benches, so that does not really make a matter.

Mr. SPEAKER: It is a Bill that takes some time to read.

Mr. L. E. SANDIFORD: Yes, Mr. Speaker, it does take some time to read, and that is why I have been pointing out these contradictions in the Bill, but I will leave the rest of my contribution for the Committee stage and give way to someone else at this stage.

Hon. Dr. D. G. BLACKMAN: Mr. Speaker, I believe that an occasion such as this, the presentation of a more up-to-date Factories Bill, warrants the kind of close scrutiny and constructive debate that this House has been treated to so far.

I, however, hardly think that the situation is analogous to the 19th century when the first Factories Act was passed in the United Kingdom. Ever since the workers bitterly fought capital for the recognition of their rights to occupational health and safety within the confines of a factory, it has become the accepted responsibility of successive Governments throughout the world to update legislation with respect to occupational health and safety within the factories.

I believe that it is a useless exercise to argue about who is the progenitor of this legislation. I think that it is clearly recognised that, given the dynamics of industrialisation of any society, particularly with respect to the rapid developments within the field of technology, any Government which has a modicum of interest in how people operate within their work environment, is morally bound to revise the factories legislation at regular intervals. The only tragedy about this legislation before us is that the Democratic Labour Party, in its 15 long years of rule, did not find it necessary to amend this legislation once.

I seriously believe, Mr. Speaker, that only a person attempting to play God can be the architect of a Factories Act which accurately reflects all the problems with respect to occupational health and safety within a factory.

As I indicated earlier, the environment industry is one that is in constant flux with respect to the change in technology, and, as a consequence, certain aspects of this Act become outdated long before the ink passing this legislation into law has dried.

I think that this is the only honest and realistic approach to legislation of this kind.

What is important here, Mr. Speaker, is that an attempt has been made at modernising this legislation, and I will expect that, in the normal course of industrial development in Barbados, other amendments to this legislation will come as needed, and that Ministers of Labour in the future will not feel it necessary to let a period of years elapse in order to produce some architectonic work that would purport to cover all of the problems of occupational health and safety extant at that time.

I do not propose to go over much of the ground that has been covered by useless repetition, but I want to make one or two points which I think might lend themselves to clarifying some of the problems that speakers have been addressing here.

The clearest and most comprehensive data, upon which an analysis of the problems of industrial accidents can be understood, was produced by the Labour Department when I instructed that department to study every facet of the problem of industrial health and safety for the decade 1970 to 1980.

I have a document here which is too voluminous to reproduce, but I am prepared to make it available to you, Sir, and to all the Members of this House at any time they want to peruse it. This document constitutes the report made by the Department of Labour and submitted late in 1980 with respect to occupational health and safety in Barbados.
6.05 p.m.

What this monumental research effort underscores is the fact that it is a severe and rising cost to the society to continue to ignore the problems of occupational health and safety, and not to provide adequate machinery for their control and minimisation.

The statistics with respect to accidents reported to the Labour Department have not been adequate and our research methods indicated that, with the introduction of

the National Insurance Scheme, increasingly fewer accidents came to be reported to the Department of Labour as the current law requires, but we were able to brain the following information from a joint perusal of our own records and that of the National Insurance Board.

It indicates that during this decade over \$3 million were paid out in consequence of accidents that were reported — over \$3 million — and that between 1970 and the year 1980, the average cost to the Government of a single industrial accident per person rose from \$56 to \$465, an increase of \$409 per person or, for those who like percentages, a percentage increase of 730 — 730 per cent increase. That is the cost to the society in the decade 1970 to 1980 when the study commissioned by the Labour Department was carried out.

It also showed that, in the year 1970, nearly 2 400 people were involved in industrial accidents during the course of that year, and in the first four months of 1980, 1 040 persons were involved in industrial accidents. When that rate is annualised, you will see that the projection for 1980 at the time the study was done would be a number of persons in excess of 3 000.

These statistics starkly portray the urgency of introducing legislation of this kind — particularly so because, when the first comprehensive Factory Act was introduced in 1956, the factories which this Act largely considered were sugar factories, the vast majority of which now operate with obsolete equipment.

I believe it was in that year as well that the first Factory Inspector was appointed by the Labour Department, and I must also state that one of the problems over the years which I found as Minister of Labour was that the factory inspectorate was no stronger in 1981, when I was Minister of Labour, than it was in 1956.

I believe that the Hon. Member for St. Michael North who stressed, and stressed correctly, that such legislation must be supported by a beefed-up factory inspectorate, must bear some responsibility for failing, when he was Minister of Labour, to take care to ensure that the factory inspectorate was built up to an adequate size during that particular period.

I believe that it is a matter that this Government cannot waste any time upon, and that, immediately, the factory inspectorate must be increased to a size to do the job, because one other thing, which the study that I referred to clearly illustrated, is that there is an inverse relationship between the number of inspections done and the number of accidents that occur. The fewer inspections in any given factory, the more accidents that obtain.

So it is clearly proved statistically by this report, which was the first of its kind undertaken by the Department and the Ministry of Labour, it is clearly underscored that it would be an exercise in futility to pass the most comprehensive factories legislation unless there is clear support by a trained, a properly trained, and adequately staffed factory inspectorate.

Mr. Speaker, the report also addresses itself to the question of certain noxious and dangerous substances produced in factories in Barbados. It particularly addresses the situation in the Newton Industrial Park where, in 1980, there were four factories producing chemical substances that were potentially explosive, and now where we felt that the factory conditions were such that if there was an accident at any one of these chemical factories, that the entire industrial estate at Newton would be destroyed in one giant conflagration.

The report proposed the following solution to that problem. It proposed that there be a consultative committee established between the Industrial Development Corporation and the Labour Department with a view to determining the location of such factories and with a view of building factories which produced noxious or dangerous substances in accordance with certain specifications — to ensure maximum safety. 6.15 p.m.

Some time ago, I called for the establishment of such machinery and a functionary of the Industrial Development Corporation declared that such machinery was in existence. The kind of machinery he meant was a casual telephone call or a discussion over a lunch table at the Hilton Hotel.

The business of industrial safety is too serious, Mr. Speaker, to be left to quasi-social interactions between an officer of the Ministry of Labour and an officer of the Industrial Development Corporation.

We believe that such a committee should make recommendations as to where such factories should be sited, and that, moreover, factories producing noxious and dangerous substances should all be located within one solitary complex and should not be jumbled together with other kinds of factories producing other things. I believe the present incumbent in the Ministry of Labour is addressing himself to this particular problem.

Another matter of particular concern, which this Bill does not address, but which is critical to the effective application of the law, is proper co-ordination between the Ministry of Health and the Ministry of Labour.

There were times, when I was Minister of Labour, when it was virtually impossible for my Ministry to prosecute offenders who had violated the Factories Act

because there was no Ministry of Health official available in order to perform their part in the prosecutorial work or the work leading to the prosecution.

I believe at that time, Mr. Speaker, the Ministry of Labour proposed an integration of the individual inspectorates of the Ministry of Labour and the Ministry of Health with a view to solving the problem. We felt that one of the solutions to the manpower problem within the factory's inspectorate in Barbados would be to bring together the inspectors in the Ministry of Health and the inspectors in the Ministry of Labour under one administrative unit for factory inspectors.

We believe that the factory inspectors, who would be brought together under such an integrated unit, would be motivated to increase their productivity and enhance the safety conditions within the factories in view of the fact that it would afford us the opportunity to develop a better career structure for existing factory inspectors within the Public Service.

I do not share the view of the Hon. Member for St. Michael South Central that it is necessary to employ a person as a health coordinator in order to ensure that its mechanism for co-ordination works.

There are other areas in which the Ministry of Health and the Ministry of Community Services have established effectively and efficiently functioning instruments of co-ordination, to wit, within the National Assistance Board in respect of programmes related and, also, with the Child Care Programme with respect to the delivery of medical care for children who are in Government institutions.

These are two areas where the responsibilities of the Ministry of Health intersect those of another Ministry, and we have been able to resolve the problem by establishing a mechanism which makes for proper and harmonious co-operation, and I believe that, with the requisite will stressed in both Ministries, a co-ordinating mechanism, which would optimise productivity of the factories inspectorates in both Ministries, could be established.

Indeed, it is often the case that Ministerial intervention is necessary to ensure that this kind of mechanism is set up, because the major stumbling blocks to the establishment of inter-Ministry co-operation are bureaucrats who are preoccupied with fighting internecine battles within the bureaucracy.

Timely ministerial intervention within both Ministries can put an end to these debilitating and unnecessary conflicts and make way for the establishment of a kind of integrated factory inspectorate which can be established, more or less, immediately, and which I believe would substantially reduce the problems currently experienced in enforcing factory legislation.

There is one other point I would like to make, Mr. Speaker, and it is with respect to the extension of the definition of factory to include operations within the sugar industry.

This amendment was prefigured in the same study in which it was revealed that, among the non-factory accidents, nearly 30 per cent of the non-factory accidents took place within the sugar industry, and it is a justification for including operations within the sugar industry within the meaning of factory.

However, this ought not to serve as a device for retardation of the necessary legislation which would immediately address the problem of accidents and occupational health within the non-factory situation, on construction sites, in restaurants and elsewhere, which may not be covered by the legislation before us.
6.25 p.m.

I believe that, when we discuss this legislation before us, we ought to recognise that it is a Factories Bill that is brought before this Hon. House, and it is not legislation which seeks to extend to the entire area of occupational health and safety — that will be addressed at a subsequent time — and I believe that critical comments about certain omissions are misplaced, because this legislation is not represented to be anything other than legislation which seeks to improve the situation with respect to occupational health and safety within factories.

Other legislation of a more comprehensive nature, I am sure, is being prepared within the Ministry of Labour in order to fill the lacuna left by the fact that this legislation focuses exclusively on problems within the factory.

And the final point moves from accident, Mr. Speaker, to occupational health. I believe a clear distinction ought to be made between accidents and occupational health. I think that some members who spoke before me attempted to make this distinction. There are certain illnesses that overtake workers that are particular to the kind of work that they are required to do.

There has been much applause in Barbados, Mr. Speaker, about the introduction of high technology enclave industries within the area of electronics. While many of these factories that assemble electronic parts in Barbados are subsidiaries of multinationals, who have long ago recognised that, in order to maximise their profits, it is necessary to give a work environment in which their employees are comfortable, and they have come to Barbados with advanced standards of occupational safety.

But I am not satisfied, Mr. Speaker, that, while by local standards that they have satisfied to a large degree the criteria for occupational safety, they have as yet

begun to meet the problems of occupational health, problems that are endemic in work of that nature.

Mr. SPEAKER: Time element is now very important.

Hon. Dr. D. G. BLACKMAN: I appreciate that, and I crave your indulgence for 60 seconds, otherwise the point I make would not be intelligible.

Mr. SPEAKER: That certainly would have to come from the Members of the Hon. House.

Hon. Dr. D. G. BLACKMAN: Okay, Mr. Speaker.

(Hon. H. B. St. JOHN: Go ahead.)

Hon. Dr. D. G. BLACKMAN: Mr. Speaker, there is just one point, and it is that, by local standards, the criteria for occupational safety in places like Intel and other electronic assembling factories are very good. But any optician will tell you that there have in recent times been a plethora of cases where people employed in these factories have been coming to their offices suffering from eye strain and other related diseases.

I believe that it would be particularly useful if the family doctor provisions of this legislation were used in such a way as to persuade such industries to make available optical expertise which would have preventive effect upon many of the eye problems.

Mr. SPEAKER: Your time is up.

Hon. Dr. D. G. BLACKMAN: Thank you, Mr. Speaker.

Mr. M. A. KING: Mr. Speaker, I would take up the penultimate point made by the Hon. Member for St. Michael East when he said that a lot of the criticisms which were levelled against this Bill were based on the assumption that we were dealing with a general Bill covering the whole area of occupational health and safety rather than a Bill which was dealing with the provisions in relation to factories only, and he went on to make the point that the Ministry was at this time considering other provisions of the law which would deal with the wider concerns of occupational health and safety in other areas of employment.

It would seem to me, Mr. Speaker, that it would be far more tidy and far more protective to have all the measures dealing with occupational health, safety and welfare, in respect of all types of employment, embodied in one Bill.

Now, the Hon. Member has made the point that legislation of this kind becomes outdated practically as

soon as the ink on it has become dry, and that is the very point which we are addressing at this stage — why it is necessary for us to do a piecemeal bit of legislation in relation to the whole area of occupational safety and health?

The tendency in modern times is to avoid legislation which deals with the narrow confines of factories or mines and to do the more comprehensive Bill dealing with employment of all kinds in respect of all sorts of industries and other employment. That is why we find the tendency is to entitle the Bills which deal with this aspect of health, safety and welfare much wider than purely Factories Act or Factories Bills or what have you.

It leads to more tidiness, as I said, in dealing with the whole problem. So, where there are gaps here, you do not need to go to another bit of legislation to see if that gap could be filled. For instance, if you are dealing with a problem of health or safety in an employment and there is some doubt somewhere along the line as to whether employment is employment in a factory or not, having to deal with that problem and to come to a conclusion as to whether the problem arises out of employment in a factory would be circumvented if you had overall legislation covering all types of employment. And, as I said, the tendency in modern legislative drafting covering the concerns of workers in employment is to cover all sorts of employment and not factories only.

The other modern approach to the whole concept of occupational health, safety and welfare in employment is that legislation of this kind tends to be concerned not only with the safety, health and employment of workers in the factories and in the place of employment, but legislation is also concerned with the general public at large, so that persons visiting in factories or in other places of employment can be entitled to the benefit of the protection of the statutory provisions of the law.

So, if we are looking in terms of a modern approach to the whole concept of providing for these problems, let us not follow the old, traditional patterns, which become outdated, as the Minister has said, as soon as the ink becomes dry on them.

The present Factories Bill which has come before us has its foundation in the report which was done in 1974, and the Hon. Member for St. Michael East has made the point that the only tragedy about this Bill is the fact that the Democratic Labour Party was in office for 15 years and did not find it necessary to amend the Bill once.

6.35 p.m.

There was a Factories Act on the Statute Books in 1956. The Democratic Labour Party came into office in 1961. In 1972, the study was commissioned. The report was done in 1974. This is now 1982. That is what? Eight years later? With all the background work having been done — you did not have to start from scratch — all you had to do was to modernise and update the background work that had been done.

(Asides)

Mr. M. A. KING: Do not mind it was bad work. You may say it was bad work. That is a matter of opinion.

The fact is that the background work had been done, you had a basic document on which to prepare your studies, your analysis and your updating, and it took eight years to get it before Parliament. It is as simple as that. When you say one thing you have to say the other as well.

(Asides)

Mr. M. A. KING: Of course, it has been here.

And I go on to make the further point that it has come eight years later in the traditional style. It has not taken the modern techniques and innovations which have taken place, certainly, since 1974. The techniques have changed since 1974, but yet we have found it necessary to use the old forms to come with the restricted provisions, relating to factories only, and then we hear talk about subsequently preparing legislation which would cover occupational health, safety and welfare in other areas.

If we are so progressive, if we are so modern, why not bring all of it at one time so that we can deal with all the issues of occupational health, safety and welfare in respect of workmen, in respect of persons who visit places of employment and in respect of persons who may be injured from, let us say, the influxion of noxious fumes and so forth from factories, and matters of that kind? All these are matters which could be comprehensively included in one Bill if we are talking about a modern approach to problems that we are facing.

Now, Mr. Speaker, you accept that the problems of workers in employment in areas other than factories have to be dealt with, take, for instance, areas like hotels where workers can be injured. A hotel is not a factory — by no stretch of the imagination could it be brought within the definition of factory; school houses where children go to school and where, you know, teachers and people are employed daily are not within the concept of a factory, but yet legislation could be passed which would provide for the health, the safety and

welfare of persons who are employed in the hotel industry on hotel premises during the course of their employment, and similarly, in relation to schools and in relation to a whole lot of other areas of employment.

The point has been made in this Hon. House by, I believe, most of the speakers, if not all, who have spoken before me, that legislation, as it stands, is effected to provide the board framework within which, from a policy point of view, what is required will be done.

But the legislation is ineffective if the appropriate infrastructure is not there. That point has been made by several Hon. Members and I do not need to restate that, but suffice it to say that, under the old factories legislation, the 1956 Act, the appropriate infrastructure was not there either. That Act was largely ineffective because the infrastructure was not there. The 1982 Act will be equally as ineffective if the infrastructure is not there.

And let me just sound a note of warning, that the mere appointment of additional factory inspectors is not going to be the solution to the problem, because the appointment of a plethora of other persons, let us say you have 6 factory inspectors now and you appoint 20 factory inspectors, that is not necessarily going to deal with the problems of health, safety and welfare in the factories of Barbados, because I believe that if there were ever a rigid enforcement of the factories legislation, even the old 1956 factories legislation, in Barbados, if they were a rigid enforcement of that legislation, I believe that perhaps 80 or 90 percent of the factories in Barbados today would be closed. So where we have a more up-to-date factories Bill before us, I venture to say that, if this factories Bill, itself, is rigidly enforced, you are going to close down perhaps, nine-tenths of the factories in Barbados.

But having said that, certain minimum standards, of course, have to be enforced in factories, and the mission of the inspectorate has obviously got to be to ensure that the certain minimum standards provided for people in employment with the view to reducing as far as possible the amount of industrial injuries which we have to be confronted with day after day.

Now, one of the important requirements which have to be looked at if this Bill is to mean anything at all is that serious consideration is going to have to be made for making provisions for the training of people who are required to work with dangerous machinery.

Sometimes you have cases which come before the court where deaf people, for instance, are required to clean dangerous machinery, which, when it has malfunctions, they are in no position to hear.

So serious consideration has to be given to ensuring that where you are going to require people to participate in certain types of employment, you have to ensure that a minimum standard of education and training in the use of that equipment, especially dangerous equipment, is afforded to the workers, and in that way a lot of the problems of industrial injuries, which result today from the use of dangerous machinery, could be to a large extent avoided.

We all want to assure that persons who are disabled to have an opportunity to work in the industry as well, but serious consideration will also have to be given to ensuring.....

Mr. SPEAKER: There is too much noise in this Hon. House.

Mr. M. A. KING: Serious consideration, Mr. Speaker, would also have to be given to ensuring, where disabled persons are given employment opportunities, that the necessary safety standards, and there must be specific safety standards for them, will be provided at the work place.

So, what is going to be terribly important for the proper administration and working of this Bill is that the power, which is given to the Minister to make Regulations in respect of all these areas of activity, the general power to make Regulations in relation to health, safety and welfare; it is going to be important to ensure that those Regulations are enforced at the earliest possible opportunity, because those regulations, in all cases, largely contains details by which employers and workmen should be guided in seeing that this Bill is effectively carried out.
6.45 p.m.

There was a time when factory inspectors had done reports on, let us say, dangerous machinery which may have been the cause of an accident, and it was practically impossible where a person was injured to get a report from that inspector for the purpose of civil proceedings in a court.

I remember on occasions where I requested a report from a factory inspector who had done a report on a machine which had injured a young man and was met by the retort that, "You know, I have done the report but you cannot see a copy." I wrote to the Labour Department requesting them to supply me with a copy of the report, only to be told that the law, which was true, did not permit them to make available a copy of the report to me. What I did was to tell the inspector, who was a fully qualified engineer, that what I would do is to subpoena him to the court and see if I could get the court to order him to produce the report.

The refreshing aspect about the Bill before us is that that problem no longer exists, because adequate provision is now made for the production of a report done by a factory inspector to any attorney at law for the injured person as well as to the attorney at law for the employer.

Altogether, the Bill which is before us is an improvement on the existing situation. It is a worthwhile improvement. We say it does not go far enough because we feel that it should cover the whole area of occupational health, welfare and safety for all types of employment and not be necessarily restricted to factory employment.

That way, you can circumvent employers relying on technicalities to defeat, sometimes, the just claims of workers and be met, perhaps, by an answer, 'Well look, you have not clearly established that this place is a factory.' If you have the legislation covering all types of employment, you would not have to worry about little technicalities which sometimes can trap workers, as to whether a particular area is borderline factory or not.

With those reservations on the Bill, expressing the hope that whatever legislation comes at a later stage would be much more comprehensive in character, that it would not be piecemeal, but perhaps the Government should come back with a completely new Bill dealing

with the whole area of health, safety and welfare in all types of operations, in all types of employment — with the expression of that hope, Mr. Speaker, we, I suppose, will lend our support to the measure which is before this Hon. House.

Hon. L. S. CRAIG: Sir, in consultation with my colleague, I beg to move that further consideration of this matter be postponed.

Hon. V. L. JOHNSON: I beg to second that.

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

ADJOURNMENT

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that this House be now adjourned until Tuesday, November 23, 1982 at 12.00 noon.

Hon. Dr. R. L. CHELTENHAM: I beg to second that.

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

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PAPERS**HON. H. B. ST. JOHN:**

The Annual Report and Statements of Accounts for the Insurance Corporation of Barbados for the year ending December, 1981.

The Senate and House of Assembly (Remuneration and Allowances of Members) Order, 1982.

The Ministers and Parliamentary Secretaries (Remuneration and Allowances) Order, 1982.

GOVERNMENT NOTICES**Hon. L. S. CRAIG:**

Resolution to approve the fixing of the rates of salary and allowances of the posts of the Personal Staff to the Prime Minister.

Resolution to grant the sum of \$173,805 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1982-83 Part I - Current as shown in the Supplementary Estimates, 1982-83 No. 6 which form the Schedule to the Resolution.

Resolution to grant the sum of \$1,253,437 out of the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1982-83, Part II Capital as shown in the Supplementary Estimates 1982-83 No. 7 which form the Schedule to the Resolution.

Resolution to approve the Senate and House of Assembly (Remuneration and Allowances of Members) Order 1982.

Resolution to approve the Ministers and Parliamentary Secretaries (Remuneration and Allowances) Order 1982.

A Bill to amend the Magistrates Jurisdiction and Procedure Act.

FIRST READINGS**Hon. L. S. CRAIG:**

The Bill to amend the Magistrates Jurisdiction and Procedure Act was read a first time.

ORAL REPLIES**Hon. L. S. CRAIG:**

Notice of Reply to Parliamentary Question No.14 asked by Mr. B. M. TAITT.

SUSPENSION OF STANDING ORDERS: Motion re 6, 16, 18, 20, 22, and 42 (5) Mr. Sandiford, Mr. Craig.

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RESOLUTION RE COMPULSORY ACQUISITION OF LAND FOR PLAYING FIELD FOR BELMONT PRIMARY SCHOOL Mr. Bradshaw, Dr. Haynes, Mr. Speaker, Mr. Weekes, Mr. Craig, Mr. Barrow, Dr. Blackman, Miss Miller, Mr. Sandiford, Mr. Greaves, Mr. Johnson, Mr. L. B. Brathwaite.

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RESOLUTION RE BELMONT SCHOOL (cont'd) Mr. Franklin, Mr. R. E. Brathwaite.

FACTORIES BILL (d.r) Mr. Johnson, Mr. L. B. Brathwaite, Mr. Greaves, Dr. Haynes, Mr. Speaker, Mr. Bolden, Mr. Sandiford, Dr. Blackman, Mr. King. (f.c.p.)

ADJOURNMENT Mr. Craig.

SPEAKERS IN THIS ISSUE

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BRADSHAW, Hon. DeL. O. (St. Michael South East).

BOLDEN, C. L. (St. Joseph).

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BRATHWAITE, R. E. (St. Lucy).

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HAYNES, Dr. R. C. (St. Michael South Central).

HINDS, His Honour W. C. B. (St. Peter).

JOHNSON, Hon. V. L. (St. Michael West Central).

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