

THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1981 – 86

HOUSE OF ASSEMBLY

Tuesday, July 26, 1983.

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

PRESENT

His Honour C. L. Bolden, LL.B., (Deputy Speaker)
Hon. L. S. Craig, (Minister of Parliamentary Affairs and Leader of the House)
Hon. H. B. St. John, Q.C., LL.B., (Deputy Prime Minister and Minister of Trade, Tourism and Industry)
Mr. J. G. Odle, B.Sc., (Chairman of Committees)
Hon. V. L. Johnson, M.A. (Minister of Transport and Works)
Hon. DeL. O. Bradshaw, (Minister of Labour, Social Security and Sport)
Mr. L. L. Sisnett
Hon. Dr. R. L. Cheltenham, M.A., M.Sc., (Econ), (Minister of Agriculture, Food and Consumer Affairs)
Mr. R. E. Brathwaite
Hon. Dr. D. G. Blackman, B.A., M.A., PhD., (Minister of Health and Community Services)
Mr. N. K. Simmons
Mr. A. Truss

Prayers were read by Archdeacon F. A. Cayless.

MINUTES

Mr. DEPUTY SPEAKER: The Minutes of the meeting of Tuesday, July 19, 1983.

Hon. L. S. CRAIG: I beg to move that the Minutes of the meeting of Tuesday, July 19, 1983 be taken as read.

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

Mr. DEPUTY SPEAKER: If there are no observations or corrections, let the Minutes stand confirmed.

PAPERS LAID

Hon. L. S. CRAIG: Mr. Deputy Speaker, on behalf of the Minister of Finance and Planning, I am commanded to lay the following:

The Duties, Taxes and Other Payments (Exemption) (No. 6) Order, 1983.

The Duties, Taxes and Other Payments (Exemption) (No.7) Order, 1983.

The Annual Report and Statement of Accounts of the Insurance Corporation of Barbados for the year ended 31st December, 1982.

The Civil Establishment (Teachers) (Amendment) Order, 1983.

On behalf of the Minister of Education, I am commanded to lay:

The Public Secondary Schools, Boards of Management (Amendment) Order, 1983.

Mr. L. A. WEEKES entered the Chamber and took his seat.

GOVERNMENT NOTICES

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

Resolution to approve of the compulsory acquisition of land at Bank Hall Cross Road, St. Michael.

Resolution to approve the Civil Establishment (Teachers) (Amendment) Order, 1983.

Resolution to amend the Explanatory Note to Sub-head 8 – Fisheries Development Project under

Capital Head 74 — Ministry of Agriculture, Food and Consumer Affairs.

Resolution to grant the sum of \$440 293.00 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1983-84 Part II — Capital as shown in the Supplementary Estimates 1983-84, No. 6, which form the Schedule to the Resolution.

A Bill to amend the Accident and Occupational Diseases (Notification) Act, Cap. 338.

A Bill to amend the Airport Service Charge Act, Cap. 59.

FIRST READINGS OF BILLS

On separate motions of Hon. L. S. CRAIG, seconded by Hon. H. B. St. JOHN, the following Bills were read a first time:

A Bill to amend the Accident and Occupational Diseases (Notification) Act, Cap. 338.

A Bill to amend the Airport Service Charge Act, Cap. 59.

ORDERS OF THE DAY

Hon. L. S. CRAIG: Mr. Deputy Speaker, a number of measures were given notice of under 22(1)(b), which I would like to deal with in all their stages today.

Members on the other side may not be in a position to deal with some of these measures, though I hope they will. For example, I was hoping to do the Narcotic Drugs Bill, which I had hoped to get down in time, but I am told by the Clerk that they were only circulated some time today or yesterday, and I believe that it would be unreasonable to ask Members on the other side to deal with it in all its stages.

However, if we cannot deal with it today, we will have to come back on Friday, and therefore I will have to suspend the sitting later in the evening to come back on Friday morning, say, around 10 o'clock so as to clear the Order Paper, so that we would be able to go on the summer recess. I am quite sure that both members of the staff and Members on both sides of the House will be quite interested in hearing that. I am informed that we are hoping to prorogue the House, by proclamation.

Hon. L. R. TULL and Mr. B. M. TAITT entered the Chamber and took their seats.

I did not have a chance to speak with the Deputy Leader of the Opposition or the Leader for that matter,

but all indications from the Clerk, Mr. Deputy Speaker, are that it is not likely that they can possibly deal with the Narcotic Drugs Bill today, so we will have to come back on Friday. I hope they will prepare themselves to work on Friday so that we can clear as much of the Order Paper as we possibly can.

12.30 p.m.

In relation to the other measures which were given notice of today, I am not quite sure how far we can go with them next Friday, but I have no doubt that we will try as hard as we can to get through with as much business today as possible, as well as next Friday.

I would hope that there can be some response from Members on the other side in relation to the matters which were given notice of under 22 (1) (b).

Mr. M. A. KING entered the Chamber and took his seat.

Mr. DEPUTY SPEAKER: I presume the honourable Member is informing the House of his intention, and I believe these are matters which will be discussed with the Leader of the Opposition to determine which work can be done today or whether it will be absolutely necessary to come back on Friday.

Hon. L. S. CRAIG: Sir, I propose to do that later in the evening.

I will have to revert to First Readings of Bills, because there is a measure under 22 (1) (b) of which we have to give first notice. With your permission, Sir, I shall be grateful if the House would accord us the pleasure of doing this.

Mr. DEPUTY SPEAKER: Has this matter been circulated?

Hon. L. S. CRAIG: It is right at the top, Sir.

Mr. DEPUTY SPEAKER: If there are no objections, we will revert to Item (k) under Order of Business.

FIRST READINGS OF BILLS

On the motion of Hon. L. S. CRAIG, seconded by Mr. J. G. ODLE, a Bill to amend the Narcotic Drugs Act was read a first time.

SUSPENSION OF STANDING ORDERS

Hon. L. S. CRAIG: I beg to move that Standing Orders Nos. 6, 16, 18, 24, 42 (5), 43, and 44 be suspended for the remainder of today's Sitting.

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

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

Hon. L. S. CRAIG: I beg to move that Government Business be the instant Order of the day.

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

GOVERNMENT BUSINESS

Rt. Hon. E. W. BARROW, Mr. W. O. FRANKLIN and Dr. R. C. HAYNES entered the Chamber and took their seats.

COMPULSORY ACQUISITION OF LAND AT BRIDGE GAP, HIGHWAY 1, ST. MICHAEL.

Order No. 3 was called – To move the passing of a Resolution to approve of the compulsory acquisition of a parcel of land at Bridge Gap and Highway 1, St. Michael.

Hon. L. S. CRAIG (St. James North): Sir, this is a land acquisition at the junction of Black Rock and St. Michael for highway improvement. As I understand it, the Government agreed to accept the offers by the land owners some several years ago, but so far only the transfer of the land donated by Budweisser has been finalized. Apparently, it is an oversight of the formalities of transferring to Government the area which is now involved, which also includes land belonging to a Mr. Edward Jackman, that the matter was never completed.

A period of time has elapsed, and Mr. Jackman, through his solicitors, has indicated that no reply to their enquiry was received by Mr. Jackman.

The road improvement is important to each and every industrialist and motorist in the country, and since we know that Highway 1 is a busy highway, I think that Government is doing everything in its power to help to ease traffic congestion.

I beg to move that this Resolution do now pass.

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

Mr. B. M. TAITT (St. Michael West): Mr. Deputy Speaker, Sir, the honourable Member who introduced this Resolution indicated that there was some oversight. The Resolution, as stated, provides for road improvement; and when this land is acquired, with a road that passes through the constituency of St. Michael West.

Mr. Deputy Speaker, the oversight concerning this particular Resolution is only symptomatic of the oversight which has systematically been occurring concerning

a number of roads and subsidiary roads leading on to Highway 1 and other areas connected with the constituency of St. Michael West.

I know it is popular when these matters come up and persons raise these questions, that we describe the contribution as "parish pumping", but I wish to make the point that the issue I am concerned with here goes far beyond the parochial politics of looking after a particular constituency.

In 1976, a number of decisions were made by the then Minister of Communications and Works concerning an area one mile outside of Bridgetown, an area which falls within the constituency of St. Michael West, and I speak specifically about road improvements in that area. When the present Government came into power, a number of the works, for example, in a place called Alleyne's Land, near Passage Gardens, were stopped dead in their tracks, and since that time, there has been no attempt whatever, not a single solitary attempt, to repair a single road in any of those areas which run on to Highway 1 and the highway that goes beyond Highway 1.

Mr. Deputy Speaker, it is a waste of time, and it is in my view immoral, for persons to be describing themselves as the representatives of a constituency and for us to be raising our voices at the highest, loftiest levels indicating that we care about the people of the community, while the people in a specific community, because they have voted in a particular way, do not reap the benefits of these lofty ideals which all of us claim from time to time as being the objective of our being the "representative" in a particular area for a particular people. 12.40 p.m.

Mr. Deputy Speaker, I have been pursuing this matter relentlessly for some considerable time. In the year 1981, I wrote a letter to the then Minister responsible for Transport and Works. I have a copy of it here, and it is my intention to make it available to the news reporters to the extent that they need it, because I think it is important that the people of Barbados as a whole – not only the people in St. Michael West, but the people of Barbados as a whole – have some appreciation of what road improvement must mean to them in the context of their daily lives.

It is totally useless for a community to constantly have its ears pressed down by statements concerning the achievements of a highway such as the Spring Garden Highway, or a highway such as the St. Barnabas Highway, and in the year 1983 persons living within a radius of one mile of Bridgetown still have to take their shoes off if the rain falls, go out and walk to the end of the gap and then put their shoes on. That happened forty years ago throughout the whole of St. Michael, but there is absolutely no reason why, and no excuse for, the people of Barbados living within the radius of Bridgetown,

or indeed anywhere, should, in this year, have to go through the indignity which many people who happen to live in the constituency which I represent suffer as a matter of course whenever the rain falls.

I wrote to the Minister, and I said:

"Dear Minister,

"I feel bound to write this letter"
(which was dated 19th October, 1981) ".....to draw to your urgent attention the state of affairs which exists in the constituency which I have the honour to represent, St. Michael West. I refer to the unspeakable state of the roadways in a substantial part of this area, which in my opinion, is an affront to the dignity and well-being of a significant part of the population of Barbados.

"As you are aware, the area comprised in this constituency has for the most part resulted from the division of plantation lands and the consequent tenancies which arose in the 1940s and 1950s if not before. For all of that time, most of the people who live in the St. Michael areas have had to live with one or other inconvenience, arising out of a poor attitude on the part of the original planners and/or land owners. The rest is history which, I believe, is beside the point so far as the present situation is concerned.

"While it is true that many roads and subsidiary roads have been improved over the years, it is also true that the areas within this constituency seem to have been particularly unfortunate not to have received the keen attention of the decision-makers over the past 40 years.

"I write now to urge you, in your capacity as Minister, to assist in the alleviation of the degrading spectacle which attends the living conditions of a number of our people."

I then went on to describe a few of the areas, Hanschell Land/Greaves Land, an area immediately connected with this piece of land which is being acquired for so-called road improvement.

"Hanschell Land/Greaves Land. The roads have reached a state of disrepair during the past five years or so" (remember Sir, this is 19th October, 1981)..... which make them impassable long after the showers have disappeared. The use of 'Gasolene Gap' as a short cut by motorists has done nothing to help.

"Although from time to time I have been able at my own expense, to 'drop a few loads of marl-fill' the situation has gone beyond such remedies.

"Jubilee Gap, Eagle Hall. This one stretch of roadway has progressed beyond a mere 'bad road' to the position of a clear health hazard. Stagnant water is now a normal feature of this track, and it is doubtful if there is another stretch of road anywhere more deleterious in its effect on residents. That a baker-shop flourishes at one end is even more cause for concern.

"Peterkin Land/Bank Hall. The roads in this area used to be passable. Certainly in early 1976 when one of your predecessors (a predecessor of the Minister of Communications and Works who is now Minister of Transport and Works) visited with me, together with officials of the Ministry (MCW) they were passable. Even so, it was agreed then that they were in dire need of repair. Five years later they are a disgrace and an embarrassment to our community. They have to be seen to be believed.

"Passage Garden. This small stretch of roadway formed part of the Ministry's plan for road building in 1975-76 or thereabouts. Work actually started." (Indeed they laid the pipe in the middle of the road as they usually do for water before they started going through.) "Soon after the change of Government, work stopped. Five years later the condition can only be described as shameful." (It is still October 1981.)

"Lewis Gap, Goodland. A small stretch of roadway has turned into a virtual pond. Residents, as was the norm in the 1940s, now remove their shoes to go to and from their homes.

"Richmond Gap, Eagle Hall. Part of 1st Ave and all of 2nd Avenue Richmond Gap fit a description nearer to agricultural land than to a roadway.

"Sir, to say that the residents of these areas are disheartened would be to put it mildly. Many of them have come to believe that their inability to have their roads fixed is inexorably linked to the fact of the political party from which their representative comes. They see this as blatantly anti-democratic, since the taxes they pay are not labelled with any particular partisan sticker. They feel, and I share their feeling, that they are *entitled* to share in the social and other services provided by the Government of the day."

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Deputy Speaker, do the Rules of the House allow for honourable Members to read a speech?

B. M. TAITT: Man, you came in late and you have come in to confuse the issue. You are insulting the Deputy Speaker if you are going to ask him that foolishness.

Mr. DEPUTY SPEAKER: The honourable Member must not make such remarks. It is for me to rule.

Mr. B. M. TAITT: I beg your pardon, Sir.

Mr. DEPUTY SPEAKER: The honourable Member is reading a letter which he said he wrote to the Minister of Transport and Works about roads in his constituency, which I hope, at the end, he will make available to the Honourable House. I hope at the end of it he will also add the roads in.....
12.50 p.m.

Mr. B. M. TAITT: St. Joseph?

Mr. DEPUTY SPEAKER: Easy Hall, St. John.

Mr. B. M. TAITT: Sir, I will speak for the people in St. Joseph who, at the moment.....

Mr. DEPUTY SPEAKER: Easy Hall, St. John.

Mr. B. M. TAITT: In St. Joseph and St. John.

Rt. Hon. J. M. G. M. ADAMS: On a point of order, Sir: Do the Rules of Parliament allow a Member to write out a speech, state that he has written it to somebody — it does not have to be to a Ministry, it could be to his brother, his children — and evade the Rules against reading a speech by that device?

Mr. DEPUTY SPEAKER: I am viewing it as a document from which the Honourable Member made his reference, and I hope he will make it available to us.

Mr. B. M. TAITT: Mr. Deputy Speaker, Sir, as I indicated when I began, this is a letter which was written to the Honourable Member for St. Michael East (Hon. Dr. D. G. Blackman), who at the time was the Minister responsible for Transport and Works. It therefore forms part of the documents which the honourable Members of the Government over there have in their files and the accuracy of it can be checked by the right honourable Prime Minister, doing what he does, demanding of his Ministers.....

Mr. DEPUTY SPEAKER: If the honourable Member is now referring to documents in Government's files, I will have to stop him at that point.

Mr. B. M. TAITT: I said the accuracy of it could be checked. This is my letter I am reading, Sir. I do not know where their files are.

Mr. DEPUTY SPEAKER: Please continue.

Mr. B. M. TAITT: I do not know a thing about them.

So, I am saying, Sir:

"They feel,"
that is, the constituents:

"and I share their feeling, that they are entitled to share in the social and other services provided by the Government of the day.

"In my capacity as their representative I urge you to give deep consideration to their legitimate call for sympathetic action. We do not expect that all of these roads will be fixed at the same time. But we believe that if a schedule of work were made known, residents could at least know when they might expect some relief from the degradation inflicted on them through no fault of their own.

"I invite you to join me, if you will, in an on-site inspection of these areas so that you may have a first-hand look at the terrible conditions under which some of our people are forced to exist in the last quarter of the twentieth Century.

"I look forward to your early action in this matter."

Now, Sir, the Minister - bless his heart - joined me on November 13, 1981, and for five hours we walked through the constituency. We saw those conditions, and it is my recollection that the Minister remarked that he had not seen such poverty, except perhaps in his own constituency. And even then, he was prepared to concede that in that area, one mile outside of Bridgetown, the level of poverty — and the standards which those people had to endure, and the deterioration which had occurred within the five years — was probably higher, or lower, depending on your point of view — than anywhere else in the island.

Mr. Deputy Speaker, this is the gravamen of my submission on this issue. It is alright for Ministers to become Ministers of Transport and Works or Communications and Works and give a little extra in their particular constituency. I remember when I was in the Government, we had a Minister of Communications and Works who used to say that "home drums beats first." It is always understood, and it has been understood in Barbados, apparently from time immemorial, that the Minister who is administering the particular department will take certain steps to give his area perhaps, a little higher push than other areas.

But that is one thing. It is another thing when any particular section of a community is systematically deprived of certain services from 1976 to 1983. When it appears to any group of people that they are being systematically excluded from services that are being made available to the rest of the community, that small group has every reason to feel that they are being discriminated against. And what I find particularly reprehensible is that, in 1983, we have a political party in power that says it takes care of people.

(Rt. Hon. J. M. G. M. ADAMS: That nice playing field we gave you at Parris Gap, Lands End. Filled it in.)

Mr. B. M. TAITT: You see, Sir, it is the kind of arrogance, the kind of cynicism, which would allow a Prime Minister to look at the acquisition of a track at Lands End and the filling in of a swamp, and substitute that as something he has done for a constituency.

If the Prime Minister wishes to be cynical, that is his business. But if the Prime Minister and his Government are going to be telling the people of Barbados that they care for them, and then they are going to be coming talking about road improvement and highways and how much money they have spent to improve the highways, and then all of the little people in this community have to step out into water — from the time the rain sets up they have to step out into the water — I will have to.

And this Government, this wicked Government, is continuing this case of massive neglect of the people, while masquerading themselves as a Government that cares and allowing the people of Barbados to believe that they are doing more for them than any other Government did before.

Certain remarks made at this stage by the honourable Member for St. Michael West (Mr. B. M. Taitt) were ordered to be expunged from the Record by Mr. DEPUTY SPEAKER.

Mr. B. M. TAITT: It is alright for others who can get in their pretty motor cars and drive on the nice highway that leads from one part of the country straight into Bridgetown. They do not have to pass through these areas. Some of them have never had to pass through these areas, so it is quite alright for them. But it is wrong, in the last quarter of the 20th century, for us to be constantly having to run behind somebody and ask them to fix a road here and a road there.

Mr. Deputy Speaker, we managed to get a road cut in Prescod Boulevard, in Prescod Bottom. When Your Honour — I am not drawing you into the debate, I am making a statement of fact — held the Ministry of Communications and Works or its equivalent, it was

determined that a road would have to be cut in Prescod Bottom.' And it is only because — I am told — certainly people believed that that particular area fell into another constituency that that one was not yanked out as well.

The honourable Member who is now the Minister of Transport and Works (Hon. V. L. Johnson) has the responsibility to ignore the general trend, or the general policy, or the general direction, which has been taken, which allows people to give twelve or thirteen or fourteen roads to one particular area. But I do not know if the honourable Member is going to follow that.

Sir, I rejoice with the people in Spooner's Hill if, finally, they are getting all of their roads fixed. I rejoice with the people in Fairfield, if they are getting all of their roads fixed. I rejoice with the people in Black Rock, on the other side, if they are getting their roads fixed. I rejoiced when the people in the Ivy got their roads fixed. I am not going to quarrel and say that those people ought not to get their roads fixed, but I believe that, along with them, the people who live in the radius of the constituency which I have the honour to represent, are entitled to some small part of that largesse or whatever which is going around. It is a waste of time asking those people to be nice to tourists, to be patriotic and all of the good things which we ask of them, when over a period of fifteen, or twenty, or forty years they strive unsuccessfully to have nothing more than the basic amenities, which we as politicians promised them that we would give to them. That is all they ask.

To come and tell me that the same thing happened during my Government's time is merely to beg the question, because the issue cannot be after seven years of the Barbados Labour Party, what happened seven years before the Barbados Labour Party. In 1983, all of us in this Honourable Chamber should be sufficiently enlightened that we do not have to rely on past policies, no matter whether those policies were enlightened or unenlightened, good or bad.

We cannot go on and I refuse to go on — and pretend that all is well while I pursue Ministers and telephone them and beg Permanent Secretaries and all kinds of petty officials if they could just please give me one road this year. It is seven years, Sir — seven years! — and we cannot even see repairs of roads, furthermore the starting of a new one. All of the roads in that constituency — every single one — have deteriorated; and they continue to reach the stage where the massive cost it will be for those roads finally to be fixed will be a drain on the total Treasury whenever it is done. And make no mistake about it: in the final analysis, such neglect will operate to the detriment not of the Government — it operates to the detriment of the whole community.

I invite the honourable Members over there, or any other honourable Member or anybody in Barbados, to take a walk through the constituency of which I speak and see whether in 1983 they feel comfortable so long after we have taken over those areas from the people who used to own it. You are the Government, you are the people who are running the country. You walk through there and tell me if you are comfortable, if you feel peaceful, if you feel satisfied.

1.00 p.m.

It cannot mean that the Member for St. Michael West is the one who is going to suffer, because in the final analysis, whether the people of that constituency are satisfied or dissatisfied, there will come a time when they will get a new representative anyhow. That is not the issue. The issue is whether those people are not entitled to some kind of dignity too.

There is one last point I want to make. None of us can tell who votes for whom when we go into a polling booth, and if you examine the results, 1 600 people in that constituency who went to the polls voted for the Barbados Labour Party. So when the people in that constituency do not get roads, both Democratic Labour Party supporters and Barbados Labour Party supporters are deprived; so to judge it by the results which come out in the polls, if that were a fixture, we would never have a change of Government.

There were people who were Dems who lost, as there are people who are Bs' who will lose. That is not the issue. Sooner or later somebody has to make a decision about who is to run the country, but we as a people, we as a Government, we who sit in this Chamber every Tuesday and tell the people of Barbados that we have their interest at heart, have got to start taking another look at a national policy for road building. There has to be some change in the system which allows people to go as beggars pleading with other humans to give them what should, by now, in 1983, be considered basic, ordinary, garden variety amenities.

Mr. Deputy Speaker, in some ways I do not speak as the representative of a constituency — I speak as a man, a person who has had to observe this kind of thing for so long that it is beginning to interfere with my psychological being. It has nothing to do with winning a seat or losing a seat, it has to do with a fundamental question that has to be asked time and time again, whether in truth people care about one another, whether we who go out and tell the people to vote for us are serious when we make them promises, if all we are going to do at the end of the day is to look after our particular little bailiwick.

Mr. Deputy Speaker, I apologise to you for the length of time which it has taken for me to make the point, but I do not apologise for making the point,

because I have made it over and over again during the Estimates, I have made it from time to time. We laugh and joke and say it is parish pump politics, but today I do not feel like a parish pump politician, I feel like a person.

And when I speak for that particular constituency, I can add, like Your Honour said, places in St. John, places in North West, places in St. James South, places all over Barbados. I am saying that it is a burning shame. We cannot talk about the environment of our people, we cannot induce our people to uplift the environment, when in fact around Barbados, and more particularly in the areas one mile, two miles within the City limits, we have conditions such as those which exist in Passage Garden, Hanschell Land and places like that.

Mr. Deputy Speaker, it is my hope that the Minister and the Government will take another look at this whole question of land acquisition. The Hanschell property was settled to all intents and purposes as far back as 1974. I spent time with one of the directors of that company and there was agreement by most of the people in that area that they would purchase the land. The Town and Country Planning authorities had approved most of the plans for the lay-bys.

I recommend that they check very carefully to see whether this property was not in fact acquired in 1976. The bus lay-bys and all of these things were agreed upon. We are now in 1983, and here we are again going through the process of acquiring this piece of land in Bridge Gap.

I wish the Government will be able to acquire it; I am not going to oppose it; we need better visibility coming out of Bridge Gap. How more people have not been killed is a question which many of us ask, but it is no point going to fix up the corner of Bridge Gap if you are not going to go 20 yards, just 20 yards from the corner of Bridge Gap, going in a southerly direction, and ask those people how they get out when the rain falls. They have to get out of their houses and pass the passageway before they get to Bridge Gap. I would invite the honourable Minister to ask his colleague, or go himself if he does not know — and I believe he does know — and see some of those areas. Fix one or two — give the people some hope.

Mr. Deputy Speaker, I have gone on about this. I do not think that I can make the point again. I hope the Government will not find it necessary or desirable to treat this as a matter of contempt. I hope they will take it seriously, but if they do not, at some time somebody will have to take it seriously, because the people in those areas are losing spirit. They are unemployed, they live in bad housing, they have all kinds of degradation and their children are subject to all kinds of abuse, but in the final analysis they cannot even find somewhere to

walk. At night they cannot go out, because if they come in and the rain is falling, they are going to step into a pond right in front of their doors.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Deputy Speaker, I have been in Parliament for many years and I know the depth of feeling that the honourable Member has in relation to his constituency and the alleged neglect by Government of his particular area, having regard to the fact that he perceives that this neglect is caused by the fact that he is on the other side.

I think you will agree, Sir, that for fifteen years all of us suffered not a perception, but a reality. The Democratic Labour Party was the party which introduced the putting in of roads, water and light as a political matter in this country, and the honourable Member for St. John (Rt. Hon. E. W. Barrow) is the kingpin of that attitude. When we had a system of Government in Barbados in which these small matters were dealt with by their local representatives, he massacred it, because he said that unless they voted for him, he would teach them a lesson.

I myself have written similar letters to various Ministers of Transport regarding my constituency, so do not let us get any idea that this alleged neglect of minor roads relates only to constituencies which are represented by the Democratic Labour Party. I have written repeatedly about the bad state of drainage in St. Lawrence Gap, Maxwell Road, underneath Oistins Hill and other areas. I have had to write about those continually, and I will continue to write about them until they are rectified.

But we have a problem, and it is time that all of us recognise that we have a problem in this country. The problem is that we are not getting the best value for the money that we vote for roads, subsidiary and other maintenance, because the Ministry of Transport and Works does not go about the execution of its work in a professional manner.

Many more roads and many more drains could be done in Barbados if we had a system whereby we got value for money spent in that area. That is a fact that all sides of this House have to face. We have to decide in our minds whether we are going to put the totality of this work out on contract or not, and if we are putting it out on contract, we have to have standards.

Secondly, Sir, we also have another problem, one which has been with this country before and after the Public Health Act, 1946. You will recall that before 1946 you could have a subdivision in Barbados without any minimum standards being laid down for roads and things

of that kind. But even after we had the legislation, there was still neglect in the enforcement of the legislation.

Now we are compounding the problem. Because although we have a Town Planning Office which is supposed to deal with these matters, the Town Planning Office is advised by the Ministry of Transport and Works, and, lo and behold, Sir, as far as I personally am concerned — and I make no bones about it, I have said it here, in Cabinet and I will continue to say it — they are totally and absolutely incompetent to advise on drainage. 1.10 p.m.

I make no bones about saying it, because I have seen with my own two eyes after developments have taken place that the drainage has been so bad that, within a short period of time, the roads have become nothing but potholes. It happened in Lodge Road. We had to go back and protest, and a whole drainage scheme had to be done from the top, by the industrial estate, right down. The area was in a shocking state, in my opinion, and I will continue to say that. I have said it outside, too. I have said it on platforms and I will say it again.

When you challenge the Town Planning Department on these things, the Town Planning Department says that they have been advised by the Ministry of Communications and Works; and when you challenge the Ministry of Communications and Works, they say that their advice has been good, but the contractors have not carried out the work in accordance with their advice — and that is the responsibility of the Town Planning Division!

I have said this repeatedly when I was over there, and now I am over here I will continue to say it: there is a basic defect in the law in Barbados in relation to town planning. No one man should be the authority in relation to town planning in any part of the world. You need to have a Planning Authority, and we do not have one, so that we are again compounding our problem.

The honourable Member must not think that there is discrimination against him because these roads have not been done. The problem is that because of the lack of enforcement of the legislation of 1946 right through until now, what is happening is in all of the subdivisions that are being created in Barbados, the difficulties that you have are that the roads are not being built, in my opinion, to a proper standard, so the problem of road building is being compounded. Every year, every time you do a certain number of roads, you will find you have more roads to be done. It is happening all the time so we would have to have a greater attack on this.

But soon as you lay down proper standards to eradicate these problems in the future, you are going to

hear that you are affecting the small man. The first cry you are going to hear is that you cannot insist on proper road building standards in developments in Barbados because you will be affecting the small man; he would not be able to buy property in developments because it would cost too much. We have to make up in our minds whether we wish to have a period of time in which we can rebuild those areas of roadways which are not properly done — and were not properly done, because of the lack of enforcement pre-1959 — and whether we are going to have a comprehensive programme.

I know the Government's record in this respect better than the honourable Member. I have studied it very carefully. We have done more roads, tenantry roads and subsidiary roads, in the last seven years, than during the whole of your fifteen years, so do not talk. That can be statistically proven.

Your Honour would recall that at one stage, early in this Government's reign, that they used to challenge us. When we produced the figures at Estimates time about the number of kilometres of road done in our time, it showed more than they had done in their time, much more; and up to now we would have trebled the amount of roads you did.

(Mr. B. M. TAITT: Not one in my constituency).

Hon. H. B. St. JOHN: Not one in my constituency either! My constituency did not get any roads! You heard the honourable Member say something. He said he accepts the fact that a Minister of Transport would beat home drums first. You accept that, but you do not expect that we have fifteen or seventeen home drums to beat first before we get over there?

Mr. TAITT stands.

Mr. DEPUTY SPEAKER: Two honourable Members are on their feet. On what does the honourable Member rise?

Mr. B. M. TAITT: On a point of explanation. One wonders why there are so many changes of Ministers of Transport. I now understand. I am going on.....

Mr. DEPUTY SPEAKER: The honourable Member must not make a speech at this point in time.

Hon. H. B. St. JOHN: You see what I mean, Sir? We have fifteen years of neglect on this side to catch up with. That is a fact.

We must attack the problem of the value that we get for the money that we spend. We must say that there must be a principle upon which roads are to be allocated out of the money every year. But when you try to say

that it is not being done because of your membership in the Democratic Labour Party, you are putting something into the political arena which should not be there. This should not be in the political arena, definitely not in the political arena, so I am all in favour of a procedure in which every year, a portion of the money is to be spent on all of the constituencies in Barbados.

I remember that when I was a member of the Opposition, I appealed to the then Government to let us have a Parliamentary Sub-committee which would approve a similar system to what we had in Local Government time, a committee to go around and assess the relative merits and demerits of each area. I said I did not expect all the money to be distributed that way; I would have been most unreasonable if I said that.

When I was over there, I advocated that we should have a sub-committee. If you had taken the advice then, we would not have suffered fifteen years the historical neglect, which is one of the problems we have. One problem is that you had been so neglectful during your fifteen years; you had nothing to do with any of the roads in areas represented by this side which had to be repaired then. And in any call of justice, there have to be worse than yours.

We have people walking on mud tracks with no foundation at all. The honourable Member has few roads in his constituency in that condition. Most of them are the original roads that were created after 1946, in which the then standards of the public health was a marl road — you had to dig out the mould and put in the marl. I can take you to Oistins Town now and show you certain areas that have nothing at all. People have to walk on mud, and I am sure you will find similar conditions in the constituencies in the country which most of the honourable Members over here represent.

(Mr. B. M. TAITT: Mine are like Jesus. They are walking on the water).

Hon. H. B. St. JOHN: I would say that the honourable Member is also very fortunate. I really hope that he does not persist in trying to get across his perception. It is bad for the honourable Member to be giving the impression that they are being discriminated against. I think that is a bad precept.

Basically, Sir, I hope that we would be able, through debates like this and otherwise, to come to a consensus on certain things, a consensus that we honestly are not getting value for the money that we spend on roads. I do not believe, this is my personal opinion, that the advice we are getting on drainage is the best advice. I say that on the basis of what I have seen.

I also do not believe that the enforcement of planning permission, with respect to the monitoring of compliance with the conditions of the drainage, is the best. I do not believe that either. I believe that we should have a systematic programme devised whereby a proportion of money should be evenly distributed. It should be about 5 per cent or 10 per cent. The major amount of money, I believe, would have to be distributed in accordance with priorities as recommended by the Minister of Transport, who, after all, would know more about these matters than we would know.

1.20 p.m.

I think that when we have a consensus and a movement in that direction, then we will be able to achieve what is the objective of all of us. All of us want to see all the roads in Barbados as smooth and as wide as the Spring Garden Road. All of us want to see the best, but we must recognise that we do not have the money to have the best at the same time; it will take time. It is only a question of the priorities.

Rt. Hon. E. W. BARROW (St. John): Mr. Deputy Speaker, I listened with a great deal of interest to the previous speakers on this measure. I was particularly interested to hear the honourable Minister who just sat down say that we took over the provision of water and roads throughout the island, as if it was some kind of indictment that the Central Government should take over the provision of water and roads for the people of Barbados.

I think I would like to go back to a point in time when I first entered this Chamber. I think he was a member of the Local Government for some years after, but certainly in the early Fifties, the two representatives for St. George, which was the constituency which I then served, used to be invited to meetings of the Vestry of the parish of St. George, and we would urge that when the Estimates came up, the claim of the Highways Committee of the Vestry should be paid attention to.

The kind of thing we used to get from the Vestry of St. George was that they were putting in for 900 feet of Tenantry road for the whole of the parish of St. George, and invariably the tenantry road would be over some plantation land, which would expedite the passage of the tractors and the vehicles of the plantation owners in that particular parish. The Vestry of the parish of St. George, like so many other rural Local Government authorities, was dominated by the plantocracy of this island.

One of the first things that we put in our manifesto was that we would improve the road system in the tenancies throughout the island, and I do not consider it an indictment against the Democratic Labour Party

Administration when we decided that we should make the provision of the roads in the tenancies — there are 4 900 acres of plantation and other tenancies in this Island — and the provision of light and water as a priority in our programme.

The honourable Member is an eminent counsel and member of the Inner Bar; I cannot remember him prosecuting at a higher level than the Police Magistrates Court. I knew that he only took part in private prosecutions rather than public prosecutions, but if he considered that an indictment, I am afraid that I would have to plead guilty to that charge of providing these services.

Asides

Rt. Hon. E. W. BARROW: He did public prosecutions? That is when they paid \$35 a case. I remember well when eminent counsel Mr. Dear used to prosecute for \$35 a case. That was his choice.

Mr. Deputy Speaker, what I was saying is that if that is an indictment to say that we provided these services, we will plead guilty. The point is that it was not on the basis of who represented the constituency, because if you remember, Mr. Deputy Speaker, we had a system of dual-member constituencies.

Let us take the constituency, first, of St. George, where you would have one DLP and one BLP member. We did not have the constituency divided, so I will take workmans and Ellerton and you can have South District and so on. The two members represented the whole constituency. If you were doing St. George, you had to do St. George. There was only St. Joseph which was fortunate, or unfortunate, not to have uni-party representation as far as I remember. St. Philip is another one perhaps, but there were very few constituencies, except St. Lucy, St. Philip and St. Joseph in which you had exclusive representation that way in St. Michael, and they used to swing from one side to the other. The point is that we did tenancies throughout the island.

Now where did the difficulty arise? I must join with the honourable Member for St. Michael West (Mr. B. M. Taitt) and the honourable Member for Christ Church East Central, I think it is, the honourable Minister of Trade (Hon. H. B. St. John), on this. The problem in Eagle Hall, in the honourable Member's constituency, is not a question of malfeasance; it is not a question of non-repair — it is a question of non-feasance. Alkins Land has never been done, in the same way that Pool Tenantry, Henley Tenantry and Clifton Hall in St. John have never been done, and it is not the fault either of the Democratic Labour Party regime or the Barbados Labour Party regime. The reason for non-feasance in these cases was not a question of bad repair or failure to repair,

but these roads have never been done by the plantation owners or by the Government, and these are the three most offensive examples that I can think of, because during our regime the plantation owners would not agree to the Government going in with one reservation.

When we come to Eagle Hall, Bosvigo Limited who owned Eagle Hall would be willing to let the Government go in and repair the road at colossal expense to the Government, but they wanted the right to subdivide and sell at their price, and we felt that if they wanted to subdivide — it is one of the largest tenancies in Barbados — they should carry out repairs.

That is where the Town and Country Planning Office came in, and the Town Planning Office said that because of the density and disposition of the houses in Alkins Land, Bosvigo Estate or whatever you call it; that lot of Eagle Hall which is enclosed by part of Barbarees Hill now President Kennedy Drive, Black Rock Road, Bridge Gap coming right around through Goodland and so on; that whole area where you have all the back roads, which have really never been done from time immemorial; it could not be sold as it was.

I cannot remember when it was first laid out, but certainly my recollection goes back to the late Twenties and early Thirties. I was not in Barbados myself for the first few months before 1927, so I cannot tell you about before 1927. But certainly, as far as I can remember, say 1930 when I would have been circulating around the Baxter's Road area going to school and so on, that was really a tenancy. The late Mrs. Hanschell was one of my uncle's patients, and I used to drive down there to the place on the left hand side of the road and I know the tenancy existed in the early thirties.
1.30 p.m.

It was laid out in that it had roads and it had a lot of houses on it. The roads were never tarred roads, they were marl roads. When therefore, we started our policy of fixing the tenancy roads, there was a conflict between the Government, the Town Planning and the owners of that tenancy, as there was a conflict between Henley Limited, the estate of the late Anthony Trollope, the travel writer who said such derogatory things about Barbados.

(Rt. Hon. J. M. G. M. ADAMS: He did not say derogatory things about Barbados.)

Rt. Hon. E. W. BARROW: I beg your pardon.

(Rt. Hon. J. M. G. M. ADAMS: He did not say derogatory things about Barbados.)

Rt. Hon. E. W. BARROW: Oh yes! Go and read them again. He had said a lot of derogatory things about

Barbados. The late Anthony Trollope, whose family now resides somewhere in Australia, he owned Clifton Hall. We resolved some of our problems with Clifton Hall because we managed to get the playing field from them.

But these were the tenancies where the.....

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, if the Honourable Member would give way to the memory of the late Anthony Trollope. Surely, all he said bad about Barbados was that the plantation owners were like large, white slugs living under burdock leaves. But he praised the island generally, as I recall it, Sir.

Rt. Hon. E. W. BARROW: He said that about the plantation owners, he said good things about the climate and he said other things about the other inhabitants, which the right honourable Member elects to forget, but which I will not forget.

We will not argue about that, we will not have a discussion about that. This is not a dissertation on Anthony Trollope, who did call the plantation owners slugs, but who also made derogatory remarks about the other inhabitants. That is not relevant really to the purpose of my intervention here today.

What I am saying is that it would appear from the remarks made by the Member for St. Michael West that this was a case of the Government not repairing the roads. The roads were never done at all, and I am merely giving the reason why there were never done. It was because the owners wanted to sell the tenancy but they did not want to repair the roads before they sold the tenancy; they wanted the Government to repair the roads. That impasse has got to be resolved in some way. I believe that Bosvigo Limited is still willing to sell the tenancy. But the tenancy could not be sold, according to the Town Planning, not of the roads — the roads are very narrow, it is true — but the bad layout of the houses, some of them being on less than 400 square feet of land and that kind of thing.

Some readjustment of the houses will have to be undertaken. Therefore, I think this is where the Land Acquisition Act may have to be brought into play and a proper layout of that whole village will have to come about. It can only be done by the Government, but not by paying the land owners any exorbitant amount of money.

I would like to draw the Minister's attention to a matter. He said we are not getting value from the Ministry of Transport and Works; as it was, the Ministry of Communications and Works. This is a question of staffing and the question of staffing is a question for Establishments. The question of what kind of staff you

need, surely is in the hands of the Government, any Government.

A lot of the work is now being given to contractors, but a lot of the supervisory work has got to be done by a Government. A lot of the actual bricks and mortar could be done by contractors. Whether it is being done at a greater cost or a lesser cost, I am not in a position to say. It is probably being done a lot more speedily by private contractors.

I only regret that it appears that too many overseas personnel and contractors are being employed in Barbados at this late stage of our history. I am not quarrelling with the principle, I am quarrelling with the question of whether we need to employ so many people from outside of Barbados to have the work carried out when we have competent firms here in Barbados which have done most of the construction work from the time that this country was founded. Even this building here was drafted by our local civil engineers in public works in the nineteenth century and built by Barbadian workmen, Barbadian foremen and supervisors.

But what we do need is a competent staff of people who will invigilate the work and monitor systems, particularly things like drainage, the closing up of water courses with garbage, the filling in by land owners of natural depressions which act as siphons, or those created by nature for the surplusage of surface run off in this country.

The honourable Member for Christ Church East Central (Hon. H. B. St. John) — Christ Church being the parish of his adoption; St. John, I believe, being his natural habitat when he was a youth — but certainly he has lived most of his life in Christ Church — he must have heard the expression that something would never happen until 'Maxwell Pond run dry'. I would invite him to go up and look at Maxwell Pond today. I would not be surprised if by December, 1983, somebody is not putting up some apartments on Maxwell Pond, because a lot of ignorant people come here and are the victims of real estate agents, who sell them quarries and natural water courses which have been filled in with garbage.

Ponds like Maxwell Pond will soon, very soon — be sold. You will be surprised that opposite Maxwell Pond, an area of land which is less than 30 000 square feet is being put on the market for something like \$3 million. So it would not be a far step for them to go across the road now to Maxwell Pond. And then, when they have finished filling in Maxwell Pond, you are going to get flooding from Oistins all the way down to Top Rock.

You will find that people are dumping garbage all over this country. And the Ministry of Transport and Works is not invigilating the filling up of our natural

water courses and the damming of our gullies not in order to conserve water, but in order to provide additional land area for people who wish to sell land for speculation; not to provide playing fields, and even that would be wrong. What we have is the throwing of old motor car bodies or dumping of garbage in these areas then the levelling of mould on the top, and selling it to some unsuspected purchaser as a suitable area on which houses could be erected. This is something which we have to watch very carefully. A lot of the flooding that we are getting in Barbados today is due to the fact that there is not proper inspection.

We have a department which is called the Town Planning. It is more like a development control department than a town planning department. All the planning in the Physical Development Plan of Barbados was authorised by the Town Planning Department. I am very surprised to hear that the right honourable Member for St. Thomas, before he became a Member of this House, had his own Town Planning Department and anticipated the construction of the Spring Garden Road, which was in the Physical Development Plan. Such a big secret it was!

Aside.

Rt. Hon. E. W. BARROW: I am sorry to hear that he did not give the light of his genius, the benefit of his genius at that time, so he would have saved the United Nations planners and the honourable Member for St. Michael North (Mr. P. M. Greaves) I think it is, a lot of hard work in order to have this road planned in our Physical Development Plan. Be that as it may. You will live and you will learn of these things all the time that the Barbados Labour Party had a physical development plan going in anticipation of the one which was published by the Government of the Democratic Labour Party.

1.40 p.m.

What I am saying is that in so far as the Town Planning Office is concerned, they do more development control. They are concerned about whether you are building within so many feet of the highway and that kind of thing, but there is no follow up action even after they have given permission for someone to develop land, to put in roads of a certain width, water mains, to see whether the requirements are complied with after they have given the planning permission.

I am not saying it has never happened, because obviously I cannot be all over the island all the time or any of the time — I can only say within my experience; and I do travel about and look at these things a little more closely than the average person — but I am not aware of a single instance in which an officer from the so-called Town and Country Planning Office — I am not saying that in a derisory sense when I say 'so-called'; only for

want of a better term — has gone out after permission has been given and checked at various stages of the development to see whether the proper materials are being put in a road, whether the building lines are being observed, whether they have blocked up any natural water courses, or drainage, or run offs and matters of that kind.

The point is that sometimes you have to wait a long time to get planning permission to carry out development. Sometimes people lose access to the funds, which they may have been able to secure from the banks, while they are waiting for planning permission, but after they do manage to get the permission, that appears to be the end of the matter.

If you are going to have proper control so that roads do not deteriorate three or four months after the land has been sold to the various purchasers, or the buildings have been constructed, so the Government then has to be subjected to complaints from the property owners, who are paying a lot of taxes, you must see that there is proper construction of those roads and that the requirements which have been stipulated by the Chief Town Planning Officer or the members of his staff, have been complied with. There is no such control.

It does not sound good for a Minister to get up and say that the people are incompetent. I am saying that it is a matter for the Government, if they do not have the properly qualified staff, to see, first, that you have the staff on the establishment or on contract, and see that the Services Commissions employ the staff and create the posts which will give you the kind of monitoring of these services that you require. In other words, Government today is a question not so much of manual manipulation, manual labour and that kind of thing; Government today has got to be a question of supervision — supervision of private contractors, supervision of your own engineering staff, supervision of your field workers, supervision of your Town Planner. In other words, you want high quality people.

I do not want to call any names, but I once recruited a Civil Engineer in the Ministry of Finance, and the first question which those at Services Commissions asked me was "what do you want an Engineer in the Ministry of Finance for." I call that a stupid question, but I gave them a civil answer. My civil answer was a very simple civil answer. I said because most of the money, apart from salaries, being spent by the Government is being spent on works, on construction, and I want a Civil Engineer to see that the money was being properly spent, that the requests were proper requests, and that somebody understands what the name of the game is. I said I want somebody who can understand what a critical path is, so that when we sit around the table and we say

something will be finished in 18 months and you tell me it is going to take three years, that I have somebody on my right side, or on my left side, who is in a position to tell me that he has worked it out on a slide rule and it can be done in 20 months.

This is the kind of person you need. I think he knows to whom I refer, because the present Administration has put him in charge of a very important project. He is one of our bright young people. You want a lot of people of that calibre watching MTW, watching the Transport Board, watching the developments that are taking place — private developments, public works and matters of that kind — watching the whole drainage system in Barbados. You need management control.

Management is one thing, but who is going to manage the managers? *Quis custodiet ipsos custodes?* That still remains the main question in any Government. Who is going to guard the guardians? That is what we need in Government today, so it is not really a question of accusing the people of being incompetent. You are displaying your own incompetence by not having competent people over the incompetent people, because it is within your power to change things. It is within our power as a Parliament to vote the funds to get some competent people to invigilate the people who you say are so incompetent, and who may merely need a little bit of guidance and a little bit of supervision. That is the problem here today.

I am trying to be constructive. I do not want to see Barbados going down the drain under this Administration, or any other Administration, but the problem is, we are not going down the drain — the drain is being clogged up and we are being washed away in the streets.

I was thinking just yesterday that we could start a competition to see who has the most potholes, the village with the most potholes, the deepest potholes, the worst drains and that kind of thing. It would be revealing.

It is not really a credit to Barbados that the number of shock absorbers being sold in Barbados has risen astronomically in the past few years. Have you noticed, Mr. Deputy Speaker, how many spare parts garages now are building magnificent edifices? How much money they must be making? The only real capital investment and capital formation going on in Barbados are spare parts garages? It is a pity that your illustrious father is not around now to reap some of the harvest that I see some of these garages making now, and the father of the honourable Leader of the House (Hon. L. S. Craig) because there is a lot of money in it.

I wonder to what extent this is not due to the number of potholes that we have to drive over, because

there is some bread there to be made. We do not take any pride in that, and the people of that generation had to work very hard just to bring up a family. Nowadays it is easy pickings, but we do not take any pride in that; and it is not a good credit to this island that there are so many potholes in the road.

The honourable Member for Christ Church East Central (Hon. H. B. St. John) said it is the incompetence of the people in MTW. Let us get rid of them, or let us put some people over them. If you are giving out a lot of work to private contract and the roads in private developments are being built by private contractors, let us have people who will go out there and inspect them and test them, as they do in the United States, where all the work, as far as I can see, is done by private contractors, but done to a very high standard.

Recently a bridge, what I call a super highway, in Connecticut collapsed, a whole span of road and caused death — and those people who built it could go to gaol. We are very fortunate in Barbados in that we do not have any great engineering problems, we do not have a lot of roads that have to cross over gullies, swamps and that kind of thing. I would hate to think what would happen. 1.50 p.m.

It is the Agnelli people, who make Fiat motor cars, I read in today's paper, who are being indicted now. But a lot of the people who have responsibility for selling and doing construction work and that kind of thing in other countries are under constant pressure to produce work of a high standard. We have not reached that stage in Barbados. Maybe we will not until we send one or two people to jail for negligence — not merely fine them.

Unfortunately, we have to wait until there is a serious accident before people sit up and take notice. I think, before we get to that stage, that we ought to stiffen the various works departments with highly trained people who will keep behind the Town Planner, the Ministry of Transport & Works' engineers, the private contractors, people who make concrete blocks, people who do steel erection, people who do construction work, and make sure that we have proper standards in the country.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Deputy Speaker, I would like to thank the honourable Member for his very constructive and useful speech on the matter. I am not speaking in final reply, I am merely speaking as Minister of Finance, with the same responsibilities as those discharged by the honourable Member for so long. Except for the honourable Member's unsoundness on the opinions of Mr. Anthony Trollope, I think his speech contained a great deal of wisdom, to which we all should hearken.

The Barbados Labour Party has always been interested in the physical development of Barbados. Unfortunately, we do not have to rely on memories kept *in petto* on schemes which we have put forward for highway development, for drainage and other matters covered under this subject, since they have been the subject of particular comment in our various election manifestoes from the year 1966 and onward. But, truly, Sir, we were no more able in Opposition to foresee some of the difficulties that would arise in carrying out our planning ideals than the Democratic Labour Party was able to see in Government.

Enormous problems arise in the Ministry of Planning in dealing with the wider view of physical works in this island. The honourable Member is, of course, absolutely correct in recalling the need of the Ministry of Finance and Planning for an engineer. I would like to say, praising the incumbent, to whom he referred, I much regret that we have lost him, and am looking forward to replacing him in the Ministry of Finance and Planning with someone as competent as he is.

Government undertakes road programmes and programmes of constructing public buildings, which represent not quite as large a share of public revenue as administrative salaries, but certainly the second largest amounts being spent overall by the Government; and we do have great difficulty in assessing and evaluating the advice which we get on these matters.

I do not wish to be unnecessarily critical of the Ministry of Transport and Works. It is short-staffed in the places where it really matters, and grossly over-staffed in the areas where its duties do not carry such a weight of responsibility. There are between 2 200 and 2 300 people working at the Ministry of Transport and Works. Only 400 of those persons work in new construction; the great majority work in maintenance.

I say quite openly that I am not satisfied with the quality of the supervision at the higher levels in that Ministry. Part of the reason for this is due to the fact that we cannot fill all the posts of Engineer and Architect which are required. Part is also due to the demoralisation of the Ministry after these many many years of continual criticism and attack by members of the public and by politicians, some of which criticism is not justified.

Unless we are prepared to pay salaries and make strenuous efforts to attract the best qualified Barbadians from the more lucrative and local employment in construction, we will have to face the fact that there will have to be a recruiting drive overseas to bring the necessary qualified personnel into the rank of our Works Department.

The honourable Member commented that we do not have the physical problems of other countries in constructing roads, that the terrain of Barbados presents few problems. With respect, Mr. Deputy Speaker, all that means is that we do not have to construct mountain highways or bridge the Amazon.

The honourable Member perhaps would not know that, since his time, there was a great controversy over the cost of constructing the Speightstown By-pass. The initial estimates of the Ministry of Communication and Works, as it then was, for which responsibility was taken by the Chief Technical Director, were enormous. When the World Bank team responsible for handling Heywoods looked at the estimates, they said it would make the Speightstown By-pass virtually the most expensive road per mile that they had ever had to deal with on any project around the earth.

The Government, in its inexperience, believed that the estimates were too large. We tried to accept that a road had already been constructed around Heywoods as a basis for the by-pass, and tried to cut down on the estimates. In the end, Mr. Deputy Speaker, the Chief Technical Director was proved right, and persons who questioned his judgement were proved wrong, because it turns out that the drainage problems in Barbados, and the standards to which we seek to build roads to avoid those problems, create just as many difficulties as if we were building roads through the Himalayas.

Of course, we do not have to contend with frost, but we have to contend with sudden floods with one, two or three inches of rain falling as a matter of course during 24 hours, and floods of great intensity and volumes coming every eight or ten years. So we have had to adopt standards based on the following: Will we build a road to the standard that it will not be flooded under the conditions that occur once every five years, or will not be flooded under conditions that occur only once every ten years, or will we build it to a standard of even 25 years of catastrophic floods that cover parts of Barbados under our tropical conditions? I think the drainage problem as outlined by the Deputy Prime Minister perhaps is the greatest of all that we have to consider in construction work in Barbados.

2.00 p.m.

The honourable Member for St. Michael West (Mr. B. M. Taitt) spoke of his constituents walking upon water and seeing flood conditions and mud overtake them. Barbados is a country that has a high and heavy rainfall, and the fact that we have three or four months of drought only means that when the rain falls at other times of the year, it falls that much more heavily. A flat country, where you have to sustain regularly, virtually every year, conditions in which six, eight or ten inches of water fall per month, is always going to

be a country where roads will be flooded, mud will be churned up, difficulty driving and harsh pedestrian conditions will be met.

It is to be remembered that more rain falls in Barbados in the months of September, October and November than normally falls in a whole year in any European country. We are dry only by the standards of the mountainous countries of Dominica, St. Lucia, or other Caribbean territories. We are not dry by world standards, and therefore roads are going to wet unless they are constructed to special standards, and the tenantry roads of Barbados have not been constructed to those standards. The best that can be done for them is to give the road some camber and have gutters which will, it is hoped, carry off the flood waters.

But in Barbados we have adopted another practice. We put concrete slipper drains on the sides of the roads and these drains are generally incapable of carrying off even quite moderate rainfall unless there is a frequency of outlets and wells, which the resources of the MTW have not been able to afford for many many years. Perhaps, therefore, it is unfortunate that a debate such as this comes during an exceptionally rainy July, because the problems of rainfall are present to everybody's mind.

It is not only the poor people that live in tenancies who suffer from excessive rain. I would invite honourable Members to come to Walkers Terrace, St. George, where the freeholders have had to walk down to the drainage point where the well was dug, which was supposed to drain off the water, and wade in above their knees with shovels to move out the debris that comes off Gun Hill and comes out of Walkers Terrace and blocks the drain at times of high rain. It is a problem common to everybody, although undoubtedly it is a problem more acute in areas where roads were never laid down before houses were placed in position.

Mr. Deputy Speaker, the Government has tried to ride a four wheel chariot, to quote an expression of one of the Leaders of the Opposition, *bête noir*, in respect of road repairs in this island. Firstly, we are undertaking the first major highway building programme to be carried out for three hundred years. I make no apologies for saying that. We are creating new highways where highways did not exist before — not ancillary to any project, but for their own sake.

Secondly, we are trying to identify parts of the existing highway system that need to be maintained at a high level to carry heavy commercial traffic in the conditions that exist in Barbados in the Eighties. This will involve strengthening, rebuilding of bridges, widening of the roads, improvement of corners.

I cannot identify every single project, but we only have to think of Blowers Bridge in St. Thomas, the widening thereof; we only have to think of Bridge Road in St. Michael; we only have to think of the junction along Highway 6 and Highway 5 in Christ Church; we only have to think of the many points where we are clearing visibility on Highways 1 and 7, works which are going on all the time and which perhaps because we see them so frequently, we take for granted.

Thirdly, we have to think about giving paved roads to those few remaining parts of Barbados, mainly country tenancies, but improving some in St. Michael as well, that have no roads at present.

Despite the Tenancies Act, Sir, tenancies are still being created in Barbados. I remember advising a very old lady — making a will for her — she was 99 years old and she lived to be over 100 — in my own constituency in St. Thomas, on devolution of a parcel of her land. When she passed on, the beneficiaries under the will decided to open a tenancy, and I discovered this tenancy only by visiting my constituency, not because, as representative or as Prime Minister, anybody asked about it.

But there is now a tenancy in what was formerly agricultural land — I wonder if the Town Planner knows about it — with a number of my constituents living on it, and for whom as a constituency representative, not as Minister responsible for Planning, I will carry the responsibility for seeking roads, water and light. This, Sir, is being carried on partly with the assistance of the Transport Levy, which an enlightened Cabinet agreed to institute to deal with the problem of road transportation in the island.

And fourthly, we have now not only to deal with the new subsidiary roads, but we have to deal with existing subsidiary roads, which have already been made up again at all levels, and try to get them in order.

Some of the worst potholes are not to be found in Parris Gap. Some of the worst potholes can be found in Atlantic Shores. In Parris Gap, they may be more of a nuisance to the residents because they have to walk through them. In Atlantic Shores, they are of assistance to the persons whom the Leader of the Opposition mentioned, namely, the proprietors of spare parts garages, because the potholes there are so drastic and serious that they must damage motor cars in the end.

This four-wheel chariot is a difficult one to navigate, because there is more than one Ministry concerned with it. The Ministry of Finance and Planning has responsibility for initiating decisions of major highway development, obtaining the finance for the feasibility studies and conducting the negotiations for the funds to finance their construction. It has the responsibility for

allocating sums of money to the Transport Board, and other forms of the Transport problem, between the other three, calls upon the limited resources of the island.

The Ministry of Transport and Works has primary responsibility for carrying out the work. The Ministry of Housing is brought in, unnecessarily sometimes, and given a great deal of work to do in land acquisition and in co-ordinating decisions on policy indicating what developments may be taking place. The Planning and Priorities Committee, which brings together all these arms of Government, has the responsibility for debating the macro-economic problems involved and suggesting solutions.

I therefore, although I recognise that every representative has to put his case for his constituency, deplore looking on the road problems in Barbados through the wrong end of the telescope. What we need to do is to use our commonsense and our wider vision — not take some microscopic inspection of the difficulties experienced by two or three people. These difficulties will all be put right in the end. That is the point which we must understand.

Motor car owners, who at present have to drive down the narrow stretches of Bank Hall Road or go through Eagle Hall, will eventually have other options open to them. Persons in tenancies will gradually see that as ownership is transferred to the tenants, the Government's plans for improving the infrastructure of the tenancies will come to full fruition.

After all, Mr. Deputy Speaker, since we have been in power the tenancies now all have electricity and water. There are very few spots, I do not offhand know of any, which are without access to electricity in Barbados. There are some houses without electricity, but I know of no location where the inhabitants do not have access to electricity. That is a development of the last seven years. 2.10 p.m.

There is nowhere now that does not have access to piped water, a boast that the United States or Great Britain cannot make. There is nowhere that does not have access to a telephone service. It can only be expected that it is only time before the road systems are as complete as we can make them.

Mr. B. M. TAITT: Sir, if the right honourable Member would give way on a point of elucidation: The right honourable Member now speaks of the new tenancies, or the tenancies that will fall within the ambit of the new tenancy law. My speech was concerned with the original tenancies. The tenancies in the St. Michael area are old tenancies which have never benefitted from either the old approach or the new approach. The only point I made was that we have not had any exercise of

new approach or old approach to the making or repairing of tenantry roads in Alkins and Hanschell Land and those areas.

Aside.

Rt. Hon. J. M. G. M. ADAMS: The honourable Member is not going to mention Prescod Bottom. I do not believe he talked of holes in that area. Maybe the honourable Member is exercising the same discrimination against Prescod Bottom that he accuses us of exercising against Parris Gap.

(Mr. B. M. TAITT: I mentioned it.)

Rt. Hon. J. M. G. M. ADAMS: Did you mention Prescod Bottom?

(Mr. B. M. TAITT: Yes.)

Rt. Hon. J. M. G. M. ADAMS: All right.

The honourable Member is perhaps not familiar with the Tenancies Act. The Tenancies Act does apply to the old tenancies. We are not talking only of plantation tenancies. We are talking of the Tenancies Control and Development Act.

Time is required. There has been a great shift of Government's resources to transport and the highway system in the country. But Rome was not built in a day, nor can all the tenantry roads in Barbados be fixed in five years.

I will tell you this, Mr. Deputy Speaker. The honourable Member, I believe, is putting in his claim in that way because he knows that the roads will be fixed and he wants to be able to tell his constituents that they do not have to thank the Government for them — they have to thank him for them!

I used to do that in St. Thomas when Boxill was.....

Mr. B. M. TAITT: On a point of order, Sir: The right honourable Member may be suffering from having come in late, but I read a letter which was written in 1981, not 1982!

Mr. DEPUTY SPEAKER: That is not a point of order.

Mr. B. M. TAITT: I have not made the point of order yet, Sir.

Mr. DEPUTY SPEAKER: Oh. Well, you cannot make a speech before you make your point of order.

Mr. B. M. TAITT: I beg your pardon, Sir.

Mr. DEPUTY SPEAKER: The honourable Member must make his point of order and draw it to the House's attention where the right honourable Member for St. Thomas is going wrong.

Rt. Hon. J. M. G. M. ADAMS: All the worse, Sir. He was begging his own Government for help and he has to turn to us because his own Government could not give him the help. All the worse.

Sir, the honourable Member knows perfectly well that roads are a priority of the Government. He knows that. And he knows that the Government is doing its best, within the resources available to it, to complete the roads. He knows perfectly well that the Transport Levy is being spent partly on buying buses for the Transport Board and partly on repairing subsidiary roads.

We are not spending the Transport Levy on the highways, we are borrowing money for that. The Transport Levy is being used to help old people with the roads in front of their houses. That is what the levy is there for. That is why, in my opinion, people are now accepting the Transport Levy because they see that the Government is making transport one of its priorities.

I would ask honourable Members, in the spirit of concord and constructive debate that has prevailed today, to bear with the Government and recognize the efforts which we are making, not in any partisan sense, to deal with all the problems affecting the matters referred to in debate by honourable Members on the other side today.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: Sir, I beg to move that this sitting be now suspended until 3.00 p.m. today.

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

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

ON RESUMPTION

Mr. DEPUTY SPEAKER: This sitting is now resumed.

ORDER NO. 3 — Cont'd

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

VESTING IN GRAFTON HEADLEY OF A PARCEL OF LAND AT BAGATELLE, ST. THOMAS

Order No. 4 was called – To move the passing of a Resolution to approve the vesting in Grafton Headley of a parcel of land at Bagatelle, St. Thomas.

Hon. L. S. CRAIG (St. James North): Sir the Resolution before this Chamber is seeking parliamentary approval to sell a parcel of Government-owned land at Bagatelle, St. Thomas. There is a building owned by Mr. Grafton Headley on this land, which has encroached.

The lands were bought by Mr. Headley from Burnup and Simms some years ago and form part of a plateau overlooking the Bagatelle quarry. The land is virtually of no use to the Government and the Government wishes to facilitate Mr. Headley, who wishes to use it for his furniture manufacturing operation, which he has at Rendezvous, Christ Church. This is why we are seeking to have this Resolution passed by Parliament.

I beg to move that this Resolution do now pass.

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

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

Order No. 10 was called – To move that the House resolve itself into Committee of Supply to consider the grant of sums of money for the service of the island.

COMMITTEE OF SUPPLY

On the motion of Hon. L. S. CRAIG, seconded by Mr. R. E. BRATHWAITE, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee of Supply, Mr. J. G. ODLE in the Chair.

Mr. CHAIRMAN: The House is in Committee of Supply.

SUPPLEMENTARY ESTIMATES 1983–84 – No. 3 – \$14 MILLION

Part II – Capital Head 73 – Ministry of Finance and Planning.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): This is a Resolution for more money for the development of Barbados, the creation of more jobs and the creation of more export capacity. It is necessary to pass it so that the Ministry of Finance can draw down, for passing on to the appropriate agencies, sums of money which have been lent to us by the World Bank for the purpose of establishing an Industrial Credit Fund.

The Addendum is very complete, and I would therefore recommend it to honourable Members. It points out the use of the Industrial Credit Fund, it then speaks

also of the Housing Credit Fund, which is the USAID money, which would facilitate the ability of the private sector to provide new homes and home improvement for low income families by providing financing to do this, and it also provides funds for the financing of the implementation of the Tenantry Freehold Purchase Act to purchase house spots and make improvement.

Basically, Sir, this sum of money is representative of the fact that we are now resuming our expansionary policies of development after the recessionary period that we have undergone over the last two years.

In moving its passing I would want to thank all those responsible in the United States AID Department, the Agency for International Development, and also President Reagan himself, who took a personal interest in the matter.

I am sure that those in the new Housing Planning Unit, which is the co-ordinating agency responsible for planning, co-ordinating and monitoring the overall housing programme, will be aware of the demands for housing and house spots in Barbados and for home improvement, and that over a period of three years we will see an intensification of the housing programme in this island, we will see the figures of 1978, 1979 and 1980, when more houses were built than ever before in Barbados, improved on between now and 1986, Sir.

All members of the House, I am sure, will support the passing of this Head.

I beg to move that this Head stand part.

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

Mr. B. M. TAITT (St. Michael West): Mr. Chairman, I do not believe that we are going to initiate any large scale debate on this at this stage, because this matter has been debated already in a different forum.

I wish that the Prime Minister had not in his introduction taken the opportunity to utter certain words, which, in their simplicity, are as dangerous as the words which were uttered just prior to 1981. I issue a warning to him, he has begun that very serious and wrong-headed thing of giving the people out there to believe that all is well and all is going to be well in the garden. I believe there is a better way in which what he wants to portray can be said, but if he gets up and says that the recession is over – his words were to the effect that this was the end of the recessionary period and the beginning of the new, shall we call it, the new prosperity? – those are my words – that is dangerous for this community.

This \$14 million that he is moving in to supplement the Capital Estimates is a technical Resolution. They

borrowed some money which we debated last week, and they borrowed some other money, so the vote has to show the \$14 million. It is wrong-headed to get up, unbriefed apparently, and try to give the impression that some 14 million new dollars are now hitting the slide and we are in the period of take off.

Mr. Chairman, I am going to forego my natural inclination to launch into all the reasons why that is not so and leave that for a later time and another place. I know the honourable Member believes in the philosophy that the time to kick a man is when he is down, otherwise he can get back up, but I am not going to take this opportunity to kick the Government in its teeth, because I do not believe it can get back up.

Aside.

Mr. B. M. TAITT: Mr. Chairman, I think that I had better mash them on their fingers a little bit, and maybe walk on their faces. I will just give you one example of what I am talking about. We have already heard a lot of foolish talk that tourism is starting to improve and the numbers are increasing, but I am sure that if an examination is made of our spending patterns, what is happening with the actual money, it will be seen that Barbadian hoteliers in particular are in a state of danger. There is not a hotelier in Barbados with a property of 50 rooms or less who would not report that life is harder than it has ever been.
3.15 p.m.

But, Mr. Chairman, my colleague wishes to say a few words about the technical aspects of this arrangement and I am going to give way to him, because I do not think the Prime Minister really wants us to talk about lay-offs at the BMC, the lay-offs in the private sector and the closing down of a number of other places and how people really cannot find housing and how this \$4 million, according to them — because it is only \$4 million which is going to actual housing.....

Aside.

Mr. B. M. TAITT: Six million? How much ever is going to housing, it will not do more than dent the surface of the massive numbers that go to the National Housing Corporation every week searching for somewhere to live.

I have two poor constituents from Dr. Clarke's Gap who have been evicted through the courts. They have been trying to find a house now for four months and they have made 11 visits to 11 different agencies, and it is like sending the fool further and further. There is no prospect of getting a house, and this \$4 million will make no difference. But I am going to let my colleague speak, for the time being.

Mr. W. O. FRANKLIN (St. Philip North): Mr. Chairman, I just want to share a few thoughts on this matter. I regret, Mr. Chairman, that despite the fact that the present Administration is giving the impression that they are zeroing in on housing as their No. 1 priority for the up-coming years, they have fallen down very badly in the area of providing the manpower to administer any funds that might come their way.

Even when the present Minister of Labour (Hon. DeL. O. Bradshaw) was Minister of Housing, I heard repeatedly of a White Paper on Housing that is supposed to be coming out of the Ministry, which will put forward Government's views on the housing, and offer solutions, for the next ten years. I have not heard anything further about the White Paper.

I am not up-to-date on the personnel available to the Ministry of Housing, but from my little knowledge of the Ministry of Housing, I am stating without contradiction that the Ministry is not so staffed for the take-off in housing that we are looking for.

Since the present Minister has taken over as Minister of Housing, he started in a very disastrous way, in my opinion. At the time he said the Members of the Board were not able to carry forward the policy. He dismissed or sent home the then manager. I do not know what has become of that young man, or one of the engineers who went home, but it is within my certain knowledge — I am not being in any way contemptuous, I am not being wicked about it — that nothing has happened in the Ministry since that change of Ministry. Absolutely nothing has happened!

I understand it is a period of stock-taking. If it is a period of stock-taking, I hope the books balance and we can move forward.

But let us get back to the Resolution before us. The problems we have with these present tenancies are numerous. All parliamentarians know of them. On Sunday I went into Lynch's to view a desperate situation. I met a young man and he said to me, "Skipper, we need two boats, one this side of the water and one the other side of the water." That is a fact. The entire road is impassable, so when the people are going to work in the morning, they have to go round and round.

I spoke to the Ministry of Transport and Works. I sought to get the Deputy Director of Maintenance. He is on leave, so I spoke to a Mr. Massiah. I explained the situation to him. All I was asking for is that they do something so that the people can get to work, and he promised he would pump the water off and drop at least a load of marl on the road so that the people can get to work. That is all we are asking, but up to yesterday the people were still ducking around the back yards

of other people. Luckily, it is an area where the people are very friendly, otherwise some would not be able to get to work, because they have to pass through the back yards of others.

The facts of the situation in Lynch's are very straightforward. I have seen the problem. It is such a serious problem that I am gathering tenants together to see if we can form a little company around them to purchase some land and divide it. It is as serious as that. It should not be as serious as that.

What is the seriousness of the situation? In most of these tenancies, the owners of the tenancies are willing to get rid of them because the rent is relatively small, so it would be to their advantage, in most cases, to get rid of these areas. The tenants in most of them are anxious to purchase because they want to put on a wall back and provide toilet facilities.

But you have a dilemma in that the land owner is saying that the rents are not enough to justify the expenditure of the infrastructural work. When he provides the infrastructural work he is not certain that all the tenants would purchase, and he might be caught with improving the tenancy and not being able to raise the rent and not being able to sell. So you have everybody willing to get rid of the land, but no solution to it.

You have the Tenancy Control Development Act, which gives the Minister or a majority of the tenants the right to demand a designated area. But the problem, as I have said before, is that you have passed these laws, but you have not provided the staff at the Ministry of Housing to make it possible for anything to be done with the legislation.

Let us be practical. Suppose in every tenancy in Barbados we, the representatives, know the people want to own them, that the majority of the tenants insist that the Minister designated them as tenancies and provide the infrastructure and housing plans. There is no way that the Ministry of Housing, as it is presently staffed, could handle not even two tenancies in a year out of the hundreds of tenancies that we now have. So we have all the components there — people willing to buy, landlords willing to sell, the Act to back up the necessary action — but you have no management to bring the whole thing together.

3.25 p.m.

This fund is an admirable fund for us to use in a project like one at Lynch's, and I am quite prepared to let you experiment in this field. I would even put in the ground work on Lynch's for you. Ninety-nine per cent of the people at Lynch's are willing to purchase the lots which they are on, and I am certain that they would be willing to put up front some of the money on their lots

to allow the landlord to go ahead and put in the infrastructure and then buy it.

But you have an area of mistrust. The people are saying if we put our money up front and the landlord puts in the infrastructure, how are we to know he is not going to raise the cost of it? etc. The landlord is saying if I put in the infrastructure, how am I to know that anybody is going to purchase?

I am saying that the Ministry of Housing should be so staffed with a project unit — it does not have to be a big project unit — that it could immediately co-ordinate areas like this and put the projects on go. You have to put the project on go; it is not difficult to put the project on go. The funds are available through this loan; we can get a block loan for the tenancies, with certain commitments by the people that they are interested in purchasing; the funds could be administered by the project office and the Ministry of Housing; you put in the infrastructure, put in all that is necessary; the people will complete their payment and the landlord is given what is a justifiable price for his individual parcels of land. If you do not have this type of personnel available to the Ministry, despite the fact that there is money available for the people to purchase, you are still going to have people being able to acquire or borrow some money, but there is the reluctance of the landlord to let them build any wall and you have to wring their hands all the time.

I am saying that if housing, as it really should be, is to be the priority of this Government, they do not only have to provide money. I am glad to see this money, I have talked about it before, but certainly they have to strengthen the Ministry of Housing with people who can make a meaningful contribution to get the project going. Let us have the right people available, let us be able to debate it and make suggestions, have a long-term housing plan of what you need for the people of Barbados, and let us take off on it, because it is an area in Barbados that could bring the greatest contentment not only to the recipients, but to any Government that can deliver the goods. I am beseeching you to start, when you are ready, with the correct management, from the Minister down, that has the ability, the will and the know-how to push housing on and let us get it going.

Thank you.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Deputy Speaker, just a small contribution on this. I sometimes wonder why it is that it is expected that the Government should godfather a scheme 100 per cent. Obviously the honourable Member who just spoke has a very clear and deep understanding of the needs to effectuate the objective of the Government. I would go so far as to say he is in sympathy with it.

There is absolutely nothing to prevent the honourable Member, in his private capacity, for crystallising and climaxing the objective which he has just outlined. In Lynch's tenantry, the bony problem there is the management. The Government has provided 75 per cent, and I invite the honourable Member to provide the other 25 per cent, because it is a fact of life in these developing countries that the Government cannot pay sufficiently attractive salaries to get all the management it needs for all the departments. In this tenantry scheme the Government has had to go to the Surveyors' Association and make arrangements to get a number of the surveyors to do the surveys. All the surveyors are not public-spirited enough to work for the scheme.

There is a great difficulty. We have few people in Barbados who have done ARICS Property Management option, therefore you have to depend upon people who have done land surveying and who have another background, engineering or housing management. There are very few people who have the B.Sc. Estate Management qualifications. As a matter of fact, I believe Trinidad is now introducing the qualification, so we must recognise that.

I am not going to let the other side get away with this, I want the Press to print it all the time whenever I say it, it was this Government that decided it was going to unshackle housing in Barbados from the bureaucratic procedure that the honourable Member for St. Michael North (Mr. P. M. Greaves) had left it in. It was this Government that passed the incentives for private development, and we now have Franklin and Franklin Developers, Land and Building Development Scheme Developers, Ideal Homes Developers, J. B. Corbin Developers, and we have about four or five others.

The honourable Prime Minister talked about housing statistics. It took a long time for us to be convinced, but this is the position. The truth of the matter is that we have a variety of private enterprise people working parallel with the Government in providing delivery. The demand out there is so great that we have people who specialise in one area of income and other people who are specialising in other areas of income.

In my own constituency, I have, and I can carry honourable Members and show them, just outside Oistins town, Ideal Homes doing the development of some 40 houses, coral stone houses, in Pegwell. Up top the hill at Callenders, the next door constituency, Ideal Homes is doing a little bit bigger house development. This is only in my constituency. I know that in Lodge Road area, in Ashby Land up by the industrial estate, another one is going up. So that is three of these private sector developments that are going along.

We do have, and this is the problem that we have in Barbados, to get money to people who are going to do

their own development in conjunction with their neighbours and with a little technical advice. That is where there is a gap, and we need to get a flow of funds to people in Barbados who on week-ends are going to put on the wall back to the wooden front of their house and in a short period of time have the whole thing completed in wall.

We thought that the Tenancies Act would be the ideal machinery to help. The bottleneck, I understand, is in the non-scheduled agricultural tenancies. With respect to the agricultural tenancies, I am pleased to say that everytime I check on them, I understand more and more conveyances are flowing. I have constituents in my own area who wish to get access to the land under the development control provisions of non-agricultural tenancies.

The surveyors have not got around to that area, because there are only ten to fifteen surveyors. I do not believe you have 40 surveyors in Barbados. Now are we to import from Guyana? That is the only place you can get them. The only place now in which there is a surplus of surveyors is Guyana. Are we going to import ten or 20 as part of the Housing Authority staff to deal with non-agricultural tenancies? That is what we are talking about, because the agricultural tenancies are going to take another couple of years at least to complete.

I would hope that the surveyors and builders would be able to come to Government and say we are so short of work that we would like to join in a co-operative effort with Government in delivering the services identified by the honourable Member. That is a challenge about which I am sure, if the honourable Member is willing to take up, he will have receptive ears on this side to fill that gap.
3.35 p.m.

I will also say this, Sir. I am very disappointed with the legal profession in this area, very disappointed. The legal profession has little interest in the Tenantry Act because there is no big money in it. But the Government is going to have to get a group of the youngsters, who are starting off and who are having a little difficulty out there in making a living, and pay them.

I object strenuously — and some complaints have come to my ears — to any lawyer saying that he is working for two sides in this transaction, especially when he is a public officer. I am doing some investigation. If it is true, it is a very serious thing.

We have to understand that all the professional people in Barbados are not motivated by the same public spiritedness as the Members who come in here. Some of them love to stay outside, they love to criticize the Government, but they do not intend to make one iota of sacrifice. Of course, some of them would have loved to

have made the sacrifice, but the people would not have had them.

They can write as many foolish articles as they like. It arises from disappointment, from a lack of ability at the early stages in their life to have received a professional qualification so that they could have devoted their time to learning the rudiments of politics. But you will get that.

The basic position is that while we can identify that there is a gap in the machinery in the form of professional management, the Government, in a developing country like Barbados, does have some limitations. The salary scales that we pay cannot attract some people. Some people ought to be attracted by public work in Barbados because there is no hope of them every making a reasonable living honestly outside. That is true.

(Mr. B. M. TAITT: Give us an example there.)

Hon. H. B. St. JOHN: I do not have any examples. That is a fact of life. The Bible says, "Many are called, but few are chosen," so you can have 100 or 120 of them out there. Yet, it is the aim and the belief of everybody when you go through Law School that you are going to make the top. But very many, very early, recognize that you better try and look for a good shelter.

The point is that we need to have a co-operative effort from all of us. I invite the honourable Member, from his professional point of view, to bring together that expertise. The fact that he is on the other side is not going to prevent the Government from assisting. If it was the other side now in power, I know that he would have no hope ever of getting a job. But once this Government is in power, and we recognise that you have talent in this area, not politically wise, we will let you earn your daily bread, because we feel that in a small country like Barbados we want to galvanize all of the talent that we have.

Mr. B. M. TAITT (St. Michael West): Your Honour, before the Minister responds, I just want to take up the honourable Member on two things he said.

First of all, I am very glad to see that, now the shoe is on the other foot, the honourable Member has finally understood why the Bay Land took so long and is probably not completed. I well recall the honourable Member, in the Other Place and subsequently down here, saying that if he had the power, he would have got the surveyors to complete the conveyances in the Bay Land. I am glad that the honourable Member now understands why it has taken so many years for the plots in the Bay Land to be conveyed, and that it was not the honourable Member for St. Michael North (Mr. P. M. Greaves) who has caused this difficulty in the Bay Land.

I want to correct another misimpression. Who developed the areas on Cave Hill outside of the University? To say that the Labour Party unshackled housing from the bureaucracy; which the honourable Member for St. Michael North had left it in is inaccurate. Private developers in this country worked alongside the National Housing Corporation under the Minister responsible for Housing, the honourable Member for St. Michael North, and developed the whole of Cave Hill. J. B. Corbin and Sons, or whatever the name of the company was, worked with the Government long before the Labour Party took office. So it is not accurate and correct to say that.

(ASIDE: Land development and building.)

Mr. B. M. TAITT: Land development and building was going on long before the honourable Members came into power. And it really is not correct to leave the record.....

(ASIDE: Joy.)

Mr. B. M. TAITT: in the state that the honourable Member would leave it.

The former honourable Member for St. Andrew pioneered the development of small wooden houses for a large number of people in the St. Andrew area, who were able subsequently to go on and improve on their property. And it cannot be gainsaid therefore that a tremendous amount of initiative was taken in housing development long before the honourable Members came to power.

I would like to suggest to him that it is not true also that Government cannot afford to pay the proper salary to attract the right persons. I think it is time that we, on both sides, stop saying that. I think that where you have a need that has been demonstrated, and it is manifested that we should bite the bullet, as the right honourable Member for St. Thomas (Rt. Hon. J. M. G. M. Adams) likes to say, we should take the step and get quality for quantity.

As the honourable Member said, if you hold a pint pot under a pipe for two years, at the end of the day you still have a pint. It is no sense trying to get large numbers of people who are incapable of doing the work, when you may be able to get a small number of people who will come for a very worthwhile fee to do the work.

He talked about developers and he talked about the expertise of the honourable Member. I would like to take this opportunity, while we are debating this, to offer congratulations to the honourable Member for St. Philip North (Mr. W. O. Franklin), this really ought to have come under "Congratulatory Speeches" — who recently qualified as an adjustor, the only Barbadian with that

particular qualification. I think this is something of which we have to be proud. So when the time comes for his expertise to be used, whenever the time presents itself, the people in Barbados and the Government will have no choice but to use that particular expertise, since he is the only one of his kind around.

I think we are very fortunate that he is a public-spirited person, who is not prepared to allow the fact of his political alignment to interfere with his professional behaviour, and for those reasons he puts his professional expertise at the behest of the Government, or perhaps, especially the Government which notoriously does not pay very well, except perhaps at a certain level.

But I do not think it would be right for the honourable Member to leave the Record as uncertain as he did by suggesting that private housing development started in 1976 when the Barbados Labour Party came into power. I would go further and say this. If he has allowed himself to be convinced by the right honourable Prime Minister that they built 3 000 houses by including those private developers as what you have done —

(Rt. Hon. J. M. G. M. ADAMS: I never said 3 000.)

Mr. B. M. TAITT: Well then, if you go back and examine the Record, the statement was made in here in the First Session, that 3 000 houses were built. And I am making the assumption that honourable Members are sufficiently fast and not like the writer he discussed. I am assuming that the honourable Members over there have the capacity to absorb.

(Rt. Hon. J. M. G. M. ADAMS: Over the five years, it was more than 3 000.)

Mr. B. M. TAITT: Check with the only good Housing Minister that you have had and he will tell you that the 3 000 statement was made. I am going now on the basis of what the other Housing Minister said. But I am not going to start that again today.

The point is that the 3 000 houses which you claim to have built, you said you built along with the private developers. When we have used that same methodology, we discovered that we built 15 000 houses in a corresponding period. But that methodology is not useful to examine your performance. To say that you build 175 houses in 1983, when the techniques for building have improved so dramatically, as a result of the bold initiatives taken by the Democratic Labour Party, is not to say very much. You and I know that you have to build something like 700 houses per year for the next five years in the category of persons who will purchase their houses alone.

3.45 p.m.

The fact that some of the private developers have been ripping off people has also got to be taken account of.

(Hon. L. R. TULL: Man, Taitt, stop talking now. I am tired hearing you).

Mr. B. M. TAITT: You bring us down here for six weeks every week and now you are ready to go home you tell me I am talking too long? Mr. Chairman, I am going to ignore the Attorney General. I will refuse to hear him for the rest of the day. I will listen to the Leader of the House, because he is a serious man, but the Attorney General just came in, he was not even following the debate, and tells me I am talking too much. In this area of housing, the Attorney General is not to be heard.

The point I am making is that the Deputy Prime Minister cannot blow hot and cold at the same time. He cannot tell us of the great expertise in housing in his Administration when his present Minister of Housing himself has told us that no one who held the portfolio up until he came knew what he was doing. He told us so, so if he tells us so, we have to accept his word.

The Deputy Prime Minister is not an expert in the performance of Ministers, the Prime Minister believes he is, and he has been proven to be wrong too, apparently, but the Ministry of Housing, according to your own spokesman, is the most disastrous department in your disastrous Government.

(Hon. H. B. St. JOHN: But we did a lot, though).

Mr. B. M. TAITT: You are coming here now to give people the impression that you have built a lot of houses. If you wish to do that, that is all right, but I will merely put the record straight and re-establish that housing in this country moved from one sphere to a completely different level when the Democratic Labour Party made its full initiative.

We have built so many housing units in this country that you can go as far as the eye can see in any direction and you will see the quality and the quantity of housing that was established. In the constituency of St. Michael North alone there are five housing estates, Eden Lodge, etc. There were new initiatives taken every time there was a new start in housing.

Mr. Chairman, I just want to set the record straight. The Deputy Prime Minister said he wanted the Press to publish what he said. I would say that I want the Press to examine what he said and publish what was counter-said so that the record will be clear. I will not let him get away. We all want to go home, but he sneaked it pass this Honourable House, and the next thing I will see is a head-

line tomorrow in the Press, or hear it on the radio. We cannot have that, we have to straighten it out.

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

Order 10(b) was called – To move the passing of a Resolution to amend the Explanatory Note to Subhead 8 – Fisheries Development Project under Capital Head 74 – Ministry of Agriculture, Food and Consumer Affairs.

Hon. Dr. R. L. CHELTENHAM: I beg to move that further consideration of this Head be postponed.

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

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

SUPPLEMENTARY ESTIMATES 1983–84 No. 6

A Resolution for the sum of \$440 293 was called.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Chairman, this is a Resolution to enable the Government to draw down the balance of the defence loan. The repairs period has expired now and we just have these final bills to pay. Although we have the cash in order to pay the bills, we have to appropriate the balance of the funds. There probably is something left back in the loan, Sir, I could not tell you how much is left back, but I know the outstanding bills amount to this and we need to appropriate the funds in order to pay them, the retention sums on the building of the workshop and that sort of thing.

I beg to move that this Resolution do now pass.

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

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

AMENDMENT TO EXPLANATORY NOTE TO SUBHEAD 8

Hon. Dr. R. L. CHELTENHAM (Christ Church East): Mr. Chairman, following the discussion of the Estimates last year, and particularly the provision relating to Oistins, Head 74F, it has been decided that the ice making and the ice storage facilities at Oistins needed to be expanded by the installation of an ice making machine.

It has also been found that the gradient of the slipway and the size of the hauling winch at Oistin should be modified.

The wording of the note has been so rigid that we do not have enough flexibility to accommodate these two amendments.

In addition, the Ministry is considering carrying out a feasibility study with respect to the provision of our wholesale and retail vegetable market outlet some place to the west of where it is expected that the boats will be hauled in. In order that the money under the Head can be used for these multiple purposes, it is proposed to amend the note to read as follows:

“Provision under this Subhead represents the anticipated cost of the design stage of this project which is aimed at providing improvement and additional marketing facilities at existing fishing sites, including Bridgetown, Speightstown and Tent Bay.”

I beg to move, with these remarks, that Head 74 stand part.

Hon. DeL. O. BRADSHAW: I beg to second that.
3.55 p.m.

Mr. W. O. FRANKLIN (St. Philip North): Mr. Chairman, Sir, I would like to take this opportunity to ask the Minister of Agriculture about a matter which has caused me considerable concern.

The Ministry of Agriculture and Fisheries has been taking some initiative to try and get the fishing industry going, an industry which we all know has tremendous potential not only for providing protein at a reasonable price, but providing an income and living for the people of Barbados.

An industrious constituent of mine, Mr. Chairman, after considerable time, saving, energy, expertise and otherwise, managed to persuade the Barbados Development Bank that he had a project which was very feasible, and they made a loan available to him for the purchase of a boat. At that time, it was the young man's understanding that there would be no duty payable on the boat that he was seeking to purchase.

That young man, Mr. Chairman, designed the boat almost single-handedly. He went down to the builders and he instructed them on all the things he wanted – hydraulics, hauling equipment – and at some considerable expense spent well over Bds. \$200 000. The boat landed in Barbados, and the nightmare of that young man started when he discovered that the Customs authorities were not certain whether or not there was duty payable on that boat.

Despite the fact that he sought in all circles even for the opportunity to use the boat while the decision

hear that you are affecting the small man. The first cry you are going to hear is that you cannot insist on proper road building standards in developments in Barbados because you will be affecting the small man; he would not be able to buy property in developments because it would cost too much. We have to make up in our minds whether we wish to have a period of time in which we can rebuild those areas of roadways which are not properly done — and were not properly done, because of the lack of enforcement pre-1959 — and whether we are going to have a comprehensive programme.

I know the Government's record in this respect better than the honourable Member. I have studied it very carefully. We have done more roads, tenantry roads and subsidiary roads, in the last seven years, than during the whole of your fifteen years, so do not talk. That can be statistically proven.

Your Honour would recall that at one stage, early in this Government's reign, that they used to challenge us. When we produced the figures at Estimates time about the number of kilometres of road done in our time, it showed more than they had done in their time, much more; and up to now we would have trebled the amount of roads you did.

(Mr. B. M. TAITT: Not one in my constituency).

Hon. H. B. St. JOHN: Not one in my constituency either! My constituency did not get any roads! You heard the honourable Member say something. He said he accepts the fact that a Minister of Transport would beat home drums first. You accept that, but you do not expect that we have fifteen or seventeen home drums to beat first before we get over there?

Mr. TAITT stands.

Mr. DEPUTY SPEAKER: Two honourable Members are on their feet. On what does the honourable Member rise?

Mr. B. M. TAITT: On a point of explanation. One wonders why there are so many changes of Ministers of Transport. I now understand. I am going on.....

Mr. DEPUTY SPEAKER: The honourable Member must not make a speech at this point in time.

Hon. H. B. St. JOHN: You see what I mean, Sir? We have fifteen years of neglect on this side to catch up with. That is a fact.

We must attack the problem of the value that we get for the money that we spend. We must say that there must be a principle upon which roads are to be allocated out of the money every year. But when you try to say

that it is not being done because of your membership in the Democratic Labour Party, you are putting something into the political arena which should not be there. This should not be in the political arena, definitely not in the political arena, so I am all in favour of a procedure in which every year, a portion of the money is to be spent on all of the constituencies in Barbados.

I remember that when I was a member of the Opposition, I appealed to the then Government to let us have a Parliamentary Sub-committee which would approve a similar system to what we had in Local Government time, a committee to go around and assess the relative merits and demerits of each area. I said I did not expect all the money to be distributed that way; I would have been most unreasonable if I said that.

When I was over there, I advocated that we should have a sub-committee. If you had taken the advice then, we would not have suffered fifteen years the historical neglect, which is one of the problems we have. One problem is that you had been so neglectful during your fifteen years; you had nothing to do with any of the roads in areas represented by this side which had to be repaired then. And in any call of justice, there have to be worse than yours.

We have people walking on mud tracks with no foundation at all. The honourable Member has few roads in his constituency in that condition. Most of them are the original roads that were created after 1946, in which the then standards of the public health was a marl road — you had to dig out the mould and put in the marl. I can take you to Oistins Town now and show you certain areas that have nothing at all. People have to walk on mud, and I am sure you will find similar conditions in the constituencies in the country which most of the honourable Members over here represent.

(Mr. B. M. TAITT: Mine are like Jesus. They are walking on the water).

Hon. H. B. St. JOHN: I would say that the honourable Member is also very fortunate. I really hope that he does not persist in trying to get across his perception. It is bad for the honourable Member to be giving the impression that they are being discriminated against. I think that is a bad precept.

Basically, Sir, I hope that we would be able, through debates like this and otherwise, to come to a consensus on certain things, a consensus that we honestly are not getting value for the money that we spend on roads. I do not believe, this is my personal opinion, that the advice we are getting on drainage is the best advice. I say that on the basis of what I have seen.

I also do not believe that the enforcement of planning permission, with respect to the monitoring of compliance with the conditions of the drainage, is the best. I do not believe that either. I believe that we should have a systematic programme devised whereby a proportion of money should be evenly distributed. It should be about 5 per cent or 10 per cent. The major amount of money, I believe, would have to be distributed in accordance with priorities as recommended by the Minister of Transport, who, after all, would know more about these matters than we would know.

1.20 p.m.

I think that when we have a consensus and a movement in that direction, then we will be able to achieve what is the objective of all of us. All of us want to see all the roads in Barbados as smooth and as wide as the Spring Garden Road. All of us want to see the best, but we must recognise that we do not have the money to have the best at the same time; it will take time. It is only a question of the priorities.

Rt. Hon. E. W. BARROW (St. John): Mr. Deputy Speaker, I listened with a great deal of interest to the previous speakers on this measure. I was particularly interested to hear the honourable Minister who just sat down say that we took over the provision of water and roads throughout the island, as if it was some kind of indictment that the Central Government should take over the provision of water and roads for the people of Barbados.

I think I would like to go back to a point in time when I first entered this Chamber. I think he was a member of the Local Government for some years after, but certainly in the early Fifties, the two representatives for St. George, which was the constituency which I then served, used to be invited to meetings of the Vestry of the parish of St. George, and we would urge that when the Estimates came up, the claim of the Highways Committee of the Vestry should be paid attention to.

The kind of thing we used to get from the Vestry of St. George was that they were putting in for 900 feet of Tenantry road for the whole of the parish of St. George, and invariably the tenantry road would be over some plantation land, which would expedite the passage of the tractors and the vehicles of the plantation owners in that particular parish. The Vestry of the parish of St. George, like so many other rural Local Government authorities, was dominated by the plantocracy of this island.

One of the first things that we put in our manifesto was that we would improve the road system in the tenancies throughout the island, and I do not consider it an indictment against the Democratic Labour Party

Administration when we decided that we should make the provision of the roads in the tenancies — there are 4 900 acres of plantation and other tenancies in this Island — and the provision of light and water as a priority in our programme.

The honourable Member is an eminent counsel and member of the Inner Bar; I cannot remember him prosecuting at a higher level than the Police Magistrates Court. I knew that he only took part in private prosecutions rather than public prosecutions, but if he considered that an indictment, I am afraid that I would have to plead guilty to that charge of providing these services.

Asides

Rt. Hon. E. W. BARROW: He did public prosecutions? That is when they paid \$35 a case. I remember well when eminent counsel Mr. Dear used to prosecute for \$35 a case. That was his choice.

Mr. Deputy Speaker, what I was saying is that if that is an indictment to say that we provided these services, we will plead guilty. The point is that it was not on the basis of who represented the constituency, because if you remember, Mr. Deputy Speaker, we had a system of dual-member constituencies.

Let us take the constituency, first, of St. George, where you would have one DLP and one BLP member. We did not have the constituency divided, so I will take workmans and Ellerton and you can have South District and so on. The two members represented the whole constituency. If you were doing St. George, you had to do St. George. There was only St. Joseph which was fortunate, or unfortunate, not to have uni-party representation as far as I remember. St. Philip is another one perhaps, but there were very few constituencies, except St. Lucy, St. Philip and St. Joseph in which you had exclusive representation that way in St. Michael, and they used to swing from one side to the other. The point is that we did tenancies throughout the island.

Now where did the difficulty arise? I must join with the honourable Member for St. Michael West (Mr. B. M. Taitt) and the honourable Member for Christ Church East Central, I think it is, the honourable Minister of Trade (Hon. H. B. St. John), on this. The problem in Eagle Hall, in the honourable Member's constituency, is not a question of malfeasance; it is not a question of non-repair — it is a question of non-feasance. Alkins Land has never been done, in the same way that Pool Tenantry, Henley Tenantry and Clifton Hall in St. John have never been done, and it is not the fault either of the Democratic Labour Party regime or the Barbados Labour Party regime. The reason for non-feasance in these cases was not a question of bad repair or failure to repair,

but these roads have never been done by the plantation owners or by the Government, and these are the three most offensive examples that I can think of, because during our regime the plantation owners would not agree to the Government going in with one reservation.

When we come to Eagle Hall, Bosvigo Limited who owned Eagle Hall would be willing to let the Government go in and repair the road at colossal expense to the Government, but they wanted the right to subdivide and sell at their price, and we felt that if they wanted to subdivide — it is one of the largest tenancies in Barbados — they should carry out repairs.

That is where the Town and Country Planning Office came in, and the Town Planning Office said that because of the density and disposition of the houses in Alkins Land, Bosvigo Estate or whatever you call it; that lot of Eagle Hall which is enclosed by part of Barbarees Hill now President Kennedy Drive, Black Rock Road, Bridge Gap coming right around through Goodland and so on; that whole area where you have all the back roads, which have really never been done from time immemorial; it could not be sold as it was.

I cannot remember when it was first laid out, but certainly my recollection goes back to the late Twenties and early Thirties. I was not in Barbados myself for the first few months before 1927, so I cannot tell you about before 1927. But certainly, as far as I can remember, say 1930 when I would have been circulating around the Baxter's Road area going to school and so on, that was really a tenantry. The late Mrs. Hanschell was one of my uncle's patients, and I used to drive down there to the place on the left hand side of the road and I know the tenantry existed in the early thirties.
1.30 p.m.

It was laid out in that it had roads and it had a lot of houses on it. The roads were never tarred roads, they were marl roads. When therefore, we started our policy of fixing the tenantry roads, there was a conflict between the Government, the Town Planning and the owners of that tenantry, as there was a conflict between Henley Limited, the estate of the late Anthony Trollope, the travel writer who said such derogatory things about Barbados.

(Rt. Hon. J. M. G. M. ADAMS: He did not say derogatory things about Barbados.)

Rt. Hon. E. W. BARROW: I beg your pardon.

(Rt. Hon. J. M. G. M. ADAMS: He did not say derogatory things about Barbados.)

Rt. Hon. E. W. BARROW: Oh yes! Go and read them again. He had said a lot of derogatory things about

Barbados. The late Anthony Trollope, whose family now resides somewhere in Australia, he owned Clifton Hall. We resolved some of our problems with Clifton Hall because we managed to get the playing field from them.

But these were the tenancies where the.....

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, if the Honourable Member would give way to the memory of the late Anthony Trollope. Surely, all he said bad about Barbados was that the plantation owners were like large, white slugs living under burdock leaves. But he praised the island generally, as I recall it, Sir.

Rt. Hon. E. W. BARROW: He said that about the plantation owners, he said good things about the climate and he said other things about the other inhabitants, which the right honourable Member elects to forget, but which I will not forget.

We will not argue about that, we will not have a discussion about that. This is not a dissertation on Anthony Trollope, who did call the plantation owners slugs, but who also made derogatory remarks about the other inhabitants. That is not relevant really to the purpose of my intervention here today.

What I am saying is that it would appear from the remarks made by the Member for St. Michael West that this was a case of the Government not repairing the roads. The roads were never done at all, and I am merely giving the reason why there were never done. It was because the owners wanted to sell the tenantry but they did not want to repair the roads before they sold the tenantry; they wanted the Government to repair the roads. That impasse has got to be resolved in some way. I believe that Bosvigo Limited is still willing to sell the tenantry. But the tenantry could not be sold, according to the Town Planning, not of the roads — the roads are very narrow, it is true — but the bad layout of the houses, some of them being on less than 400 square feet of land and that kind of thing.

Some readjustment of the houses will have to be undertaken. Therefore, I think this is where the Land Acquisition Act may have to be brought into play and a proper layout of that whole village will have to come about. It can only be done by the Government, but not by paying the land owners any exorbitant amount of money.

I would like to draw the Minister's attention to a matter. He said we are not getting value from the Ministry of Transport and Works; as it was, the Ministry of Communications and Works. This is a question of staffing and the question of staffing is a question for Establishments. The question of what kind of staff you

need, surely is in the hands of the Government, any Government.

A lot of the work is now being given to contractors, but a lot of the supervisory work has got to be done by a Government. A lot of the actual bricks and mortar could be done by contractors. Whether it is being done at a greater cost or a lesser cost, I am not in a position to say. It is probably being done a lot more speedily by private contractors.

I only regret that it appears that too many overseas personnel and contractors are being employed in Barbados at this late stage of our history. I am not quarrelling with the principle, I am quarrelling with the question of whether we need to employ so many people from outside of Barbados to have the work carried out when we have competent firms here in Barbados which have done most of the construction work from the time that this country was founded. Even this building here was drafted by our local civil engineers in public works in the nineteenth century and built by Barbadian workmen, Barbadian foremen and supervisors.

But what we do need is a competent staff of people who will invigilate the work and monitor systems, particularly things like drainage, the closing up of water courses with garbage, the filling in by land owners of natural depressions which act as siphons, or those created by nature for the surplusage of surface run off in this country.

The honourable Member for Christ Church East Central (Hon. H. B. St. John) — Christ Church being the parish of his adoption; St. John, I believe, being his natural habitat when he was a youth — but certainly he has lived most of his life in Christ Church — he must have heard the expression that something would never happen until 'Maxwell Pond run dry'. I would invite him to go up and look at Maxwell Pond today. I would not be surprised if by December, 1983, somebody is not putting up some apartments on Maxwell Pond, because a lot of ignorant people come here and are the victims of real estate agents, who sell them quarries and natural water courses which have been filled in with garbage.

Ponds like Maxwell Pond will soon, very soon — be sold. You will be surprised that opposite Maxwell Pond, an area of land which is less than 30 000 square feet is being put on the market for something like \$3 million. So it would not be a far step for them to go across the road now to Maxwell Pond. And then, when they have finished filling in Maxwell Pond, you are going to get flooding from Oistins all the way down to Top Rock.

You will find that people are dumping garbage all over this country. And the Ministry of Transport and Works is not invigilating the filling up of our natural

water courses and the damming of our gullies not in order to conserve water, but in order to provide additional land area for people who wish to sell land for speculation; not to provide playing fields, and even that would be wrong. What we have is the throwing of old motor car bodies or dumping of garbage in these areas then the levelling of mould on the top, and selling it to some unsuspected purchaser as a suitable area on which houses could be erected. This is something which we have to watch very carefully. A lot of the flooding that we are getting in Barbados today is due to the fact that there is not proper inspection.

We have a department which is called the Town Planning. It is more like a development control department than a town planning department. All the planning in the Physical Development Plan of Barbados was authorised by the Town Planning Department. I am very surprised to hear that the right honourable Member for St. Thomas, before he became a Member of this House, had his own Town Planning Department and anticipated the construction of the Spring Garden Road, which was in the Physical Development Plan. Such a big secret it was!

Aside.

Rt. Hon. E. W. BARROW: I am sorry to hear that he did not give the light of his genius, the benefit of his genius at that time, so he would have saved the United Nations planners and the honourable Member for St. Michael North (Mr. P. M. Greaves) I think it is, a lot of hard work in order to have this road planned in our Physical Development Plan. Be that as it may. You will live and you will learn of these things all the time that the Barbados Labour Party had a physical development plan going in anticipation of the one which was published by the Government of the Democratic Labour Party.
1.40 p.m.

What I am saying is that in so far as the Town Planning Office is concerned, they do more development control. They are concerned about whether you are building within so many feet of the highway and that kind of thing, but there is no follow up action even after they have given permission for someone to develop land, to put in roads of a certain width, water mains, to see whether the requirements are complied with after they have given the planning permission.

I am not saying it has never happened, because obviously I cannot be all over the island all the time or any of the time — I can only say within my experience; and I do travel about and look at these things a little more closely than the average person — but I am not aware of a single instance in which an officer from the so-called Town and Country Planning Office — I am not saying that in a derisory sense when I say 'so-called'; only for

want of a better term — has gone out after permission has been given and checked at various stages of the development to see whether the proper materials are being put in a road, whether the building lines are being observed, whether they have blocked up any natural water courses, or drainage, or run offs and matters of that kind.

The point is that sometimes you have to wait a long time to get planning permission to carry out development. Sometimes people lose access to the funds, which they may have been able to secure from the banks, while they are waiting for planning permission, but after they do manage to get the permission, that appears to be the end of the matter.

If you are going to have proper control so that roads do not deteriorate three or four months after the land has been sold to the various purchasers, or the buildings have been constructed, so the Government then has to be subjected to complaints from the property owners, who are paying a lot of taxes, you must see that there is proper construction of those roads and that the requirements which have been stipulated by the Chief Town Planning Officer or the members of his staff, have been complied with. There is no such control.

It does not sound good for a Minister to get up and say that the people are incompetent. I am saying that it is a matter for the Government, if they do not have the properly qualified staff, to see, first, that you have the staff on the establishment or on contract, and see that the Services Commissions employ the staff and create the posts which will give you the kind of monitoring of these services that you require. In other words, Government today is a question not so much of manual manipulation, manual labour and that kind of thing; Government today has got to be a question of supervision — supervision of private contractors, supervision of your own engineering staff, supervision of your field workers, supervision of your Town Planner. In other words, you want high quality people.

I do not want to call any names, but I once recruited a Civil Engineer in the Ministry of Finance, and the first question which those at Services Commissions asked me was "what do you want an Engineer in the Ministry of Finance for?" I call that a stupid question, but I gave them a civil answer. My civil answer was a very simple civil answer. I said because most of the money, apart from salaries, being spent by the Government is being spent on works, on construction, and I want a Civil Engineer to see that the money was being properly spent, that the requests were proper requests, and that somebody understands what the name of the game is. I said I want somebody who can understand what a critical path is, so that when we sit around the table and we say

something will be finished in 18 months and you tell me it is going to take three years, that I have somebody on my right side, or on my left side, who is in a position to tell me that he has worked it out on a slide rule and it can be done in 20 months.

This is the kind of person you need. I think he knows to whom I refer, because the present Administration has put him in charge of a very important project. He is one of our bright young people. You want a lot of people of that calibre watching MTW, watching the Transport Board, watching the developments that are taking place — private developments, public works and matters of that kind — watching the whole drainage system in Barbados. You need management control.

Management is one thing, but who is going to manage the managers? *Quis custodiet ipsos custodes?* That still remains the main question in any Government. Who is going to guard the guardians? That is what we need in Government today, so it is not really a question of accusing the people of being incompetent. You are displaying your own incompetence by not having competent people over the incompetent people, because it is within your power to change things. It is within our power as a Parliament to vote the funds to get some competent people to invigilate the people who you say are so incompetent, and who may merely need a little bit of guidance and a little bit of supervision. That is the problem here today.

I am trying to be constructive. I do not want to see Barbados going down the drain under this Administration, or any other Administration, but the problem is, we are not going down the drain — the drain is being clogged up and we are being washed away in the streets.

I was thinking just yesterday that we could start a competition to see who has the most potholes, the village with the most potholes, the deepest potholes, the worst drains and that kind of thing. It would be revealing.

It is not really a credit to Barbados that the number of shock absorbers being sold in Barbados has risen astronomically in the past few years. Have you noticed, Mr. Deputy Speaker, how many spare parts garages now are building magnificent edifices? How much money they must be making? The only real capital investment and capital formation going on in Barbados are spare parts garages? It is a pity that your illustrious father is not around now to reap some of the harvest that I see some of these garages making now, and the father of the honourable Leader of the House (Hon. L. S. Craig) because there is a lot of money in it.

I wonder to what extent this is not due to the number of potholes that we have to drive over, because

there is some bread there to be made. We do not take any pride in that, and the people of that generation had to work very hard just to bring up a family. Nowadays it is easy pickings, but we do not take any pride in that; and it is not a good credit to this island that there are so many potholes in the road.

The honourable Member for Christ Church East Central (Hon. H. B. St. John) said it is the incompetence of the people in MTW. Let us get rid of them, or let us put some people over them. If you are giving out a lot of work to private contract and the roads in private developments are being built by private contractors, let us have people who will go out there and inspect them and test them, as they do in the United States, where all the work, as far as I can see, is done by private contractors, but done to a very high standard.

Recently a bridge, what I call a super highway, in Connecticut collapsed, a whole span of road and caused death — and those people who built it could go to gaol. We are very fortunate in Barbados in that we do not have any great engineering problems, we do not have a lot of roads that have to cross over gullies, swamps and that kind of thing. I would hate to think what would happen. 1.50 p.m.

It is the Agnelli people, who make Fiat motor cars, I read in today's paper, who are being indicted now. But a lot of the people who have responsibility for selling and doing construction work and that kind of thing in other countries are under constant pressure to produce work of a high standard. We have not reached that stage in Barbados. Maybe we will not until we send one or two people to jail for negligence — not merely fine them.

Unfortunately, we have to wait until there is a serious accident before people sit up and take notice. I think, before we get to that stage, that we ought to stiffen the various works departments with highly trained people who will keep behind the Town Planner, the Ministry of Transport & Works' engineers, the private contractors, people who make concrete blocks, people who do steel erection, people who do construction work, and make sure that we have proper standards in the country.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Deputy Speaker, I would like to thank the honourable Member for his very constructive and useful speech on the matter. I am not speaking in final reply, I am merely speaking as Minister of Finance, with the same responsibilities as those discharged by the honourable Member for so long. Except for the honourable Member's unsoundness on the opinions of Mr. Anthony Trollope, I think his speech contained a great deal of wisdom, to which we all should hearken.

The Barbados Labour Party has always been interested in the physical development of Barbados. Unfortunately, we do not have to rely on memories kept *in petto* on schemes which we have put forward for highway development, for drainage and other matters covered under this subject, since they have been the subject of particular comment in our various election manifestoes from the year 1966 and onward. But, truly, Sir, we were no more able in Opposition to foresee some of the difficulties that would arise in carrying out our planning ideals than the Democratic Labour Party was able to see in Government.

Enormous problems arise in the Ministry of Planning in dealing with the wider view of physical works in this island. The honourable Member is, of course, absolutely correct in recalling the need of the Ministry of Finance and Planning for an engineer. I would like to say, praising the incumbent, to whom he referred, I much regret that we have lost him, and am looking forward to replacing him in the Ministry of Finance and Planning with someone as competent as he is.

Government undertakes road programmes and programmes of constructing public buildings, which represent not quite as large a share of public revenue as administrative salaries, but certainly the second largest amounts being spent overall by the Government; and we do have great difficulty in assessing and evaluating the advice which we get on these matters.

I do not wish to be unnecessarily critical of the Ministry of Transport and Works. It is short-staffed in the places where it really matters, and grossly over-staffed in the areas where its duties do not carry such a weight of responsibility. There are between 2 200 and 2 300 people working at the Ministry of Transport and Works. Only 400 of those persons work in new construction; the great majority work in maintenance.

I say quite openly that I am not satisfied with the quality of the supervision at the higher levels in that Ministry. Part of the reason for this is due to the fact that we cannot fill all the posts of Engineer and Architect which are required. Part is also due to the demoralisation of the Ministry after these many many years of continual criticism and attack by members of the public and by politicians, some of which criticism is not justified.

Unless we are prepared to pay salaries and make strenuous efforts to attract the best qualified Barbadians from the more lucrative and local employment in construction, we will have to face the fact that there will have to be a recruiting drive overseas to bring the necessary qualified personnel into the rank of our Works Department.

The honourable Member commented that we do not have the physical problems of other countries in constructing roads, that the terrain of Barbados presents few problems. With respect, Mr. Deputy Speaker, all that means is that we do not have to construct mountain highways or bridge the Amazon.

The honourable Member perhaps would not know that, since his time, there was a great controversy over the cost of constructing the Speightstown By-pass. The initial estimates of the Ministry of Communication and Works, as it then was, for which responsibility was taken by the Chief Technical Director, were enormous. When the World Bank team responsible for handling Heywoods looked at the estimates, they said it would make the Speightstown By-pass virtually the most expensive road per mile that they had ever had to deal with on any project around the earth.

The Government, in its inexperience, believed that the estimates were too large. We tried to accept that a road had already been constructed around Heywoods as a basis for the by-pass, and tried to cut down on the estimates. In the end, Mr. Deputy Speaker, the Chief Technical Director was proved right, and persons who questioned his judgement were proved wrong, because it turns out that the drainage problems in Barbados, and the standards to which we seek to build roads to avoid those problems, create just as many difficulties as if we were building roads through the Himalayas.

Of course, we do not have to contend with frost, but we have to contend with sudden floods with one, two or three inches of rain falling as a matter of course during 24 hours, and floods of great intensity and volumes coming every eight or ten years. So we have had to adopt standards based on the following: Will we build a road to the standard that it will not be flooded under the conditions that occur once every five years, or will not be flooded under conditions that occur only once every ten years, or will we build it to a standard of even 25 years of catastrophic floods that cover parts of Barbados under our tropical conditions? I think the drainage problem as outlined by the Deputy Prime Minister perhaps is the greatest of all that we have to consider in construction work in Barbados.

2.00 p.m.

The honourable Member for St. Michael West (Mr. B. M. Taitt) spoke of his constituents walking upon water and seeing flood conditions and mud overtake them. Barbados is a country that has a high and heavy rainfall, and the fact that we have three or four months of drought only means that when the rain falls at other times of the year, it falls that much more heavily. A flat country, where you have to sustain regularly, virtually every year, conditions in which six, eight or ten inches of water fall per month, is always going to

be a country where roads will be flooded, mud will be churned up, difficulty driving and harsh pedestrian conditions will be met.

It is to be remembered that more rain falls in Barbados in the months of September, October and November than normally falls in a whole year in any European country. We are dry only by the standards of the mountainous countries of Dominica, St. Lucia, or other Caribbean territories. We are not dry by world standards, and therefore roads are going to wet unless they are constructed to special standards, and the tenantry roads of Barbados have not been constructed to those standards. The best that can be done for them is to give the road some camber and have gutters which will, it is hoped, carry off the flood waters.

But in Barbados we have adopted another practice. We put concrete slipper drains on the sides of the roads and these drains are generally incapable of carrying off even quite moderate rainfall unless there is a frequency of outlets and wells, which the resources of the MTW have not been able to afford for many many years. Perhaps, therefore, it is unfortunate that a debate such as this comes during an exceptionally rainy July, because the problems of rainfall are present to everybody's mind.

It is not only the poor people that live in tenancies who suffer from excessive rain. I would invite honourable Members to come to Walkers Terrace, St. George, where the freeholders have had to walk down to the drainage point where the well was dug, which was supposed to drain off the water, and wade in above their knees with shovels to move out the debris that comes off Gun Hill and comes out of Walkers Terrace and blocks the drain at times of high rain. It is a problem common to everybody, although undoubtedly it is a problem more acute in areas where roads were never laid down before houses were placed in position.

Mr. Deputy Speaker, the Government has tried to ride a four wheel chariot, to quote an expression of one of the Leaders of the Opposition, *bête noir*, in respect of road repairs in this island. Firstly, we are undertaking the first major highway building programme to be carried out for three hundred years. I make no apologies for saying that. We are creating new highways where highways did not exist before — not ancillary to any project, but for their own sake.

Secondly, we are trying to identify parts of the existing highway system that need to be maintained at a high level to carry heavy commercial traffic in the conditions that exist in Barbados in the Eighties. This will involve strengthening, rebuilding of bridges, widening of the roads, improvement of corners.

I cannot identify every single project, but we only have to think of Blowers Bridge in St. Thomas, the widening thereof; we only have to think of Bridge Road in St. Michael; we only have to think of the junction along Highway 6 and Highway 5 in Christ Church; we only have to think of the many points where we are clearing visibility on Highways 1 and 7, works which are going on all the time and which perhaps because we see them so frequently, we take for granted.

Thirdly, we have to think about giving paved roads to those few remaining parts of Barbados, mainly country tenancies, but improving some in St. Michael as well, that have no roads at present.

Despite the Tenancies Act, Sir, tenancies are still being created in Barbados. I remember advising a very old lady — making a will for her — she was 99 years old and she lived to be over 100 — in my own constituency in St. Thomas, on devolution of a parcel of her land. When she passed on, the beneficiaries under the will decided to open a tenancy, and I discovered this tenancy only by visiting my constituency, not because, as representative or as Prime Minister, anybody asked about it.

But there is now a tenancy in what was formerly agricultural land — I wonder if the Town Planner knows about it — with a number of my constituents living on it, and for whom as a constituency representative, not as Minister responsible for Planning, I will carry the responsibility for seeking roads, water and light. This, Sir, is being carried on partly with the assistance of the Transport Levy, which an enlightened Cabinet agreed to institute to deal with the problem of road transportation in the island.

And fourthly, we have now not only to deal with the new subsidiary roads, but we have to deal with existing subsidiary roads, which have already been made up again at all levels, and try to get them in order.

Some of the worst potholes are not to be found in Parris Gap. Some of the worst potholes can be found in Atlantic Shores. In Parris Gap, they may be more of a nuisance to the residents because they have to walk through them. In Atlantic Shores, they are of assistance to the persons whom the Leader of the Opposition mentioned, namely, the proprietors of spare parts garages, because the potholes there are so drastic and serious that they must damage motor cars in the end.

This four-wheel chariot is a difficult one to navigate, because there is more than one Ministry concerned with it. The Ministry of Finance and Planning has responsibility for initiating decisions of major highway development, obtaining the finance for the feasibility studies and conducting the negotiations for the funds to finance their construction. It has the responsibility for

allocating sums of money to the Transport Board, and other forms of the Transport problem, between the other three, calls upon the limited resources of the island.

The Ministry of Transport and Works has primary responsibility for carrying out the work. The Ministry of Housing is brought in, unnecessarily sometimes, and given a great deal of work to do in land acquisition and in co-ordinating decisions on policy indicating what developments may be taking place. The Planning and Priorities Committee, which brings together all these arms of Government, has the responsibility for debating the macro-economic problems involved and suggesting solutions.

I therefore, although I recognise that every representative has to put his case for his constituency, deplore looking on the road problems in Barbados through the wrong end of the telescope. What we need to do is to use our commonsense and our wider vision — not take some microscopic inspection of the difficulties experienced by two or three people. These difficulties will all be put right in the end. That is the point which we must understand.

Motor car owners, who at present have to drive down the narrow stretches of Bank Hall Road or go through Eagle Hall, will eventually have other options open to them. Persons in tenancies will gradually see that as ownership is transferred to the tenants, the Government's plans for improving the infrastructure of the tenancies will come to full fruition.

After all, Mr. Deputy Speaker, since we have been in power the tenancies now all have electricity and water. There are very few spots, I do not offhand know of any, which are without access to electricity in Barbados. There are some houses without electricity, but I know of no location where the inhabitants do not have access to electricity. That is a development of the last seven years. 2.10 p.m.

There is nowhere now that does not have access to piped water, a boast that the United States or Great Britain cannot make. There is nowhere that does not have access to a telephone service. It can only be expected that it is only time before the road systems are as complete as we can make them.

Mr. B. M. TAITT: Sir, if the right honourable Member would give way on a point of elucidation: The right honourable Member now speaks of the new tenancies, or the tenancies that will fall within the ambit of the new tenancy law. My speech was concerned with the original tenancies. The tenancies in the St. Michael area are old tenancies which have never benefitted from either the old approach or the new approach. The only point I made was that we have not had any exercise of

into a more literate one than the great American Republic or than the mother country itself, Britain. We were a fully literate society before Great Britain was. (At the time of the Panama emigration, there were fewer illiterates found in Barbados than were found among applicants for the British Army, or conscripts for the American Army at the time). But the church has received very little financial reward, or very little financial help and support, for all that it has done over the years. And when it was effectively disestablished and partially disendowed, the terms of the interim endowment were not by any means generous.

There are many professions in which qualifications are not equated with remuneration. The profession of Minister of Government is one of them. The profession of Minister of the church is, perhaps, the most notable of all of them. The rectors and curates of our Anglican Church are grossly and seriously underpaid.

The church is unable to meet the responsibility of maintaining the fabric of its ancient, religious edifices. It certainly has not been able to do very much to maintain the fabric of Codrington College in recent times.

The honourable Member for St. Michael West (Mr. B. M. Taitt) asked whether there was any precedent for the movement of a trust. I must confess I cannot recall at the moment a precedent for repatriating a trust in this form, although I imagine that these precedents must exist. But there are certainly precedents for the changing of a trust from a private into a public one by Statute.

I am, myself, and have been for sixteen or seventeen years, one of the trustees of the Joe Forte Codrington Trust, which exists to make financial provision for Codrington College. The Joe Forte Codrington Trust is the result of a decision by the Government of the day, in 1910 or 1911, I think it was, to embody the will of Joseph Nathaniel Forte, lately of Bennett's in the parish of St. Thomas, into a Statute and to appoint statutory trustees for the proper carrying out of the intentions of Joe Forte.

Those parts of the will which dealt with the roasting of an ox on the anniversary of his death and the giving to his labourers a hogshead of spirituous liquors were not carried on by the House of Assembly, and I therefore have no responsibility to enforce them for the benefit of the residents of Arch Hall or Bennett's at this time. But with the enlightened assistance of the members of the church, the Rector of St. John and the Bishop and those others who are also trustees, we do try to manage the investments which are part of that estate for the benefit of Codrington College.

But I will say this, Sir. There has been so much bad investment in the past, that when I became a trustee,

the capital was no more than it had been in 1914. There had been many patriotic investments in War Loans, which had declined in value, and very little money was coming into Codrington College. Some years, we had to tell Codrington College, "You can get nothing." We would try to save up the interest, capitalize it and give a better piece the following year.

Under the very enlightened guidance of Canon Ullyett, for whom no praise as an investor on behalf of religious causes can be too high, we have doubled the capital and greatly increased the income, so that Codrington College now has the benefit of a slightly greater endowment from the Joe Forte Trust. I would not be surprised, Mr. Deputy Speaker, if the benefit it gets from the Joe Forte Trust does not approach the benefit which it gets from its own estates.
5.05 p.m.

Nonetheless, these sums of money are insufficient to maintain Codrington College properly, far less to carry out the purposes of its original testator. The Lodge School funds, we will gladly hand over to the new Board, when we can settle an amount, for the benefit of the church in Barbados and Codrington College in particular.

Now, the church, Sir, has a bureaucracy just like anybody else. The bureaucracy has not acted very quickly on this matter, and therefore this Bill has taken perhaps three years to come before the House.

At the last moment, the church has made a certain submission. The honourable Member who introduced the Bill, the Attorney General, has pointed out that this will be dealt with in Committee, but I will say this: the main submission related to compensation. They said the Government wants too big a share in running the trust, two trustees out of five. I agree with this, we told the Bishop that we agree with this, and we will increase the number of trustees so that Government representation will not be so great.

They have questioned the trustees retaining office during good behaviour as set out in the Bill. I regret that the Bishop should have said that his committee saw a danger of political interference in this provision. That is not an accusation that I think the course of dealings between the Government and the church should have led them to make, and I am sure that on reflection, the Bishop will not see political interference in the use of the words which occur in all Acts with which I am familiar, relating to the appointment and removal from office of trustees.

All Charitable Acts and Trust Acts that I know of refer to Trustees holding office during good behaviour. The good behaviour is not determined by politicians, it is determined by judges, and I really do not think that

on reflection, if the church had had more time to write its letter, it would have addressed those remarks to the Government.

The church has indicated a small thing, Sir, that they do not want the secretary to be chosen from among the trustees. We have no difficulty with that. To state the trustees should receive no personal remuneration for their services, if it is the will of the church that their trustees will not vote any personal remuneration, that is entirely up to them.

The Government cannot agree on one of the recommendations of the church, that the Act should exempt the trustees from publishing their by-laws and enactments in the *Official Gazette*. I cannot think why they would wish to be exempted from this, and in their own interest, I would not have thought that they would wish this. I would have thought that to have the Government print for you your by-laws and enactments free is a benefit to the church — not in any way a drawback or a compromise of its authority.

The request by the church to define corporate objects is really beyond me. A whole law suit went on about the corporate objects of the Codrington Trust, and a predecessor of yours, Mr. Deputy Speaker, vacated that Chair as a result of disputes over the corporate objects of the Codrington Trust. Angels have attempted to tread in that particular path and have failed. I do not propose to invite the Attorney General to bend his feet to this difficult problem. Sufficient be it that it is clear that this Codrington Trust is a successor to a trust which has passed through the courts on matters of interpretation, and that the church is unlikely to betray the objects of the original Codrington intention.

If the church produces a set of objects which it wishes, in its own interest, to be embodied in legislation to limit it and delineate its functions, I have no doubt that this Government, or any successor, will be happy to amend the Act, once passed, to limit the corporate objects in any suitable way which the church seeks. But at this stage, the Government does not wish to tread upon that particular problem.

I am glad the Opposition see no objection to the principle of this repatriation, to bringing home our Codrington estates after 300 years, to the opportunity that the Anglican Church in this island will now have of disbursing the largest single accretion of capital funds it has ever received, and I support the honourable Member in moving that this Bill be now read a second time.

Mr. DEPUTY SPEAKER: Before putting the question, I would like to clarify an issue which started earlier in the debate, whether or not the Bill is a hybrid Bill, and what course it should take in Committee. It would

appear, from May's Parliamentary Procedure, beginning at page 821, that this Bill will obviously be a public Bill. Citing from May's Mr. Speaker Hylton-Foster said:

"I think that a hybrid bill can be defined as a public bill which affects a particular interest in a manner different from the private interests of other persons or bodies of the same category or class."

On page 830 there is a definition and example:

"Thus in 1871 a bill for regulating the management of certain trust properties of the Presbyterian Church of Ireland was introduced into the House of Lords as a private bill, but objection being taken to legislation upon such a subject by means of a private bill, the bill was withdrawn, and a public bill for effecting the same object was passed by both Houses."

So it appears that this Bill is a public Bill and will follow the normal procedure.

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

On the motion of Hon. L. R. TULL, seconded by Mr. R. E. BRATHWAITE, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. J. G. ODLE in the Chair.

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called and passed.

Clause 2 was called.

Hon. L. R. TULL: Mr. Chairman, I beg to move that clause 2 stand part.

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

Mr. B. M. TAITT: Mr. Chairman, Clause 2 states:

"In this Act,

"Church" means the Church in the Province of the West Indies."

When the Prime Minister was making his Second Reading speech he constantly alluded to the funds becoming available to the church in Barbados. My understanding is that the Province of the West Indies is a different administrative unit from the Diocese of Barbados. Am I to understand that the Diocese of Barbados will be

administering, on behalf of the Province of the West Indies, those aspects of this Bill that fall to the church? 5.15 p.m.

It does not say that anywhere, and although he talked about large sums becoming available to the church in Barbados, I suspect that if what is said here; "Church" "means the Church in the Province of the West Indies", you are talking about two entirely different things.

The Province of the West Indies is administered by the Archbishop. The Archbishop is the presiding officer of the Provincial Synod, and the Provincial Synod is to be distinguished from the Synod of the various diocese which make up the Province.

A number of rectors and ministers in the Barbados diocese who fall into that category which the Prime Minister described as persons who are in a profession whose remuneration is not near to the expertise, have for some time been concerned, and the diocese as a whole has been concerned, that its resources are relatively slender, and that a number of things which are required to be done have not been done — and it has not been able to do them.

If we in the diocese come to feel that large sums are going to accrue from the sale of Codrington property, which is the impression which the Prime Minister, in his second reading speech, might have given, then a whole large amount of confusion is going to be set upon the Anglican diocese in Barbados.

As I understand it, and I wish the Minister to clarify it because this is very important, such monies as will accrue from the sale of the Lodge School will accrue to the Codrington Trust for use in the promotion of the objects of the Codrington Trust. It will form part of the Codrington property by way of cash or however the Government pays.

Codrington College does not form part of the diocese *per se*. Codrington College is an institution within the diocese that is used by the diocese.

When we come a little later on into one of the other clauses, you will see that when we come to appointment, it says appointment will be made by the church, and this Clause 2 here means that appointments will be made by the church, the Province of the West Indies. But I notice that the Prime Minister again talks about representation from the Bishop, and the Bishop is trustee of the administration of Codrington College, the institution, and I do not know if he was writing in that capacity or if he was writing in his capacity as from the House of Bishops in the Barbados diocese.

It seems to me that an area of confusion....

(*Rt. Hon. J. M. G. M. ADAMS: I am writing in the Barbados diocese.*)

Mr. B. M. TAITT: If he is writing in the Barbados diocese, this means that there is an area of confusion which will open up, because I really do not understand what is intended by the repatriation. Is the repatriation to the Barbados diocese or the Province of the West Indies? I think that should be clarified before we go any further.

Rt. Hon. J. M. G. M. ADAMS: I had better agree with the honourable Member. There could be some confusion if the rectors of the various churches in Barbados form the impression that suddenly there is a million dollars available from the Lodge School sale for improvement of stipends or whatever.

I may have gone too far in what I said about the bad conditions in the church in Barbados and the funds which will accrue in the Codrington Trust. Codrington Trust is appointed to administer the purposes of Codrington's will. They are only replacing trustees appointed by an Instrument with trustees appointed by statutory appointors. Therefore, funds available have to be spent in accordance with Codrington will and court decisions thereon, and I am glad that the honourable Member has limited the confusion which he might have to undergo in Synod, if it were thought that the money was being paid to the bank account of the Anglican Church.

I would, however, point out that the object of the Codrington Trust relates to Barbados and relates to the Church of England in Barbados. It relates to education and so on and so on within the context of the local church. The local church has asked the Province of the West Indies to administer the trust by appointing trustees.

The Bishop was writing in connection with a committee appointed by Provincial Synod to discuss the matter, and he is passing on to me the committee's views. So although he is writing from the church in Barbados he is acting as a messenger for the Provincial Synod dealing with the matter.

But I would ask the honourable Member not to press me for details of the exact nature of the Codrington will and the decision thereon. There is only one expert on that in the House. Indeed, there are only three experts on that, I would imagine, now left in the world, perhaps, and I am not one of them, so I cannot answer.

This Act, the whole business of its corporate objective, deals with the administration of the Codrington estates in accordance with Codrington will as interpreted by the Supreme Court of Barbados. That is what this

Act deals with. We are not changing any of those provisions.

There will now be money in hand to improve the training of Anglican priests. There will be money in hand to improve the fabric of Codrington College. There will be money in hand, should they so wish, I imagine, to invite the University of the West Indies to join with them in giving degrees in Theology, with Codrington College to be a campus of the University for that purpose. Within the Codrington's will, presumably, you could even teach them Mathematics, but I cannot speculate on all of these matters.

The honourable Member for Christ Church East Central (Hon. H. B. St. John) is in a position better to speculate than I am, but I do not think any of us can say definitively what the situation is.

Mr. B. M. TAITT: Just in furtherance, then, on the questions being raised under section 2, I think the Prime Minister's explanation will go a long way towards alleviating the confusion, but it seems to me that he was talking about the repatriation from England to Barbados. I understand what he says about the Bishop writing as a member of the Committee of the Provincial Synod that is obviously dealing with the matter, and I thought I heard the Prime Minister say that the local church, which would mean the Barbados diocese, had asked that the matter be administered by the province now.

We have to be very careful that you do not repatriate the will and it stops short on the way in to its haven in Barbados, because I would wish to know why the Bishop and/or those who spoke for the diocese would have asked for the province to make the appointments as opposed to the Barbados diocese making the appointments.

5.25 p.m.

This is the area that continues to raise some question in my mind. Because if the province, headed by the Archbishop, is to make the appointment, there is nothing then to prevent him, even if you increase it to seven, from appointing, as I think he will in the interest of preserving the provincial nature of training which is given at Codrington, two Jamaicans, one Guyanese, two Trinidadians, a Belizean. Then, Barbados will still be in the same position where we would have a CARICOM presence. But for the purposes of this trust, you would need to sub-repatriate it or repatriate it further.

You see, the Bishop does not have the authority to speak for the synod without more, and I have never recalled this matter ever coming up for discussion. But again, to the extent that we are dealing with the trust, it only concerns Codrington; but to the extent that they are dealing with the repatriation to Barbados, it concerns Barbados, and therefore must concern the whole synod —

not the Bishop and the House of Bishops. It must concern the whole synod. So I am very curious.

You see, it is passing strange that there is a member of the House of Assembly that sits in the synod who has not been invited to assist in the passage of this legislation. It is passing strange. I say in passing that I have never seen this matter discussed in synod. I would like to know if it fell to the Barbados Diocese to receive this repatriation, why the Barbados Diocese would feel compelled.....

(Rt. Hon. J. M. G. M. ADAMS: They don't want Drexel to be over it.)

Mr. B. M. TAITT: The Prime Minister frightens me now with his sotto voce information, because that is even worse. That is the Bahamian/Barbadian connection. That is the problem. I am saying that if we in this House are dealing with it now as a strictly patriotic matter in the way it has been introduced, our responsibility is to ignore any advice which we get which does not deal with the reality of what we say we are agreeing to.

When you tell me that you are repatriating the trust from Britain and I say "yes, I am happy", and I support it, and then I hear that we are only partly repatriating it.....

Asides

Mr. B. M. TAITT: In your church you deal with your officers; let us deal with ours. For Drexel to hear! Do you think Drexel can't hear what I am saying now? He is Drexel Barbados, and that is what we call him.

His Lordship the Bishop has not the authority to ask his Grace the Archbishop to deal with these matters for us in this Barbados Synod. I do not understand how you are repatriating from the SPG and stopping short before you get into Bridgetown.

There seems to be some urgency to get this matter dealt with, but I draw to the Prime Minister's attention that, according to his own statement, when these trustees are appointed, they are appointed in essence for life: for five years or during good behaviour.

I do not want to anticipate the other clause. The only point I am making is that if these matters have not been put squarely to the Government, I do not know if it will create problems, but it may very well be that the Government had better examine this thing in a little more detail. I really do not understand who is the "church" in this matter. I understand what the Prime Minister has said, but what this says here puts us in no better position than we were.

Mr. Chairman, I would recommend that you postpone and let us find out. I would like to find out what the position is.

Hon. H. B. St. JOHN: Before the Prime Minister speaks, I may be in a position to throw a little light on one or two points, because I journeyed to Jamaica on more than one occasion in connection with the Codrington Trust, and I also attended many meetings.

There is no doubt in my mind that the Province of the West Indies as opposed to Synod of the Diocese of Barbados, if there is such a term, was the one that always was the consultative body for the Society of the Propagation of the Gospel for Codrington College. It was never the Anglican Church in Barbados that was the consultative body. It was the Anglican Church of the Caribbean. It used to be Bishop Lindsay from Antigua. I remember him very well. There used to be a gentleman from Jamaica, there used to be an Englishman, who was Archbishop of the Province of the West Indies.

I would hope that they have sorted out domestically within the church of the Caribbean, the respective distributions of the numbers which would constitute the trustees. But remember, I think it is very important to know that there is only going to be, according to the law, a single trustee, although the exercise of the powers of that single trustee may be exercised by a multiplicity of people. That is what this Bill says, and I am looking through it. It is very important that we remember that.

I agree with the Prime Minister. I hope that nobody else had the impression that the money will now inure to the province of the West Indies, because this is a trust. All we are doing here by this legal instrument is transferring a body corporate, which is incorporated by Royal Charter under the prerogative powers in existence in the then King or Queen in England, namely the Society for the Propagation of the Gospel, and replacing that with a body corporate incorporated by law. The original terms of the will, the accounting provisions under the general Law of Trust — all that still exists.

The Supreme Court of Barbados is now the body with all the powers which are invested in the charitable trustees, and the relationship of the Attorney General of Barbados to the trust is exactly the same with its amplified powers, powers that have taken place since we have passed an Act that was recommended as part of the reform of the Land Law. So this money is not going to any Province of the West Indies.

As to whether they are going to have a row between the Barbados Diocese and the Province of the West Indies, that is a different matter. If we are envisaging that this is going to be a problem, we had better get that settled early o'clock. But I know one sure thing,

that is, that the money has to go for the fundamental purposes. What we can do is to pass the law but do not bring it into force until all of these things are settled.
5.35 p.m.

The point is, we want to get on with this thing. This has been going along for a long time, and if the Legislature does not make a move, the church is going to argue about it all the time. I believe it is time for us to get on with it. We do not want to put the money in England. The money has to be down here. But if there have to be arguments that, in respect of the Province of the West Indies, the rules should stipulate that two should be in respect of the Diocese of Barbados or something like that, that is a matter that should be sorted out.

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

Clauses 3 to 6 inclusive were called and passed.

Clause 7 was called.

Rt. Hon. J. M. G. M. ADAMS: In Clause 7, I beg to move that the word, "five" in subclause (1) be deleted and "seven" substituted and the word "Three" in subclause (2) be deleted and "Five" substituted.

That is to widen the trust and to reduce the influence of the Government.

I would just like to add my little piece on what was said on Clause 2. I do assure the honourable Member that if this matter really has not been the subject of local consultation, the Government will listen sympathetically to any representations made about definitional problems relating to the church that may arise.

It may be, however, that it is possible to interpret Codrington's will to mean the whole West Indies is involved, and that would put a different slant on affairs. The estates may be situated here, but if Codrington left the estates for the benefit of the church in the West Indies — if he did — it is unlikely that a decision of the Barbados Synod to make it exclusively patriotic would move the Government.

If, on the other hand, it is a mere reflection of the fact that there seems to be some dissension at the time that this matter arose between the church as represented at Codrington College and the Church as represented at Bishop's Court, we would obviously listen to the views of synod.

Mr. B. M. TAITT: Mr. Chairman, just let me say that I hope that I have not led to any further dissension in the Anglican Church. I doubt it. I doubt that we can reach the stage where it can go much further than it has been.

But I think it needs to be explained that the affairs of Codrington College appear always to have been run by the Province of the West Indies and not by the Barbados Diocese. The Barbados Diocese's relationship with Codrington College is one of almost two separate agents.

The Barbados Diocese sends men to be trained at Codrington College, the same as all of the other diocese in the Caribbean. The Barbados Synod has no jurisdiction over Codrington College and could lay no claim to having such jurisdiction.

(Hon. H. B. St. JOHN: That is correct.)

Mr. B. M. TAITT: However, the SPG apparently devolved their authority, either by custom or — I do not know how — but a lot of their authority apparently was given to the Provincial Synod, as their agents, if you will.

Now, the Provincial Synod is made up of the House of Bishops of the West Indies, the House of Clergy and a House of Laity, but each diocese sends delegates to the Provincial Synod. So the Barbados Synod will only have a delegation that sits as part of the Provincial Synod.

The result is, therefore, that the Barbados Diocese has incidental interest in the administration of Codrington College, rather than direct responsibility or direct interest. So the decision that the trustees should be appointed by the Province probably flows from that administrative arrangement more than anything else.

It is merely that, in introducing the legislation, the right honourable Prime Minister, I believe, might have introduced the area of misunderstanding by talking in terms of accrual of benefit to Barbados.

The second thing I want to say is that I am still not happy that the draftsman — I wish the Attorney-General would listen, because it concerns the actual drafting of it — in defining the church, got the terms quite right. To say that “Church” means the Church in the Province of the West Indies; — may create some confusion. You may wish to look and to see what is the proper designation for the “Province of the West Indies”.

(Hon. L. R. TULL: It depends on the man's will.)

Mr. B. M. TAITT: I accept that. I am dealing with your definition of church, not the will.

The second thing is that here you say, “Two of the members shall be appointed by the Minister.” Now, you did not define, “Minister”. Are we going on the old thing about the Interpretation Act meaning the Minister that has responsibility —

(Hon. H. B. St. JOHN: Ecclesiastical duties.)

Mr. B. M. TAITT: Ecclesiastical duties. Okay.

The question that Clause 7, as amended, stand part was put and resolved in the affirmative without division.

Clause 8 was called and passed.

Clause 9 was called.

Hon. L. R. TULL: Mr. Chairman, I beg to move that the words, “and a secretary” appearing in Clause 9 be deleted and that the marginal word “Officers” be deleted and the word, “Chairman” be substituted.

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

Mr. B. M. TAITT: Mr. Chairman, I would just draw to his attention that that particular amendment removes their power to appoint a secretary.

I think the key there was, rather, “from among themselves”. They do not want a secretary from among themselves, but they do not wish to have the power to appoint a secretary removed altogether.

Aside

Mr. B. M. TAITT: I see. So they will deal with all that. Okay.

The question that Clause 9, as amended, stand part was put and resolved in the affirmative without division.

Clauses 10 to 12 inclusive were called and passed.

The Preamble was called and passed.

5.45 p.m.

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

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

THE LAND TAX (AMENDMENT) (No. 2) ACT, 1983

Order No. 5 was called — To move the Second Reading of a Bill to amend the Land Tax Act, Cap. 78A.

Rt. Hon. J. M. G. M. ADAMS:(St. Thomas) Sir, there is some misunderstanding among honourable Members on this side as to which Land Tax Bill is before the

House. My ministry reports to me that one was passed, but I understand that the one which was passed has been circulated to honourable Members as if it had not been passed. Can I ask if Your Honour has Land Tax (Amendment) (No. 2) Act for 1983 dealing with foreign companies Sir? A short Bill with three pages?

Mr. DEPUTY SPEAKER: I have Act No. 2, 1983 which deals with foreign companies.

Rt. Hon. J. M. G. M. ADAMS: I think some honourable members still have a quite long one, Sir, which is Act No.1, which indeed contains an error in subsection 1(a), and which, in due course will have to be amended. We are going to have a third Land Tax (Amendment) Act to deal with agricultural land and some changes but I would like this Bill passed, because it is causing — and I am now entering into Second Reading a very great deal of action at the Ministry of Finance, because people keep writing and making submissions about it.

Mr. B. M. TAITT (St. Michael West): Mr. Deputy Speaker, I believe we can assist. The Bill that was circulated to us does have in it: "This Act may be cited as the Land Tax (Amendment) (No. 2) Act, 1983". Is that the one? It is in respect of foreign companies. That is the one we have, so there is no confusion.

Rt. Hon. J. M. G. M. ADAMS: In moving this, Sir, I am very aware that the dove-cots of foreign land ownership are busier than they have ever been before in our history.

I do not want to delay the House for very long, sufficient to say that in the year 1883, I think, the Legislature passed an Act allowing aliens to hold land in Barbados. I am not sure there had been a previous Statute, whether there was reliance on the decision in the 1760's relating to Grenada that the laws of *mortmain* did not apply even to settled colonies or what, but the question of whether aliens could hold land in Barbados was put beyond doubt in 1883, and since that day non-Barbadians were free, until the Exchange Control Act, to buy land in Barbados.

This is most unusual for any British colony. It was never allowed in Crown colonies, and indeed it is unusual in Britain itself, because the Statutes of *mortmain* forbid a foreign company to own real property in England without a licence in *mortmain*.

I do not want to go into what *mortmain* is, Sir, it would only confuse the public, and in any case it is many years since I got my pass in real property, so far as I recall the only subject in Part I at the Bar in which I did not get a second or better, and therefore I am no authority on the ancient law of real property.

But because of this, there are many situations with which the Ministry of Finance and Planning and the Collector of Taxes have not been necessarily aware in respect of overseas ownership of land in Barbados. Since there is no register, we really do not know all the foreign companies — we cannot tell when companies are foreign or not. We are putting the onus on them to prove they are local, but necessarily we understand that there is going to be a lot of confusion before this system of taxation settles down.

The one thing I have been able to assure the American companies which own land in Barbados is that it is not discriminatory under the double taxation treaty, because Barbadian-owned companies registered abroad are treated the same way as any foreign company.

We have had a number of meetings at the Ministry of Finance as to how we would put this budgetary measure into effect, and I have come to the conclusion that it is better to pass this Act in the form it is in now and rely on the operation of Section 44 of the Land Tax Act, than to delay and delay and delay until after the new tax assessments have to be sent out in November and try to find statutory exemptions for worthy foreign companies, which was one suggestion.

The Ministry of Finance intends to work out guidelines for rebate of Land Tax in appropriate cases to foreign companies. I do this with a heavy heart, because I suppose that at least one quarter of all the files that come on my desk are requests for abatement of Customs Duties, and there are probably no more importers in Barbados than there are foreign owners. I have to deal with the most incredible array of requests for abating the duty on a fishing rod, or a basketball back board, or whatever — and motor cars, too! I can hardly believe the ingenious schemes for abatement of motor car tax, and I have no particular wish to open up another area of requests for abatement.

5.55 p.m.

I therefore propose to deal with this by giving directions to the Tax Relief Board in dealing with this. The Tax Relief Board does two things: it gives Relief Certificates on statutory grounds — (these are very limited; without looking at the Act, I can only remember three) — and they ought to carry out, administratively, the job of advising the Minister as to when to grant tax relief under his discretionary powers.

The main job the Board does relates to old age pensions. We used to give all old age pensioners relief as a matter of course. We do not now give relief as a matter of course, but we give them in relation to their means. In other words, the very small numbers of rich old-age pensioners will not now obtain an abatement of their tax. There are also those who apply on the grounds of hardship.

I am going to create some new categories of hardship in relation to foreign companies, and these categories will not be hardships necessarily in the sense of poverty, but they will relate to an economic purpose for which the company hold the land in Barbados.

I can say here and now that I do not intend to force the Telephone Company to ask for a rate increase to accommodate the tax increase, of many hundreds of thousands of dollars, which, apparently, they will be liable for as a result of the tax. They are providing a service to Barbados, and their prices are controlled, and it is not normally our desire to shake down people who are working under price controlled circumstances. So, in all probability, I will arrange for the Tax Relief Board to give relief to any public utility. That will only apply to the Telephone Company at the moment.

It has been represented, and I intend to proceed on this, that any company enjoining an incentive under the Industrial Incentives Act, which has invested its own money in setting up a factory or premises in Barbados, where it could have got one from the Government, should not be penalized.

I am also contemplating a representation made by a trading company abroad, that, as an investment, it has bought a number of houses in Barbados for rental to the tourist traffic; that they promote these houses as a matter of their profits but also to increase tourism traffic in Barbados, and that the property form a very small part of their overall operations, therefore the Property Transfer Tax mischief at which we aimed will not have application to them. This is more marginal, but we are considering that.

The Chief Parliamentary Counsel has been asked to draw a list of possible candidates for relief. Therefore, in asking the House to pass this Bill, I would ask honourable Members not to put special cases, unless they find they absolutely have to, but to make submissions to the Ministry of Finance in respect of the special cases so that they can be considered.

In the fullness of time, I will give the House an opportunity to debate the guidelines. There will be another amendment to the Land Tax Act, and at the time of bringing it, I will indicate what instructions have been given to the Tax Relief Board.

I only wish that honourable Members and foreign owners recall the circumstances of the introduction of this Bill. There are many foreign companies which own a company whose sole asset is a large piece of real property in Barbados, and that asset, once it is owned by a foreign company whose beneficial interest can be transferred by a transfer of shares, is outside the ambit of our Property Transfer Tax Act.

I regarded it then as unfair — and still regard as unfair — that if a Barbadian owns a hotel in Barbados and sells it to foreigners, he has to pay Property Transfer Tax, as do the foreigners who buy it; but if a foreigner, with a foreign company, owns a hotel in Barbados and sells it, he may be exempt from the Property Transfer Tax — not by operation of the law alone, but by the fact that the transaction is beyond our perception; it can be done without affecting any Instrument in Barbados. That is the mischief with which the Act deals, and therefore Government's guidelines do not intend to compromise that basic principle — although we may take particular hard cases into account in certain circumstances.

The final point I would make on this matter is that in respect of the other utility, the Light and Power Company, the matter of transfer to foreign owners and so on has loomed very large. The Light and Power Company is not liable for this new tax, because it now has a majority Barbadian interest. So there need be no fear that enormous sums of money, so large that they could not be absorbed in the day-to-day operations, would have to be paid by the electric company and have some effect on the electricity rates.

With these observations, Sir, I now beg to move that this Bill be read a second time.

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

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 and 2 were called and passed.

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

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

NARCOTIC DRUGS (AMENDMENT) ACT, 1983.

Order No. 9 was called — To move the second reading of a Bill to amend the Narcotic Drugs Act, Cap. 140A.

Hon. Dr. D. G. BLACKMAN (St. Michael East): Mr. Deputy Speaker, for some time now there has been considerable disquiet within the community as a consequence of the proliferation of the illegal sales of drugs, and what appears to be a spreading of the drug habit in Barbados. This legislation seeks to strengthen the powers of the law enforcement officers with a view to ensuring that guilty persons — traffickers and others — will not be able to escape through any hole in the law, as has recently been the case.

One of the objectives that the amendment seeks to accomplish is a proper definition of cannabis, which is the technical, botanical name for marijuana. Under the present law, cannabis is identified with *cannabis sativa* which is merely a species of the genus. Recent research in botany, however, indicates that there are two other species of cannabis, *cannabis indica* and *cannabis ruderalis* which the law seeks to include in the definition of cannabis. In this way, defining cannabis in terms of the genus, we will encompass all of the species and thus preclude the possibility of a magistrate or judge being mystified by science.

There is also an attempt to substitute a wider generic term in botany for coca leaves, which, of course, is a source of the better known drug cocaine, and in this way cover the possibility of people who are in possession of a species not caught by the definition escaping the neck of the law.

At the same time, the Act seeks to define "possession" *per se*. The Ministry of Legal Affairs has brought to the attention of the draughters of this Bill a problem that has arisen recently in the courts of law, where the concept of possession as implied within the existing law is so ambiguous as to permit persons who were carriers of cocaine to escape the dragnet of the police.

There is also the provision to increase the penalties under this Act to a prohibitively high level, thereby hopefully deterring traffickers in drugs from continuing their illegal activities. There is also provision with respect to the forfeiture, which the new law now proposes, of all articles which are used in drug offences. The Bill that is being proposed, therefore, is basically a Bill which seeks to render more effective the existing legislation with respect to drugs, and to assist the police in eliminating this crime from our society.

It would however be idle to pretend that legislation no matter how strongly worded could in and of itself dispose of the problem of drug pushing within this society. It is a well documented, historical fact in societies where drug trafficking has existed long before it was introduced into Barbados, and such experiences as have been acquired by those who have to deal with this problem, attest to it, that the spread of drugs in any

society creates an underworld of criminals, and brings in its wake a certain counter-culture which possesses very attractive features for the young, those who are chronologically young and those who are young at heart. So, Mr. Deputy Speaker, such legislation would have to be supported by other mechanisms in order to assure that the preventive aspect of this question is adequately addressed.

Within the Ministry of Health itself, we are poised to establish an Advisory Committee on Drugs, and this legislation will be buttressed and supplemented by another Act, which will be brought in shortly, dealing with the misuse of drugs.

But beyond this, it is absolutely necessary to deal with the social problems that foster alienation among those elements within the society who are most susceptible to the use of drugs. In this connection, I am happy to report that the Ministry of Education will intensify its efforts within the school system to educate its charges as to the dangers of the use of drugs, and at the same time, the Government plans to introduce a programme for the youth of this country which will enable them to develop more skills and inculcate the qualities of discipline, of which, in recent times in Barbados, there has been a conspicuous reduction.

6.15 p.m.

So the Youth Service Programme that the Government is contemplating the introduction of, the educational programmes which will be jointly embarked upon by the Ministries of Health and Education, the establishment of an Advisory Committee of knowledgeable persons which would constantly refer problems within the area of drugs to the Ministry of Health along with recommendations, together with the proposed introduction of the misuse of drugs legislation are all important supplementary mechanisms which are largely of a preventative character and which would support the implementation of this legislation.

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

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

Mr. M. A. KING (Christ Church West Central): Mr. Deputy Speaker, the concern of which the honourable Member for St. Michael East (Hon. Dr. D. G. Blackman) spoke, which has been evident in the community, the absence of legislation regulating the proper use and control of drugs, has been evident in this community for some time, and any negative fall-out which the Government may have had to bear because of the delay in bringing this legislation to this Honourable House is a matter for which they have to accept responsibility entirely.

The amendments to the Narcotic Drugs Act which have come in this amendment are not automatic amendments. They deal with a problem now that has been a problem for some considerable time in the law, that is, the problem of the possession of cocaine in particular.

My understanding of the law is that there have not been too many problems in relation to the possession of cannabis and the fact that there is a difference between *cannabis sativa* and other brands of cannabis has not been a source of any difficulty in the law, insofar as securing convictions in the courts is concerned. The problem there is in connection with the drug cocaine.

The existing law, as it stands, made no provision for penalizing persons who were found in possession of cocaine. It only dealt with the prohibiting of persons importing and exporting cocaine to and from Barbados. So there was no statutory prohibition, so it seems, in the existing law against the possession of the drug cocaine.

Another problem which arose in the law in relation to the drug cocaine was that there was a problem in the definition of the drug, which has not been addressed in this amendment. The definition to which I refer is contained in the Schedule to the Act.

The Act does make provision for the Schedule to be amended by an Order made by the Minister. But I think that a problem which arose in one of the courts was because of the definition in the Schedule. I think it was the analyst who was asked for the definition of cocaine, and he was subsequently asked whether the definition he gave coincided with the definition in the Schedule to the Act, and his response was: "No". It was clear then that the jury in that case could not convict, and the case had to fall flat on its face. Apparently, in the Schedule to the Act, it appears that in the definition of cocaine, the bracketted words "methyl ester of benzoylecgonine". the words, "ester of" seems to make some difference in the definition. So it must be important.

The position is that even with these amendments now which come before this Honourable House, if there is a prosecution for possession of cocaine tomorrow before the courts, and this same point is taken, and the Minister has not yet amended the Schedule to the Act, it would be possible for one who is charged with the possession of cocaine, if we follow the decision which was taken in the case which went before, still to be acquitted by a jury, because the definition of cocaine in the Act is not the definition that the analyst would give of cocaine. That is a problem which, in itself, has to be addressed. The amendment goes part of the way in that it deals with creating the offence of possession of cocaine where that possession did not exist in the previous law. But the Act stops short.

When the honourable Member for St. Michael East, introduced the Bill he made mention of further work which was being done and of the intention of the Ministry to introduce later in this House a Misuse of Drugs Act. It is a pity that the opportunity was not taken at this time to bring the full legislation in relation to the misuse and abuse of drugs into Parliament. The existing law, as I understand it, deals with the prohibition of the possession and use of narcotic drugs only, but there are a lot of other dangerous drugs which are available, and which people use. I believe drugs like LSD and mandrax, which they call 'uppers', are not within the definition of narcotic drugs, and yet it would seem that the possession of those drugs in Barbados is not contrary to the Laws of Barbados.

(*ASIDE: Section 5.*)

(Hon. H. B. ST. JOHN: You go ahead. When we get into Committee, we will deal with that.)
6.25 p.m.

Mr. M. A. KING: I mentioned drugs which are popularly known as the uppers. I do not know the technical terms, I think they call them amphetamines, things like the LSD and Mandrax, and I think even Angel Dust might be included in that lot, the ones which are not narcotic, because if you note in the Schedule to the Narcotic Drugs Act, LSD and Mandrax are not mentioned and yet these are dangerous drugs by any standard. They are drugs which can affect the mind of the individual who takes them to such an extent that he has weird notions about himself, and they perhaps are as dangerous as, or more so than the ones which we are now seeking by this amending legislation to control and prevent the possession of.

I would hope that this measure which is now before the House is in every sense of the word a very temporary and short term measure to deal with the immediate problem of the proliferation of cocaine, which I understand has been a real problem to this society in recent times. It is certainly a measure which would deal with that problem, provided we also make sure that the Minister, at the earliest possible opportunity, also deals with the problem of the change in the definition of cocaine which appears in the Schedule to the Act.

Mr. Deputy Speaker, another problem which I have with this legislation — it may not be too big a problem, but it is a problem nonetheless — is in relation to extension of the powers of arrest which are given to the police in relation to drugs. Let me say at the outset that I have no problem whatsoever with giving the police the widest possible powers to deal with persons who are in possession, who have possession of and who use and peddle narcotic drugs or any other type of drugs which are harmful to members of the community. But against that we have to weigh the equally important

principle which, to some extent, we have to be concerned with, the liberty of citizens, and about the possibilities for the abuse of powers of arrest which the police may have.

The concern about powers of arrest is particularly important where in the profession, daily, we have to be concerned about the difficulty, to say the least, with which persons who are arrested and charged with offences are sometimes admitted to bail. It seems to me that the time is right when serious consideration has to be given to the early introduction of a Bail Act in this Parliament which would define and limit the areas within which a citizen is entitled to have bail, because at the moment there seems to be too much uncertainty.

(Hon. Dr. R. L. CHELTENHAM: That is nothing new).

Mr. M. A. KING: It is nothing new, but I am saying that the time has come where something definite has got to be done about it, because one has to be concerned about the situation where there seems to be a tendency that persons are put away and are confined before they are actually convicted. One sometimes tends to get the impression that persons who are arrested and charged with an offence are presumed to be guilty — and are there meted out some kind of punishment pending trial.

It is with that kind of concern that I say we have to be equally concerned about any extension of the powers of arrest which are given to the police. I am not concerned about the police finding someone with cocaine or marijuana in their possession and arresting them right there and then, or even with the powers of having search, going into premises and finding drugs on the premises and arresting the person there and then. I am concerned about the latitude which may result from the interpretation of where a person is reasonably suspected by a member of the Police Force of having committed an offence under this Act. When you couple that with the difficulties which are experienced by persons getting bail, Your Honour will understand the concern which I have about any enlargement of the powers of the police in regard to the power of arrest.

Mr. Deputy Speaker, there is also a consequential consideration which must be taken into account. A serious look will have to be taken at the regulations under the Narcotic Drugs Act, because with the amendments which are here, there are certain sections of the regulations which do not make too much sense. They will have to be addressed in due course, so I will not spend any time on them now.

Let me conclude my brief remarks by saying this: this amendment to the Narcotic Drugs Act has been far too long in coming. There was a Bill before this Hon-

ourable House some time earlier in the Session which was withdrawn, and it has been silent for a long time. In the meantime, there have been a whole lot of rumours which have been spreading throughout the length and breadth of this country, which have not been good for the community, and which have not been good for us as a people. There has been no doubt that there has been a lot of illegal trafficking in drugs, particularly in cocaine, and trafficking of an international character throughout this community. Where a situation like that has been allowed to persist, that is something we as a people should all be ashamed of.

I have had great concern about raising the Questions which I have eventually raised in Parliament on the Narcotic Drugs Act because I had to weigh two considerations in mind. One is the consideration about getting and ensuring that the law was in a state where persons who were found in possession of cocaine could be brought before the courts and convicted. Secondly, the concern that if I raise question of this kind too openly, it might present encouragement to those who would take advantage of the unsatisfactory state of the law to indulge in the proliferation of cocaine and other drugs of this kind.

So I am urging on the appropriate authorities, before it gets too late, that they deal with the other problems which can result from the use and proliferation of other drugs, which are not yet covered by this legislation, what they call the amphetamines, now.
6.35 p.m.

The sooner we deal with that problem before it comes upon us, the better. Because let us face it, once the law covers the areas we are looking at now, there will be other avenues being explored for achieving the same results, and the sooner we come to grips with the problems which are likely to result from the use of other types of drugs, the better it will be for the society.

I will end my remarks by expressing the hope that the fullest possible co-operation at all levels be given to the police in the detection and the prosecution of persons who are caught peddling narcotic and other dangerous drugs in the community, particularly those who are engaged in the pushing of drugs and making millions out of its use and sale.

Hon. L. R. TULL (St. George South): Mr. Deputy Speaker, the extent to which the use of dangerous drugs is increasing in Barbados is somewhat alarming. Most people speak very glibly about it without having the statistics. I, myself, am confronted almost on a weekly basis with the figures of the people who are caught with dangerous drugs, whether they are charged or not charged. I am confronted with figures of drugs which have been taken at the airport and seaport in quantities,

in each case. I am also given figures of the number of school children who are caught from time to time either using or in possession of drugs, and there is no comfort in the data that come to me.

In 1970, there were only four prosecutions for possession of dangerous drugs; in 1982, the figure was just slightly over 300; and indications are that in 1983, the figures will be even higher. That gives some indication of the dimension of the problem that we are talking of, and all decent-minded people in the community and people who are genuinely concerned about the health of the society — and I use “health” both in its literal and figurative sense — must feel a great deal of concern at what is going on.

It does not require any complaining against the position of Government in relation to legislation. I believe there have been four bits of legislation brought before Parliament over the last ten years or so in relation to drugs, penalties and so on. The Bill of last year, which the honourable Member for Christ Church West Central (Mr. M. A. King) made reference to, was a Bill which was intended to increase the penalties for possession and trafficking of drugs. That Bill was withdrawn not for the reasons stated by the honourable Member, but because we felt that certain areas required beefing up. For instance, that Bill was deficient in that no provision was made for possession in the terms of which the honourable Member just spoke.

This year in the January Assizes, someone appeared before the courts for the possession of cocaine and was acquitted because the chief witness for the Crown, the Government Analyst, could not honestly say that even though the accused was in possession of cocaine, that it fell within the definition of the Schedule of the Narcotics Act. At that time, representation was made by the Director of Public Prosecutions and the Commissioner of Police to the Ministry of Legal Affairs that steps should be taken to plug that gap, and that there must be legislation to define cocaine in terms such as would negate the type of incident which happened in the Assizes in January this year.

I am however a little bit surprised that the honourable Member should say that the Bill which is before Parliament today does not meet that need.

(Mr. M. A. KING: Does it change the Schedule?)

Hon. L. R. TULL: The honourable Member asks if it changes the Schedule. I believe — and I have just checked with the Minister of Health — that he has in his possession, from my Ministry, the Order for the addition of the new definition in the Schedule as soon as the Bill is passed, and he also has in his possession draft regulations that will meet some of the problems which he identified.

The honourable Member asked, and his side keeps asking, how would he know? But one presumes, particularly if you are a lawyer, that if you are going to bring legislation such as this to meet this particular need, you will bring the Order at the same time as you bring about the amendment to the Act. That is precisely what is happening in this particular case.

We had the honourable Member again being a little bit ambivalent. On the one hand, he said that he understood that the gravity of the problem of drugs requires that the police should have powers of arrest such as are set out in the Bill, and then, on the other hand, he brought out the obverse of that, that is, the need to preserve the rights of citizens. He talked about this in respect of bail and so on. The honourable Member in the end did not come down on one side or the other. He has not really said whether

(Mr. M. A. KING: I said I am against extending the powers of arrest.)

Hon. L. R. TULL: The honourable Member says he is against extending the powers of arrest. I can only say that he means that he is against Section 19A.(1) of this Bill which says:

“A member of the Police Force may arrest without a warrant a person who has committed or is reasonably suspected by the member of the Police Force of having committed an offence under this Act.”

This refers to prosecution in relation to a narcotic drug, and the honourable Member for Christ Church West Central is saying that he does not favour this provision because it is extending the powers of arrest. This is what I am understanding the honourable Member to say. In other words, you are hearing from him that having or selling drugs is a big problem, it is a problem that is causing great consternation in our society, but yet when the police have reasonable grounds for suspecting that someone is trafficking or is in possession of drugs, the honourable Member thinks we are giving them powers of arrest without a warrant.

Mr. M. A. KING: On a point of elucidation: The point I was making, if my learned friend did not understand it, is the concern I am expressing about the fact that the legislation as it stood made no provision even for the prosecution of persons who were found with cocaine. Cannot my learned friend understand the difference between the fact that there is no provision for prosecuting them and the powers of the police?

Hon. L. R. TULL: I must say I really do not understand, Sir, because this Bill makes provision, as I have just said, for redefinition of cocaine to bring it within the provisions of the Act, which operates in conjunction with the Order that can be made by the Minister, and is prepared and is in his hand, adding to the Schedule the new definition. I do not know what I have to tell the honourable Member!

(Mr. B. M. TAITT: Put it in the Act).

Hon. L. R. TULL: The honourable Member for St. Michael West need not advise me on how to draft legislation — or anything for that matter, so there is not any point saying: "Put it in the Act." That is the way we choose to do it, and that is the way it is.

We had the honourable Member again raising the question of the Bail Act. I agree with him, Sir. But I must say that during the debate of the Annual Estimates in March this year, I said on the Floor of this House that I was involved in discussions with draftsmen in my Ministry on a comprehensive review of much of the Criminal Law, among which was a new Bail Act, which we are contemplating bringing in some time this year. So the honourable Member need not worry too much about that. That will be before Parliament within a few months. 6.45 p.m.

Let me just say this, Mr. Deputy Speaker. While the honourable Member believes that the powers of arrest in the Bill are too wide as they are, it was even proposed to me that there should be mandatory prison sentences on indictable offences for trafficking of drugs. I have an instinctive dislike for mandatory sentences, as they remove the discretion from a judge or magistrate in particular circumstances to treat with more leniency than they would in other cases. But this is how strongly certain sectors in the community feel about drug trafficking. There is in fact a significant lobby for mandatory prison sentences for all people in possession of and trafficking in drugs.

The honourable Member chastised the Government for dilatoriness in bringing this legislation. It had all the time from January to July. Yet, the honourable Member volunteers that we should have brought, one-time instead of doing it piecemeal, the Misuse of Drugs Act.

Now the honourable Member and I have no quarrel with respect to the need for a Misuse of Drugs Act in Barbados, but I am sure he understands that for what we are seeking to do, the piece of legislation today should have taken some time, because we needed to have consultation. It is always easy to criticise, but these things have to go back from Parliament, as this did, to the Ministry of Health, which must consult with the Government Analyst, who must bring his professional experience to bear on any decision that is taken in the Ministry of Health. Then the Ministry of Health must get back in touch with the Ministry of Legal Affairs, which has to do the drafting and refer it back.

These things take time. When we do these things in one big rush and there is a slight typographical error, it is greeted with howls of protest from Members on the

other side. When we take our time and make sure that we do exactly what we want, and bring it without any misgivings as to whether we have done exactly what we want, there are complaints about our dilatoriness!

We intend, Mr. Deputy Speaker, to introduce, at the appropriate time, a Misuse of Drugs Act. The Minister of Health has said in his Second Reading speech that he is setting up an advisory body on drugs under the aegis of the Ministry of Health. It is the advisory body on drugs that will make recommendations to the Ministry of Health, which will in turn send drafting instructions to the Ministry of Legal Affairs, so that we can come up with the type of legislation that would meet the need that has been stated by the honourable Member for Christ Church West Central.

In anticipation of drafting instructions from either the advisory body or the Ministry of Health, we in the Ministry of Legal Affairs are at the moment studying a number of Misuse of Drugs Acts in the Commonwealth. We are studying the Bermudan precedent, we are studying United Kingdom Misuse of Drugs Act, we are studying the Trinidad and Tobago Ordinance on Drugs. So we are preparing ourselves in anticipation of drafting instructions of the Ministry of Health; we are looking at precedents to be ready to bring legislation to embrace and encompass all the difficulties articulated by the honourable Member for Christ Church West Central.

Mr. Deputy Speaker, I must make this point. The Police Force has taken its responsibility in relation to drug detection and prosecution with increased dedication and seriousness over the past few months. They agreed to reorganise the Drug Squad in the Royal Barbados Police Force and it is literally speaking all over the place. And results are already being seen, because the number of people who have been arrested in recent months not for possession of a reefer or two, but people who have suitcases and many kilos of marijuana or whatever drug — these numbers have increased significantly in the past few months. I want to commend the Police Force and the Drug Squad for the very important job they are doing, and the success with which they are doing it.

I want finally, Mr. Chairman, to join with the honourable Member who just spoke on the dangers of rumours that spread through this community in relation to drugs. You know we are a very wicked society, and we thrive on a rumour, and usually the type of rumour that goes around is the type of rumour that an individual cannot answer. At one time, long ago, you would say a man was a communist and everybody felt that was the worst thing under the sun. If you wanted to rinse out a man and get rid of him, you said he was a communist. We went through a period when they said you were a homosexual and you could not answer that. There was no

way you could answer that. Nowadays the current thing is to say he is in drugs — and equally there is no way to answer that.

I believe that we need a greater sense of public responsibility in confronting problems that are likely to eat out the hearts and guts of this country, and by collective action by decent-thinking people in the society, not only the law enforcement agencies, we try to wipe and eliminate from our society those people who are hell-bent on the destruction primarily of young people in our society. So all I can do is to join the honourable Member in supporting his suggestion that people should deal more responsibly with what they say and hope that the legislation will act to some extent to deter the traffickers, but further that there will be other forces at work in the community, other mechanisms that the Minister of Health referred to, transcending any law enforcement agency: work in the schools, work in the churches, in the homes and in youth groups, in the parent teachers' associations — the whole lot of them. We are hoping that that work will be done by all these organisations to bring home, with dramatic impact on each and every member of our society, the very dangerous effect of drugs on the human body and the human spirit.

6.55 p.m.

Mr. B. M. TAITT (St. Michael West): Mr. Deputy Speaker, what I have to say on this Bill will not take very long.

I wish, first of all, to deal with a few of the remarks which were made by the honourable Attorney-General (Hon. L. R. Tull). I do not think that any right-minded person will fail to agree with those aspects of the remarks made by himself and the honourable Member for Christ Church West Central (Mr. M. A. King) as they relate to the prevention of the sale of illegal drugs in Barbados. What I find a little difficult to accept is that whenever we have these matters of these kinds coming before this Honourable House, the Attorney General, does not seem to be able to take the critical statements which are made in the spirit in which they are made.

Sir, any minute now they are going to tell me that I never practised at the Bar and therefore I do not know anything about law. But a reading of what has been put before us by anyone who has been familiar with the methodology that is used in these kinds of Bills, or this kind of legislation, cannot find where possession has been made an offence in this piece of legislation. I would ask the honourable Attorney-General or somebody to explain to me where in this legislation possession has been made an offence.

Mr. DEPUTY SPEAKER: I do not want to interrupt the honourable Member, but certainly that seems to me to fall within Committee stage, when we deal with the

various sections or paragraphs of the Bill. I believe that we should deal with the substance of the Bill as it stands now.

Mr. B. M. TAITT: With the greatest respect, Sir,.....

Mr. DEPUTY SPEAKER: If there are any omissions in respect of the various Bills, I think you should deal with that in Committee stage.

Mr. B. M. TAITT: With the greatest respect, Sir, if in fact it is not included in the Bill itself, then it would be impossible to deal with it in any of the sections.

The point is that a mischief which this Bill seeks to correct includes a difficulty which arose on the question of possession of cocaine. And if, as we understand, an Order accompanying this Bill will seek to.....

Mr. DEPUTY SPEAKER: That is why I am suggesting that you can deal with that when you come to the clauses, because that certainly would arise in Committee.

Mr. B. M. TAITT: Mr. Deputy Speaker, if you would bear with me and let me proceed, I think perhaps I will make my point.

You see, the honourable Attorney-General indicated that the honourable Member for Christ Church West Central had accused the Government of dilatoriness, to use his word, arising out of a decision made in the January Assizes, and that the Government had to be absolutely certain that it had done what it purported to do when it brought legislation before the Honourable House.

I am suggesting to the honourable Attorney-General that, among the difficulties which my learned colleague from Christ Church West Central, must have had, was that of finding where the honourable Attorney-General would have corrected the particular problem which has arisen concerning a specific drug, cocaine.

I accept that a more detailed examination of the omission of which I speak can be done in Committee. But if the honourable Attorney-General is going to accuse us on this side of taking both sides and not coming down on any one side, we have some difficulty, if what we are trying to demonstrate is that the mischief has not been corrected.

It is well-known in Barbados that a few, or maybe more than a few persons in Barbados, have benefitted substantially from the proliferation and the trafficking of cocaine and other drugs in this community. And to the extent that we as legislators have become aware of that problem, the proliferation of drugs *per se*, but more particularly the proliferation of a drug called cocaine, a remedy for which does not appear to be on the Statute

Books and therefore at the hands of the courts, that that ought to take priority over all other bits of legislation being processed in the honourable Attorney-General's Chambers. If the problem is as widespread and deep-seated as the Attorney-General and the other honourable Members suggest, then the question of our having a complete Bill ought to move from its position in the normal scheme of things, up to a position of number one priority in the Chambers, and indeed, in the programme of the Government.

No one will deny, and the honourable Attorney-General must not assume that we on this side are so naive that we will not understand, that the business of the preparation of legislation is not done in a day or two. Every one of us must understand, and especially those of us who have had some experience in Cabinet Government understand, that there are certain processes which have to be gone through. He need not come to this Honourable Chamber and give the impression that persons are criticizing for the sake of criticising. He, himself, acknowledges that this is one of the major problems in this country. It is a social problem, it is a health problem, and I say, without fear of contradiction, that the proliferation of drugs is the most pervasive cause of the degradation of this society.

The Police Commissioner and his senior people have all said at different times that the high increase in crime in Barbados is drug related. Every person of any importance, or holding any position, who has spoken on this subject has been loud in condemnation of the trafficking of drugs, because they have all agreed that the increase in crime in this country, both economic and personal, has come from drug-related causes.

If that is so, the Government has a responsibility to change its priorities in such a way that when this legislature comes to discuss a Bill related to narcotics, we can discuss it in its entirety. And I am putting it to the honourable Chamber that from January to August is sufficient time to prepare a whole Constitution, furthermore a piece of legislation dealing with narcotics.

I go further and say this: It is not as if this business of the problems of narcotics is something that has emerged for the first time as a problem in Barbados. There are all kinds of precedents and examples of other countries that have similar problems. And if there is legislation, examples of which should be available in great abundance, there can hardly be anything more expressive of that availability than drug legislation, because the question of illegal narcotics is a problem in every country in the world today. And there has been legislation in almost every country in the world today concerning these particular problems!

So we are going to have to have another debate now on the — I think they call them the hallucinogenic drugs and we are going to have another debate on the amphetamines, the tranquilizers, the barbiturates and all of the drugs related to the abuse and the degradation of the human spirit through the greed of persons who forsake their responsibility to the community in pursuit of quick, easy and lucrative financial reward.

The most immoral thing anyone can do in a community of this size is to introduce illegal narcotic drugs. And if there is anything worse than that, it is the introduction of those drugs to young people. Anyone who has passed through a place called Harlem in New York, in the United States, and who has seen the broken spirits, the degraded bodies that are strewn around on the streets of Harlem; anyone who has seen the effects of heroin on family life, indeed on human life as a whole, cannot have any doubt that the prevention of drug abuse is the number one priority in any modern day society, if that society is to survive.

7.05 p.m.

The honourable Member talks about rumours. This society has subsisted on rumours from time immemorial. A whole Government was changed on the basis of rumours, so rumours and rumour mongering is nothing new in Barbados. But there can be no doubt that there is substance in a substantial number of rumours which are permeating Barbados about drug pushers.

I have no doubt, Sir, from my own views of law and morality, that each individual in Barbados has the right to do whatever he wishes with his own body, and therefore if a man chooses to smoke reefers, if a man chooses to do a number of things to destroy himself, on the face of it you may say that he is exercising his right. But where the exercising of that right is going to spill over into the destruction of others around him, then that is not the exercise of a right at all — it is a criminal act in every sense of the word, and I believe it is the duty of every Barbadian to assist in the rooting out of the drug pushers in Barbados.

The honourable Member says that he is not in favour of mandatory sentences. I agree with him, I am not in favour of mandatory sentences either, but maybe for different reasons. I do believe that mandatory sentences serve any useful purpose, because the real perpetrators of the crimes of this kind, pushing drugs, are hardly ever brought before the courts for sentencing. Mandatory sentences tend to go to the agents and the sub-agents.

I believe that offenders should be dealt with harshly, but I will say in passing that because of the ease with

which a person can be implicated in drug related offences, innocently and through no fault of his own, the strictures which my colleague, the honourable Member for Christ Church West Central, offered in defence of human rights, even for the worst criminal, ought to be well taken. I think the point he was trying to make, if I understood him correctly, was not that he was against what is in essence a common law position for the police, because the common law position as of now is that a policeman can arrest without a warrant if he has reasonable suspicion that a crime has been committed or is about to be committed, so the Statute as it now stands with the amendment which has come before us appears to be seeking to put in Statute what is the common law position. I myself do not think that it is necessary, and to the extent that it has been brought without the necessary arrangement for matters concerning bail is the point which I think my honourable friend was making, that if this extension, as he calls it, to the law is going to become part of the law, then it should be accompanied with the necessary safeguards for the rights of the individual in so far as arrest and detention are concerned in Barbados.

I would think that the Attorney General must understand that point in the context in which it is given and ought not to seek in a debate of this kind to suggest that the honourable Member was not coming down on one side or the other. We are not arguing about cricket, who is the better batsman out of Worrell and Weekes, we are arguing about a matter in which persons have views that go in both directions. Lawyers represent clients and the lawyers prosecute people, and therefore a sensitive lawyer who is dealing with the issue of law as it affects the society, ought to bring to bear his views on both sides of the question. It is not a matter of being against the dope pushers to the extent that you ignore the rights of all persons who have been identified as dope pushers, so the point that was made is not, in my view, one that the Attorney General ought to have taken in the manner in which he took it.

Having said that, I think one can go on to reinforce the position that when we pass legislation here concerning narcotics, there should be absolutely no misgivings in the minds of the courts and/or the practitioners in the courts on either the side of the prosecution or the side of the defence. The law concerning narcotics should be so crystal clear to the extent that law can be crystal clear, as Your Honour would recognise, so that the area of confusion which arose in the January Assizes would be unlikely to arise in future cases.

Obviously, this Legislature cannot legislate for all circumstances in all times, but to the extent that we can produce legislation that is fair, we ought to do so. When we are faced with this the day before the end of a Session, or the day of the end of a Session, one legislative

day, and when suddenly we are being inveighed upon or inveighed against not to attack the Government for tardiness and dilatoriness, when they had six months to examine this kind of legislation, one has to ask the questions that have been asked by others: What is the fuss? What is the cause for the delay? Why have you taken so long?

Mr. Deputy Speaker, no explanation has been vouchsafed to us, except the palpably unsatisfactory attempt by the Attorney General to explain why six months must pass before a simple amendment to change the Schedule of the Narcotic Drugs Act, Cap. 140A is brought before the House. While the rest of the legislation was pending, as I understand it, the analyst indicated that if in the Schedule the words "methylester of benzoylecgonine" had been removed, that it would have solved the particular problem which arose in January.

Sir, at the risk of being offensive to some persons, a lot of legislation of questionable use and questionable regard has indeed passed between January and today — questionable value in relation to this. We have had sessions in this Honourable Chamber where we have come down here and passed one piece of legislation. It would not have taken a genius to have produced the necessary amendment to the law as it stood, to correct the particular mischief of which my colleague spoke and of which all Barbadians wondered for some time.

We have to start wondering if the asking of Questions by the honourable Member for Christ Church West Central triggered the bringing of this amendment. And now that the amendment has come we cannot say it is crystal clear, and the honourable Member says that they choose to do it this way!
7.15 p.m.

One has to ask: What is this new methodology in drafting which has developed which would require that where a Schedule to an Act already exists and it has been demonstrated by the competent authority that there is an error in the definition attached to that Schedule, the manner in dealing with that is to pass an Order, as opposed to simply correcting the error in the Schedule — and then you come and tell me "They choose to do it that way?" One has got to ask, why did they choose to do it that way? If this is something that is not vouchsafed to us, let us who do not know so well be enlightened. But I do not understand this new concept — that the Minister must pass an Order to correct a Schedule for which, we are told, the competent authority, namely the Government Analyst, had indicated what the correction would have been.

Be that as it may, Sir, although this piece of legislation does not really clarify the position, to the extent that it would insist on making the prosecution of drug pushers easier — and I have real doubts as to the extent to which it will go — we will support it.

I would say, Sir, as I end, that there is one aspect of the legislation, which raises some question in my mind. I am not certain that, and I am trying not to discuss the details of any of the clauses, the throwing of the burden on the defendant in the question of proceedings against a person for an offence under the Act is necessarily the best approach to our jurisprudence in Barbados. I am certain that we would want to discuss that a bit more when we come into Committee. This is a very serious area in the context of the rights of the accused. I do not wish to go into a long exposition on that. In any case, I do not think that one would have the time to deal with the matter properly and effectively.

The other thing which I would have liked to see this legislation touch on is a clarification of the definition of possession. Even though there are definitions of possession in this piece of legislation with regard to the question of drugs, that whole area of possession, as Your Honour knows, has been a matter of interpretation, and reinterpretation, and comment, from a number of legal scholars. I would have thought that, to the extent that it has been clarified, an opportunity would have been taken by the draftsmen to put the issue beyond doubt in so far as Barbados is concerned.

Mr. DEPUTY SPEAKER: When the honourable Member rose, he said what he had to say would not take very long. I must now inform him that he has already had 30 minutes.

Mr. B. M. TAITT: I am closing now, Sir. I can only say that the particular piece of legislation will still leave that whole area of what constitutes possession as it relates to drugs generally open for interpretation by the courts in one form or another.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, I was in the House when this exceptional useless Bill, the Narcotics Act of 1974, was passed. We warned Dr. Caddle then that he was replacing an Act which had met the test of time, and under which prosecutions could effectively be held, with an Act that was so complicated that there was bound to be trouble in administering it. But the doctor knew better!

He was the Minister of Health, and he knew better, so he produced an Act that, nowhere in the Act, is it said that the possession of cocaine was an offence! He produced an Act in which cocaine was wrongly described! He produced an Act in which there is no single

statutory instrument to which you could look to control LSD, cocaine and the more elaborate drugs! And it seems that the confusion into which he threw his party is still persisting in the minds of those who sat in the Cabinet with him up on that occasion!

The honourable Member for St. Michael West (Mr. B. M. Taitt) gets up and says that a simple Order could change the definition of cocaine in the Schedule. It may be true, and I will deal with that later, but the fact is that the part of the Act which refers to the First Schedule still does not create an offence, which is one of the matters which we are addressing here today — to add Section 11(a) to the Act to make it clear that there is an offence.

The trouble with this Act is that it is too elegant. Whoever drafted it originally was too clever for his own good. He wanted to produce something elegant. It would have a part dealing with the raw materials of drugs. It would have another part dealing with prepared drugs. It would be an obvious offence to possess the raw material for making the drugs, but you would have to rely on regulations to deal with other matters. Well, he proved too clever by half, and it is that that has hamstrung the police in their proceedings against the possessors of dangerous drugs!

I would just remind honourable Members that under the Act which this Act replaced, on the face of it, it was lawful in Barbados to manufacture heroin as long as you deposited it with the Comptroller of Customs for export and did not sell it to Barbadians. I do not recall that it was even an offence to possess it for use as a drug. The offence of possessing it would be for not keeping it in the Queen's warehouse. In other words, you could hold it, but you had to keep it in the Queen's warehouse.

So one can understand that the manufacture of drugs may have been in the mind of the draftsman. But he produced Part II, which deals with the raw materials of drugs: raw opium, from which heroin is made; coca leaves, from which cocaine is made — (although it can be made by a chemical process; you can synchrocise it in the laboratory, you do not actually need a coca plant to make cocaine) then there is poppy straw, which, I suppose, is also a base of some kind of morphine.

I am not a chemist, Sir, so I do not know of these things, but there is a great deal about importing and not importing. And then Section 6 allowed a breath of commonsense to blow through the draftsman's head and the Minister's consideration by amending the then law to take account of the difficulty which the courts were having in convicting people who possessed marijuana.

Marijuana is now a well-known substance in the world. It is legal, perhaps, in most countries where it is used. It is only the European countries and the United States of America, and places under their influence, which have made marijuana illegal in the last 40 to 50 years. It is sufficiently well known, to my mind, for it to be put into the Act in its own right, instead of having to make out an elaborate case about *cannabis sativa*, dealing with cannabis and cannabis with resins and so on. But that would be a matter for the courts. I leave that to them.

7.25 p.m.

But there cannot be any doubt that cocaine is a substance known by no other name, it is known as a narcotic drug, its only other names would be Latin names over which the analysts cannot agree. They cannot even agree on the spelling of the definition in the Bill which is before the House, because they have it spelt *Erythroxylyon*, which has to be a bastard spelling, because the chemical names of plants are in Latin and there is no 'on' ending in Latin. The correct ending has to be 'lum'.

I am told that now it has been anglicised, which just means, I suppose, that illiteracy has taken over now that Latin is no longer being as widely taught as formerly, and in some way it is thought a word that very few of us can pronounce, *Erythroxylyon* sounds better than *Erythroxyllum*.

But the medical dictionaries differ in spelling. The Deputy Prime Minister has one which would show a different spelling. I have no doubt that is going to be the subject of a submission in the courts of Barbados, not the slightest doubt that somebody is going to produce Black's Medical Dictionary and say that cocaine is *Erythroxyllum* and therefore that this Act is wrong, and the analyst is going to be cross-examined about that and asked to spell the word — all through this foolishness! The substance is cocaine, and it should be made an offence in the early part of the Act.

I am not being critical of any individual. This is what you get when more than one Ministry has to deal with the subject. If I am critical of anybody, I am critical of myself, because I have been trying to oversee the updating of the Narcotics Act. But because more than one Ministry is involved, we are dealing with offences on the one hand and we are dealing with a legitimate interest of the Ministry of Health on the other, and therefore you get documents shuffling from one to the other and to the Government Analyst, who, unless I am mistaken, is under the Minister of Agriculture. So you get the documents shuffling from Ministry to Ministry with no unified responsibility, and no Minister who can grasp all the leads in his hand at the same time.

But the greatest difficulty we have is this foolish Act that was passed in 1974, and I welcome the words of

the Minister of Health, that an entire revamping of the question of misuse of drugs is now being undertaken and that we can get an Act which deals with all drugs in the context with which, 95 per cent of the time or more, we have to touch them, which are noxious drugs found on persons, who are prosecuted before the courts.

I have endeavoured to give one part of the answer that the Attorney General can give in respect of why not just to amend the Schedule. I have no doubt he will deal with it at greater length, but I would certainly say that it is an advance on the law that Section 11 (a) will make it clear that all the drugs on the Schedule now involve an offence once you possess them.

I look forward to the passage of this Act, so that during prorogation of the House, all the passengers and others who are found in possession of cocaine will not be able to go free because the police can have no confidence in prosecutions; and that when the police raid premises and find cocaine in motor cars and find traces of cocaine in these west coast places, they will no longer be hamstrung by lack of statutory authority.

But it does not lie in the mouth of any honourable Member opposite to be critical of the drafting or the speed or any matter relating to the legislative provisions on narcotic drugs. We would not be in this state today if Caddle and his foolishness did not prevail with the previous Cabinet.

Rt. Hon. E. W. BARROW (St. John): On a point of order: I would just like to point out to the Minister that he should not call the name of any person, a former Member of this House or otherwise, without giving Your Honour notice. But quite apart from that, the same draughtsmen who created the foolishness, I believe are the same draughtsmen who have introduced the foolishness today. I have good reason to believe that.

Rt. Hon. J. M. G. M. ADAMS: I am not being critical of Dr. Caddle in his private capacity. I am criticising the performance of his duties as a Cabinet Minister. I am not being critical, but I am obliged to the honourable Member for his indication of his continued penetration behind the corporate veil of the bureaucracy to discover that the same hands may pen in 1973 and 1983. I cannot pretend on his knowledge of the matter. It may be so, it may not be so, I know nothing of it.

I very sincerely hope that the two Ministers concerned will soon take counsel to have a more direct approach to the problem of drafting to prevent the misuse of drugs.

Rt. Hon. E. W. BARROW: I would suggest to the honourable Member because I am not making a speech, that he could always send the draughtsmen to CARICOM,

Hon. Dr. D. G. BLACKMAN: Mr. Deputy Speaker, stripped of all the rhetoric and sounds of righteous indignation, we come down to this essential fact, that the question of drugs is an extremely complex one. The Ministry of Health, which has as a part of its normal function the responsibility of monitoring noxious drugs that find their way into this country perforce, has to carry through a programme to which not only narcotic drugs, but every drug that comes into Barbados and is used by the populace, is subjected to repeated testing and analysis. Drugs which yesterday were considered to be efficacious for the purposes of relieving the stress and curing illness, the next day are found to have deleterious side effects which the Ministry of Health is required to contain and restrict. Therefore, the programme of monitoring drugs is not a programme lightly executed nor a programme in which speed is likely to be the most essential characteristic.

I think it is a failure to understand how a Ministry with this kind of responsibility approaches its work in relation to drugs to believe that any chemist or any Ministry of Health expert can blindly dismiss the often conflicting opinions of botanists who have conducted extensive research in this area.
7.35 p.m.

Cannabis may be a simple identifiable substance to many people who operate on the basis of common sense. A Ministry of Health cannot conduct its work on the basis of common sense. A Ministry of Health must conduct its work on the basis of scientific analysis.

Common sense tells us that the diameter of a full moon is one foot, but scientific analysis tells us that it is something else. Therefore, within the realm of health, where people are consuming drugs of all kinds, we cannot taste a drug or look at a drug, as some other individuals might do, and say that this is a good drug or a bad drug; it is cocaine, it is heroin or whatever it is. I do not recall ever seeing cocaine in my life, and, therefore, I am even less susceptible to allure of the deliverances of common sense.

The literature of botany is replete with definitional controversies as to what constitutes a particular substance. That being the case, a Ministry of Health that is seized with the responsibility of making a decision as to what constitutes a particular drug, cannot, with the same facility of certain Members of Parliament, who do not have the same kind of responsibility as people within the Ministry of Health, say, "Let us call it by any name and get the legislation through." It would be a serious dereliction of responsibility if we conducted our work in this way. That is why the various species of cannabis are carefully enumerated within the interpretive section of the proposed legislation.

(Rt. Hon. J. M. G. M. ADAMS: That is not what it is.)

Hon. Dr. D. G. BLACKMAN: It used to have a different definition, because the definition was based upon a blithe disregard of the niceties of distinction that grow out of the discoveries and researches of botanists.

Aside.

Hon. Dr. D. G. BLACKMAN: No! It used to say *cannabis sativa* L. But now, it says other things besides *cannabis sativa*. It also says *cannabis indica* and *cannabis ruderalis*. That is what it also says.

(Rt. Hon. J. M. G. M. ADAMS: It used to say the female flowering. Leave out that. We know about that.)

Hon. Dr. D. G. BLACKMAN: The fact of the matter is that one cannot abandon the distinctions that are made by scientists, and one cannot deny the fact that there is considerable controversy over the definition of certain drugs. In such circumstances, a Ministry has to tread very carefully in selecting the technical terms that it will insert in legislation.

The next and only apparent point of substance, the only apparent bone of contention, is with respect to cocaine. It has been said before, and I reiterate, that as soon as this Bill becomes law, the Minister, acting under the powers conferred upon him by Section 9(2) of the Act, will make an Order which, we believe, will clear up the difficulties that were confronted in the law courts with respect to the definition of cocaine.

On the advice of the Government Analyst, the Ministry of Health will remove the term "methyl ester of benzoylecgonine", I believe that is the pronunciation, and we will leave the word "cocaine" and we will also include two other categories: "coca leaves" as well as "tetrahydrocannabinol".

The question of including substances in the Schedule is not a difficult question at all, because whenever information comes to the attention of the Ministry of Health that a particular substance should be included in the Schedule to this Act, the Minister will make the necessary Order. If it is recommended by the experts that any substance should be deleted, then the same Order will be used for the deletion of that substance from the Schedule. Therefore, I really cannot understand what the difficulty is at all.

Those seem to me, Sir, to be the only points of controversy in the proposed legislation, and I beg to move that this Bill be now read a second time.

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

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

On the motion of Hon. Dr. D. G. BLACKMAN, seconded by Hon. H. B. St. JOHN, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. J. G. ODLE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called and passed.

Clause 2 was called.

Hon. Dr. D. G. BLACKMAN: Mr. Chairman, I beg to move that Clause 2 do now stand part.

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

Mr. B. M. TAITT: Mr. Chairman, I do not recall whether anyone raised the question of the synthetic drugs. We have coca leaves, but I believe that the sophisticates in the developed countries that are producing drugs have been able to produce cocaine from substances other than coca leaves.

(Rt. Hon. J. M. G. M. ADAMS: That is what I said.)

Mr. B. M. TAITT: You said that in the Second Reading Speech? Well, I would believe if you are putting it in, that this would be the point where.....

Aside.

Mr. B. M. TAITT: You are saying.....

Aside.

Mr. B. M. TAITT: I understand, I understand.
7.45 p.m.

You are saying that cocaine will take in cocaine whether it is synthetic or other? You are satisfied that that will take care of the matter? All right, I will not go any further.

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

Clauses 3 to 6 were called and passed.

Clause 7 was called.

Hon. Dr. D. G. BLACKMAN: I beg to move that Clause 7 stand part.

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

Mr. M. A. KING: Mr. Chairman, I do not want to delay the House on this matter unduly, but I think I ought to raise on Clause 7 that originally the offence of possession of cannabis was created in the regulations, so under the law, any person who contravenes or fails to comply with a regulation made under the Act was guilty of an offence. So where the regulation says "no person shall be in possession of a narcotic drug", if you are in possession of a narcotic drug contrary to the regulations, you committed an offence under the Act.

As the offence of possession, or rather the prohibition against possession of cannabis, and the prohibition against possession of cocaine and other narcotic drugs, is now contained in the Act, it seems to me that the Offences Section, if you want to be tidy about it, ought to say something like: "any person who contravenes or fails to comply with any of the provisions of this Act, or with any regulations made under the Act."

What is going to happen, and I am sure this is going to be the position, is that in order for the police to prosecute anyone under this legislation, they are going to have to do a skilful combination of referring to Section 5 of the Act, go back to Section 11 of the regulations, Section 7 of the Act, and it is going to create a whole lot of confusion, because in the Act itself, although you have prohibited the possession of cocaine, you do not say that the possession of cocaine is an offence.

As the Act stands, it would have been an offence, because the regulations said possession was contrary to law, and the Offence Section in the Act says if you contravene the regulations you commit an offence, but you see, as I said, it is going to create a lot of problems, and I anticipate that there is going to be a lot of technical slipping through for the defence in cases where it is sought to prosecute for cocaine. I believe that the position might not be too difficult in relation to the possession of cannabis, but certainly in relation to cocaine I anticipate there are going to be a whole lot of problems in getting it right, when, in my view, a simple amendment to the Offences Section, making it an offence for failure to comply with any of the provisions of this Act, should be made.

Hon. L. R. TULL: Mr. Chairman, the point made by the honourable Member is well taken, but it can be brought under Section 7 of the Act which is currently before us. I agree with the honourable Member that the regulations made provision for the offences in relation to marijuana — whatever is the biological term for it — I am entirely in agreement with that. I am not entirely

in agreement with the argument that it will lead to difficulties, because anyone charged would obviously be charged under the regulations — in addition to the section of the Act with which we are dealing.

In the interest of tidying it up to bring the cocaine in line with the provision the honourable Member refers to in respect of marijuana, I certainly would have no objections to making the provision of the offence under the substantive Act rather than through reference to the regulations, and I believe that could be done under Section 7.

(Mr. B. M. TAITT: We are on Section 7 now).

Hon. L. R. TULL: In which case, Mr. Chairman, the words used in the substantive Act are "guilty of an offence under this Act" and those are the words which would be included as an amendment in this section.

Hon. Dr. D. G. BLACKMAN: Mr. Chairman, my understanding of the amendment is that under Section 7 of this Act — Offences 20(1)(a) might read as follows: "A person who contravenes or fails to comply with this Act or a regulation made under this Act."

Mr. M. A. KING: Mr. Chairman, I understand the amendment moved by the honourable Member for St. Michael East, but I myself would prefer if the language is read; "Any person who contravenes or fails to comply with the provisions of this Act." I trust that that will be acceptable. Is that acceptable to the Minister?

Hon. L. R. TULL: That is acceptable, Sir.
7.55 p.m.

Mr. M. A. KING: There is one other point under Clause 7, Mr. Chairman. In relation to the penalties of persons convicted — this is at the bottom of page 5 — it says:

- (a) "A person who is convicted of an offence under this Part is liable on conviction on indictment, to a fine of \$250 000 or to imprisonment for a term of 5 years or to both"
- (b) "on summary conviction, to a fine of \$100 000 or to imprisonment for a term of 2 years or both."

It seems to me that a fine of \$100 000 on summary conviction is a bit steep. I would think that if you are going to contemplate that kind of fine, a person should have an option to trial by jury, and I would have thought that there would be a more realistic sum. I think that once you are looking at a fine of that magnitude, a person is entitled to an option, a right, to a trial by jury,

with a right to summary trial if he so wishes. But for a matter which is purely summary, then perhaps a fine of some \$25 000 might be more appropriate.

Rt. Hon. E. W. BARROW: Mr. Chairman, even at the risk of being accused of being too elegant, and I have heard that accusation being bandied about today, I should like to suggest in relation to the amendment which appears to be acceptable, that rather than having any unnecessary arguments in the law courts, the amendment should read, under Section 7, 20(1)

"A person who

- (a) contravenes any of the provisions of this Act or fails to comply with a regulation."

The word "any" has not been advanced before "or a regulation", which is already in the original draft that we have before us. If we do not put in those indefinite articles, it is possible that someone may argue that you have to contravene all the provisions to be guilty of an offence, whereas I am sure the intention of the legislation indicates that any single contravention would be an offence and not all the provisions — but any provision or a single provision.

I wonder if the honourable Attorney General would accept that amendment to the amendment: "any of the provisions of this Act or a regulation" as it is there now.

Hon. L. R. TULL: The right honourable Member did say that he did not intend to be too elegant, but it is my own view that, in the provisions of this Act, there is no substantial difference between "any provisions of this Act" and "the provisions of this Act", and I believe the Interpretation Act carefully makes this very clear. So it is only a delicacy in drafting, but there are several bits of legislation where the "provisions" of this Act — the plural — include any particular breach of the provision.

Rt. Hon. E. W. BARROW: I am inclined to err on the side of the honourable Attorney General, but I wonder why the draftsman have in in the amendment that we have here "or fails to comply with a regulation" instead of "regulations".

You see, if you are going to be consistent, you should not put "a regulation" and then put "provisions" instead of "any provision". You should put "provisions" and "regulations" but you should not put "a regulation" and "provisions". It is what you call a moot point, and you can waste a lot of time with it. Personally, I think that the Interpretation Act says the singular includes the plural and the plural includes the singular, but it is only a question of the second elegance, so it does not matter to me.

Hon. L. R. TULL: In response to the point made by the honourable Member for Christ Church West Central, I think under (2) "Where a person is charged with an offence under subsection (1), section 46 (1) of the Magistrates Jurisdiction and Procedure Act applies", I was under the impression that this is the provision that gives the option to the accused person whether he should be tried summarily or indictably. This provision is made under Section 46 of the Magistrates Jurisdiction and Procedure Act.

Finally, Mr. Chairman, to fall in line with the request of the right honourable Member for St. John, I would like to move that Clause 7, as amended, state "contravenes or fails to comply with any provision of this Act or a regulation under this Act". I beg to move that the section, as amended, stand part.

The question that Clause 7 as amended stand part was put and resolved in the affirmative without division.

On the motion of Hon. Dr. D. G. BLACKMAN seconded by Hon. L. S. CRAIG, Mr. Chairman reported the passing of one Bill in Committee with amendments, and Mr. Deputy Speaker resumed the Chair and reported accordingly.

On separate motions of Hon. Dr. D. G. BLACKMAN, seconded by Hon. L. S. CRAIG, the Bill was read a third time and passed.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I beg to move that this sitting be now suspended for dinner until 8.30 p.m. this evening.

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

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

ON RESUMPTION

Mr. DEPUTY SPEAKER: This sitting is now resumed.

THE DOGS (LICENSING AND CONTROL) (AMENDMENT) ACT, 1983

Order No. 2 was called – To move the Second Reading of a Bill to amend the Dogs (Licensing and Control) Act, 1981.

Hon. Dr. D. G. BLACKMAN (St. Michael East): Mr. Deputy Speaker, these proposals are fairly simple. They

contain two parts. There is the administrative, its objective being to transfer the operation of issuing and payment of licence fees from the Collector of Taxes to the Ministry of Health. The machinery used in the Ministry of Health for this purpose would be the polyclinics.

The other deals with the imposition of fairly substantial fines for the barbaric and illegal practice of dog fighting. There are many persons within the community who organise these activities, which are not only instances of cruelty to the animals concerned, but much of the wagering that takes place when these activities go on have led to serious breaches of the peace. It is felt that these penalties will constitute some deterrent to this illegal activity.

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

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

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

On the motion of Hon. Dr. D. G. BLACKMAN, seconded by Hon. Dr. R. L. CHELTENHAM, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. J. G. ODLE in the Chair.

Clauses 1 to 11 inclusive were called and passed.

On the motion of Hon. Dr. D. G. BLACKMAN, seconded by Hon. Dr. R. L. CHELTENHAM, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. Dr. D. G. BLACKMAN seconded by Hon. Dr. R. L. CHELTENHAM, the Bill was read a third time and passed.

THE PUBLIC SECONDARY SCHOOLS BOARDS OF MANAGEMENT (AMENDMENT) ORDER, 1983

Order No. 8 was called – To move the passing of a Resolution to approve the Public Secondary Schools Boards of Management Order, 1983.

Hon. L. R. TULL (St. George South): Mr. Deputy Speaker, just a few weeks ago an Order was made for the management of secondary schools. The Lodge School was not included, because the terms and conditions for the management of the Lodge School are included in the lease of 1880, a 99-year lease which expired in 1979. But although the lease had expired, the composition of the governing body of the school could not be changed until such time as a new lease was renegotiated, or indeed Government acquired acquisition of the school.

A Land Acquisition Order has been made pursuant on the passage of the requisite Resolution in both Houses of Parliament, and we are seeking now, in pursuance of the terms of the Education Act, to have the Lodge School brought within the provisions of the Public Secondary Schools Boards of Management (Amendment) Order, 1983. That is the purpose of this Resolution.

Asides.

Hon. L. R. TULL: It is a new board. I do not remember the names of all the members, but I believe that the whole board has been changed.

Ever since the Education Act of 1890 I think five of the seven members of the Governing Body of the Lodge School have been statutory positions, like the President of the Senate, the Rector of St. John, the Principal of Codrington College, the Speaker of the House of Assembly. I have seen the new constitution and it excludes all the old members of the governing body. It is a completely new Board of Management, and the names are not to my mind at the moment.

I beg to move that this Resolution do now pass.

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

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

COMPULSORY ACQUISITION OF LAND AT BANK HALL CROSS ROAD, ST. MICHAEL

Order No. 11 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Bank Hall Cross Road, St. Michael.

Hon. L. S. CRAIG (St. James North): Sir, this Resolution is an acquisition at the corner of Bank Hall Cross Road. There is a derelict house there and it is a health hazard and a public hazard. To improve the junction, which has always been a great problem to motorists, the Government has set out to acquire this portion of land.

I beg to move that this Resolution do now pass.

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

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

AIRPORT SERVICE CHARGE (AMENDMENT) ACT, 1983

Order No. 13 was called – To move the Second Reading of a Bill to amend the Airport Service Charge Act, Cap. 59.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, this is a Budgetary measure and I beg to move that it be now read a second time.

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

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 5 inclusive were called and passed.

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

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

ACCIDENTS AND OCCUPATIONAL DISEASES (NOTIFICATION) (AMENDMENT) ACT, 1983

Order No. 14 was called – To move the Second Reading of a Bill to amend the Accidents and Occupational Diseases (Notification) Act, Cap. 338.
9.00 p.m.

Hon. L. R. TULL (St. George South): Mr. Deputy Speaker, in this Bill we are trying to extend the circumstances under which accidents should be notified, to update the accidents and occupational diseases contained in the Third Schedule of the Act and also to provide for increased penalties under the Act.

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

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

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

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

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 4 inclusive were called and passed.

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

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

RESOLUTION TO APPROVE THE CIVIL ESTABLISHMENTS (TEACHERS) (AMENDMENT) ORDER, 1983

Order No. 12 was called – To move the passing of a Resolution to approve the Civil Establishments (Teachers) (Amendment) Order, 1983.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Deputy Speaker, with the coming into force of Section 65 of the Education Act, 1981, teachers in the older secondary schools, like the Lodge School, which we dealt with today, will be designated as public officers. The posts will therefore be reflected in the Civil Establishments (Teachers) Order of 1980, and this amendment which the Resolution will effect will provide for the adjustment.

There is also some other minor reorganisation at the Government Industrial Schools and the upgrading of one of the posts at the Government Industrial Schools. We are really replacing the post of Vice Principal with that of Senior Teacher. The Vice Principal is becoming a public officer.

I beg to move that this Resolution do now pass.

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

Mr. W. O. FRANKLIN (St. Philip North): Mr. Deputy Speaker, I wish to enquire of the Minister how many teachers opted not to go over into the Public Service; generally whether it was a consensus of most of the teachers?

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, I have not been informed of any teacher opting not to come over to the Public Service. How many will stay

in the Public Service is a different matter, but I have not heard of any who have opted to be paid out or whatever.

Aside.

Rt. Hon. J. M. G. M. ADAMS: I did not know they could not be paid out. The 1975 Act says that automatically they will come over, and I went to the trouble of looking it up in the old 1975 Act, and that is what I found. I have not heard of any opting to stay out.

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

ADJOURNMENT

Hon. L. S. CRAIG (St. James North): Sir, that brings us to the end of Government Business. In moving that this House do now stand adjourned *sine die*, and as we go into our summer recess, it is so strange sometimes that some of us.....

Aside.

Hon. L. S. CRAIG: Sir, I am informed by the Clerk that we should adjourn the House *sine die* since there is no date set. We discussed this matter earlier this morning.

In so doing, Mr. Deputy Speaker, I would like to say how happy I have been to work with each and everyone during this first part of the Government's second five year term in office. Some very strange things do happen while we are out on recess. I recall on the last occasion Mr. Speaker had wished each and everyone of us a very happy Christmas, and then, when we least thought of anything, unfortunately we heard that he would not be with us. I do not know which of us in here may find ourselves in such a position.

I sincerely hope that whatever we do when we leave in here, we do it well. Any of us who may not return in here, I sincerely hope that whatever they have done, they have contributed well.

To you, Mr. Deputy Speaker, I would say that you have conducted yourself in that exalted seat, something which is befitting of you. You have held Members of Parliament in full control, and I am quite sure that each and every Member, on both sides of the House, should be particularly happy to have worked with you. 9.10 p.m.

I sincerely hope, Mr. Deputy Speaker that you will have many long years in that Chair. I do not know what the future holds for you and I would simply say to you, Mr. Deputy Speaker, all Members on both sides of the

House, the Clerks and the staff of the House, that I hope you all enjoy your holiday.

I beg to move that this House do stand adjourned *sine die*.

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

Mr. B. M. TAITT (St. Michael West): Mr. Deputy Speaker, I think it is fitting on behalf of the Opposition that I record our own appreciation, first, of the manner in which Your Honour has conducted the affairs of this Honourable House when called upon, rather suddenly and unexpectedly, to assume the mantle which had been yours by virtue of your office of Deputy Speaker.

I think we particularly wish to record our gratitude. We recognized that in the early stages that Your Honour needed the co-operation of both sides of the House, and we hope we did provide that co-operation. But it has been to the benefit of this entire Honourable Chamber, and I think it would not be proper for us to let the occasion pass without recording our appreciation of the manner in which you have presided over our sessions.

We, too, wish to thank the staff of Parliament for the long and sometimes difficult hours which they have put in. We are appreciative of the fact that efforts are being made to improve the quality of the record of Hansard, and even though from time to time there were still errors, one can see that a lot of effort is being made by the staff of Parliament, and we wish to record our appreciation of their attitude generally to the working of Parliament.

We have had our clashes with the Government of the day, but in the spirit of democracy we have won most, we may think, and they have won most, they may think. So it means that we are leaving this end of the first session with both sides believing that they have been virtual winners.

They have more Members than we do but on those days when the House rose to the high quality that this Chamber is capable of, I think each honourable Member was happy that he was able to be a participant and a witness to that high standard of debate of which we can all be proud.

There were days when we descended to the depths of personal and partisan positions. We were doing no more than parliamentarians all over the world do when they perceive themselves to be threatened in the primary purpose of their existence — to win and maintain the representation of their particular constituents.

I would like to thank the Leader of the House for his attempt to make the life of Parliament easier than

it appeared to have been in the past, and to the extent that he has been successful, he has earned the gratitude of this side.

As he said, no one knows what the future holds. We on this side might indeed hope that the Prime Minister might be afflicted by some perennial madness, which comes to Prime Ministers, on the question of holding elections, and he may even do us the favour of calling one during the interregnum, if you will. But we doubt that that would happen, so we can say that we will look forward to seeing honourable Members return in good health.

We prefer to meet honourable Members in the hustings than to have them fall to the grim Reaper or any of those afflictions. We prefer to meet them out in the hustings as time goes on, so we will look forward to our return to Parliament, and hopefully we will be able to continue the work of trying to make Barbados a better place.

Mr. Deputy Speaker, I would like on behalf of the Opposition to wish you and all honourable Members a happy holiday, or happy moments during the time when we are out from this Honourable Chamber.

Thank you, Mr. Deputy Speaker.

Hon. L. S. CRAIG: Earlier, I begged to move that the House be adjourned *sine die*. On Your Honour's guidance, and the experience of the Marshall I must confess, there is a difference of opinion. I can only take Your Honour's ruling, and therefore I withdraw the motion for adjourning *sine die*, and I now beg to move that this House do now stand adjourned until Tuesday, August 9, 1983 at 12 o'clock noon.

Mr. DEPUTY SPEAKER: Before putting the question I would very much like to thank both sides of this Honourable Chamber for the way they have conducted themselves with the business of the House since I have been in the Chair.

I would also like to say thanks to the staff for the way in which they have assisted me, and I hope that when we resume, that we can continue in the way that we have continued since I have been in this honourable position.

The question that the House do now adjourn until Tuesday, August 9, 1983 at 12 o'clock noon was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER adjourned the House accordingly. 9.20 p.m.

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