

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1981 – 86

HOUSE OF ASSEMBLY

Tuesday, February 14, 1984.

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. L. E. Sandiford, M.A., (Econ.)
Hon. Miss B. A. Miller, (Minister of Education)
Hon. L. B. Brathwaite, (Minister of Housing and Lands)
Mr. J. G. Odle, B.Sc., (Chairman of Committees)
Mr. B. M. Taitt, B.A., (Hons.), M.A., LL.B., (Hons.)
Hon. DeL. O. Bradshaw, (Minister of Labour, Social Security, Sport and Community Services)
Mr. L. L. Sisnett, (Parliamentary Secretary)
Mr. R. E. Brathwaite
Dr. D. G. Blackman, B.A., M.A., PhD.
Mr. L. A. Weekes
Mr. A. Truss.

Prayers were said by Mr. R. E. Brathwaite.

MINUTES

Mr. DEPUTY SPEAKER: The Minutes of the meeting of Tuesday, February 7, 1984.

Hon. L. S. CRAIG: Mr. Deputy Speaker, I beg to move that the Minutes of Tuesday, February 7, 1984 be taken as read.

Mr. DEPUTY SPEAKER: If there are no observations or objections, 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 Barbados Development Plan 1983 – 1988.

The 14th Annual Report of the Barbados Development Bank 1982 – 1983.

Statement of an Account of the Transactions in Rum in the several Districts of the Island for the quarter October to December, 1983.

Mr. H. A. BLACKMAN entered the Chamber and took his seat.

Hon. H. B. St. JOHN: I beg to lay:—

The Annual Report of the Barbados Export Promotion Corporation at 31st March, 1983.

Hon. L. S. CRAIG: On behalf of the Attorney General, I am commanded to lay:

The Report of the Registration Office and the Supreme Court Registry for the year 1981.

GOVERNMENT NOTICES

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

A Resolution to approve of the compulsory acquisition of land at Station Hill, St. Michael, for extension of Glendairy Prison.

A Bill to amend the Income Tax Act, Cap. 73.

FIRST READINGS OF BILLS

On the motion of Hon. L. S. CRAIG, seconded by Hon. L. B. BRATHWAITE, a Bill to amend the Income Tax Act, Cap. 73 was read a first time.

OBITUARY SPEECHES

OBITUARY SPEECHES RE LATE MRS
MILDRED BRATHWAITE:

Hon. L. S. CRAIG (St. James North): Sir, I rise to pay respect to the late Mrs. Mildred Millicent Brathwaite, the mother of the Member for the constituency of St. Lucy (Mr. R. E. Brathwaite).

Mrs. Brathwaite was born at Checker Hall, St. Lucy in 1905. She was the mother of three sons, of whom she, in the evening of her years, would have had the distinction to be the proud mother, and of seeing one of her beloved sons enter this august Chamber to make his contribution, however great or small it may be, to the people of this country.

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

Hon. L. S. CRAIG: She was laid to rest on Saturday evening at St. Lucy's Parish Church, where a wide cross section of the community paid their final respects. All and sundry considered her to be a Christian, simple, decent lady. Tributes paid by the various pastors and priests from the church were testimony to the life which she lived during her 79 years. From the tributes paid, one could have recognised that she was friendly and, at all times, willing to assist those with whom she came into contact. Most of all, she was a devout Christian.

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

Hon. L. S. CRAIG: Only the Sunday before she died, according to Rev. Heywood, she went to church and insisted that she be given the opportunity to testify, maybe realising the fact that that would have been her last testimony, and it could have been done at no better place than at the church at which she worshipped for over 40 years.

Hon. V. L. JOHNSON entered the Chamber and took his seat.

Hon. L. S. CRAIG: We on this side, Mr. Deputy Speaker, share the loss of her sons, who we have no doubt were equally as proud of their mother as she would have been of them. I believe that all of us, who must pay that price for life, will no doubt appreciate the feelings of her sorrowing relatives at this time, and

we, members of the Government and members of my party, share that feeling.

With those few remarks, Mr. Deputy Speaker, much to my displeasure on such an occasion, I beg to move the following Resolution:

WHEREAS Mrs. Mildred Millicent Brathwaite-Cumberbatch, mother of the honourable member for the constituency of St. Lucy in this Honourable House, has passed away;

BE IT RESOLVED that this House express our regret at her passing, and extend our deepest sympathy and condolences to the honourable member and to other relatives and friends of the deceased.

12.30 p.m.

Mr. L. E. SANDIFORD (St. Michael South): Mr. Deputy Speaker, I rise to second the Resolution of condolences moved by the Leader of the House, the honourable Member for St. James North (Hon. L. S. Craig).

It was not my privilege to have known Mrs. Mildred Millicent Brathwaite-Cumberbatch personally. I have, however, known one of her sons, the honourable Member for St. Lucy (Mr. R. E. Brathwaite), and I have known one of her grandsons, and so I can claim that I have known her through the fruit of her womb.

I have always found the Member of Parliament for St. Lucy to be a very courteous, considerate and kind person. He is the salt of the earth, he is blessed with lots of commonsense, and he is a resilient fighter.

These are qualities, Mr. Deputy Speaker, which do not just happen, they are inculcated over long periods of time. It is my firm belief that the qualities, to which I have referred, would have been instilled and inculcated in the children of Mrs. Brathwaite-Cumberbatch over the years, and for this we are all grateful.

Death has come with silent foot to reap the harvest. We know not whose turn it will be next. If, however, we can live a life as dedicated to Christian principles as Mrs. Brathwaite lived, and if we can say at the end that we have made a contribution in our own way, and in accord with the talents which have been given to us by the Maker himself, then we can, for sooth, say, "we have run the course and we have fought the good fight."

On behalf of myself and my family, on behalf of the Members of the Opposition and their families, I second the Resolution which has been made, and I join in extending condolences to the honourable Member for St. Lucy and to the other surviving members of his family.

May the life which his mother lived continue to be an inspiration to them, both in their private endeavours and in their public lives.

Mr. DEPUTY SPEAKER: I would like to join with the Members of this Chamber in extending our deepest sympathy and condolences to the honourable Member from St. Lucy and members of his family at the passing of his mother, the late Mildred Millicent Brathwaite-Cumberbatch.

In a method of passing this Resolution, I will ask that Members of the Chamber rise with me for one minute of silence.

The Members rose for one minute silence.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

COMPULSORY ACQUISITION OF LAND AT BRIGHTON, BLACK ROCK, ST. MICHAEL

Order No. 5 was called — To move the passing of the Resolution to approve the compulsory acquisition of land at Brighton, Black Rock, St. Michael, for road improvement.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Deputy Speaker, in moving the passing of this Resolution, I just wish to say that this acquisition is part of the total acquisitions for road improvement within the Spring Garden area. This is a further piece of land that is required from Mr. Alleyne, for further widening of the road in the area where his land was.

There is no problem with respect to the negotiations. A price was proposed to the Government, and the Government has agreed to it, so, therefore, there is no question of any difficulty with respect to the acquisition of the property. It is a straightforward matter, and I do not think it is necessary to go into any more detail.

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

Hon. L. S. CRAIG: I beg to second the Resolution, Mr. Deputy Speaker, and I reserve my right to speak.

Mr. L. A. WEEKES (St. Michael North West): Mr. Deputy Speaker, land acquisitions have been coming to Parliament very frequently, and I believe that most of us are aware of the legal implications.

Hon. L. S. CRAIG: If the honourable Member would give way on a point of order: I wonder if the honourable Member is aware that this is a Resolution

dealing with land and not health, because he is the Shadow Minister for Health, of which we are well aware.

Of course, the honourable Member for St. Michael South Central (Dr. R. C. Haynes) made it very clear that he is Shadow Minister for Health. I do not know if this has been discussed, but I just thought I would draw it to Your Honour's attention.

I think my colleague would take this in very good faith, knowing that we understand each other very well.

Mr. L. A. WEEKES: Mr. Deputy Speaker, I do not think I need to respond to that, because I notice we have a Shadow Minister on the other side. Whenever he takes up the challenge, I will.

In the meantime, this Resolution needs a bit more clarification. I am not sure if this is a completely new acquisition or whether it is an acquisition which the Government now realises was an error and is seeking to have it rectified. In the light of the Minister's remarks, it is very difficult for me to determine which of the two it is.

Whenever we have land acquisitions of this sort, especially in the Spring Garden area, there has always been some problem or dissatisfaction, either with the Government and the owners or the tenants and the owners of the land.
12.40 p.m.

We have in the same area a situation where a tenant is very dangerously placed and finds difficulty in getting assistance elsewhere. I would hope that this acquisition will not in any way present a similar problem to any tenant who may be on this particular land required. My own feeling is that we should not only look at the niceties or the beautification of an area, but we should also take into consideration the people who are likely to suffer some form of discomfort.

I am not sure exactly where this spot is, but a few of the residents of the area, in order to get on to the highway, may have to pass through a backyard. Now let us assume that there is some conflict among the residents in that area; chances are that those persons may not be able to find a comfortable way in and out of their homes. I hope that this particular land acquisition does not present any similar problem to the particular people in the area.

This new highway has also presented another problem, that of drainage, particularly in the Brighton area, I would like to feel that the acquisition itself will take into consideration the drainage problem.

This road has been built on what we used to call "The River", and it has tended to divert some of the

water flow in some areas where it is undesirable. That being so, at high tide, the water flow into the sea by the new canal tide has tended to flow backward and come back on to the land, and it will definitely create some sort of health hazard.

The canal itself is collecting foul water, and again we see.....

Mr. DEPUTY SPEAKER: I do not want to interrupt the honourable Member, but the honourable Member has strayed so far out of line from the Resolution that I really do not know exactly what he is debating. I would require the honourable Member to stick to the Resolution before the Chamber rather than stray off into the avenues.

Mr. L. A. WEEKES: What I am trying to explain, Sir, is that this parcel of land may very well be a parcel of land that will allow water drainage into that canal.

Mr. DEPUTY SPEAKER: I do not find that. If I listened and heard you correctly, I do not know exactly where the area of land is; I do not even know if you know where the area of land is. You are straying from an acquisition of an area of land into drainage and all such like.

Mr. L. A. WEEKES: Although I accept your ruling, I am just throwing it out to the Minister that this is likely to create a problem in developing that particular piece of land. Nevertheless, I will move on.

If the Minister says the land acquisition is for widening of the road, then it brings into play the Spring Garden Highway itself, because this acquisition becomes part of the road itself, and my view is that it will also bring into play a traffic problem.

I believe, Sir, that we have said a lot about the traffic problems.....

Mr. DEPUTY SPEAKER: But we are not dealing with the traffic problems on the Spring Garden Highway. We are dealing with land acquisition in a specific area. The subject matter before the Chamber is land acquisition, not a traffic problem.

Mr. L. A. WEEKES: The end result of the remarks I am making is whether the acquisition itself is a worthwhile acquisition in the light of these problems, since I might not consider the acquisition itself a priority to other areas. Therefore, since we are not clear in our minds as to the kind of acquisition we are dealing with — I myself am not clear — I would prefer to wait on the Minister to see if he could enlighten us as to whether any of the problems I raised would in any way be involved in this particular acquisition.

Thank you.

Hon. DeL. O. BRADSHAW (St. Michael South East): Mr. Deputy Speaker, sometimes it is rather amusing to enter this Chamber and hear Members from that side make contributions. The honourable Member who just took his seat, the honourable Member for St. Michael North West (Mr. L. A. Weekes), got up and posed a number of questions, and expressed his fears and concerns over the acquisition. At the same time, he says that he does not know exactly where the land is.

I would hope that those persons who listen to the contributions and read Hansard would understand what type of representation they are getting from the Opposition. Here comes a Member today saying he does not know exactly where the land is! When the papers were circulated, he should have done his homework and found out exactly where the land was, and come in here and make a contribution.

(Mr. L. E. SANDIFORD: Send the map so that we can see.)

Hon. DeL. O. BRADSHAW: It is not a map you want, you want a description of the parcel of land. But the honourable Member lives in and represents the same constituency, yet he does not know where it is!

Mr. Deputy Speaker, what I am really concerned with at this time is that the Spring Garden Development and the development at St. Barnabas — Haggatt Hall, were a part of the.....

Mr. DEPUTY SPEAKER: The honourable Member will not get up to Haggatt Hall today.

Hon. DeL. O. BRADSHAW: Mr. Deputy Speaker, this Resolution deals with an acquisition which directly affects the Spring Garden Development. I am aware that the Spring Garden Development and the St. Barnabas development were one and the same, because money and funds were voted.....

Mr. DEPUTY SPEAKER: Not as far as this Resolution is concerned. This Resolution deals with the acquisition of a portion of land at Brighton, Black Rock.

Hon. DeL. O. BRADSHAW: Mr. Deputy Speaker, what I am saying is that this Spring Garden Highway will be connected to the St. Barnabas/Wilkey Highway.

Mr. DEPUTY SPEAKER: This Resolution deals with the acquisition of land at Brighton, Black Rock. The honourable Member will not be allowed to get up to St. Barnabas under this Resolution.

Hon. DeL. O. BRADSHAW: The honourable Member for St. Michael North West raised the whole question of compensation, and he expressed concern over the fact that the residents or tenants were displaced, or that there was some such problem resulting from these acquisitions.

I want the honourable Member and honourable Members on that side to understand that when Government pursues an acquisition, especially in the Spring Garden area, it is careful to see that the residents, tenants and landlords are adequately notified; and adequate consultation took place between Government and those landlords as well as the tenants.

12.50 p.m.

This Government has been at pains to point out that when people are dislocated because of development, they should not be made to suffer. In cases where tenants were renting from landlords, this Government has made houses available to those tenants; and where persons were renting and had houses, this Government has provided house spots for those tenants who were displaced because of the land acquisition.

The honourable Member seeks to give the impression that the Government is unmindful of the problems which come as a result of land acquisition. I think it is only fair that the honourable Member from that side is told that the Government does not acquire land without taking the necessary steps which are set out in the Land Acquisition Act, which forms part and parcel of the Laws of Barbados.

Time after time, I have heard members on that side get up and challenge the Government. And they know that they are the guilty ones, who used to acquire people's land and not even consult them on the potential acquisition, far less compensated them!

We had in this Honourable Chamber some weeks ago, a particular land acquisition that took place in 1973, for which the person was not compensated when they went out of office. That was the scant manner in which that Government, then in power before September, 1976, treated the people in Barbados.

When I was Minister responsible for Housing, I made sure that officers from the Ministry of Housing saw the persons involved whose properties or whose houses were affected as a result of any land acquisition, and discuss with them ways and means of alleviating their particular problem. This Government is on record as doing that.

I also want the honourable Member to understand that, as long as this Government has the good fortune to preside over the affairs of Barbados, and it becomes necessary to acquire lands to make way for development,

it is not going to lack in will to attempt those acquisitions. There are some persons who are going to be displaced, they are going to be inconvenienced. We know that. But what we must bear in mind is that the dislocation will redound to the benefit, in the long run, of the masses in Barbados.

What nonsense are we to hear? That because one or two persons object to an acquisition to make way for development to benefit the entire country that we are to withdraw our plans? The answer is, "no".

We feel that these acquisitions are necessary. Those very persons who are affected who are not in favour of the acquisition, and who raise general concerns, will benefit in the long run. Some of them are not seeing the immediate gains from such acquisitions.

This particular acquisition has not been as a result of lack of Government's foresight. What happens when you acquire land for road alignment is that you find, as you proceed to do the road building, that there has got to be some adjustment. The road alignment varies, and the surveyors, who are constantly on the site, sometimes recognize that it is necessary to acquire additional pieces of land. That is why we have brought this Resolution today. It is not here because Government finds at this late stage that it needs to acquire that land, this is what happens with land acquisitions for road development; from time to time, the surveyors have to recommend to the Ministry of Transport and Works, which in turn recommends to the Ministry of Housing and Lands, that additional pieces of land be acquired in order to correct the alignment problem.

In this case, the Resolution is quite simple. The Addendum to the Resolution clearly sets out the reason for the acquisition, and therefore, the honourable Member should have had very little difficulty in understanding the reason for this particular Resolution. But, as I said, you cannot blame the honourable Member if he does not do his homework, like all other honourable Members, or most of them on that side.

I support the Minister of Housing and Lands for bringing this Resolution.

What is even more significant is that the Minister has told this Honourable Chamber that the owners of the land and the Government have compromised on a price. Now that is very, very significant, because it is not easy sometimes for the Ministry, or for a Government, to reach a negotiated settlement; and sometimes matters have got to be resolved in the court. But with this land acquisition, it is significant that the Ministry has managed to negotiate a price with the owner of the land.

I am hoping that the funds would be made available as soon as possible to compensate Mr. Alleyne. We know there were some people on that particular stretch of road in the Spring Garden area, or some adjacent property owners, who were not satisfied with Government's offer, and some of them were asking unreasonable prices for the land. This redounds to the credit of Mr. Alleyne, who has accepted Government's offer, and I am sure that Government's offer is in keeping with the land value in that area and that it is not unreasonable. I hope that Mr. Alleyne will be compensated by the Ministry of Housing as soon as possible.

Mr. B. M. TAITT (St. Michael West): Mr. Deputy Speaker, I did not intend to join in this debate but that was until the honourable Member who just sat down uttered his words.

First of all, I believe that a Minister, sitting on the front bench, ought, by now, to be able to understand that where Government has not performed a particular duty, and the Opposition seeks to ask questions, because the Opposition does not do so in either an aggressive manner or the Opposition is not pejorative in its statements, it does not mean that the Government did not fall short.

I would like the Minister who just sat down to be aware that it is common practice when acquisitions are about to be passed in this Honourable Chamber, that all of the details concerning the particular acquisition be made available to all honourable Members in this Chamber.

My colleague, the honourable Member for St. Michael North West (Mr. L. A. Weekes), not having in front of him the customary map, which would indicate where, for example, the land is located, and how it runs on other lands, and not wishing to prolong the debate on the issue, got up and made some conditional clauses in his statement; "if the land is to do this" and "if the land is to do that"; and it pleases an honourable Member, who lays claim to having knowledge in this field, to get up and air his mouth in a manner, that even his colleagues started to duck their heads in shame.

The honourable Member, who says that he was the Minister responsible for Housing, made comments concerning the acquisition, which, in turn, demonstrated that he had no passing acquaintance of the particular Resolution; or if he did, he did not understand. He said that the Resolution is clear, and that if the honourable Member had done his homework, he would be able to know what the acquisition was about.

With your permission, Sir, the Addendum to the Resolution says:

"In accordance with the provisions of Section 5".....

and it then says this:

"described in the Schedule hereto in order that the purpose set out in the Resolution may be effected and that the Crown may acquire an indefeasible title to the parcel of land."

When one turns over the Resolution and reads, the operative part of the document says:

"for the following purpose, namely; for Road Improvement" that is all.

Now any half-way literate person reading this particular Resolution would not be able to ascertain whether the land was to determine the slope coming downwards, whether the land was to assist with drainage, whether the acquisition of the land was to widen the road, or what other purpose it was for, because it is not here stated, notwithstanding the words which are announced in the Addendum to the Resolution. It would take a person who is infinitely unconnected with an understanding of the English Language, to come, and, after reading this Resolution, to admonish an honourable Member, who, after all, was only seeking information!

1.00 p.m.

The honourable Minister who introduced this Resolution did not give us a great amount of detail. He like us, thought that the matter was very straightforward. But the honourable Member represents the area, and he knows that Mrs. Goddard has to walk through somebody's yard to get on to the highway. He knows that better than the honourable Member knows where St. Barnabas Road is, because the honourable Member, who alleges that he represents the St. Barnabas area, managed to connect the St. Barnabas Road with the Spring Garden Highway.

Mr. DEPUTY SPEAKER: I would like you to leave St. Barnabas and get back to Brighton.

Mr. B. M. TAITT: I would like to leave the honourable Member as well, Sir! Indeed, what we all are going to do is leave the honourable Member where he belongs! We are not going to bother with him anymore.

I would like to make a recommendation to the Government about some more acquisitions in the area. I would like to see the Government acquire a large number of pieces of land that would run concurrent with this land and other lands not far from this. I would like to see the Government acquire these lands so that the Government can widen the Spring Garden Road and build a bicycle path, so that the residents who live on this particular piece of land, and all those who live along the highway, will be able to have a place to walk and a place to ride.

I believe that the Order which has been signed by the honourable Minister is not an unreasonable Order, all things being equal. But I believe that, contrary to what the honourable Minister who just sat down said, there was not sufficient consultation concerning the acquisition, therefore not enough acquisitions were made, and therefore there is not enough land to supply the bicycle path that is absolutely necessary, if that area, abutting and bounding on this acquisition, normally called the Spring Garden Road, is not to become a continued death trap.

I am suggesting, therefore, that the Government should acquire lands next to these lands which this Resolution seeks to approve of, and other surrounding lands, so that the whole development can be completed. I am stating, in other words, that it is an incomplete development, and that we really would prefer not to see these kinds of tiny acquisitions coming one after the other.

I think the Government should have enough courage to say; "We have made a tactical error and we have to acquire some pieces of land that would give us the strip that is necessary for us to have a proper path for walking and for riding," and I mean riding bicycles, not riding horses.

I also wish to take issue with the honourable gentleman who just sat down. who sought to suggest that payment for acquisitions has been done on a prompt and continuing basis. I challenge the honourable Member who just sat down to give us a list of those persons from whom the Government have acquired lands in the last few years, and an indication of the payment schedule which the Government has had for those persons.

There are a substantial number of persons who have not received money, some years after arrangements for acquisition have been completed. They are not contentious, they are not in court, but it is my understanding, and I am usually well-advised in these matters, that they have not been able to get their monies – and they have not been given reasons why not. And part of the fear which many of those persons who now find themselves in the path of another area of acquisition have, is that by the time the whole matter is settled, what they will have received from the Government will not be sufficient to replace the properties which will be demolished.

I am not going to attempt to open that debate under this acquisition, but I think that when a Minister is prepared to make statements about Government's policy on acquisitions, that Minister ought to be able, and should be prepared, to make a comprehensive statement about the Government's policy on acquisition. If

he seeks to admonish this side on the question of acquisitions, and if it is remotely true what he says that when they came into power they found not a single property which had been acquired before and for which the people had not received their money – if that is so – then this Government, during our time, was wrong; and that Government, which came in under the guise that it would correct all wrongs, make all crooked paths straight, bring all mountains low, that Government that came in to do all these things, ought not to follow in the path of unrighteousness.

If you found that we, while we were in power, acquired land and kept people waiting for their money, you ought to have made it a point of policy never to let that happen again. When that occurs it is nothing short of wickedness; and if we were wicked in one instance, you have been wicked continuously. You have been wicked on an ongoing basis, because there is a very long and very large list of persons who are waiting patiently to be paid for their properties.

I would think that the next time the honourable Member for St. Michael South East has a feeling that he should get up and make statements concerning the Opposition and the Opposition's attitude towards acquisitions, he should check with one of his more knowledgeable members; for example, the honourable Member for Christ Church East Central (Hon. Dr. R. L. Cheltenham), who, on more than one occasion in this Honourable Chamber, has sought to explain that the Government of the past tried one legitimate method of acquisition and that the Government of the present prefers a different approach to acquisitions. It is not an "either, or" situation, it is not that one method of acquisition is good and the other one is bad, he has given that lecture in this Honourable Chamber before.

It is true that the honourable Member for St. Michael South East has a reputation for having a hard head, but I can see no reason why he cannot pick up the odd statement made by the honourable Member for Christ Church East Central on these matters. He has essayed to have to chastise the past Government for the methodology used for acquisition, when he does not even understand that it is only an alternative method.

I will draw to the honourable Member's attention that there are two main ways in which acquisition occurs. One way is to go and negotiate with the persons concerned on a price; and when you have reached an agreement, you come to the Chamber and you bring a piece of legislation, you set out the details, and you acquire the land. The other method, which your Government prefers to follow, is, when you have identified the area to be acquired, to have the legal aspects taken care of up-front and then the negotiations take place.

Aside.

Mr. B. M. TAITT: The honourable Member says that I am wrong. If I am wrong in detail, I am not wrong in strategy. It is either you do it one way and we did it the other way, or vice versa. The point is that trying to castigate either one of those systems would be infelicitous, because you are suggesting that there is some malfeasance, when, in fact all there is is a difference in methodology.

The honourable Member has been mercifully removed from the Ministry of Housing, mercifully, because it is clear that, from the ignorance of this issue which has been displayed here today, had they not removed you from the Ministry of Housing, the country would be even in worse shape than it is now, if that is possible.

The honourable Member should know better than to attack my honourable colleague from St. Michael North West. Any member who would attack that distinguished gentleman will not only have him to reckon with.

Mr. DEPUTY SPEAKER: There are no attacks in this Chamber. Those remarks are against the Chair.
1.10 p.m.

Mr. B. M. TAITT: I take your point, Sir.

The honourable Member for St. Michael North West (Mr. L. A. Weekes) is such a decent and responsible representative, that the Prime Minister himself has praised him on more than one occasion as one of the more decent and responsible representatives in this Chamber; and, you know, the Prime Minister's praise does not come easily. He has never been able to say so about the honourable Member for St. Michael South East (Hon. DeL. O. Bradshaw). He said some things about the honourable Member with regard to acquisitions which I do not believe we would wish to repeat. But the honourable Member should not try to give the impression that the representative of the constituency of St. Michael North West ought not to raise legitimate questions.

I regret that he has led me into a long discussion on this issue, but I believe that the air needs to be cleared, and I hope that, as a result of what I have said, the honourable Member for St. Michael South East will do like his colleague who sits next to him — not interfere in matters which do not concern him. I think he should learn to sit quietly like the honourable Member for St. Michael West Central (Hon. V. L. Johnson), who does not get involved in these matters at all — or any matters, if he can help it.

Sir, I believe I have made my point, and I thank you for your indulgence.

Mr. R. E. BRATHWAITE (St. Lucy): Mr. Deputy Speaker, I rise to support this Resolution, and in supporting it I would like to make a few points.

I think the last Member who just sat down said that the honourable Member for St. Michael North (Mr. L. A. Weekes) is a very nice, soft-spoken, decent gentleman, and I believe that, but this morning I am very shocked and surprised by what he said. I believe that if that honourable Member had said to the Honourable Minister: "I thank you very much, Mr. Minister, for dealing with this acquisition in such a short space of time," that would sound much better.

The honourable Member for St. Peter was in here when the other side was the Government of this country. I remember once, for a whole day, he was appealing for acquisitions in that constituency and he never got one acquisition passed during that last five-year term. They are so fortunate, but week after week when we come in here, we can hear Members, instead of being thankful for what is going on, trying to talk bad about things: "This Resolution should have been passed long ago and things should be moving along differently."

He spoke of the drainage system. I do not think that any of these Members here is an engineer. We have engineers in Barbados to take care of road construction in this country. The hardest thing is for us to pass acquisitions and allow the engineers to do their job.

He also spoke of compensation. We all know that we have the law courts there to deal with compensation. If Government acquires a piece of land and the owner is not satisfied, he can go to the law courts and the law courts will get that fixed. He would have no problem as far as that is concerned.

Last week the honourable Member for St. Michael South Central (Dr. R. C. Haynes) was there parading and showing the kind of work he is getting in his constituency. What a contrast! Compare the two! The members of the Democratic Labour Party should be thanking the members of this side for taking care of them. I do not know what they are trying to do.

I would appeal to the honourable Minister and let him know that there are some of us on this side who are desperate to have acquisitions done in our constituencies. If he is trying to give help to that side and the folks do not thank him for doing it, we are willing; and we are waiting with our hands outstretched, thanking him very much in advance.

Cheers.

Dr. R. C. HAYNES (St. Michael South Central): Mr. Deputy Speaker, my contribution to this debate shall be

very short indeed, noting that the Resolution does call on this House to approve of the compulsory acquisition by the Government of a parcel of land described in the Schedule attached here.

I never thought that I would ever hear anyone get up in this Honourable House, as the honourable Member for St. Lucy (Mr. R. E. Brathwaite) did, and regard it as a matter of pride and competence to urge a Government to acquire the properties of the citizens whom he represents.

Land acquisition, as in the case of this particular one, is always a painful process to the person who is being deprived of his land through the process of acquisition, unless for some particular reason he wants to get rid of the land, either for himself or in respect of the interest of his heirs and successors, or there is some significant capital gain to be derived through Government's acquisition. So I think it is patently ridiculous to be heaping praise on the Government because of a spate of acquisitions.

He also made the point — and this is very important in the area where this Resolution would apply — that citizens have recourse to the courts in the event of default by Government in paying, or lack of agreement between themselves and the Government. That may be true, but it is an extremely expensive and long, drawn-out exercise, and many people whose lands have been acquired, and who have not been paid, have not got the money in order to seek redress through the courts.

It is a very difficult matter to sue the Crown. I am not too sure whether that would be possible in certain circumstances. I would not like to express a legal opinion on that. I do know that those cases which have gone before the courts have been taken there by people who have a substantial amount of wealth, and it has cost them a lot of money, in terms of people who probably advised them wrongly and in terms of the lawyers.

I see my good friend, the honourable Member for St. Andrew (Hon. L. B. Brathwaite), looking at me very closely. We have a mutual friend who has found himself in that position, and who lost a considerable amount of money when he went before the courts in respect of an Oistins property.

The question of litigation for compensation is something one should try to avoid by being fair in terms of the price paid.

There is one final point I want to make. I heard the honourable Member for St. Michael South East (Hon. DeL. O. Bradshaw) talk about the orderly manner in which the Government has been acquiring properties. I would like him to let us know whether there has been

an orderly manner in effecting payments to the people whose properties have been acquired. About a year ago, he informed this Honourable House that the outstanding monies owed to people whose lands had been acquired was some \$11 million. I would like to know whether that \$11 million has been paid off, or what proportion of it, and whether, in fact, Government will have available to it the funds to settle expeditiously with the persons from whom this particular parcel of land will be acquired by this Resolution.

If this Resolution is in the public interest, in order to enhance the capital investment in the Spring Garden Road — and I use the word advisedly, because I think it is a misnomer to call it a highway — if it is for the purpose of improvement to that environment, none of us can complain, particularly in the circumstances where people have lost their lives, and indeed where there is a considerable amount of inconvenience to the residents of the area.

I hope that through this acquisition people will once more be able to get from the area where they live and travel by bicycle or walk to the beach, or get there by whatever means they travelled before. I gather that there is a lot of inconvenience, as a result of the regulations under the Traffic Act, in relation to the Spring Garden Highway and the residents of that area, who have been so stoutly defended by my colleague who spoke first on this matter, a champion for the people in his constituency whom he lives among and whom he is there with day after day.

1.20 p.m.

The speeches of the representative of the area and that of the former Minister of Housing were very interesting. You heard the quality of the speech of the first speaker on this side, which showed a localisation of information and a depth of knowledge about his constituents, as distinct from the vague kind of language used by a former Minister of Housing.

I am sure that when the present Minister of Housing gets up, he is going to address himself to the problems: He is going to tell us more about this Resolution, he is going to tell us when the land being acquired is going to be paid for, and he is going to tell us how much of the \$11 million owed to the people in this country a year ago has been paid.

All of this information would be of public interest. It would also assist us in supporting the Resolutions which are acquiring lands for the public good if we know that the persons who are being deprived of their use, or their heirs who would inherit them in the future, would have their affairs settled expeditiously by the Government, in the absence of any serious contention over price and other matters.

We look forward to hearing the *de facto* and *de jour* Minister; not someone who has so quickly forgotten what took place in his Ministry for the short period he held the portfolio, and who was unceremoniously removed from that position because he could not understand the very basic problems on which he is speaking today.

Thank you very much, Mr. Deputy Speaker.

Hon. L. B. BRATHWAITE: Mr. Deputy Speaker, the one thing to come through very clearly on the debate on this Resolution relates, primarily, to the question of acquisitions. From the first spokesman for the Opposition, right down to the last spokesman for the Opposition dealt very exhaustively with this subject.

It is a good thing that a country like Barbados has such a tool, not a weapon, as a compulsory land acquisition, because, unfortunately for Barbados, we have never had anything like Crown lands. From the time of the first settlement, and onwards, most of the lands were taken up by the Englishmen who came to settle, and, all the lands which Government has, or had, had to be acquired.

As time goes on and we have developments taking place, obviously we would have to acquire lands for the development of the country. The reason for this spate, as the honourable Member for St. Michael North West (Mr. L. A. Weekes) put it, of acquisitions within recent times, is indicative of the very advanced programmes for the development of this country by the Government.

The plans which have been put in train within the past few years since this Government was returned to office, in 1976, called for a considerable amount of acquisitions of properties to facilitate the developments which you have seen. This was done in relation to the Spring Garden Highway, the Wildey — Chapel Gap Highway and a number of other places within this country. A considerable amount of additional acquisitions will have to take place as a result of the industrial estates access road, which is now being looked at. But as a result of all of this, motorists who have been using the highways which have been developed have experienced a great relief in terms of time utilised and time saved on the roadways in Barbados.

Last Sunday, I had to travel on the Spring Garden Highway, and without breaking the limit as set, I took about three minutes to get from one point to another, when in the past at times you took 20 minutes or 25 minutes, and sometimes half an hour to get from the corner at University Drive on to Tudor Street or Baxters Road. So you must agree that, with the introduction of these progressive ideas, and their implementation.....

Asides.

Hon. L. B. BRATHWAITE: The honourable Member *sotto voce* is saying: "DLP again", I do not know DLP doing what! I know that the country is aware that the development of the Spring Garden and Wildey/Chapel Gap highways is the outcome of the implementation of programmes by the Barbados Labour Party.

There is also the Halls Road Project, which we heard so much of from the honourable Member for St. Michael South Central (Dr. R. C. Haynes). One would have thought that he really was on this side when he was speaking last Tuesday. He was high in his praise for what this Government was doing with respect to developments in his area.

The public is aware that it is because of the dynamic approach towards development within the country, under this Barbados Labour Party, that they were able to see such things taking place, as they now see others, in this country. A lot more will follow in the fullness of time.

The honourable Member for St. Michael West (Mr. B. M. Taitt) put forward the idea as to the methodology of the land acquisition procedures. He said that in the past, the owners were approached and a price arrived at, and then you came to the Legislature, with an idea of what the price was like.

I myself do not like that approach. Your approach might be right and mine might be wrong, but I believe that in these private negotiations a lot is at risk. You are never sure what the negotiators would do and therefore it might be better to set a price, coming from the proper authority to do this.

We have the mechanism to do that. There is the Land Valuation Department, and we have all the mechanisms within our system such that you do not have to send out any special agent who can become corrupted as a result of these negotiations, because large sums of monies are involved. You save people from themselves by allowing the process, which is already there, to operate and function, and I will continue to operate on this basis.

The idea of using the valuation for land tax purposes is, in my view, the safest way to do it. If there are objections, you can probably start your negotiations based on the valuation for land tax purposes and then move from there. If in the final analysis you fail, you can go to the courts and have your rights determined.

1.30 p.m.

The honourable Member for St. Michael South Central talked about the cost of initiating these types of procedures. They are costly, yes, but sometimes the Government must go that route as well, not only the person who is aggrieved. The Government is not there for

a rip off; the Government is there to do justice to the citizen, because, in the final analysis, it is the citizen that the Government is dealing with and you seek at all times to do justice to the citizen. If the citizen is aggrieved, the citizen has rights to appeal, and they are in duty bound to do this.

Shamrock Limited went to the court after they were not satisfied about their valuation and the price offered by the Government, and they got a very large sum of money. A good friend of mine, who has to do with Towels Limited, to me was very poorly advised by a valuer, who is, as far as I am concerned, ill-advising quite a lot of clients. I want to advise people, and attorneys-at-law as well, who engage the services of these valuers to be very careful about who they employ to put up valuation, because they will be knocked down. I have an idea about valuations myself, and therefore when they come before me and I am not persuaded that these are the values, I am going to say "no" and send them back.

Towels Limited was badly advised. As a matter of fact, it was not within my province to advise him on it, otherwise I would have advised him on it and told him that, in my view, he did not have a good case. The court held that he did not have a good case in respect of that.

I am sorry that the honourable Member for Christ Church West Central (Mr. M. A. King) is not in his place, because I think that he is, to some extent, *au fait* with these developments. These are things which we have got to look very carefully at.

There are going to be a number of acquisitions, as I said: probably 400 additional acquisitions would have to be made to do with the access road going from the Harbour to the Grantley Adams International Airport. You have got to acquire land, there will be small bits of land, or, in some cases, large bits of land, but that, as I said last Tuesday, is the penalty of progress in any community.

If you do not have your own land, you have got to acquire lands in order to get the work done. We apologise to the people who may be dislocated and people who may be disadvantaged. It is not because we want to disadvantage them, but it is because this is the situation as it presents itself to us.

With respect to this particular area of land, I would invite the honourable Member for St. Michael North West, who I am always willing to hear, always willing to reply to in detail on anything which he queries, to read the Schedule to this Resolution. If he does that, he would see very clearly that the actual location of the land is set out in the Schedule.

As far as I am concerned, I can only give you details with respect to the acquisition itself. From the notes

before me, it is for road-widening. This is a new acquisition; it has nothing to do with the old acquisition.

With respect to other acquisitions which have taken place in the past. Let me inform the Opposition that we came into office and found not one, but several acquisitions outstanding. They are to do with Sion Hill, St. James, the area to do with the cement plant, Apes Hill, in the part of my constituency of St. James and a host of other acquisitions which are outstanding.

There are a number of problems to do with acquisitions. The Government has paid for nearly all the acquisitions within the past year and a half or so. The only payments outstanding at the moment are for those acquisitions that are unsettled, on which negotiations are not entirely finished; I mean those on which you are seeking to make a settlement with or those that may be considered in dispute. I do not think that the amount of money outstanding at the moment can exceed \$1 million.

One of the greatest acquisitions that we have done in recent times is the acquisition of the Lodge School, which cost \$2.5 million. I am happy to say that that has been settled, in so far as the money has been released.

There are areas that are not quite settled, there are grey areas as far as the law is concerned in these matters. But as soon as these matters are settled, I give this Honourable House the assurance that all these acquisitions will be dealt with. So there is no problem.

I do not believe in sleeping on acquisition. I believe that the trauma of telling a man he must move from where he has been over the years, is in itself sufficient anguish that you should not further burden him by delaying payment when you seek to compulsorily acquire his property. Therefore, I propose during my period in this Ministry to ensure that, at all times, as soon as we start to acquire properties, monies are made available in order that people may be paid so that they can make provision for future purchase in order to house and settle themselves and their families.

I hope that from the few points to which I have adverted I have to some extent satisfied the Opposition on the queries which they have made. I also want to thank the honourable Members on this side for the very intelligent contributions which they have made to this Resolution.

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

THE COMPANIES (AMENDMENT) ACT, 1984

Order No. 3 was called — in the name of the honourable Minister of Trade. To move the second reading of a Bill to amend the Companies Act, 1982.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Deputy Speaker, this Bill seeks to amend the Companies Act, 1982, which, as honourable Members will recall, was probably one of the most voluminous pieces of legislation to come before this House.

The 1982 Bill was passed after special consultative machinery had the opportunity to review the work which was done by Mr. Justice Williams, who was appointed, especially as a Law Revision Commissioner, to review the law relating to Companies.

Consequent upon the passing of the Act, as is inevitable when legislation of such a voluminous nature is passed, the Committee, which was established and which comprised members of all of the relevant professions, looked at the legislation and came to the conclusion that there were some errors of a typographical nature in the first place, and of the nature which will require a review of a couple of the provisions to see how they would fit in to other existing bits of legislation. When the Ministry of Trade was notified of this, we decided that we would ask Mr. Justice Williams, together with the Committee, to have another look at a number of the sections.

1.40 p.m.

I am pleased to say, though, that, although that Bill comprises some 450 sections, the number of amendments that are required to correct the typographical errors and the other errors of substance, which it would be necessary to amend, to ensure that the new Companies Act in particular did not prevent existing companies from carrying on businesses and other activities which they carry on at the present moment, only amount to twelve.

When we were circulating this Bill, we thought that we would adopt the unusual procedure of providing a special addendum to each of the clauses so that honourable Members would be able to see the reasons for the amendments. I believe, that, other than in respect of any special matters that may arise in Committee stage, because of the explanations that are provided in the explanatory summary, Members will have any difficulty in dealing with this.

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

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

Mr. M. A. KING (Christ Church West Central): Mr. Deputy Speaker, there is not an awful lot I want to say on the merits of this bit of legislation. But when the principal Bill was being debated in this Chamber, I believe we on this side had pleaded that the matter should have been sent to a Select Committee so that perhaps some of the very problems which now exist, and which this Bill seeks to deal with, would have been looked at on that occasion, or could have been dealt with in committee. It must

have been clear that a Bill of that kind of magnitude and technicality would need to have been examined closely. It must have been a miracle if the type of problems which exist now, and which have been found to exist in the principal Bill, did not in fact show themselves.

That is only an indication of the common sense approach which, I suggest, should be used in dealing with Bills of a voluminous technical nature. It is necessary, in my view, that the fullest possible consideration be given to them, that the widest possible opportunity should be given to the investigation of those Bills. If we do that, perhaps the need to come back to Parliament to revise matters which have been passed could to that extent, be avoided.

Hon. H. B. St. JOHN: Just one thing, Sir. I was not sure whether the honourable Member was complaining that there was not a lot of consultation on this Bill. I would like to give him the assurance, and I have been around Parliament for some 20-odd years, that I do not know of any Bill that ever came before Parliament that had the degree of consultation which this Bill had. Every professional organization in Barbados which was remotely connected with companies had an opportunity to sit on the committee. This is one of the areas in which a tremendous amount of consultation took place.

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

On the motion of Hon. H. B. St. JOHN, seconded by Hon. L. R. TULL, 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 21 inclusive were called and passed.
1.50 p.m.

Clause 22 was called.

Mr. M. A. KING: Mr. Chairman, I wonder if the honourable Minister would perhaps indicate to the Honourable House what is the rationale for removing the need for postage to be registered; substituting "prepaid post" rather than "prepaid registered post." If you retain the need for registration of postage, you have greater security in proving postage.

Hon. H. B. St. JOHN: The clause says "prepaid post or cable." What is wrong with that? This is modern terminology — "telex", "prepaid post" or "cable." Prepaid post is registered.

Mr. B. M. TAITT (St. Michael West): I am not sure if the honourable Minister picked up what we were saying. Prepaid post is not necessarily registered. I think he should check with the Prime Minister, who is an expert in this business.

Aside.

Mr. B. M. TAITT: No, I am serious. He is an expert in stamps and that sort of thing.

Hon. H. B. St. JOHN: The Explanatory Summary says:

"These clauses will permit prepaid post, cable or telex to be used where now only registered mail is contemplated by the new Act."

Telex is today regarded as probably.....

Aside.

Hon. H. B. St. JOHN: What is the difficulty then? You are widening the ambit. Registered mail is a particular form of communication. What they are doing now is widening the ambit of communication, and they have put in three categories. It is allowing a greater choice, so I do not see how it could be restrictive.

Mr. M. A. KING: I am not suggesting that it is restrictive. I am not suggesting that either telex or cable be excluded. All I am saying is that you include cable as well as telex, but rather than "prepaid post," why not say "prepaid registered post"?

Hon. H. B. St. JOHN: I do not want to say that you have to register it, I am saying that you can prepay the post. When you prepay the post, all that you do is put on the stamp, instead of sending a letter stating that it is to be paid for by the addressee.

The question that Clause 22 stand part was put and resolved in the affirmative without division.

Clauses 23 to 26 inclusive were called and passed.

Clause 27 was called.

Hon. H. B. St. JOHN: The term "legal representative" is used to synchronise this with the Succession Act.

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

Clauses 28 and 29 were called and passed.

On the motion of Hon. H. B. St. JOHN, 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 separate motions of Hon. H. B. St. JOHN, seconded by Hon. L. S. CRAIG, the Bill was read a third time forthwith and passed.

SUSPENSION

Mr. DEPUTY SPEAKER: It is now 2 p.m. This sitting stands suspended for lunch until 2.45 p.m. today. 2.00 p.m.

ON RESUMPTION

Mr. DEPUTY SPEAKER: This sitting is now resumed.

QUESTION TIME

Mr. DEPUTY SPEAKER: It is now Question Time. There are no answers, therefore it is now Private Members' Business.

PRIVATE MEMBERS' BUSINESS

Mr. DEPUTY SPEAKER: There is one item under Private Members' Business. The honourable Member in whose name it stands is not in his seat, therefore we will revert to Government Business.

RESUMPTION OF GOVERNMENT BUSINESS

THE LAND TAX (AMENDMENT) ACT, 1984

Order No. 4 was called — To move the Second Reading of a Bill to amend the Land Tax Act.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Deputy Speaker, this Bill gives effect to a budgetary proposal, which sought to change, and has changed, the size of the maximum agricultural holdings which qualify for exemption from the payment of the levy on idle land, to raise the level of the levy on idle land and the refund, and also to abolish the limit.

This matter has been amply canvassed in the past, and 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: Mr. Deputy Speaker, I have a number of concerns about this measure which is now before us.

As the right honourable Member for St. Thomas (Rt. Hon. J. M. G. M. Adams) has said, the Bill does

alter the qualification for exemption from the liability for levy, which is set out in Section 9(b) of the Land Tax Act. The 1983 Budget did increase the rate of levy on idle land from \$300 to \$500 per hectare.

When one looks at 9(b)(1) of the principal Act, one sees that the levy which is imposed on agricultural land may be prescribed by Order by the Minister. It would seem to me, therefore, that what this Act is doing is not, in essence, dealing with the problem of increasing the levy, but it is dealing with the problem of altering the qualification for exemption. It does have within it a validation clause, which validates the collection of all levies and land taxes which have been received by the Commissioner in respect of tax for the year in which they had been collected pursuant to the Budgetary Proposals of 1983.

We on this side have already raised the issue about the collection of taxes where legislation is not in place, and I am not going to dwell on that aspect of the matter at any length on this occasion. I just want to, again raise the concern which we on this side have about legislation giving effect to budgetary measures being delayed so long, in fact outside of the legally required limit, thus necessitating the obligation to insert validation clauses in legislation of this kind.

What does concern me about the particular validation clause in this Act is to what does it refer? We are talking about levies on agricultural land and land tax which have been paid and received by the Commissioner in respect of land tax for 1983. This measure itself is not providing for the increase in the levy payable on idle lands, nor is this measure itself authorising or justifying the collection of tax, because by virtue of the provisions of the original legislation, as amended, the tax may be collected by way of an Order made by the Minister.

What, therefore, is this legislation designed to validate? I wonder if the right honourable Member in his reply could perhaps indicate what is being validated by the legislation now before us.

The second concern which I have is that I believe levies have been made at the new rate, \$500 rather than the \$300, and I can find nowhere where any Order under the existing Section 9(1) has been prescribed by the Minister. I can find no such Order, which would authorise the raising of the revenue. The authorisation is in the Act itself, because the Act does authorise the collection of the levy, and the levy as authorised is \$300, but I do not find any Order which authorises the raising of the levy, as prescribed by the Minister, from \$300 to \$500.

What, then, is this Act validating? If the raising of the levy from \$300 to \$500 may be made by Order, what collections are this legislation designed to validate?

Seeing that the financial year, 1983-84, is nearly at an end, I wonder how many more budgetary matters still need to be dealt with and have legislation put in place for validating the collection of revenues. I would hope that, for the future, legislation which validates the collection of revenues following on the Financial Statement and Budgetary Proposals would come within the limit prescribed by law, and that there would be no necessity for delaying that legislation as long as legislation of this kind has been delayed, thereby providing for the need to be untidy about it and insert validation clauses in legislation.

Dr. R. C. HAYNES (St. Michael South Central): Mr. Deputy Speaker, I rise to reinforce the very serious concerns raised on this matter by my distinguished legal colleague, who has investigated the legal aspects and has pointed out that he has been unable to find any Order which would authorise the increase as announced in the Budget; nor, indeed, have we been able to identify the purpose for the validation section.

I should point out that this situation comes before Parliament so frequently that it is but symptomatic of the incompetence of the Ministry of Finance, which is felt not only in Parliament but impacts very heavily on the other Ministries; many Ministers find that they have serious bottlenecks in getting through their programmes because of the maladministration by the Minister of Finance of the portfolio which he holds. Perhaps he is too busy to look after matters relating to finance and planning.

I wish to address myself, as well, to the general principles behind these amendments. In the Budgetary Proposals, which is already a document of this House, delivered on Wednesday, April 27, 1983, the right honourable Prime Minister and Minister of Finance had this to say:

On a small, densely populated island like Barbados, the withdrawal of agricultural land from productive use in the hope of speculative gain continues to be unacceptable. I therefore propose that the rate of the idle land levy under the Land Tax Act will be raised from its present level of \$300 per hectare per annum to \$500; and the existing limit of \$5,000 will be abolished. The rate of the refund referred to in the Act will be raised correspondingly to \$420 per hectare. The qualification for exemption will be clarified.

One assumes that the purpose and intent of this amendment is to deal with this clarification.

To qualify in future, holdings of 10 acres or more must be certified by the Commissioner of Land Tax to have at least 80 percent of their total arable land in agricultural production. These changes take effect from Land Tax year 1983.

We on this side accept the general principle that it is socially desirable that all available agricultural land should be put to productive agricultural use, even lands owned, let us say, by the Minister of Transport (Hon. V. L. Johnson), or the lands owned by the Government, which, of course, are predominantly in the production of thousands of varieties of grass. But it is my feeling that these amendments just compound the problem, because I do not think that in this kind of society a levy on agricultural land is socially desirable in order to achieve the objective of better utilisation of agricultural land.

This also seems to me to strike fundamentally at certain provisions of the Constitution of Barbados, because, pushed to its ultimate conclusion, it is quite possible that, through the process of this levy, individuals can be deprived of the ownership of their land through a form of penal taxation.

We all know that there are many people in Barbados who suffer from the consequences of "property poverty," and by "property poverty" I mean people who own land but at the same time do not have the resources to put those lands into productive use. These people, when faced with this levy on agricultural land, quite clearly will find themselves in a situation where liabilities will be built up, year after year, against their properties, and, eventually, the liabilities against the property will exceed the assets.

3.00 p.m.

If you are well off and you have cash available to you, it is quite possible that you can use the levy provision to write off the tax payable for levy against other sources of income without doing much, or doing anything, towards the conversion of lands to agricultural use. That avenue would not be available to the poor people within the community, and this amendment, as a matter of principle, makes the situation worse in a sense, because it also does not address some other very serious problems.

Let me give you an idea. Let us assume that an individual has ten acres of land or more, and that individual, in conformity with the general policies adopted both by this side and by the other side, wishes to get into agricultural diversification. It is my certain knowledge that many crops, for example, citrus, would probably take four, maybe five years before they reach a point where the income would have to be shared between the owner, between the monkeys and between those who feel that they have the right to pick the fruit. In the meantime, the accumulated deficits as a consequence of the levy would be such as to make that whole proposition totally non-viable.

I know of a situation where persons who own a hotel has gone into this area. They can say, 'We will

write the whole thing off as a loss against our main corporation," which is the hotel corporation. It makes no difference to them! But for the person who is involved in agriculture, quite clearly this particular approach by way of levy, to influence people to get lands into production, certainly has a negative effect on the policy of diversification.

Even in some instances with crops that would yield a revenue at an earlier stage, for example cane, where if you plant first-crop canes you can probably in a reasonable space of time get some sort of income, nevertheless you can be penalised by the levy in a particular year when no income is generated, and when your expenses are maximal in the production of the canes. So that, too, is a problem.

If you were to look at the ownership structure in Barbados, you would find that the levy does not impact very heavily on those against whom it has been probably directed, those who may have bought four acre agricultural lots and built luxury homes on them, or those who might own plantations and, for one reason or another, have allowed them to run down, but who also have other interest. However, you would find that it does impact more heavily on the people who are genuinely interested in getting into farming, or farming the land they have.

I know for a fact, that there are many people who have genuinely tried to get into cash crop production over the past two years. They have incurred heavy losses. They have been unable to sell their crops, so they cannot even show the Commissioner enough income to allow them to demonstrate that the land has been in agricultural use.

The potatoes had to be ploughed back into the land, the yams had to be ploughed back in, so they incurred double losses. They have tried their best, but they have no documentation to show that they have actually produced X amount per hectare and therefore they are landing with paying the levy.

I just give these as practical examples to demonstrate the extent to which you can sit down and dream up a system, believing that that system would exert a leverage in a particular positive direction, when in fact, it has the opposite effect. In terms of your overall land policy, which should be going towards a maximum usage of land, and also towards the diversification not only of production but of ownership, so that ownership would probably fall into the hands of people who are genuine farmers, those who are prepared to go out there and ride the tractors themselves and when necessary, dig the potatoes, this kind of levy operates very much against such policies and those people who are beginning to get into the agricultural exercise out of love for it.

I am sure the honourable Minister for Transport, despite the little swipe I made at him, would be fully aware of the kind of problems that I am talking about. This certainly would not help him, who has recently gone into the area of agricultural production. If he is interested in agriculture, he has every right to be in agriculture, and I am sure that the levy could well have a negative effect on his attempt to try to build up an agricultural exercise.

There is another big problem. There is a lot of talk here in the Budget about 10 acres or more, that it must be certified by the Commissioner of Land Taxes that you have at least 80 per cent of the total arable land in agricultural production. I am saying that this measure was brought in prematurely, and the amendments before us today are also premature, because the Land Tax Department is not in a position to tell anybody what percentage of their land is under agricultural production.

They look and see a piece of land, say 20 acres. Five acres of that 20 acres of land might be land suitable for agriculture, the rest might be grass or may be rock. But the levy is charged on the total amount; and no matter what representations you make to the Land Tax Department that it is unfair to levy on a parcel of land which is described in a conveyance as, let us say, 50 acres when only 10 acres might be arable land, nevertheless, year after year, you get a tax bill for, and a levy on, the total amount of land.

This means that the individual who finds himself in that position has to produce five times the yield. Let us say 20 per cent of the land is arable land. He has to produce five times the yield on his 20 per cent in order to qualify for an exemption from the levy.

I can speak on these matters with authority, because I am a farmer in my own right. I know the kind of problems that this levy has created for the small farmers, medium-sized farmers and, in some instances, large farmers. There are a lot of people who are going to run into trouble, because they are going to find that they lose their properties because of this levy.

3.10 p.m.

I feel that the levy should be totally abolished. I do not think that it is the kind of penal measure which would assist in the process of getting more lands back into agricultural production or more lands into agricultural production. I feel that it is very important to look at other instruments other than a penal instrument to effect a policy which I think both sides of this House would agree on.

I believe that one area which should be looked at is the granting of tax incentives for the leasing of land. (Are

you with me, Sir? I know you are very interested in agriculture). There are many people who would have 20 or 30 acres of land, but who cannot work it or get anybody to lease it in the present situation. If there was a tax incentive which would allow that person to find a lessee for the land, I think that you would be moving in the right direction. That is the first suggestion I would like to make.

The second point is that I think that, instead of having a levy that militates against diversification on agriculture, you should have a tax incentive to encourage diversification of agriculture. Let us face it, you are not going to get people to go into agriculture in the present situation where, almost on all sides, people are losing money in agriculture. So instead of a penal levy, you should look towards some form of tax incentive to get people into the diversification of agriculture in Barbados.

The other area which I think is absolutely important is to recognise that many of these people who own lands are not wicked. It is not that they are not working their lands just because they want to fight the Government or they want to spite the country, it is because they cannot bear the continuing losses. Therefore, I would suggest that the Government, or the Minister of Agriculture, or some agency or some special department of the Government might be able to identify individuals within the community who are interested in agriculture, and, through a process of credit and encouragement, encourage the legal transfer of title before the owners have incurred unreasonable penalties by the process of the levy.

I believe that this sort of package, of credit, of an understanding of the problems in agriculture against the accepted background that it is desirable that all agricultural lands should be utilised to the maximum for agricultural purposes, would go a long way to meeting the aims of both political parties far greater than a penal levy. The problem is that the Government finds itself so hungry for money that it tries to grab every single cent it can get, without even thinking through the consequences of its action.

There are other things that they can do, inherent in the types of transfers which I spoke about earlier, facilitated or sponsored through a Government financial institution. You would have the backup credit arrangements and the backup extension services to ensure that you not only have a transfer of ownership, but a transfer of ownership with the package to turn that land into agricultural production and make sure that it is working effectively.

I bring this sort of thing to the Honourable House to show how bankrupt of ideas a Government can be when it has to resort to this kind of financial measure,

which in itself, and certainly by itself, in my view, would be inappropriate to deal with the vast majority of problems existing in the Barbadian context in relation to the transfer of idle lands into agricultural production.

It is quite possible that in other countries this kind of levy would work effectively, but here you have to examine the various factors that are operative: ownership, profitability and the other factors that I spoke about. I feel some other kind of inducement can be used rather than a negative inducement.

I know that when the Minister of Agriculture was on the backbench he certainly supported that position. I do not know whether he still supports it, or whether the reason why he is not here in the House at the moment is because he would not like to differ from the financial policy put forward by the Minister of Finance. But certainly it is a matter for thought for those of us who are interested in agricultural lands.

I also believe that this kind of area of activity should probably be taken out of agriculture. Probably a special department within the Land Tax Department should be built up and expanded, which would develop special expertise in looking at the needs of these farmers, a proper means of evaluation of the use of land and how, with minimal trauma, land ownership can be transferred in order to maximise the desired national goal of the fullest use of agricultural lands.

It has always been my belief that probably about 3 per cent or 4 per cent of this community are people who are dedicated to farming. It is unfortunate that the landless in the community are very often the most efficient farmers, and I believe that the levy would not facilitate that transfer.

I feel that what we need to do, as has been done in many countries, is to be able to have legal and fiscal instruments to effect that transfer in such a way as to give birth to a new generation of farmers, if you are going to have a lasting impact, through legislative action, on the ultimate goal: the greatest amount of agricultural productivity in the country.

A department such as I proposed, would be responsible to ensure that it keeps a proper inventory of agricultural land, the type of agricultural land and do a proper assessment as to whether the land is being used for the best agricultural purposes. All these things can be done.

These are ideas which would spring from minds that are fertile — not tired, worn-out people who can see nothing but trying to extract every cent they can extract from the taxpayers. The problems I outlined are the kind of problems that result when you try to transpose a form

of taxation that exists in one country to another country, and in many of those countries where there is a tax on idle agricultural land, you also have a very viable inspectorate and all the other infrastructural matters to which I referred.

So if for any reason penal sanctions have to be taken against anyone for failing to put their land to effective agricultural use, then you can say: "We have made available to you legislative instruments, fiscal instruments, credit, facilities for leasing and personnel — every possible thing — and you have failed to comply with all the various infrastructural things that we have done", bearing in mind that you own land, but only probably as a custodian during your lifetime for future generations, and only at any time as a custodian for the country as a whole. That is a basic concept which, I believe, would be progressive in your approach to the whole question of land ownership.
3.20 p.m.

I hope that the Government would look very carefully at the whole question of levies on agricultural land. I look forward to hearing some day that that levy is abolished, and that, in its place, a series of measures, of the kind which I have outlined, would be put into place, which would ensure that there are positive incentives to get the land back into agricultural use. I hope that you do not stop at the point of just imposing a penalty on people across the board, when, in fact, the penalty would impact, as I said earlier, on those who are perhaps more interested in agriculture than anybody else, those who are less well off in the society and those who are afflicted by the problems of property poverty.

I have tried to get across to the Government the reasons why one feels that this levy should be abolished. We have also done something else; we have tried to get across to the Government that there are other measures, administrative, legal, fiscal and other supportive measures, which can arise in the Ministry of Agriculture whereby the same thing can be achieved without the trauma generated by the levy.

I hope that this contribution would enable the honourable Minister of Finance, when he receives his budget from Washington, delivered by hand, with adequate security, with a copy having been sent in the post elsewhere, as happened last year, to seriously consider the proposals which we are suggesting today.

Thank you very much, Sir.

(Hon. L. S. CRAIG: He intends to secure it to make sure that Trevor Eastmond does not snatch it.)

Asides

Mr. B. M. TAITT (St. Michael West): Mr. Deputy Speaker, I will not be long on this Bill.

Some time, not too long ago, the Government came to this Honourable Chamber with a piece of legislation in which it sought to get this Honourable House to validate the collection of taxes and levies that had long passed the date when such collections would be deemed lawful. Once again, Sir, we are faced with a piece of legislation, in which the Government is asking this Honourable Chamber that "any levies in respect of agricultural lands and land tax paid to and received by the Commissioner in respect of the land tax year, 1983, should be deemed to have been lawfully and validly paid and received".

So far as land tax is concerned, one concedes that from time to time there may be some difficulty in the collection of legitimate land tax. But so far as levies of the kind which are proposed in this legislation, and which have been collected in terms and circumstances which, as the honourable Member who just spoke indicated, are punitive in their effect and dangerous in their concept, when we are dealing with such kinds of levies and when we hear that those levies may have been unlawfully collected, I find it difficult to agree that we can validate such collection.

It is wrong, if we have a Provisional Collection of Taxes Act that says a certain time frame is set within which the collections can be made without reference to an enabling piece of legislation, for us, subsequent to that time, which I believe is four months, to be passing legislation *ex post facto* to validate actions which are unlawful.

Furthermore, Sir, when this matter arose the time before, we were given an assurance that every effort would be made to avoid a repetition of that scandalous method. I therefore find myself unable, as I did on that occasion, to support this legislation and will have to vote against it. We will have to vote against it, because we cannot, as a country that lays claim to believe in the Rule of Law, agree to any imposition of taxes or levies after the fact. We believe that the concept itself may not be right. But one may be prepared to accept that a Government, in the course of running a country, may find itself in a position where it chooses a particular method to implement a policy. The Government believes that by this method, it may very well be able to get persons to go back to agriculture. As Your Honour have heard, there are some of us who do not believe that that is necessarily the best method.

But one would not be prepared to vote against an issue merely because one disagrees with the method. What I cannot agree to is that, especially when you are implementing that kind of policy, for some unacceptable reason, and certainly unexplained reason, you have to come to the Legislature and ask the Legislature to put its imprint on invalidly or unlawfully collected levies. I cannot agree to that.

The Constitution of Barbados is very clear on the fundamental rights which an individual has in this community. The Constitution of Barbados makes a specific point of preventing every single individual from deprivation of property without adequate, prompt and reasonable compensation. And so that there would be no doubt in anyone's mind, the collection of monies has been deemed to be the deprivation of property where that collection of money has been unlawfully done. So there is no question now in anybody's mind that money qualifies as property under the Constitution of Barbados.

Every time a levy was collected from a single person in Barbados outside the arms of the Provisional Collection of Taxes Act, that was a deprivation of the property of that person, contrary to the terms of the Fundamental Rights provisions of the Constitution of Barbados. And what this Parliament is being asked to do, no doubt because of the numbers of games that are played in this system of Government we have, no doubt what this Parliament will do is to validate what, in essence, was an unconstitutional action.

Aside.

Mr. B. M. TAITT: The honourable Member for Christ Church East Central (Hon. H. B. St. John) says that the society has rights, too.

3 30 p.m.

In communist China and in Guyana, because they wanted to recognise those societal rights in a particular way, they took the trouble to write in their Constitutions what they call — they do not call them fundamental rights, they call them something that is akin to privileges. So the whole society is aware that, in addition to the so-called fundamental rights, there are other rights given a status similar to the fundamental rights, and there are certain duties which would be imposed on the citizens. Those duties form part of the fundamental law of Communist Russia and of Guyana. They have real socialist constitutions. So punitive action for failure to grow crops is perfectly lawful in the Soviet Union and, as of 1980, perfectly lawful in Guyana.

Aside

Mr. B. M. TAITT: In Barbados, the Prime Minister is saying, from his position outside of the Chamber, that he has made it lawful in Barbados. But if he had made it lawful, why is it necessary for him to come to this Honourable Chamber with this legislation, asking us today to deem that such a collection, which happened before, is lawful? If he has made it lawful, then let him collect the taxes under the law he has passed.

In that *sotto voce* remark is an indication of the kind of thinking which informed the honourable Prime Minister and Minister of Finance, and which allows the Government to believe that they can come *ex post facto*,

whenever they feel like, and pass, in essence, retroactive legislation. They can come and say, "Whatever it is we did, no matter how he did it or what we did, it is legal!"

I said before that we must try to put a halt to that, and I am saying today that we in the Opposition will not move from that position, because once you start to take away a single inch of the rights of the individual in any society, it is only a matter of time before the entire gamut of rights come crashing down.

We live in a community where we believe that the Government should be of laws rather than of men. This kind of legislation is fitting for a community where the Government would be of men rather than of laws. I am not going to agree with it, and I do not see why the Prime Minister, who gave us an assurance, on the last occasion when we had a debate of this kind, that this sort of thing would not happen

Aside.

Mr. B. M. TAITT: If it was not the Prime Minister, it was the Deputy Prime Minister. I apologise to him if he was not here. But an assurance was given from the Government that this would not occur. I do not understand why they must come with it. Even if they do, and they would give an explanation in advance; if they would come and apologise to the population and say: "Because we had a fire....." or "Because of some catastrophe, that was beyond the normal functioning of the Civil Service, we have found ourselves in this position," one could understand. But oh, no! They just put a clause in the legislation, bring it to the House, and they expect that you will vote for it, because they have the numbers! In the words of my friend the Member from Christ Church East Central, they have the numbers, and when you have the numbers, any number you can play.

Mr. Deputy Speaker, it is wrong for any Government to take more taxes than what is necessary. It is doubly wrong for a Government to impose taxes where it is unnecessary. But it is an abomination when a Government not only imposes strange and unreasonable taxes, but collects them unlawfully, and then, on top of that, deems the collection to be lawful.

We are not able to support this. We are not going to vote for it. If the Government wishes to have this kind of administration, the Government is free by itself to go on and have it. I am not going to be part of it. I do not see how they can expect any reasonable Opposition to be part of this validation and retroactive legalising of actions, for which we have made provisions in our laws already.

In order to assist the Minister responsible for Finance, a Parliament of Barbados passed a piece of legislation which says that they have four months within which to bring all of the enabling legislation. Four months is a long time in the life of a Government. In Italy, that is time for four Governments, because they change them every month. In some countries, four months is the life of a whole regime. They have four months, and every fifth time they come to this Parliament, there is some piece of legislation which demonstrates that the Government is either lax, uncaring, cynical, incompetent, or all of them!

The cynicism comes from the honourable Member for Christ Church East Central, who, himself, is not normally a believer in illegal activity. The honourable Member for Christ Church East Central is not known to condone illegal acts, normally. I am satisfied that the Attorney-General, from his utterances, is not a person who would normally condone this kind of behaviour. Why then, collectively, do they expect to come and ask the people of Barbados, through their representatives, to condone illegal behaviour by the Government?

Anybody who owes the Government money, and who does not pay it by a particular time, has to pay a penalty. You have to pay interest on debts you have with the Government if you have not paid by the specified time. You cannot go to the Commissioner of Income Tax, or any of the commissioners who receive money, and say: "My grandmother died and I had to go to the funeral, and that is why I am over the time." The amount you have to pay is fixed by the law. We should have a system that remembers what "Capucche" said to the Devil, "You will come my way some time." When the Government goes the way of the citizen, the citizen should get some benefit from it.

We consider it to be unacceptable, when the Government, through its ineptitude, fails to collect taxes properly, or worse, when it collects them illegally and unlawfully, that we are to clothe their action in righteousness, and validate it *ex post facto*. For those reasons, and the reasons adumbrated by my two colleagues who spoke before me, we will find it impossible to support this legislation in its present form.

Thank you very much for your patience, Mr. Deputy Speaker.

Hon. H. B. St. JOHN (Christ Church East Central)
Mr. Deputy Speaker, I would not normally have intervened in this debate. I do so because of some of the speeches by the other side, which seem to me to indicate that there is a great gulf, and a growing gulf, between various factions of the Democratic Labour Party.

The last speaker spoke of certain terms relating to land acquisitions. When those terms were put forward in 1966 at the Constitutional Conference, by this side and by others, they were wrongly rejected by the then Democratic Labour Party. The question of the use of the words "adequate" and "prompt" in the Constitution was regarded by the Leader of the Opposition, the then Prime Minister, as an anathema.

3.40 p.m.

I well recall, also, that when we challenged the provisions in relation to "existing use" being the sole measure of compensation, the honourable Member cautioned us all and said that we knew not what we were talking about. He said that the Pakistanis had found out that that was the only measure of compensation which a poor developing country could afford to pay, and that he was not going to allow the Constitution to be drawn in such a way that, in the future, any question of the adequacy or otherwise could be challenged.

That is the origin of the provision in the Constitution which specifically allows existing laws to be repealed and re-enacted; and where the substance of a pre-existing law is, in fact, re-enacted in a subsequent law, there can be no question of unconstitutionality in Barbados. It is in a specific provision, inserted in the Laws of Barbados at Independence time, that if you re-enact, in substance, a pre-existing law, notwithstanding that the pre-existing law was contrary to the Constitution, that it could never be unconstitutional. Check that! In short, all of the existing laws in Barbados were insulated from the question of constitutionality or otherwise.

That is in the Constitution of Barbados, and that is the reason why honourable Members on the other side come in here and fulminate Tuesday after Tuesday in this area. But not one of them would dare challenge the constitutionality of any of the matters brought, because they recognise that that clause will be an effective answer to them!

Asides.

Hon. H. B. St. JOHN: Let all the honourable Members talk as much as they like. It is true that we gave an assurance in respect of this question of the three months. Nobody has been a greater critic of that than I.

We have studied the matter. It has engaged the attention of Cabinet on many occasions. But, obviously, where you have far-reaching budgets, and where you have all types of minor matters coming into a budget, purely because they have an indirect revenue collection possibility or implication, then you have seriously to undertake a study as to whether you either do not exclude these matters from your budget or you decide that the period of time for the implementation of budgetary

measures within three months is too short, in the light of the fact that the manpower resources that you have within the Ministries and within the Attorney-General's Chambers are not sufficient.

I also say this. I know of no country in the whole world which has a Government that is so tolerant and so interested in allowing extra-parliamentary views to be expressed upon matters, before Bills are passed, as this Government. Time after time, we come up against the situation in which legislation is contemplated, the principles are announced, or indeed the legislation is passed after consultation with all the special interest groups, and do you know that even when you give a period of time for the implementation, that those very special interest groups come back and say they want further time? They have all the time in Barbados.

If you are not careful as a Government in Barbados, on many occasions lobbyists will be fomented by the misleading, gloomy approach to life by the honourable Member for St. Michael South Central (Dr. R. C. Haynes), the well-known mischief maker of class, a Jeremiah; all of those things that apply aptly to the honourable Member, an obstructionist! Groups are fomented by that type of mentality of which the honourable Member is typical. I know the honourable Member there in the back agrees with me. I see him smiling and laughing. This is what we have to contend with.

We have a classic example by way of illustration. We had the most elaborate consultation on travel services in Barbados. Do you know, Sir, although we gave them time, and more time, to deal with it, there are still people who come forward now and say they did not know that is what it meant? I do not understand these kinds of half-breed people. They had lawyers from the very beginning!

The object of the legislation has always been clear. We have a problem in Barbados of land ownership, in which people have no interest at all in the impact of their failure to use their land in a responsible manner, and its effect on society. It is a very serious problem. You have people who have small lots of land, some have buildings on them and some do not. You have people who would allow grass to grow, or the buildings to fall into disrepair. We have to deal with all of that. This Bill is an attempt to deal with a situation, which is part and parcel of this general problem, that we have here, in which some land owners, a very small proportion of land owners in Barbados, have no social responsibility in relation to their ownership.

We had to deal with the problem of the small ones and with the buildings by a special series of legislation.

Honourable Members will recall that we had to bring in a special Bill dealing with the public health aspect.

This Bill is only dealing with the agricultural land. A lot of study was given to it. We recognised that if you are a small land owner problems may arise. That is why the levy does not apply to land under four hectares, ten acres.

When you hear the honourable mischief-making Members on the other side talking, when you hear, in particular, the prince of them, he would give the people in Barbados the impression that, if you have a half acre of land and you do not work it, the Government will penalise you specially for it. He is not telling you that this provision relates to agricultural land which is above a certain size.

It is not the honourable member's duty to point out the truth. The honourable Member has always reminded us that, as a politician, he is interested in impressions — they are more important than the truth. It is our duty to point out that we have to look at the interest of the community as a whole.

Dr. R. C. HAYNES: If the honourable Member will give way, as he normally does.

Mr. DEPUTY SPEAKER: There are two honourable Members on their feet.

Hon. H. B. St. JOHN: I will give way.

Mr. DEPUTY SPEAKER: The honourable Member has given way. I do not understand.....

Dr. R. C. HAYNES: On a point of elucidation.

Mr. DEPUTY SPEAKER: A point of elucidation.

Dr. R. C. HAYNES: I specifically did not address myself to the acreage problem. I particularly made the point that there is such a thing as property poverty, irrespective of the size of the holding, and that there are other instruments that can be used, apart from a levy, to effect the same policy. So I think the honourable Member is being rather unfair in suggesting that I am trying to mislead anybody but himself.

Hon. H. B. St. JOHN: Sir, he cannot mislead me. The only people in here he can mislead are the people who want to be misled.

When this matter came up, careful consideration was given to whether the impact of a levy would be too harsh on small land owners. And the original proposal was less than four hectares! In Cabinet, and otherwise, it was changed, because it was felt that you should not pass legislation to impact on small land owners, who, we

were satisfied, were doing their best to keep cultivating their holdings.
3.50 p.m.

It is because of that that we brought in the Tractor Cultivation schemes. That is why we brought in a lot more carrots. We told the sugar producers that they have to devise and tailor a special set of inducements to the small sugar cane farmers and others. And that is why we brought in the Israelis, and others, to help them grow vegetables, so that you cannot come in here and make any political capital.

The Democratic Labour Party's policy on land is very clear. On the plantations, they do not want any sugar, they do not want anything. Their policy was to cut them up, subdivide them and sell them, and let a few of their friends make some money as speculators. That is the history of the Democratic Labour Party on land! Do not forget that!

Mr. B. M. TAITT: On a point of order: the honourable Member has been saying that the amendment only applies to more than four hectares of land, which is 10 acres.

Section 9(B), which we are referring to, says

"Without limiting or affecting any provision.....

(a) has a greater sight value than \$2,000 per hectare"; and then 9 (B) (1).....

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

Mr. B. M. TAITT: I am drawing to Your Honour's attention that the honourable Member is misleading the House.

Mr. DEPUTY SPEAKER: It is unparliamentary to accuse an honourable Member of misleading the Chamber. If the honourable Member wants to explain something, that may be different.

Mr. B. M. TAITT: But, Sir, I do not believe that you are going to allow me to be on a point of explanation when I get up on a point of order.

Mr. DEPUTY SPEAKER: That is the point.

Mr. B. M. TAITT: Will your Honour just hear me before ruling finally, Sir?

Mr. DEPUTY SPEAKER: I will bear with you to hear where you are going.

Mr. B. M. TAITT: The legislation which we are amending starts off by saying at 9(B) (1),

"Without limiting or affecting any provision contained in this part, there is payable on land of an area of three quarters of an hectare or more....."

But the honourable Member gets up talking about over hectares!

Asides.

Mr. B. M. TAITT: This is the legislation that we are amending. You should look at it before you say that.

Hon. H. B. St. JOHN: I am dealing with subsection 2 of the amending legislation which we have here, in which the land is subdivided into two categories, one of less than 4 hectares and one of more than 4 hectares. I do not know what you are talking about.

Mr. DEPUTY SPEAKER: I wonder if the honourable Member is looking at the correct bit of legislation, the one which we are dealing with today. The honourable Member may continue.

Hon. H. B. St. JOHN: I want to know: what is the policy of the Democratic Labour Party with respect to the land which is left idle in Barbados? As I understand it, they have to have a policy in respect of this, because anyone who fails to recognise that we have a very serious environmental problem in this respect is not living in Barbados, they are living in a fool's paradise.

As I have said, we have done a careful analysis of this matter. It is not only us; many experts who have come here have drawn to the attention of the Government that we have a serious, serious problem in this respect. We have had to divide the country into land which is in existing use and is for residential use, and land which is in existing use, or is capable of being used at a later date, or was being used at a certain date, in agriculture.

We have had to come up with the levy as one part of a scheme. You cannot look at the levy only, you must look at it in relation to the inducements which the Government has given. I am sure that as time progresses, when the honourable Members have had the opportunity of reading the Development Plan, which has been laid today, and they want to see the charter for the future, they will see, under the section "Agriculture," that the Government is going a considerable distance in trying to give further encouragement, with a variety of instruments, to the utilization of the land for agriculture. So to criticize the Government for this particular piece of legislation, without taking into account the whole object and the reason for having to pass this bit of legislation, I think is not treating us fair.

I hope that by next year, when the Budget is delivered, either the law is amended to allow a greater period of time for the implementation of the Bill, or we adopt a policy which other countries adopt, that is, to take out completely of the budgetary provisions matters which are only incidental to revenue raising.

This is a very interesting point, and we have been studying this for a very long period of time. Other countries have a Finance Bill, and the Finance Bill has schedules; you amend the schedules over a long period of time, but they are back-dated. Once you give the framework of the Finance Bill.....

Asides

Hon. H. B. St. JOHN: The point is that within the Finance Bill itself, on income tax and other matters very often the Chancellor of the Exchequer gives his financial provisions in a particular year, but he says that they will impart from a tax year in the future, so he does not run into the problem of any time span.

Asides

Hon. H. B. St. JOHN: Of course, you have it! Say, in tax year 1984, the Income Tax Act will be amended. The Budget which delivered that provision could have been in 1982. That also allows a period for private sector and other special-interest consultations to take place before the measure comes into operation.

We have been studying this problem. I know that the existing manpower resources that we have are a little bit out of tune with the energy and dynamism of the Government. That is a well-known phenomenon.

Asides

Hon. H. B. St. JOHN: Did you say that you do not understand that? I myself heard that very honourable Member, the Member for St. Michael South (Mr. L. E. Sandiford) quarrelling one year and saying that the civil servants were saying that the Government wants to push them and make them work too hard. I remember that same honourable Member saying in here that the people in the Legal Department were saying that the Government wants them to do too much within a short period of time. 4.00 p.m.

(Mr. B. M. TAITT: What are you saying now?)

Hon. H. B. St. JOHN: The Government is not going to allow its programme to be deflected by people who feel they have to work hard. I am not saying that at all! We are not going to allow that! As politicians we have a

time span, and if we do not produce in that time span, we are not likely to be given another time span.

A politician must take the kind of criticism you levied against us today. You are criticising us for doing too much, so we take that criticism. I have absolutely no worry about that kind of criticism. It is a confession by the Opposition that the Government is trying to propel the country at too fast a rate. I plead guilty. I say that if the existing cumbersome machinery, devised by the Democratic Labour Party to suit their snail pace, cannot suit the racehorse pace that we have now, we shall have to amend the machinery. That is what I pledge to do for you all!

Mr. A. TRUSS (St. Michael Central): Mr. Deputy Speaker, I rise in support of this Bill to amend the Land Tax Act, Cap.78A. This is consistent with the policy of this Government ever since we took over the reins of power in 1976.

The Minister of Finance and Planning in his Financial Statement and Budgetary Proposals of April 27, 1982, proposed to clarify the qualifications for the exemption of agriculture in relation to land that is idle and land that is productive. We on this side believe that Barbados is too small a place to have good, arable land pulled out of agriculture for speculative purposes and be sold to friends in high places, so that these pieces of land can be cut up and sold at exorbitant prices and great profit. So we introduced a rate which deals with the idle land under the Land Tax Act, and we have raised the level, as has been outlined by the right honourable Prime Minister.

The Bill is fairly straightforward in terms of the exemption. The last speaker clearly identified what has to be done in order to be exempted, or, if you do not do what should be done, how you will be penalised.

In 1981, we produced a document called "Promises and Performance", which is already a document of this House, and it dealt basically with the promises and performance of our Government. I should point out that we printed 40,000 copies and distributed them throughout the length and breadth of this country, because we felt proud of our record. We spent a lot of time, energy, and money indeed, to show the people of Barbados exactly what we promised in our manifesto of 1976 and, of those promises, what we were able to achieve by 1981.

On the policy of idle lands, we stated — because I am going to prove beyond a shadow of a doubt, Mr. Deputy Speaker, that we on this side are very consistent when we deal not only in agriculture but in anything else that we have to deal — that thousands of acres of idle lands have been brought back into production, with the consequent dramatic increase in agricultural output, partly

as a result of Government policies, which include levying additional taxation on agricultural land kept out of use.

In our manifesto of 1981, which is what we pledged to the people of Barbados to achieve if re-elected, again we stated our position as far as idle lands were concerned. This document, the Manifesto of the Barbados Labour Party, General Election 1981, is also a document of this House, and I quote from page 8 of that document:

"The sugar industry has the greatest addition of local value of any economic activity carried on in Barbados, and is therefore still potentially our most economically useful earner of foreign exchange. Its viability has diminished in recent years because production has been allowed to fall below levels at which the reaping and factory systems can operate satisfactorily. This has partly been due to the policy of the DLP in permitting the abandonment of good agricultural land and subdividing it for the purpose of land speculation."

We went on to say in our manifesto that over 12,000 acres of good agricultural land was taken out of agricultural production and subdivided by the Democratic Labour Party, and we were able to prove that that represented a loss in foreign exchange of \$76 million between 1971 and 1976.

We have been consistent. I do not see any reason why, when we bring this land tax amendment today to clarify our position, as expounded by the Minister of Finance in his Financial Statement and Budgetary Proposals on April 27, 1983, the Members on the other side should behave in a way as though they were unaccustomed or unsure of the stance that we had taken, or question the validity of the stance which we are taking, when clearly the policy was enunciated in 1976, in our "Promises and Performance" document of 1981, in our manifesto of 1981, and indeed in the Financial Statement and Budgetary Proposals of April 27, 1983.

We do not feel that an island as small as Barbados can afford to take arable land out of production and cut it up. We have a policy, which has been implemented, that non-sugar agricultural products should be improved, vegetable production and livestock breeding, and sugar cane production should be improved. As a matter of fact, over the last year we have been fortunate enough to claim that 85 per cent of our vegetable production is now being produced locally. Last year, onions alone increased by 60.5 per cent over the previous year, 1982. Fish catches increased by 68.7 per cent, milk production was up by 8.7 per cent.

Even though last year we may have had a bad year with canes and we were not able to achieve the sugar tonnage which we projected, it was because of too many

fires and because of too much rainfall at a crucial time and not enough rainfall when it was necessary. This year, we have projected over 100,000 tonnes. Whether or not we shall reach that, we shall see in the next few months.
4.10 p.m.

The point is that we on this side have a consistent agricultural policy and the success or failure of that agricultural policy is dependant, to a large degree, on the weather, and, to a large degree, on whether or not the people of this country are prepared to continue to work in agriculture.

It is a well known fact that the right honourable Member for St. John (Rt. Hon. E. W. Barrow) stated that he would like to drive through this country and see no sugar cane growing in the country districts. That was in his very famous "cane blade speech". We know that in 1981, Sir, during the General Election, the former honourable Member for St. Michael North Central, and indeed the honourable Member for St. Michael South Central (Dr. R. C. Haynes), preached throughout the length and breadth of this country and told the people not to reap the canes. The Democratic Labour Party, as far as I am concerned, should be the last party to talk about agriculture in this country.

We are the ones who were able to put agriculture back on a firm footing. We are proud that there has been great increases in production of a wide range of vegetables, poultry, milk, livestock and, indeed, sugar, since we came into power in 1976.

(Mr. L. E. SANDIFORD: What happened before only poultry?)

Mr. A. TRUSS: "What happened before?" I will let him deal with what happened before, because nothing happened in agriculture before, as far as we are concerned. I am not saying that the last Government did not perform in other areas. Indeed, they made their contribution between the years of 1961 and 1971. They, in my view, bungled the job between 1971 and 1976.

The last speaker said that we, as politicians, have a certain time frame within which we must produce. Each and every one of us as individual politicians who represent constituencies, if I may bring it down to the parochial level for one second, have to produce not only at the parochial level to satisfy our constituencies, so that they will vote us back in for another term, but we have to go even further than that; we have to produce at a level that the entire country can see. When you drive through this country today, you can see the transformation that has taken place since 1976.

In agriculture and fisheries, I believe that this Party has a tremendous record. I am proud to be associated

with this record, I am proud to be associated with the honourable Minister of Agriculture and the right honourable Minister of Finance for introducing this amendment to the Land Tax Act to ensure that idle land, which was taken out of agricultural production by the Democratic Labour Party, must be put back into agricultural production if we are to survive. Some 85 per cent of every dollar earned in agriculture remains in Barbados, as compared to 27 per cent of what is earned in tourism. So it is my view that our base is still in agriculture. As a small country, it is very important to us.

In relation to the details of the amendment to this Bill, those were dealt with, quite comprehensively, by the last speaker, and I would like to associate myself with all the remarks which he made. But, for the Record, I thought that my contribution on this particular amendment had to clarify our policy, we have done it in the past and I suppose we shall have to do it in the future, because there are detractors on that side who would like to give the country, and indeed this Honourable House, the impression that we have not at all performed in the area of agriculture.

Forty thousand fruit tree seedlings have been planted over the last couple of years, sugar cane production, of some 130 000 tonnes, reached its highest in 1980, the highest since 1969. We have been able, out of the 12 000 acres that had been taken out of production in 1976, to put back 8 000 into agricultural production. The only reason we have been able to do this is by setting up certain structures within the Government, penalties for those who do not want to work the land and incentives for those people who are prepared to work the land. In my view, that is a very intelligent approach to the whole idea of agriculture.

In closing, I would again like to associate myself with the remarks made by the last speaker, and support this amendment to the Land Tax Act.

Mr. R. E. BRATHWAITE (St. Lucy): Mr. Deputy Speaker, as we all know, the Democratic Labour Party's track record on agriculture is very bad. When you compare their performance with that of the Barbados Labour Party, you can see that from the time we came into power, in 1976, we placed great emphasis on bringing agricultural lands back into production and trying to allow this country to be self-sufficient in food. At this present time, I think that instead of importing vegetables, as used to be the case years ago, we export vegetables nowadays.

But I am sure that every honourable Member in this Honourable House knows the reason for having the levy introduced in this island. One of the best plantations we ever had in Barbados was Cane Garden, a plantation just above Shop Hill, with soil of class. Now when you look

at Cane Garden, all you see is a few houses — all the land is covered with grass. That is a disgrace.

The Lord has put land down here to feed us, and it is not right that we should allow people to build one house on a five acre spot and leave the rest to grow grass. That would not be fair to the people of this country. So that was the reason for having this levy.

And the levy is paying off. We are producing vegetables in this island much cheaper today than we were getting them in 1974, although the cost of things has skyrocketed, especially as far as labour is concerned. It is because of the amount we are getting from forcing people to put their lands back in agriculture.

Mr. Deputy Speaker, as a small farmer, when people complain to me about this levy, I always tell them how they could evade this Bill. What they can do is call a gentleman with a plough, plough that land, and plant things like pumpkin vines, pea trees, or put stock on it if they like. They would not have to employ labour every day. As long as pumpkin vines start to grow, they will run through the grass and they will bear. I believe that if more of us would make up in our minds to comply with the policy and realize that Government has to do all that lies in its power to help this country, so that our people will be able to get food cheaper, we will see things moving in a different direction.

There are a few points in this Bill which I would like the right honourable Prime Minister to look at very carefully. I know that barren lands are exempted from the levy, and if you plant pangola grass, you will be quite safe. But when you come to a place like Codrington, up by the Lumber Company, or Husbands in St. James, and a man plants a place like Codrington in canes, you can be sure that by the time the crop season comes, he would not even get half of the canes. It would not pay that individual to plant canes, or vegetables, or anything in that district.

The only thing a man could plant in such districts and get some of it would be cotton. But most of us, as Barbadians, know how unsuccessful cotton is, and we really would not like to go back to cotton. We know that cotton failed in the past — and I believe that it will fail again.

I feel we should look at certain districts where the boys do not allow people to get anything from the land. And once there is proof that people are willing to plant produce and take care of the crops, and other people come and destroy them, I feel that you should try to give them some exemption.

The honourable Member for St. Michael West (Mr. B. M. Taitt) spoke about working the land. We all know

that the Barbados National Bank is there with its hand outstretched, begging people to come and borrow money to help put their agricultural land back into production.

The honourable Member also spoke of the sale of produce. We all know that we are selling yams to England, tomatoes and other vegetables to Trinidad and other places. The Minister of Agriculture is trying his best to make sure that as soon as we reap the crops, we can get them off our hands. We know that, no matter what you do, sometimes there will be a glut. The people who we export to are also trying to grow things, so sometimes you end up with the crop on your hands.

This Government also gave price support to sugar. The price support is a very, very important project in this country. This year, without the price support, I do not think that we would have been able to survive. The Government also introduced the giving away of cane plants to people, who own less than 20 acres of land, to help those people come back into cane production. It also provides the equipment to help them cut down on the price of labour.

There is one thing I would like to commend the Democratic Labour Party for, that is acquiring the ADC plantations. A few of them are relatively good plantations, and I feel that, with good care, we would get good results from them. They can be used as monitors where, if something is wrong in a labour dispute, we can use our books to determine if we can pay or if we are not able to pay.

4.20 p.m.

But in 1975, when the Democratic Labour Party were in power and acquired the plantations, they were so callous about agriculture in those days that they reaped 14 296 tonnes of cane. I would say that was a very small amount. In 1976, when the Barbados Labour Party came into power, we started paying more attention to agriculture — we had the same acreage — and in 1977 we got 33 537 tonnes of cane.

From that year, the sugar industry started to improve. Non-sugar agriculture also improved. If I start to call the figures for poultry, fish and the other foods, I am sure that they would be very high above your expectations. Even in 1980, and I am just giving you a few years, we got 57 201 tonnes of canes from the ADC plantations.

You can see on every side what the Barbados Labour Party is doing. We know how hard our fore-parents worked in this industry. We are doing all that is within our power to see that agriculture is built on a solid base and put on a good footing.

I always say that in 1974, when we had the large windfall for sugar, if we had sugar that year, we would

have a very outstanding little country. In that day, we were getting money, but we did not have sugar. Nowadays, we have sugar, but we are not getting good money for it. The Prime Minister has to stretch his brain to fight and get money to help maintain some kind of satisfaction in the industry.

I will try to encourage all small land owners, or even those with house spots, to grow food. When you go to places like Canada, you see people growing tomatoes in cans, car tyres and such things, and I believe that we in Barbados can do a little more.

Many of us sometimes can be very lazy, and we would rather buy than grow our own things. But I would like to say that it is a pleasure to plant something, watch it grow, and then eat that same thing. When I go fishing and I hook a fish, I always think that it is probably the sweetest fish that I have ever tasted in my whole life. So that is very, very important.

Mr. Deputy Speaker, I thank you very much. I hope that we will continue to improve agriculture, and that our country will become viable and self-sufficient in food.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, I could not let this debate pass without some reply. There have been two strands in the debate, one of which I will not advert to, because it has been so completely and competently dealt with by the Deputy Prime Minister, the honourable Member for Christ Church East Central (Hon. H. B. St. John). That, of course, relates to the so-called constitutional point, which comes down to no more than either the over-working, or the under-willingness, of departments concerned with drafting budgetary legislation. The other point, which I take to be the point of substance, relates to the whole question of idle land policy.

I hesitate to use the verb "doting", Sir. It is an unkind thing to say about an older person. I have heard it said in here by the Leader of the Opposition about the then Leader of the Opposition, who was at that time a much older person than he. But I remember that on that occasion, one of us warned the then Prime Minister, now the Leader of the Opposition, that he should be careful about telling older men than himself about doting, because some day he, too, would be old, might still be in politics, and talk foolishness. This year, 1984, has not brought the prediction of George Orwell to reality, but, in the case of the Leader of the Opposition, it has brought the prediction of doting to reality.

This afternoon provides, by proxy, another example to add to the extraordinary statement, ascribed to the gentleman in a newspaper in the United States, in which he is described as a "director", relating to Grenada. I am not going to deal with Grenada now, except to say that, if accurate, it is a remarkable example of doting! But I

am going to deal with the statement about the idle lands, since he was the first in his party, so far as I know, to suggest that a policy of penalizing the non-use of agricultural land was a bad policy and would be repealed by the Democratic Labour Party.

Mr. Deputy Speaker, I would recommend to honourable Members to read a recent monograph by the Deputy Town Planner, an able young man named Mr. Nurse, on "Agricultural Subdivision in Barbados", from 1965 onwards. Mr. Nurse has pointed out how, in response to every adverse price and weather circumstance that has affected sugar agriculture in this country since 1967, there has been pressure to take land out of agriculture.

There is a very involved mathematical analysis, which will be too deep for the honourable Member for St. Michael South Central (Dr. R. C. Haynes), comparing various uses of agricultural land in the economic circumstances of 1971, '72, and '73 and the present. The general conclusions are that, indeed, it was economically more worthwhile to subdivide the land for residential or other purposes for sale than to maintain it in agriculture.

But the accuracy of such an analysis, in purely economic terms, does not mean that it was an exercise of good judgment to allow the owners of agricultural lands to subdivide it in response to every breath of ill economic wind. What it meant was that the Government of Barbados during the period concerned, faced with the same problems as, say, the American Government faced in 1931, at the end of the Great Depression, which coincided with climatic difficulties in the south west of the United States, decided to abandon so much of the agricultural, at least, as reduces the best possible sugar crop by half, whereas the Government in the United States found ways and means to keep farmers at work and to keep agricultural land in production, by a system of price supports, storage, Government purchase, and so on.

We, of course, cannot afford so extensive a system of farm support. We are moving towards some element of farm support now, and we are canvassing export markets and more traditional market means of keeping agriculture vibrant in this country. Were we not doing this, we would not have moved to 85 per cent self-sufficiency in vegetables — the areas where we are not sufficient being merely onions in some months of the year and English potatoes — and we would not have moved to the surpluses of small vegetable cash crops — cabbages, tomatoes, carrots — that we see so often in this country.

4.30 p.m.

But the important thing, Mr. Deputy Speaker, is that this Government is trying to stop agricultural land being alienated. The previous Government actively went about alienating agricultural land. Let us bear carefully in mind that when you cover agricultural land in houses, that is the end. If the price of sugar goes to \$5 000, and

the rain falls every night from June 1 to January 15, conditions under which ten acres of sugar land would earn you \$10,000 — plus, nobody will get any money out of the lands at Frere Pilgrim, which are under the residential provision, the lands at Cane Garden, about which the honourable Member for St. Lucy (Mr. R. E. Brathwaite) spoke — not even, indeed, from the two acre and four acre lots, starting at Sanford, alienated by the Democratic Labour Party all over the country.

Once you take land out of agriculture, you have done something final. If you leave it idle, you can plant it up again at some time in the future; this Government planted Bath Plantation and planted Coverley. If you decide to let it go altogether, you are not going to get it back. This is, fundamentally, the most important point about the difference between the land policies of the two parties that has to be made.

Mr. Nurse's analysis, to which I referred earlier, asked: how could permission ever have been given for Rowans to be subdivided, when it was one of the best plantations in Barbados? Rowans was making 36 tonnes an acre at the time when it was subdivided. There are other examples which were given, examples of plantations, which were in Grade 1 in terms of soil quality and rainfall, which were permitted to be subdivided by the Democratic Labour Party regime.

Land speculation caused a whole new class to arise in this country, a class of persons, who, if they had any political affiliation, it certainly was not with the Barbados Labour Party, but who became tied in to the DLP through the influence which they could exercise, and the favours which they were getting, in respect of land subdivision. Rowans is a good example, and Neils would be a better.

Honourable Members will be aware of persons who moved closer and closer to the Democratic Labour Party, and sailed closer and closer to the wind in practising as lawyers, to the extent that eventually I believe they had to make very substantial settlements with those for whose plantations they did not get permission for subdivision when they were the lawyers for them, but when they bought the lands from the owners they got permission for themselves. I only have to speak of plantations on the fringe, between St. George and St. Michael, numbers of them, the Belle, Neils, Rowans, Lower Estate. It therefore follows, logically, that arguments are going to come from that side about the idle land policy and about the Government's agricultural policy, because the Democratic Labour Party is only putting forward its friends' cases.

The fact is, in 1976 not all the cases were complete. Cane Garden, Lower Estate itself, and others had not fully been organised, and there were a number of people who got together in their syndicates and bought pieces of land

that they expected subdivision permission for, but could not get after the Government changed.

Far from subdividing further, we revoked the subdivisions at Cane Garden. The subdivisions at Lower Estate were maintained in field sizes, so that you might get a 20 acre lot bounded by four public roads — and I am yet to hear that a 20 acre parcel of land is uneconomic! It was all part of an agreement which was already there. We did not go back on agreements which had been signed before the revocation order came in.

Aside.

Rt. Hon. J. M. G. M. ADAMS: I hear an honourable Member saying "Haggatts". I think he means Haggatt Hall. You, Mr. Deputy Speaker, above all, would know the pressures that have been put on the Government to subdivide Haggatt Hall, and the fact that the Government would not do it. We still get pressure for agricultural subdivisions.

Mr. Deputy Speaker, I think the problem itself bears hardest not on genuine agriculturalists, but it bears on people who bought land in the hope of further subdivision, who now find that hope frustrated. They never intended to work the land agriculturally at all.

The two acre lots were also a fraud and a sham. If Mr. Nurse's book has a fault in it — and I hope he reads this debate — the fault is that, perhaps because he does not want to get into politics, he avoids criticism of the cutting up of land into two acre lots — he analyses only those for which residential permission was given.

The theory is that two acre lots were agricultural. You and I know that is nonsense. That two acre lot arose from Mr. Dacosta Edwards' wish to get back into the Government. He put forward a good scheme, got Mr. Lloyd Smith to come in here and say you have to create a peasantry, and carried the Leader of the Opposition up to Sanford on May 27, 1969, and showed him the divisions he wanted to have. Within a few months he was trying to sell two acres of Sanford to a judge on the grounds that the Deputy Prime Minister and I were buying two acres, and then tried to sell it to the Deputy Prime Minister on the grounds that the judge was buying! I will not say anymore on those two acre lots!

I am not talking about the cutting up of the land at Wanstead and selling it to members of the Government at the cost of cutting up. I am not talking about the people who own two lots out in the Cave Hill Development, bought at 46 cents a square foot — fully serviced! I am not talking about the people who bought the lots out in Cave Hill and have two houses now built on them and registered with Rates and Taxes for rents as landlords! I am not talking about any honourable Members of the

House today, including two who I can see in front of me on the other side, or I am not talking about former Members of the House, former Leaders of the Opposition or former Chairmen of Committees, who have built some palaces on lands that were cut up and not made available to the general public! I never heard that I could go into Cave Hill and buy any of those lots for 46¢ a square foot, complete with roads and water, not made available at less than cost! I am not talking about that land, but I am talking about the ordinary, run-of-the-mill plantation lands!

4.40 p.m.

The most relevant of the issues in the debate today must surely be whether the levy has been successful or whether it has not been successful. I can only say that so far in 1983 – 84, 687 people have applied for relief from the levy on the grounds that they are now cultivating the land. All but 28 have been granted relief. I can only say that I know the names of numbers of persons who know they are no longer able to cultivate their land and have sold it. I know that people are leasing the land, I know that ploughing services are being sought, and that much of this land is coming back into cultivation.

The land may not be coming back into very successful cultivation. I suspect that the sort of middle-class people that we are dealing with may very well be ploughing up the land, planting potatoes on it, and perhaps not going through.....

Dr. R. C. HAYNES: If the honourable Member will give way for one minute, on a point of explanation: While I certainly have enjoyed the rhetoric of the honourable Member, however distorted, I think that he is now getting to the point that I have been trying to make: that whereas the levy was first directed towards a specific thing, for instance, the subdivision into 4 acre lots, the Government now has to address itself to other subsidiary things, like facilitating leases and credit, which would really go to the further implementation of the policy.

I think he is really now getting to the heart of the matter, and I would really like to hear his views of a substantive nature, rather than his politicking on this particular matter that is so important to all of us.

Mr. DEPUTY SPEAKER: That is not a point of explanation. That is a directive, and this House does not provide for directives under the rules.

Rt. Hon. J. M. G. M. ADAMS: The honourable Member is welcomed to the Development Plan to obtain what information he can. He really does not expect to be taken very seriously. He views himself as a clever person, a person whose opinions must command attention, but he must remember that his opinions are so extreme on so

wide a range of subjects, that it is very hard for serious politicians to respond to a man who is moved to violence of expression today by 15 cadavers.

Asides

Rt. Hon. J. M. G. M. ADAMS: I am going to call them cadavers, if you do not mind.

The honourable Member is moved to violence by the existence of those cadavers, and in one breath he says how budgets come through the post from Washington to the Ministry of Finance in Barbados, and in the next breath he says that you must do something about leasing agricultural lands.

He must forgive me if I take all his statements at being at the same level and ignore them all. I really did not listen to his speech, because I was trying to do the Government's work, nor do I intend to pay attention to anything which he says.

People must try to be consistent and honest, avoid mischief making and telling lies, if they wish to be taken seriously by Members on this side of the House.

Applause.

Mr. DEPUTY SPEAKER: Order, please.

Rt. Hon. J. M. G. M. ADAMS: I am very glad that the Opposition is applauding that sentiment, Sir. It will be virtually the first time since the perception doctrine was enunciated that honourable Members on the Opposition side have recognized that telling lies is a political sin. Until now, everything were perceptions, not truths. I am very glad that the Opposition now appreciates that there is something wrong with telling lies.

The matter has been canvassed at great length, Sir. The public has already, twice, given its verdict on the agricultural policies of the Democratic Labour Party against the agricultural policies of the Barbados Labour Party. I believe that verdict rests on our side. I believe that it is well accepted that we are doing our best to restore a viable agriculture to this country and maintain it for the foreseeable future. As the country gets more prosperous, we will be able to direct our attention to the modern systems in use in well-off countries for maintaining agriculture.

There is some element, I would say, of price subsidy production of milk in this country. There is an element of price subsidy, forced on us sometimes by the Barbados Agricultural Society, in the production of vegetables. There is some element of price support in the production of sugar. The public is aware of the need for

some amount of self-sufficiency as our climate, geography and size will afford, and I believe that they know the agricultural effort is in safe hands on this side of the House.

I thank honourable Members who have contributed to the debate, not all. On the other side, I thank the honourable Members for Christ Church West Central (Mr. M. A. King) and St. Michael West (Mr. B. M. Taitt), although the latter Member contributed to the debate, not to the subject.

I am sure that all of us recognise that we have to do something about agriculture. In Trinidad, the proportion of imported food has now reached 90 per cent. Thank God, it has fallen in Barbados, to 60 per cent during our time.

Asides

Rt. Hon. J. M. G. M. ADAMS: The honourable Member wanted me to tell him lies about that? Turn left for the lies, not to me. If you ask me for figures I will give them, I will not invent them.

Let us hope, Mr. Deputy Speaker, that with the co-operation of the public and the continued policies of the Government, we will get a proportion of food, that which is imported, down to 50 per cent within the next two years, and let us hope to achieve the same level of agricultural exports as our level of imports, last realised within a Barbados Labour Party Government in 1958, I think it was.

We cannot ask for more. All we can ask for is to export those foods we can produce in order to allow us to import those foods we cannot produce. We will never again, I think, become a major exporter on balance of food. But let us at least achieve the balance which all of us think should be within our reach.
4.50 p.m.

The question that the Bill be now read a second time was put and resolved in the affirmative, the House dividing as follows:—

AYES: Rt. Hon. J. M. G. M. ADAMS; Hon. H. B. St. JOHN; Hon. L. S. CRAIG; Hon. L. R. TULL; Hon. L. B. BRATHWAITE; Hon. Miss B. A. MILLER; Hon. V. L. JOHNSON; Hon. DeL. O. BRADSHAW; Mr. R. E. BRATHWAITE; Mr. A. TRUSS; Mr. L. L. SISNETT and Mr. J. G. ODLE — 12.

NOES: Mr. L. E. SANDIFORD; Mr. B. M. TAITT; Mr. L. A. WEEKES; Dr. R. C. HAYNES and Mr. M. A. KING — 5.

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.

Clause 1 was called and passed.

Clause 2 was called.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I beg to move that Clause 2 stand part.

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

Dr. R. C. HAYNES: Mr. Chairman, Clause 2 reads:

"Section 9B(2) of the Land Tax Act is amended by repealing paragraph (b) thereof and substituting the following:

"(b) is certified by the Commissioner where the agricultural land consists of a holding of four hectares or more, as having at least 80 per cent of the agricultural land in agricultural production."

We have a habit of passing legislation without adequate supportive measures in order to establish whether or not the provisions of the legislation can be fouled up. I am wondering if anyone on the other side cares to say whether there are any supportive measures in place.

I do not care if they answer or not, because there comes a time in political life, as clearly demonstrated by the quite unjustified arrogance, bordering on stupidity, of the Minister of Finance a little while ago, where a person believes that he is too big to answer.

Mr. CHAIRMAN: The honourable Member, please! The House is in Committee, and you can deal in detail with this matter.

Dr. R. C. HAYNES: I am dealing in detail.

Mr. CHAIRMAN: This is not a second reading.

Dr. R. C. HAYNES: I am not making a second reading speech. What I am trying to point out is that, as far as I know, there is no mechanism existing at the moment for a determination of whether or not 80 per cent of land over 4 hectares is in agricultural production. There is no department of Government that is equipped to do it, there is no mechanism by which it is done, and this has been a major bone of contention.

There is no point passing the legislation unless you are going to provide the Land Tax Department with the staff to go and determine that, not only in the interest of proper administration of the amendment to the Act, but also in fairness to the people who have to pay tax. That is the point I am trying to make.

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

The question that Clause 3 stand part was put and resolved in the affirmative, the House dividing as follows:—

AYES: Rt. Hon. J. M. G. M. ADAMS; Hon. H. B. St. JOHN; Hon. L. S. CRAIG; Hon. L. B. BRATHWAITE; Hon. Miss B. A. MILLER; Hon. V. L. JOHNSON; Hon. DeL. O. BRADSHAW; Mr. L. L. SISNETT; Mr. A. TRUSS and Mr. R. E. BRATHWAITE — 10.

NOES: Mr. L. E. SANDIFORD; Mr. B. M. TAITT; Mr. L. A. WEEKES; Dr. R. C. HAYNES and Mr. M. A. KING — 5.

On the motion of Hon. L. S. CRAIG, 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. 5.00 p.m.

On separate motions of Hon. L. S. CRAIG, seconded by Hon. L. B. BRATHWAITE, the Bill was read a third time and passed.

Hon. L. S. CRAIG: Mr. Deputy Speaker, I have a measure to introduce. It is a Resolution for \$211 000. I have discussed this matter with my colleagues on the other side, and they have all agreed that the measure is not controversial.

We are having copies being run off for circulation to my colleagues on the other side.

In the light that they do not see this as controversial, I propose to do this measure in all of its stages.

Mr. DEPUTY SPEAKER: The honourable Member is seeking permission to complete a Resolution in all its stages today. If there are no objections, leave is therefore granted.

Hon. L. S. CRAIG: Sir, this will therefore be Order No. 6.

Order No. 6 was called — To move the House into Committee of Supply to consider the granting of sums of money for the service of the island.

SUPPLEMENTARY ESTIMATES 1983–84

No. 22 \$211 986

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

COMMITTEE OF SUPPLY

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

Heads 26 and 27 were called and passed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. L. B. BRATHWAITE, Mr. CHAIRMAN reported the passing of one money Resolution in Committee, and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. L. S. CRAIG, seconded by Hon. L. B. BRATHWAITE, the Resolution was read a first time, a second time and agreed to.

ADJOURNMENT

Hon. L. S. CRAIG: Sir, that brings us to the end of Government Business for today.

Before adjourning, I wish to inform the Members of the House that we propose to choose a Chaplain during our next sitting. I have no doubt that the Deputy Leader of the Opposition is well aware of the fact that the Chaplain of the House has to be appointed by the House, and I will discuss the matter with him before the next sitting.

I beg to move that this House do now stand adjourned until February 28, 1984 at 12.00 o'clock noon.

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

The question was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER adjourned the House accordingly. 5.10 p.m.

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