

THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1981 - 86

HOUSE OF ASSEMBLY

Tuesday, October 23, 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., (Speaker)
His Honour R. E. Brathwaite, (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)
Hon. H. deB. Forde, Q.C., M.A., LL.B.
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. L. R. Tull, Q.C., M.A., (Attorney General and Minister of Legal Affairs and Minister of Foreign Affairs)
Hon. DeL. O. Bradshaw, (Minister of Labour, Social Security, Sport and Community Services)
Hon. Dr. R. L. Cheltenham, M.A., M.Sc., (Econ.) (Minister of Agriculture, Food and Consumer Affairs)
Mr. P. M. Greaves, B.A.
Mr. A. Truss

Prayers were read by Fr. Derek Stapleton.

Mr. SPEAKER: The House is in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, October 16, 1984.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that the Minutes of October 16, 1984 be taken as read.

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

Mr. SPEAKER: If there are no observations or amendments, let these Minutes stand confirmed.

ANNOUNCEMENTS BY HIS HONOUR

Mr. SPEAKER: I am to announce that I am in receipt of Accounts and Statements for the month of August, 1984 prepared by the Accountant General.

We have the television cameras in the Chamber today. Application has been made to me to record a statement which is to be made by the honourable Prime Minister sometime during this morning, and I have granted permission for this to be done.

Messrs. W. O. FRANKLIN and L. E. SANDIFORD and Dr. D. G. BLACKMAN entered the Chamber and took their seats.

PAPERS LAID

Hon. Miss B. A. MILLER: Mr. Speaker, I beg to lay:

The Annual Report and Statement of Accounts of the Barbados Community College for the year 1982-83.

Hon. DeL. O. BRADSHAW: Mr. Speaker, I am commanded to lay the following documents:

The National Insurance and Social Security (Benefit) (Amendment) Regulations, 1984.

The National Insurance and Social Security (Employment Injury Benefit) (Amendment) Regulations, 1984.

The National Insurance and Social Security (Non-Contributory Old Age Pensions) (Amendment) Regulations, 1984.

The National Insurance and Social Security (Collection of Contributions) (Amendment) Regulations, 1984.

The National Insurance and Social Security (Claims and Payments) Regulations, 1984.

The National Insurance and Social Security (Self-Employed Persons) (Amendment) Regulations, 1984.

The Severance Payment (Fund Contributions) (Amendment) Regulations, 1984.

The National Insurance and Social Security (Employment Injury Claims and Payments) Regulations, 1984.

Hon. L. S. CRAIG: I am commanded to lay:

The Annual Report and Statement of Accounts of the Insurance Corporation of Barbados for the year 1983.

GOVERNMENT NOTICES

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

A Resolution to grant the sum of \$34 328 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 1984-85, Part I - Current, as shown in the Supplementary Estimates 1984-85, No. 12, which form the Schedule to the Resolution.

I should like to inform you, Mr. Speaker, and Members on the other side of the House that I propose to do this Resolution in all its stages today. Copies have been circulated, I am told. This is to do with the by-election in St. Peter and the Electoral Office. I do not think there should be any problems with this as far as both sides are concerned. I am quite sure you are as anxious as we are to see if there is another one vote involved in this business.

Mr. SPEAKER: I am sure the Leader of the House and the Leader of the Opposition or his Deputy will discuss this matter and we will have agreement between the parties.

STATEMENTS BY MINISTERS

Hon. L. S. CRAIG: At this point, Mr. Speaker, I would like to inform the House, though I am aware

of the Standing Order which makes it possible for Ministers to make statements at any given time, that at 12.30 today the Prime Minister proposes to make a statement which I consider to be of paramount importance.

I have drawn this to your attention because in the event that we may be doing any business at that time, I propose to have it postponed in order to have that matter dealt with.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

SUSPENSION OF STANDING ORDERS

Hon. L. S. CRAIG: I beg to move that Standing Orders 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the remainder of today's sitting.

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

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

COMPULSORY ACQUISITION OF LAND AT CHECKER HALL, ST. LUCY

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, this Resolution seeks to make provision for just about three houses which will be dislodged as a result of the building of the Arawak Cement Plant.

A lot has been said and done in relation to people who were threatened at one stage or another in this whole exercise, with the bulldozers being brought near to their homes in order to get people scared and to frighten them into getting off the land. But what nobody seemed to have realised at the time was that in 1982 Government had acquired an area of land which was virtually adjacent to where these people live in order to resite them there. The land at the time was 4.737 hectares, and it also had a building on it, Checker Hall House, which was used as a project office for the Arawak Cement Plant. It was only after the purchase of that land and the beginning of the construction of the cement plant that it was discovered that the close proximity to the plant itself would lead to problems for the people who would be removed to the site which was acquired, so the decision was taken not to have them resited there.

Government again sought to find lands which were within the environs of the place where the people who had to be resited lived. Fortunately, we were able to come up with two portions of land that were not very far away, in the very Checker Hall area. The owners were amenable to a sale for the purpose. This land is more than what would normally be required for the

resiting of the people who would have to be relocated, but it was thought that, in view of the great pressure and demand for house spots in this area, it might be useful to acquire the land and put in the necessary infrastructure in order to give the people who are landless down there the opportunity to have spots as well.

In addition to this, the new road which will be leading from the cement plant on to Greenland in St. Andrew will be passing very close to this very area of land, and the Government will also have to utilise portions of this land. So, to some extent, we are shooting two birds with one stone in the acquisition of this land. Some will be used in the road project and it brings to some form of finality the plight of the people in that area who were unfortunately dislocated as a result of the building of the Arawak Cement Plant.

I have said before on the floor of this House, and will constantly repeat, that there is a lot of dislocation as far as progress and development are concerned. It seems to me as though those difficulties have to be encountered in order to orderly march forward. I understand that the people in the Checker Hall area are understanding. They realise that these measures had to be taken, and I want to take this opportunity to salute them for their patience in the face of the saboteurs who sought to disrupt and undermine them, and to create disturbances among them. I hope that more people will react in the responsible way in which the good people of Checker Hall reacted in the face of the problems which they have encountered.

12.30 p.m.

Mr. R. E. Brathwaite and Mr. B. M. Taitt rose.

Mr. SPEAKER: The honourable Member for St. Lucy catches the eye.

Mr. R. E. BRATHWAITE: I beg to second that and reserve my right to speak.

Mr. B. M. TAITT: I was not quite sure what the honourable Member for St. Lucy was doing, whether he was seconding the Resolution or attempting to speak.

Mr. Speaker, I will not dwell on the matter, because in some ways it is typical of the situation we have with the Government in Barbados today. I think that for some considerable time we have been discussing in this Chamber and outside the whole methodology which the Government uses in its acquisition of properties. I believe that it is not unreasonable to say that the method which the Government uses now lends itself and opens itself to the kinds of problems which have occurred in relation to the acquisition of the lands surrounding or adjacent to the Arawak Cement Plant.

I think that the people of St. Lucy, and in some ways the people of Barbados, owe a debt of gratitude to the former representative of that constituency who is now in the Other Place. He made a timely intervention to assist three or four or more landowners in that parish adjacent to the Arawak Cement Plant, when he wrote a letter to the Prime Minister asking the Prime Minister to intervene in what was becoming a sordid affair, where poor people, who were living on the land and who had been promised that they would be resited to make way for the development of the Arawak Cement Plant, discovered that their very existence was being threatened because of either callousness, or indifference, or ineptitude on the part of the governmental agencies that were supposed to carry out these activities. Even now, as we are about to acquire this land, there is at least one gentleman living in that area, and the honourable Member for St. Lucy knows him well, who has been cultivating crops on land for the past five or six years and who woke up suddenly one morning to find that people had come on the land, put down stakes and started to take steps to build on the land, or to survey it, or to do something with it under the guise of acquisition, and this man, to this moment, does not know if he is going to be recompensed for his crops. He does not know what the state of his labour will be, although if he seeks legal advice he would have no difficulty, because the law on that is clear. The Government has absolutely no legal or moral right merely to send people out to go on land which any Barbadian citizen has been cultivating without even acquainting that citizen.

Sir, you are very familiar with the doctrine of notice and I will not detain the House with any details on that, but I do not think that the Government has shown the kind of sensitivity that is necessary and desirable in dealing with ordinary citizens, or indeed dealing with all citizens, and this acquisition is part of that whole insensitivity. We well remember the differences which were made public between the honourable Minister responsible for Housing and the honourable Member who represents the parish of St. Lucy. I am not in a position to state which of the two gentlemen was right in his pronouncement. What I do know is that, especially where the property of an individual is concerned, the Government has a responsibility to co-ordinate its activity in such a way that the ordinary citizen does not feel the brunt of a mighty Government rolling down against him.

As for the Arawak Cement Plant itself, I do not believe that this Resolution would be an appropriate vehicle by which to raise certain matters concerning the operations of that cement work, and for that reason I will not dwell on them.

Mr. SPEAKER: Thank you.

Hon. L. S. CRAIG (St. James North): On a point of order. The Resolution calls for an acquisition at

Checker Hall adjacent to the Arawak Cement Plant, and on a Resolution of this nature, the honourable Member is free to speak about the Arawak Cement Plant. I cannot make him speak about it, but it is needless for him to say this is not the correct Resolution. This is the ideal Resolution for him to talk about the Arawak Cement Plant, if he has anything to say about it.

I know one of the very senior men there is one of your advisers, and therefore you may be a little careful in treading on very dangerous ground, but be free to speak on the cement plant.

Asides.

Hon. L. S. CRAIG: As soon as you go into that Chair, then you can have that ruling. I am not so sure that you have an opportunity for that in here, furthermore the Chair.

Mr. B. M. TAITT: Mr. Speaker, I need a ruling from you. Is that a point of order?

Mr. SPEAKER: There is nothing to refer to that as a point of order. The honourable Member will continue in the vein that he has been following.

Mr. B. M. TAITT: I am grateful to Your Honour and disappointed that someone at the level of Leader of the House would seek to mislead the House on so simple a matter as the ambit within which a particular Resolution should be discussed.

Mr. SPEAKER: The honourable Member was not misleading the House. The honourable Member made a point which obviously has not been accepted.

Mr. B. M. TAITT: He is misled! He is not misleading the House. I am disappointed that he does not know the Rules of the House any better.

The fact is that the acquisition of lands surrounding the Arawak Cement Plant is something which has been a political issue.....

Asides.

Mr. B. M. TAITT: If the honourable Deputy Prime Minister is saying *sotto voce*, "You made it that", I will remind the honourable Member that, as early as the 1976 General Election, the Barbados Labour Party spent a substantial amount of time prevailing on the people of St. Lucy about the acquisition of lands down there and what else was going to be acquired under the circumstances, and coming to St. Michael and making the opposite point that the lands were acquired at too high a price.

The fact is that now this Government continues to acquire land by Resolution before entering into negotiations with the people concerned, and as a result there is a lot of misunderstanding, because it is obvious that there are people in the Government who believe that, so long as a Resolution is passed, Government may take possession of the land. It is arising out of that misunderstanding that we have suffered, and the gentleman in St. Lucy is now suffering. He has been cultivating land, as I said, for some considerable time and the gentleman himself has been up and down in St. Lucy trying to see if he can find out from others whose lands have been acquired, what method had been used to compensate them for their crops. He has been advised to seek legal advice, and I have no doubt whatsoever that when he does it will be found that the Government has acted arbitrarily and that the Government has acted in a callous manner.

12.40 p.m.

I suggest once again to the Government that in these matters the citizen and the citizen's rights ought to be paramount. The citizen and the citizen's rights ought to be paramount in any confrontation between the Government and the citizen. It is the duty of the Government to pay attention, with a high degree of sensitivity, to the wishes and the feelings of the people of this country. But, of course, when one examines the record of the Government in these matters, it would be difficult, it would be well nigh impossible, for them to operate with any such sensitivity. Callousness and indifference are the order of the day with that Government.

I hope that the honourable Member for St. Lucy will be able to join in the call for justice for his constituents. I hope he will be able, as he did some time ago, to speak his mind on this matter, and not allow the fact that he is part of the Administration to cover down his innermost feelings on how his constituents have been treated in this matter.

Mr. R. E. BRATHWAITE (St. Lucy): Mr. Speaker, I am very happy with the Barbados Labour Party Government for acquiring this land at this time. I realise that it is long overdue, but we always say that thyme boils a sweet pot.

I am very surprised to hear the honourable Member for St. Michael West. We all know that from the early Seventies the numbers of the Democratic Labour Party made plans to have a cement plant in the parish of St. Lucy. We all know that whensoever you mentioned the cement plant that all the residents around that particular area would be worried in some way. I believe that the same way the Democratic Labour Party went and spent thousands of dollars on a boat to transport the cement, they should have made plans to resite these people that we have to resite now.

I realise that I am one of those people who never gets anything easily. I have to work very hard. From the week after I was elected a Member of Parliament, I think this same issue came up. I am very happy to know that everything is moving satisfactorily now, and I would like to commend the nice people of St. Lucy, especially those of Checker Hall, for their patience.

The honourable Member spoke about a gentleman who was not notified about the sale of land and things of that nature. I would say that is not true. I would like all of us to understand that the owner of the land lives in the United States of America and we have a long way to go. That gentleman came to me on the morning before we met on this site enquiring if he could own two of the spots, and we readily agreed and said that if he was only leasing land — he and his son leased this land — we would be willing to sell him two of these spots as soon as they came on stream. To say that this man did not know about the whole affair was unfair and ridiculous. This man was a renter of land and this Government got in contact with the owner of the land, and I would say it was the owner's fault not to have notified the people who were renting land from him. I believe the lawyer on the other side should have notified the people on the land; he should have done his homework and let the man know what to expect.

It was a hard task for me because, as we all know, the first prices on the agenda were a bit low, and I would like to commend the former Minister of Housing and Lands, the honourable Member for St. Michael South East (Hon. DeL. O. Bradshaw) for the steps he took because he was very active, he was on the spot on time, and he tried to soothe my heart and these people's hearts, and I am sure that three parts of the people at Checker Hall have been compensated and are very happy with their compensation. I am sure he went from house to house and discussed compensation with the people and that they are quite satisfied.

The honourable Member spoke about a previous Member of Parliament and said that you have to give him some credit. I disagree with that. He should not have credit. I do not want to get down to the nitty-gritty of everything that went on. There was a gentleman living a few yards away from the cement plant. This gentleman came to me along with the former Member of Parliament, and said, "Mr. Brathwaite, I have a nice lot of land north of the cement plant, and I would like you to acquire that piece of land to resite these people." I disagreed with that. I said that to acquire land as close to the cement plant as people were having to move from would be senselessness. If you are moving people 50 yards from the cement plant and you go back and acquire land 50 yards from the cement plant, I would call that senselessness. That gentleman was the one interested in having people go very close to a gully. The land was

way in the back and it was close enough to the cement plant that people would be discommoded and things of that nature.

This is actually the second acquisition that we had in that area, and I would like to thank honourable Members on this side. These poor people suffered and it is partly three years now that they could not set their houses at Christmas time; they could not paint their houses, they could not do anything whatsoever — they were so dissatisfied with the harassment from the management of the cement plant.

I wish to let members know that the Democratic Labour Party kept three consecutive meetings, one at my house door, one about 50 yards down the road from my home and another about 100 yards below — all in less than four months. But the Democratic Labour Party realised that the more meetings they kept in that area, the stronger the people were with me. The Democratic Labour Party kept a meeting on the Sunday night, and on the Tuesday, the management of the cement plant went down with the bulldozers and they went all around the people's houses. That is the kind of spite that existed.

We have some people down there now that were paid out. They went to court, as you would say, and they had a particular law firm in Barbados, and they succeeded and got their acquisition money, they were compensated. You should be surprised to know that under this spiteful Government, as the Democratic Labour Party tries to give the impression, that man still lives in one of the other houses that this spiteful Government acquired, and during the time that you heard the bulldozers were running around discommoding the people of St. Lucy, the ones whom the Government was committed to, do you know that those bulldozers did not go close to those people who have been compensated already? You will understand what I am trying to say. The people who were compensated already belong to the other side. Nobody ever went around those people with a bulldozer although they are now living in Government-owned houses. These are houses that Government acquired elsewhere and moved these people to after paying them. The Government was kind enough to lend them these houses without rent so that they could still live until they settled themselves. These people were at no time discommoded, but the poor people who were not compensated were the people whose houses the bulldozer was moving around from week to week trying to rush them away and things like that. But I thank God that they were strong people. The man you saw in the papers, Mr. Skeete, is a star of a man. He never leaned from the Barbados Labour Party throughout that situation. He remained solid behind the Barbados Labour Party.

12.50 p.m.

The honourable Member talked about what the previous Member of Parliament did. I know what he did. He went down in the district and he tried to give people the impression in the news that the people of St. Lucy were on his side and calling on him for help. He does not mean the people of Maycock's or Checker Hall. I can assure him of that, and I challenge him that I would give him \$1 000 any day if he could go down in Maycock's Road by the people who have been affected by the cement plant, the people who we have to resite now, and get any one of them to lean to him. All the money that you pay them, those people will not be moved. They cannot be bought or sold. They are whole-hearted people. They know the goodness of the Barbados Labour Party.

(Hon. L. S. CRAIG: Hear, hear!)

Mr. R. E. BRATHWAITE: They have confidence in us. They know that when I speak to them, it sounds to them as if God speaks.

Laughter.

Mr. R. E. BRATHWAITE: I do not practise telling people lies. I always tell them the truth. People have confidence in me. I was only waiting a little while to see how things would go. I am quite satisfied up to now. I am sure that with the present Minister of Housing, by year-end these people will be resited and will all be happy.

In closing, it seems to me that the cement plant seems to be all set to bring money into this country. They realise that it discommoded the people of St. Lucy. I think it would be a good gesture if the management of the plant would plan something like a day care centre or help with a community centre or something in the area as compensation for the interruptions down there. We would be very happy with them. I do not want to be too long on this, but I was reading a report in the *Nation* newspaper relating to the meeting the Democratic Labour Party held a few nights ago next door to Parliament, and the report said they spoke about the cement plant. Before the cement plant was in Barbados, cement was \$11.66 a bag.

Mr. SPEAKER: The honourable Member will not be allowed to discuss the cement plant at this point in time. We are discussing the acquisition of land for resiting persons in the area. I am sure there will be an appropriate time when all Members can freely discuss the operations of the cement plant.

(Hon. L. S. CRAIG: If he had the experience, he would lick you all up.)

Mr. R. E. BRATHWAITE: Thank you very much, Mr. Speaker, for guiding me on that.

As you know, Sir, the acquisitions down there were really to build the plant to ensure that we get cement at a cheaper rate. People try to mislead the country and tell people that we are now buying cement more expensively. I am saying for sure that cement in Barbados today is cheaper than it was two years ago.

Mr. SPEAKER: The honourable Member must speak to the substance of the Resolution.

Mr. R. E. BRATHWAITE: Thank you, Mr. Speaker. I would not try to go any further.

Mr. P. M. GREAVES: Sir, I should like to have a few words here.

Hon. L. S. CRAIG: Sir, if the honourable Member would please give way, I mentioned earlier today that the Minister of Finance would have a statement to make. He is ready to make his statement.

I therefore move that further consideration of this Resolution be postponed until later in the day.

Hon. Miss B. A. MILLER: I beg to second that.

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

Mr. SPEAKER: We now revert to "Statements by Ministers". The honourable Minister of Finance.

STATEMENT AND PROPOSALS MADE TO THE HOUSE OF ASSEMBLY BY THE
MINISTER OF FINANCE FOR THE PURPOSE OF RAISING REVENUE
TO MEET PUBLIC EXPENDITURE

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker,

Earlier this year in April when I presented my annual Financial Statement and Budgetary proposals, I reviewed the state of the World economy and indicated that the nature of the international recovery underway suggested that the effects of economic growth in the industrialised countries would not be as positive for developing countries as with previous recoveries. I foresaw at that time that depressed commodity prices, continued high real interest rates and growing protectionism would combine to blunt the impact of increased demand in the north for the goods and services produced in the south.

This prognosis has proved to be accurate, and these factors, combined with the continued impasse in regional trade and the record level of value that the US dollar has reached against other currencies, have resulted for Barbados in continuing difficulties in our major export sectors, and a worrying increase in unemployment.

The increase in the value of the US dollar, to which the Barbados dollar is linked at a fixed rate, has led to a dramatic fall in what we have come to consider as the normal rate of increase of import prices, with the result that inflation in 1984 is currently running at less than 4% per annum, for only the second or third time in over 20 years.

However, there have been negative effects as well. The rising value of the Barbados dollar has reduced domestic currency receipts from the sale of sugar, and in addition has resulted in an erosion of the competitiveness of the tourist industry in Barbados and the other Caribbean countries similarly placed, as compared with Europe and with Mexico. This, in turn, has led to lower occupancy levels throughout the region than would otherwise have been the case. Manufacturing costs have also been rising steadily, so that we have virtually been priced out of the cheap garment and perhaps other markets.

Another less noted but important phenomenon has been the depressing effect on Government revenues of the rise in value of our currency. Not only is the balance of payments threatened because imports are cheaper than they would otherwise be, but the Government suffers shortfalls in collections of Stamp and Import Duties and Consumption Tax as a result of the moderation of import prices. Because of these factors, the Government is finding it difficult to take the steps which could lead to some amelioration of the pressing problems of unemployment and business depression. In my view, we cannot continue to tolerate a situation where all our economic adjustments are being made at the expense of employment in the country. Government revenue falls, and we reduce job-creating capital expenditure to keep within the bounds of a prudent budget. The cash flow of private companies declines; staff are laid off to avoid bankruptcy of the business. A wage claim, perhaps totally unreasonable in the current economic conditions, is pressed and accepted by the employers; workers are sent home to allow the wage demands to be met.

So the needs of the unemployed become more pressing. This Government is not prepared to sit back and do nothing about the plight of the jobless. This is 1984, not 1975. We must do something to get Barbados working again, without threatening our balance of payments or the fiscal stability of the Government.

Comprehensive analyses of the situation confirm our view that for small open economies the correct long term response to the recent economic developments is to be found in an appropriate mix of fiscal, monetary and incomes policies. It is for this reason that I recently cautioned against unrealistic wage settlements in the tourist industry. Also for this reason, the Central Bank will continue to exercise tight control on credit to the personal and distributive sectors, and adjust interest rates in order to ameliorate the effects of external shocks on our economy.

In this brief statement today, I intend to announce a number of measures designed to address the fiscal situation and, equally importantly, to offer some immediate relief to the hard pressed tourist industry following the submission of a comprehensive and very informed report to Government by a committee assembled by the Barbados Development Bank. I would like to take this opportunity to congratulate the Chairman of the Bank and the committee for this initiative, which I feel could be a model for other sectors and industries which wish to engage Government in serious dialogue about policy. The Bank is also engaged in preparing a programme for long term refinancing for hotel companies and is now processing a number of loans to this end. I am sure that when in full operation, this programme will be of great assistance to the whole hotel industry.

The BDB report contains many far reaching proposals which will take time to discuss and implement, but in view of the urgent need of the tourist sector for further assistance, in addition to refinancing, Government considers that it should move immediately in those areas in which early action is possible.

There is, in addition, a clear need to take further steps to strengthen the fiscal position in the light of the financial outturn for the first six months of the fiscal year 1984/85. Although, as the latest Central Bank statement has shown, the economy has been growing in 1984, for the period April to September Government current revenue has showed very little increase over the corresponding period last year, and for the year as a whole, revenue growth of more than 3-4% seems unlikely. Meanwhile expenditure is estimated to grow around 8%, including the cost of the public sector salaries revision. In order to reduce pressure on the banking system, make credit available to the private sector, and to provide local counterpart funds required to permit the utilization of foreign funds, which are being made available for important developmental programmes that will help to reduce unemployment, I consider it necessary to take action immediately to raise additional revenue. I therefore make the following proposals to the House for the purpose of raising revenue to meet public expenditure.

Stamp Duty

Earlier, I made reference to the favourable impact of the exceptionally strong dollar on import prices. In fact, for the 12 months ending September this year, the rate of inflation is 3.9%, a figure more reminiscent of the balmy 60s than the turbulent 80s. It

is obvious, therefore, that the 1984 budgetary impositions, including the 2% increase in the Stamp Duty, has had no perceptible effects on price levels in Barbados, or indeed on Government revenue.

This situation has other dangers. Plainly we cannot go on forever exposing our foreign reserves to the continuing impact of cheap imports while our rising wage costs make it more difficult to export our goods or to sell our tourism. Where this can lead is obvious. I therefore propose to increase the rate of Stamp Duty on imported goods from the current rate of 5% to 10% on the C.I.F. value of the goods. This increase will be effective as from tomorrow, 24th October, 1984.

With most informed observers predicting the continued strength of the US dollar, I am confident that this change will have little significant long term adverse effect on the cost of living.

Finally on Stamp Duty, the legislative measures necessary to deal with the rebate scheme which I announced in my budget speech on 17th April, 1984 have been put in place. The Ministry of Finance and the Customs and Excise Department are finalising the details of the forms and documentation by which claims for rebates of Stamp Duty paid may be made by exporters. It is expected that the scheme will become fully operational by the 15th November, of this year, and upon application to the Comptroller of Customs, refunds of Stamp Duty paid after 17th April, 1984 will be made to manufacturers who qualify under the scheme.

On the basis of the collections to date, Mr. Speaker, this increase in the rate of Stamp Duty is estimated to raise additional \$10. million in the remaining months of this financial year and \$20 million in a full year.

Other Indirect Taxation

At the Fifth Meeting of the Conference of CARICOM Heads of Government, held in the Bahamas from July 4 to 7, the Heads of Government, accepted a recommendation from the Common Market Council of Ministers that Member States undertake an immediate and urgent programme aimed at achieving the restoration and growth of intra-regional trade. It was agreed that each Member State will use every possible means at its disposal to purchase a specified list of products from regional sources.

It was also agreed, as a means of giving further protection to regional industries, that on or before January 15, 1985, the rates of duty under the Common External Tariff of Member States on all those items be increased by 15%. Member Governments pledged that once these tariff increases were in place, the non-tariff barriers to CARICOM trade would be removed. In accordance with this Heads of Government decision, and to show our commitment in this matter, I propose, as from 24th October, 1984, to increase the rates of duty in the Common External Tariff on the items listed by the amounts shown in the first appendix to these proposals.

The primary reason for the Heads of Government and the CARICOM Council agreeing on these increases was to stimulate expansion of manufacturing output and trade within CARICOM by giving higher levels of protection to goods that can be produced in the region. They will of course, generate additional revenues for Governments, and in

some cases may in Barbados lead to price increases which I consider excessive. I therefore propose compensating reductions in Consumption Tax in those cases where the combined effect on retail prices of the higher Common External Tariff and the increased Stamp Duty would be unreasonable. Accordingly, effective tomorrow, 24th October, 1984, Consumption Tax will be removed altogether from the following items:

sweetened cocoa powder, pineapples, sugar confectionery, chocolate confectionery, all soaps falling under Tariff Heading 34.01, tyres for buses, lorries and motor cars, all woods and lumber under Tariff Heading 44 and television sets.

Consumption Tax will be reduced on the following items:

Airconditioners	...	...	...	...	15% to 5%
Refrigerators	...	...	...	...	10% to 5%
(domestic & non-domestic)					
Oil & Air filters for					
motor cars	...	...	...	...	15% to 5%
Electric stoves	...	...	...	...	30% to 20%
Switchgear for motor					
vehicles and other					
switchgear	...	...	...	...	10% to 5%
Brake fittings for					
motor vehicles	...	...	...	...	10% to 5%
Electric gramophones and					
record-players	...	...	...	...	10% to 5%

Government will keep the situation under constant review, and will make further changes in the Consumption Tax should this be necessary to maintain price stability.

These proposals are expected to bring in net revenue of \$4 million.

I have already pointed out that CARICOM Member States have undertaken that, upon implementation of the tariff increases that I have announced, they will respect the provisions of Article 21 of the Annexe to the CARICOM Treaty and eliminate any measures affecting access of products of Common Market origin to their markets. Barbados looks forward to the fulfilment of this pledge.

Land Tax

In keeping with the provisions of the Land Valuation Act, a new Valuations Roll is prepared every three years. The roll for the triennium 1984-87 has been completed and the values which have been attached to the various properties are now much closer to their market values than in the past. Low values have in some cases in the past worked to the detriment of property owners, particularly when those properties were being offered for sale. Therefore, the new Valuations Roll, which more accurately reflects the market values of the properties, should provide some measure of protection for property owners, especially those who would normally be unable to acquire the service of a valuer when their property was being offered for sale.

During the financial year 1983-84, the sum of \$21.9 million was collected from Land Tax, and the revenue estimate for the current year, 1984-85, was originally set at \$26 million, as will be found in the Estimates. However, if the existing rates are applied to the new valuations, the revenue from Land Tax would be approximately \$32 million in this financial year. Since the primary intention behind the valuation exercise was not to increase the yield from the tax or to put unreasonable burdens on taxpayers, I have decided to forego the additional \$6 million in land taxes by making reductions in the rate structure which will bring relief to the taxpayers and leave the revenue at \$26 million as originally estimated.

As a result, effective from this Land Tax year, the rates of Land Tax will be reduced as follows:

(1) on the site value of each parcel of unimproved land:

- (a) the first \$100,000 will be charged at 1%
- (b) over \$100,000 at 1.5% on the excess

Previously the tax on unimproved land was:

- (a) up to \$50,000 1.25%
- (b) over \$50,000 ... at ... 2%

(2) on the improved value of each parcel of land:

- (a) the first \$300,000 0.4%
- (b) over \$300,000 1% on excess

Previously the tax on improved land was:

- (a) up to \$250,000 0.5%
- (b) over \$250,000 1%

I have, therefore, for most properties, reduced the rate of tax by 20%. However, many property owners can still expect to pay more tax than last year if their property values have increased by more than 20%.

Unemployment Levy

I now turn to the question of an unemployment levy or other incentive programme. As I stated earlier, unemployment continues to be our major problem, and the Government is committed to ensuring that an adequate number of jobs is made available for our people, and is ready to implement a number of large public sector projects which will provide additional employment opportunities.

However, any successful attack on the unemployment problem will require a meaningful participation by the private sector. Therefore, the Government is prepared to provide incentives to the private sector for the creation of additional jobs, and is now examining a scheme which will permit the restructuring of the Corporation Tax.

Although the intention of this scheme is to facilitate expansion in the private sector and the creation of additional jobs, its application will be somewhat different from that of the Unemployment Levy, which was charged directly on the payrolls of employers. The reason is that on this occasion, several of the corporations and other employers are experiencing cash flow difficulties, and since Government's intention is to increase employment and not to obtain additional taxation, nothing will be done to worsen the financial difficulties of those businesses.

Consequently, discussions will be held shortly with representatives of the private sector on the manner in which the scheme will be applied.

Tourism

Tourist expenditure in Barbados grew from \$165.4 million in 1976 to \$523.7 million in 1981, and provided the fuel for the enormous economic expansion of those years. However, both tourist arrivals and expenditure have fallen since 1981, and the problems of the tourist industry have been obvious for some time. I mentioned earlier the study commissioned by the Barbados Development Bank, and the Ministry of Tourism has also presented comprehensive measures to Cabinet on assistance for the industry.

I now propose the following:

- (1) A supplementary sum of \$1.1 million will be provided for the Board of Tourism in this financial year to assist in its promotion and marketing. \$200 000 will be provided to the National Conservation Commission for the purpose of building beach kiosks and sales booths so that unlicensed selling on beaches can be eliminated and the unwarranted harassment of visitors and locals reduced.
- (2) With the classification system being introduced for hotels, it is necessary that the various properties be kept in good condition if they are to maintain standards. However, because of difficulties which the industry is currently experiencing, the Government has no doubt that it will be very burdensome for hotels to finance the renovations which they need to undertake. The Hotel Aids Act will therefore be amended to expand the categories of duty free importation of materials, supplies and equipment to include items necessary for programmes of refurbishing as well as for construction and expansion.
- (3) For some time, representation has been made by hoteliers for some change in the method of charging for water used in the tourist industry. Their case merits serious consideration and Government has decided that hotels should be charged the industrial and commercial rate and not a higher rate of their own. I have therefore instructed that the necessary restructuring of the water rates be undertaken to give effect to this decision, in such a way as not to undermine the financial viability of the Barbados Water Authority.

- (4) The incentive scheme by which taxi owners are allowed to replace their old vehicles duty free will expire in April, 1985. I have decided to extend the scheme for another 5 years, and to reduce the qualifying age of the vehicle to be replaced from 10 years to 8 years. The scheme does not appear to have been abused, and I have every reason to believe that taxi owners will be further assisted by this concession.
- (5) For some time complaints have been made that the burden of taxation lies too heavily on the self-drive car business. Complaints have also been made of the difficulty in obtaining licences and the cost of visitor's driving licences. I have therefore decided to abolish the 8% tax on hire car rentals effective from tomorrow, October 24. Also from December 1st, 1984, authorised self-drive hire car operators will be allowed to issue qualified persons with visitors' driving licences. The operators will be allowed to purchase books of driving licences from the Licensing Authority which they may issue to visitors to the island who fulfil the statutory requirements and pay them the statutory fee. Strict controls will be maintained to prevent abuse of the scheme, and I believe that once it is in operation there will be far fewer complaints of difficulty and expense from tourists who wish to rent self-drive vehicles. This concession will cost the Revenue \$600,000.
- (6) Complaint is also heard from visitors of the addition of the 8% Hotel Tax to their bills. As from a date which will be negotiated with the hotel industry, it will be made compulsory to include the Hotel and Restaurant Sales Tax in the price of items to which they apply, a practice which prevails in many other countries, such as Britain and other EEC members, where the much higher tax of 15% is included in room rates of hotels.

Surcharge on House Rentals

Since 1977, the tax on house rentals has been applied on rents of \$600 per month or over. However, the tax has proved onerous and difficult to collect at lower levels. Also, the increase in rents since 1977 suggests that the ceiling be raised. As a result, effective from January 1, 1985 the ceiling will be raised from \$600 to \$1,000 monthly, or from \$20 to \$33 daily. This will effectively exempt the vast majority of Barbadians who rent houses from the tax, which was always intended to ensure equality of treatment between visitors who stay in rented accommodation and those who stay in hotels.

The estimated cost of this concession is \$450,000.

Videos

Finally, among the proposals which will take effect under the Provisional Collection of Taxes Act, Mr. Speaker, Members will recall that in my Budget Speech delivered on April 27, 1983, I introduced a licence fee for video tape recorders of \$30 per annum per set. The introduction of the licence fee at that time, Mr. Speaker, was an attempt to deal with the large number of video tape recorders which were brought into the country, many of them illegally, and their competing with the cinemas while at the same time not being subject to taxation like the cinema industry.

In my Budget Speech earlier this year, I extended the levying of Entertainment Tax to the rental of videotaped films on cassettes for reproduction on recorders through television sets. The tax at 20% was set at the same level as on similar forms of visual entertainment.

As a result of representations made to myself and the Ministry of Finance by a number of people involved in the industry, and by many owners of video tape recorders, on the incidence of taxation on the ownership and operations of these machines, I have decided to remove altogether the licence fee of \$30 per annum.

I have accepted the contention that the charge of a licence fee on the ownership of a television set, and the charge of a licence fee on a video machine, which can only function through the use of a television set, could constitute a form of double taxation, and therefore, as from October 24, 1984, the Caribbean Broadcasting Corporation will cease to collect the licence fee of \$30 per annum on video tape recorders. The 20% tax on the rental of video tapes will, however, remain.

Removal of the video machine tax will cost the Revenue \$200 000.

Mr. Speaker, this financial package is designed to bolster the public finances and protect the balance of payments while at the same time offering immediate and specific relief to the tourist industry in advance of the coming crucial winter season. Government will meanwhile consider the longer term recommendations submitted by the committee referred to earlier and discuss these with the industry in the near future. Simultaneously, the Ministry of Finance, with the Central Bank, is studying what assistance can be offered to the other commercial sectors in the way of business incentives.

But the Government has further developmental objectives, and it is with these that I wish to conclude today's statement. The Government has an ongoing programme of capital expenditure, and I have carefully considered whether in maintaining or expanding it I will be depriving the private sector of needed investment funds. After examining the record of recent issues of Treasury Bills, I am satisfied, both by the fact that the average rate of interest has been relatively low — 6.9% in the 10 months of the year so far — and because funds have been readily forthcoming from the commercial banks to invest in the Bills, that there is no noticeable shortage of capital in the market. The actual figures are that the Treasury has offered \$585 million in Bills this year, and they have been oversubscribed by over \$50 million, a total of \$637.1 million having been tendered. However, as I have said, it would be wrong to do anything to pre-empt any more of these funds by excessive local borrowing. Government's domestic borrowing at the moment will therefore be limited to the issue this week of \$2.5 million in Government Savings Bonds, which will be offered to the public on Thursday, October 25, on the usual terms including Income Tax concessions on holdings up to \$50 000. The funds which I confidently expect to be raised from the issue, along with the surplus funds generated by today's proposals, after meeting the cost of the public sector wage settlement, will go directly into developmental spending to create jobs and to improve the quality of life in our country.

Housing

The Sites and Services programme of the National Housing Corporation aimed at the large scale provision of house spots for sale primarily to lower income earners has at last got underway. Work is now going on at Gall Hill, Christ Church, on the installation of roads and electricity, and the Corporation is taking bookings on spots at Spooners Hill, Fairfield, Grazettes, Haggatt Hall and St. Barnabas in St. Michael; Husbands, St. James and Lammings, St. Joseph; at prices of approximately \$2.75 per square foot or \$27.50 per square metre, which reflects the cost of the land and services and a very modest 20% markup to cover the NHC's overheads. There are other projects underway at Oxnards and West Terrace, and at Walkers, St. George.

More persons ready to pay cash in full for the spots have already applied than there are spots available. The Government is therefore aiming at the provision of at least 1 000 house spots for sale through the National Housing Corporation by the end of next year, and is negotiating with the World Bank for substantial funding of a Sites and Services Programme over a further 5-year period.

The Government is aware that the provision of house-spots alone does not by itself meet the urgent housing needs of the country. Notwithstanding the US\$10 million in USAID funds for housing improvement, there is still a significant shortage of mortgage funds. To meet this shortage, the Central Bank has been asked to underwrite an issue, or issues, of BDS\$10 million in total of Housing Bonds to raise funds for the Barbados Mortgage Finance Corporation, including monies to be allocated to the Public Officers' Housing Loan Fund.

Fishing Ports and Bridgetown Development

A major development project of the next few months will be the Bridgetown Fishing Port project. This will consist of a fishing harbour at Cheapside, protected by a breakwater to the north of and similar to the Pierhead, and capable of mooring 150 fishing boats. A fishing terminal will be built with facilities for handling, processing, cold storage and marketing fish. The total cost of the project is estimated to be US\$24.6 million. At the same time the shoreline between the Carlisle Car Park and the new port will be filled and a wharfside created with a pedestrian mall.

Work on the port is expected to start in May, 1985 and finish in May 1987.

Queen Elizabeth Hospital and Glebe Polyclinic

The Ministry of Health will be constructing a major extension to the Queen Elizabeth Hospital which will cost more than the hospital originally cost, and will be carrying out refurbishing and upgrading of equipment. Negotiations are now underway for the work to start in April, 1985, and be completed by February, 1986. Work at the Glebe Polyclinic, St. George, is also planned to start in April, 1985, and the polyclinic is expected to be completed by June, 1987. The cost of the two projects is \$21 million.

Road Projects

The Government's plans for substantial road projects have already been the subject of public announcement and discussion. For approximately 20 years very little was done to

prepare Barbados' roads for the impact of heavy modern commercial vehicles and the increased flow of traffic in the island. Between 1976 and 1984, the number of motor vehicles has increased by more than 50%, from 29,649 in 1976 to over 44,000 today, with private motor cars jumping from 22,921 to approximately 36,500. It has therefore been necessary to shift the priority back to major highway construction and rehabilitation to facilitate the expansion of our manufacturing export and our tourist industry.

In an island 21 miles long, it still takes an hour, over narrow and winding roads, to get from the airport to our biggest hotel, at Heywoods, St. Peter. The Government's main road programme has therefore been undertaken with these objectives in mind. The first results are now visible, and construction of the highway joining Spring Garden to the airport will start in January, 1985, while the construction of houses for relocating residents who will be disturbed is already underway. Work on the northern Access Road from the Cement Plant to Greenland will start in March, 1985, and should be completed in March, 1987. These projects with land acquisition, relocation of residents and utilities, will cost US\$60 million, of which approximately \$35 million will be provided by outside financing. The remaining BDS\$50 million will have to be directly provided by the Government of Barbados over a period of two and one-half years.

So far, Mr. Speaker, I have, of course, been speaking of virtually new highways. I am now very happy formally to announce that the Government has been able to negotiate with the World Bank a further major roadworks programme for rehabilitation of the island's existing highways. Work under this programme has already started, and will extend, over 4 years, to June 1988. Eighteen stretches of main highway, totalling 121 km or over 75 miles, will be resealed and resurfaced, virtually rebuilt. Most of the right angles or other difficult bends will be eliminated and drainage will be improved. So many roads are included that I have set them out in an Appendix to this Statement. Sufficient to say that work on sub-project 2, 10 km of highway 7, between the airport and Sam Lords Castle, has already started. The remainder of Highway 7, 14 km from the airport to Bridgetown, will be Project 18. Highway 1, Eagle Hall to Speightstown, will be Project 14. The important Warrens to Mile & Quarter road, which will give much improved access from the airport to the north, including Heywoods and the Cement Plant, is Project 11. This road was originally intended to be a separate project, starting after completion of the Spring Garden to the airport road. Its importance as a point of entry to St. Peter and the north is such, however, that it was decided to bring it forward by 3 years to include it in the World Bank programme, where it will be the most expensive single project. Work on this road will start during the first quarter of 1985, hopefully in January. Finally, my constituents in St. Thomas will be among those happy to hear that Highway 2, from Warrens and Jackson via Welchman Hall to Belleplaine, is also on the list.

The whole project will cost US\$20 million of which the World Bank is contributing US\$11 million.

Other Projects

Other physical development projects which are likely to start within the next 18 months include the Speightstown Fishing Harbour, the Carlisle Bay and Waterfront Development, Phase III of the Speightstown By-Pass: the Collymore Rock roundabout and dual carriageway: the resurfacing of the runway at Grantley Adams Airport, and, if it can be accommodated without undue bunching of the Government's projects, the new Supreme Court Complex.

The entire construction programme I have outlined will provide direct jobs for more than one thousand persons. The Government is aware that the construction work force has shrunk over the last few years, with much emigration taking place as job opportunities became fewer since the construction boom of 1979-1981. The Ministry of Education and the various skills training programmes will therefore be gearing up for the expected demand, and I commend these programmes to young men suffering from the effects of unemployment.

Other employment spinoffs can be expected from the ongoing factory building programme, from the upturn in tourism, and from the employment incentives that we can agree on with the private sector.

Mr. Speaker, it is a hard road we have to travel. The country's economic condition is *not* at its lowest ebb, and certainly we have achieved low inflation and some balance of payments stability, however fragile. Unemployment has, in fact, fallen in the third quarter of the year compared to the second quarter. Nonetheless, it was impossible to embark on any programme of development without the fiscal improvements that I hope my proposals will ensure. We must also keep the closest possible watch on the foreign reserves, which are at present projected to fall by a small amount this year as a result of debt repayments, and because of the continued illiquidity of the US\$60 million which we have tied up in the CARICOM Multilateral Clearing Facility. It would have been highly imprudent to attempt to carry out any expansionary programmes from borrowed funds alone in such conditions, without raising additional funds from taxation. It is in this spirit that I commend my proposals, and the Government's programme of action to the House and the nation.

While the road forward will be difficult, it will not be an impossible one to traverse successfully. We have conquered difficult times before, and I am sure that, with our traditional commonsense and hard work, we can move ahead again. There is no difficulty that can be greater than a country's spirit of determination to triumph over it.

Thank you, Mr. Speaker.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I have to give notices arising out of these proposals and I therefore beg to move that "Notices" be re-opened.

PAPERS

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I am commanded to lay:

The Customs Tariff (Amendment) (No. 6) Order, 1984. This will contain the Consumption Tax changes so that importers will have these in their hand. Indeed, between now and 3.00 o'clock, I have no doubt that some of them would be trying to clear goods through Customs. But they will have them in their hands by tomorrow morning.

GOVERNMENT NOTICES

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I beg to give notice of:

A Bill to amend the Stamp Duty Act, Cap. 91.

FIRST READINGS OF BILLS

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, in rising to move that the Stamp Duty (Amendment) (No. 2) Act, 1984, be now read a first time, I wish to take this opportunity of inviting honourable Members to consider the form in which any debate on my proposals should take, if they wish such a debate to take place.

It is possible for the Bill to be dealt with in all its stages today or on successive days as the debate may take us, because it is a very simple amendment, just changing the figure from 5 per cent to 10 per cent.

It is possible for any honourable Member to put down a Private Members' Resolution. I am sure the Leader of the House would give the assurance that such a Resolution would be debated at such time and in such manner as is convenient to the Opposition or any other Member.

It is possible for the Stamp Duty (Amendment) Act to be debated at an adjourned meeting of the House when Members have had a greater opportunity to consider what has been said today.

I throw this out to honourable Members for their consideration in moving that this Bill be now read a first time.

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

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

Hon. L. S. CRAIG: Sir, I hope it is very clear to the Opposition and the Press what the Minister of Finance said in relation to bringing in a Private Members' Resolution. I am prepared to make a day available for them to debate it. I do not want to hear about the erosion of Parliament. They are free to bring it in. I am going to make a day available so that we can have a full scale debate on it. I am inviting them to do this.

I do not want to hear anything on any platform or in the Press saying that we brought in something and would not allow it to be debated. We are inviting them to bring in a Private Members' Resolution and I am going to have a date set down for them to debate it. I make it no clearer than that.

Sir, I beg to move that we now revert to the Resolution we were dealing with, Order No. 8.

Mr. SPEAKER: Order No. 8 when the suspension was taken, the honourable Member for St. Michael North was about to speak. He may now continue.

Mr. P. M. GREAVES (St. Michael North): Mr. Speaker, I am very glad that the Government, in its wisdom, have sought to do something for the people of Checker Hall whose lands were acquired. This has implications for other persons whose lands have also been acquired by the Government in other areas. Government from time to time requires land for its own development and development projects, and Government is well aware of where this development is going to take place, but the people whose lands are being acquired are also using their lands for their own purposes. And here we have a conflict in that the Government is taking people's lands, when in fact to some extent the people have been using these lands in order to improve themselves, for their own maintenance and sustenance.

What happens is that when these lands are acquired, it takes, to my mind, an inordinately long time for compensation to be paid. Checker Hall is a case in point. A number of persons whose lands have been acquired have been compensated, but there is also a large number.....

Hon. L. S. CRAIG: Sir, in light to the media moving their trappings around and more or less disturbing Members' concentration, I beg to move that the sitting be now suspended for five minutes so that they can get everything moved.

(Hon. Miss B. A. MILLER: Go to lunch.)

(Hon. DeL. O. BRADSHAW: Go to lunch.)

Hon. L. S. CRAIG: I have a suggestion from my colleagues on this side, Sir, that we can break for lunch.

The Member was on his feet and I do not want him to think that I am trying to.....

Mr. SPEAKER: The Leader of the House is seeking to find out whether there would be any disruption in your speech if we should take lunch from now until probably 2.45 p.m. in order to facilitate removal of the equipment.

Mr. P. M. GREAVES: I was not even aware that these things were being moved around.

Hon. L. S. CRAIG: We can do it either way. We can ask the GIS people to wait outside the Chamber until we are finished or, on the other hand, we can break once and for all. It does not matter.

Mr. P. M. GREAVES: Let them wait for ten minutes or fifteen minutes.

Hon. L. S. CRAIG: Continue. The GIS can wait.

Mr. SPEAKER: Will the honourable Member please continue.

Mr. P. M. GREAVES: At the point of interruption. I was saying that a number of persons at Checker Hall have been compensated but there are still a number of them who have not yet been compensated. This happens, I assume, at times when a number of acquisitions have to take place at any one time. I am appealing to the Government to look at those persons who have not yet received compensation for the lands that the Government has taken from them. I am also appealing to the Government that in situations like this — and today we heard the Prime Minister refer to a substantial road improvement project. I am sure that it is going to call for acquisitions.....

Mr. SPEAKER: The honourable Member is not allowed to debate anything said in a ministerial statement unless there has been a substantive Resolution placed on the Order Paper for that very purpose. Please skirt around what was said today.

Mr. P. M. GREAVES: That is what I am doing, Sir, I am merely skirting. I am not substantively debating anything that the right honourable Prime Minister has said. I am merely drawing attention to it.
1.40 p.m.

Mr. SPEAKER: Let us not touch on anything that was said in that statement until the appropriate time.

Mr. P. M. GREAVES: The Government knows its development programme, let us call it that which indeed calls for acquisition of properties on a scale as never before, and we understand that these will take place shortly. I am appealing to Government that they should know precisely when they are going to acquire people's land and where persons are going to have to be resited. It is not to say

that you acquire a single parcel of land, compensate the owner, and ask that person to go and look for some place else. This is acquiring a large land mass, and it is difficult for that number of persons involved to go and acquire alternative sites for themselves. Government, with the knowledge of what it has in mind for development of this country and the knowledge of what areas of land it is going to acquire, should make provisions for those persons who will have to be resited, so that when the time for compensation comes, those persons will not have to wait all that time, because some people are depending on the land for their livelihood.

Hon. L. S. CRAIG: Sir, just briefly a comment on what my colleague has said.

Mr. SPEAKER:.....On behalf of the Government?

Hon. L. S. CRAIG: On behalf of the Government.

Mr. SPEAKER: You are making a speech now.

Hon. L. S. CRAIG: I will just give a little five minutes speech. Very often Members on the other side rise and they make reference to Government's long delay in paying compensation to people from whom they acquire land. I think that is always their problem — you will agree. I see the former Minister of Housing, the Member for St. Michael North (Mr. P. M. Greaves) nodding his head that he agrees. I wonder if he would nod his head approvingly that in 1976 they bought land in Sion Hill and in 1971 they bought land in Haynesville, and it was only when I became Minister of Housing in 1978 that we paid Mr. Massiah at Sion Hill for his land. Nod your head in agreement to that also. You cannot remember that. In fact, far from not being paid, they even put in roads in the man's land and Mr. George Moe had offered it for sale, and Mr. Chris Sobers and a number of them had paid down money on the man's land.

Mr. P. M. GREAVES: On a point of order, Sir.

Mr. SPEAKER: Two honourable Members are on their feet.

Mr. P. M. GREAVES: The honourable Member is not correct in saying that these lands were acquired in 1971. The lands were acquired in 1975.

Mr. SPEAKER: That is not a point of order. That is more a point of explanation.

Hon. L. S. CRAIG: Sir, I am going to divide it in half. I said 1971 and he said 1975. We will call it 1973. I was the representative in that constituency, and when I went into office Mr. Massiah was calling me every single day asking me to please compensate him for his land.

You have a bad record of compensating people for their land, and I am tired of hearing accusations repeatedly from the Members on the other side. You do not only acquire the lands, but you put in roads and offer the people's land for sale. You cannot deny that.

Asides.

Hon. L. S. CRAIG: You were such a clown in the Ministry. Why do you not deny that you allowed the Member for St. Michael South Central (Dr. R. C. Haynes) to go into the National Housing Corporation, take up a building, knock out the windows and put it down as a pavilion on Power's land? It is amazing how you fellows operate. The Member for St. Michael South Central, not a Member of Parliament then, went into the National Housing Corporation with a truck.

Mr. P. M. GREAVES: Mr. Speaker, on a point of order. That is absolutely untrue.

Hon. L. S. CRAIG: Will you please correct me? I am going to take my seat... Is it not a fact that the Member for St. Michael South Central went to the National Housing Corporation where a Mr. Marshall was working, took a house which he had for people to live in and carried it up to Mr. Power's land at Lower Estate and knocked out the windows? The next thing you heard, the Member for St. Michael South Central was a candidate, dressed up in a suit and driving a Jaguar. You were the Minister. Is that true or not?

Sir, I remember that you had some interest in Lower Estate. I now remember that.

Mr. SPEAKER: The honourable Member is not allowed to draw the Speaker into the debate.

Dr. R. C. HAYNES rose.

Mr. SPEAKER: Two honourable Members are on their feet. The Member for St. James North, please take your seat.

Hon. L. S. CRAIG: You are a glutton for punishment. Are you getting up again?

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

Mr. SPEAKER: Please let me hear the point of order.

Dr. R. C. HAYNES: I rise on a point of order simply to inform you, Mr. Speaker, that it is totally untruthful to state that I have ever been on the premises of the National Housing Corporation at any time.

Mr. SPEAKER: The honourable Member is not referring to you. I have listened carefully, and the honour-

able Member for St. James North has been saying "the honourable Member for St. Michael South Central." When were you the member for St. Michael South Central?

Hon. L. S. CRAIG: Mr. Speaker, you do not have to get into any dialogue. At least I do not expect you to. There is no one who knows the facts better than you. The Member for St. Michael South Central was seen in the *Advocate* with a spade, I think with Mr. Eric Sealy, digging the foundation on which to put the house to turn it into a pavilion. That was the taxpayers' money on that occasion.

Dr. R. C. HAYNES: I further rise on a point of order to point out that it is untruthful.

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

Dr. R. C. HAYNES: It is just an untruth!
1.50 p.m.

Mr. SPEAKER: If the honourable Member wants to make an explanation, the rules provide for the time at which the honourable Member can make an explanation. The rules provide for any Member to rise and make a point of explanation on any statement made by another Member in the Chamber.

Hon. L. S. CRAIG: The point I am making is that the honourable Member for St. Michael North was the Minister on that occasion. No notice of acquisition was put in the newspapers for Lower Estate land. That was what you call infringing upon the constitutional rights of people. Here was it that a citizen could go and take up a house and put it on a man's land with the stamp of the National Housing Corporation. He cleared the land. Mr. V. O. Williams was the captain of the team, and we had to go up there and beg Mr. Powers. Mr. Powers wanted to sue the Government, and the Member for St. Michael North at that time was the Minister of Housing.

This Government used the correct procedures, published notices of acquisition 1, 2 and 3, and then set about to pay the people their compensation for the land within the limits of the law. They, on the other hand, went and took up the Government's property and put it on somebody's land, and now have the gall to come in here and say that we would not pay people for their lands. I hope that this can be laid to rest once and for all.

I know the problem of the Member for St. Michael North. He is involved with some relatives on the land in St. Lucy who will not pay the money. Some of them are asking for more money than they should, and that is the case he is making out non-payment.

(Mr. P. M. GREAVES: That is not true).

Hon. L. S. CRAIG: You are going to get the cost whenever it is finished. You do not have to kill yourself

over that. If the others have been paid, you are also going to be paid. It is your relatives you are battling for, and five houses are involved.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I beg to move that this sitting be now suspended until 3 o'clock for lunch.

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

The question 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; Hon. Dr. R. L. CHELTENHAM; Hon. H. deB. FORDE; Hon. L. R. TULL; Mr. R. E. BRATHWAITE; Mr. A. TRUSS and Mr. J. G. ODLE —13.

NOES: Rt. Hon. E. W. BARROW; Mr. L. E. SANDIFORD; Mr. B. M. TAITT; Mr. H. A. BLACKMAN; Dr. R. C. HAYNES; Mr. P. M. GREAVES; Mr. W. O. FRANKLIN; Mr. M. A. KING and Mr. L. A. WEEKES — 9.
2.10 p.m.

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

Dr. R. C. HAYNES: Mr. Speaker, during the course of this debate, in which I did not propose to intervene, certain statements were made dragging me into the debate and you gave me an assurance that whereas I could not deal with them on a point of order, then I may be able to do so when the opportunity arose to speak. I propose to take that opportunity now.

I wish to inform this Honourable House that in or about 1975 when I was a candidate for St. George North, that I, knowing for many years Sheffield Cricket Club, which played on lands belonging to Lower Estate, which were at that time owned by the Dowding family and not by Mr. Power, I asked Mr. Dowding whether he would have any objection to a temporary structure in the form of a pavilion being placed on the land which he had permitted the people in that area to play on for over more than twenty years. Mr. Dowding assured me that he had no objection, but because he was planning to sell Lower Estate Plantation to the first buyer, he would not wish a permanent structure to be placed on the land. I brought it to Government's attention that there was a need for a pavilion on that playing field like any other candidate in the field then, unlike any other candidate in the field now, as part of my duty to bring to the attention of the Government of the day the needs of the people in the

region. That was my sole and total involvement in the issue of placing a pavilion at Lower Estate.

Secondly, I would like to inform this Honourable House that never in my entire life have I gone on the premises of the National Housing Corporation for any reason whatsoever. I have never visited the place and I would only have seen it when driving by.

When I was a medical student, I recall spending an afternoon with Professor Carstairs, who was a Professor of Psychiatry at Edinburgh at the time, and he took me down into an area of Edinburgh where a certain behaviour pattern prevailed.

Mr. SPEAKER: The honourable Member started off by making an explanation in respect of statements made against him. If the honourable Member has concluded his explanations, he should move into the Resolution which is before the Chamber. I will not allow any exercise into other matters because that would certainly be irrelevant to the Resolution before us.

Dr. R. C. HAYNES: I was just laying the basis for my argument in relation to the acquisitions.

Mr. SPEAKER: There are methods of debating certain things. The House is not aware of where the honourable Member is going, because the honourable Member has not even touched on the Resolution which is before the Chamber.

Dr. R. C. HAYNES: I did indicate what was my intention first.

Mr. SPEAKER: You indicated that you had no intentions of getting involved in the debate. You now want to explain certain statements which were made against you.

Dr. R. C. HAYNES: I thank you for your permission for allowing me so to do.

The general public is very concerned over this acquisition. They are concerned that many persons who have, in a very public-spirited manner, co-operated, although trying to get as much as they can for their properties, of course, have been subjected to the process of land acquisition through the parliamentary process. They are concerned that their lands have been used by Government and they are not being adequately and rapidly compensated.

I believe that we in this Honourable House have to take a very fundamental decision in respect of the rights of property owners in relation to the rights of the Crown. Whereas we have no wish to challenge the rights of the

Crown to acquire land, certainly it is a right of the property owner to adequate compensation and timely compensation with minimal dislocation. I hope that when this land acquisition has taken place, not only would the persons whose lands are being acquired be compensated adequately and expeditiously, but that the land would be used swiftly to correct some of the wrongs that have been inflicted on those people who will be moved on this particular spot.

That is the kind of contribution in this Parliament that gives me satisfaction. I derive no satisfaction from the known and well documented cases of satisfaction which other people can derive consequential on abuse and lies.

Hon. L. B. BRATHWAITE: Mr. Speaker, the honourable Member for St. Michael West (Mr. B. M. Taitt), who has become an authority on all subjects in the land, who has constituted himself as a Mother Hubbard, who covers everything and touches nothing, has today pontificated his knowledge of land acquisition without himself, although a lecturer, I am told, in law, acquainting himself with the Compulsory Land Acquisition Act. The Act can be found at Cap. 228 of the Laws of Barbados and it adequately sets out the criteria for the acquisition of lands. The methodology to be followed is found there, and no Minister of the Crown or Government can actually go outside the ambit of the criteria laid down.

Mr. B. M. TAITT: On a point of elucidation.

Hon. L. B. BRATHWAITE: I am not giving way, Mr. Speaker. The law is there and it is clear. There are certain measures which must be taken. The Act is here before me and it is certainly before the honourable Member, and, of course, he is very qualified to read the Act. He lectures to students, and I am neither a student, a lawyer nor a lecturer. One cannot acquire land compulsorily or go into anyone's property until certain sections of the Act itself are published, and in connection with this land, the various sections of the Act, Sections 3 and 4, were published. There must be a number in the *Official Gazette* and the daily Press and by that time you always make some contacts with the owners, or the agent of the owners, if the owners are abroad, in connection with what you are doing in Barbados.

This Government, understanding as it is of the problems of the people, does not go about acquiring lands unless for a purpose. The Act itself, as I have constantly said, is a useful tool for Government in terms of its development strategy, because there is no way that we can operate without the Compulsory Land Acquisition Act. And, it is their Act and they are, to a large extent, responsible for it; therefore, I do not see how they really can criticise it.

It is all well and good to pay tribute to a former representative of the constituency. You can pay tribute to anybody. Paying tribute to people cannot rehabilitate them easily in the Barbadian context of politics. It is all well and good for people to be running after straws, but nothing could have been done unless the Government had involved itself in getting something done.

The land was bought for people to be resited, but it was only after it was discovered that it did not make sense to put people on lands which were originally acquired for that purpose, lands which would eventually be affected by the blasting of stones. That was the situation in which Government found itself, so we had to make alternative arrangements in order to locate the tenants who were there.

3.15 p.m.

Let me put this very clear: the Government does not have an obligation to all the tenants who are there. We undertook to do this. There are three that Government would be responsible for, and a fourth person whose property was purchased under the Compulsory Land Acquisition Act, which could be done so long as the person was compensated. Government has always been willing to resite and re-locate people who are not land owners but those people who are owners have always been consulted and compensated and always have to make their own provision. In the case of this lady, an undertaking was given to her that she would be assisted in view of the fact that she found it difficult to find somewhere and she wanted to continue to live in the area where she was always living, and the Minister thought it was reasonable to re-locate her on the site where the Government was re-locating other people. It is not that we had any problems with the people and the resiting of these people, it was a matter of doing what we considered to be best.

The former representative or misrepresentative was only there to capitalise on a very delicate situation. That is all he was doing. In truth and in fact he was not there in the interest of those people who had a problem. When the problem was there, the present honourable Member for St. Lucy (Mr. R. E. Brathwaite) was there. The honourable Member for St. Michael West said that he did not know who was in the wrong about what was said, if it was the honourable Member for St. Lucy or it was myself. As far as I know, none of us were wrong, because if the Press took upon itself to give wrong information to the public, that is a matter for the Press. It would not

have been the first time that the Press had given wrong information to the public, or misquoted somebody, or set about calculatingly to mislead. If I was not informed or was not aware of a meeting with the people in St. Lucy, I was not aware, and I accepted what was told to me by the honourable Member for St. Lucy, whom I have always known to be an honest man, as distinct from a lot of ex-parliamentarians that he knew nothing at all about the statement that was made. I went down there when I was told what the position was in an effort to allay the fears of the people who were still there and to put the records straight in the interest of the people in this country and the Government of Barbados.

As far as compensation for lands in St. Lucy is concerned, the Government tries at all times to see if it can arrive at what is regarded as a reasonable price for all concerned. I have a file here before me, and when I saw it this morning, I saw how greedy people are, especially when the Government is involved. They forget that the Government is themselves and not a nebulous group of people sitting in buildings all over Barbados, assembling in Bay Street once a week and coming here and putting forward Government business from time to time, but rather, that a Government is elected by the consent of the people and governs with the consent of the people, so they set about in a very greedy way to see how much they can get out of Government whenever the Government has to purchase. Some of them have the feeling that they must get all whenever negotiations are taking place.

I know that sometimes these matters are delayed not necessarily because there is any unwillingness on the part of anybody to compensate, but because there are difficulties in reaching an agreement or an understanding. Letters are flowing constantly between the owners of the land and the Attorney General's office with respect to these settlements, and then they get in touch with us to see what we are prepared to do and if we can go up on the price. Unfortunately, in St. Lucy there were a number of price structures. Sometimes because a piece of land is large, say, a hectare, you may price that probably at a less price than something that might be 500 square metres or less. The smaller the land size, the more valuable it becomes, especially if it is only a house spot, but there are people who believe that if you are paying \$4.00 a square metre for a piece of land that is only 300 square metres, you should pay the same price for a hectare of land. That is definitely impossible. By no stretch of the imagination can you arrive at prices based upon that strict formula of pricing.

Even when the owners of plantations have to sell Government land for a playing field or any purpose, they, too, believe that you must pay them on the square foot or square metre basis, and they want to extract everything. They do not only want their pound of flesh,

but the drop of blood as well which is not theirs. That is the sort of situation in which we find ourselves.

There is nothing at all wrong with the way in which the Compulsory Land Acquisition Act is administered by this Administration. It is wonderfully worked. We came into office and found acquisitions which were outstanding for long, long periods of time to be dealt with. There is one I was told about only recently — it was not brought to my attention but I hope the information will shortly be given to me — concerning an old man, a pensioner, who has an unsolved acquisition matter from 1975. It is not only an indictment on the previous Administration, but it would be one on mine as well, if I did not look into it, so I will be looking very carefully into this matter to see if the files had been lost somewhere, and why representation was not made to this Government in order for the matter to be settled.

I think that, considering all the circumstances, we have done the best that we can to get the matters finalised. We have been able to come up not only with three or four spots of land in St. Lucy to satisfy the needs of those people who will be dislocated, but we have come up with a considerable amount of land which will provide some 60 to 70 lots and satisfy a large number of people who are dispossessed and who would need lands to be settled on. I wish all those people in St. Lucy who still have outstanding land acquisition matters to be dealt with by the Government would come forward to me and let me know what the problems are. So long as they are not greedy, I stand ready to bring all these matters to finality, and hopefully to satisfy all concerned.

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

Hon. L. S. CRAIG: Sir, I have a Supplementary Notice Paper and I should be very happy, Your Honour, if we can revert to, "Notices" so that I can give notice of three Resolutions.

Mr. SPEAKER: Leave is granted.

GOVERNMENT NOTICES

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

A Resolution to amend the Explanatory Note to Subhead 3 — Purchase of Equity by Government in Commercial Ventures of Capital Head 73 — Ministry of Finance and Planning.

A Resolution to grant the sum of \$800 000 from the Consolidated Fund and to place it at the disposal of the Government to supplement the

Estimates 1984-85, Part II - Capital, as shown in the Supplementary Estimates 1984-85, No. 13, which form the Schedule to the Resolution.

A Resolution to approve the guarantee by the Government of a loan of the equivalent of £1.85 million to Aero Services Barbados (1982) Ltd. by Short Bros. Ltd. of Airport Road, Belfast, Northern Ireland, for the purpose of purchasing an aircraft.

GOVERNMENT BUSINESS RESUMED

COMPULSORY ACQUISITION OF LAND AT FONTABELLE AND EXMOUTH ST. MICHAEL, FOR ROAD IMPROVEMENT

Order No. 9 was called - To move the passing of the Resolution to approve the compulsory acquisition of land at Fontabelle and Exmouth, St. Michael, for Road Improvement.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, this Resolution is to regularize the purchase of these lands, which have already been used in the construction of the Spring Garden Road. These areas of land were small lots, as can be seen, and were left out of the original Resolution at the time when the land acquisitions in this area were dealt with.

This Resolution is not controversial. Matters to do with acquisition invariably evoke a lot of steam and heat, but I do not see that there is much to this. We have a lot of very important acquisition matters coming up, including one to do with Turner's Hall, and I believe we shall hear a lot on that.

I beg to move that this Resolution do now pass.

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

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, when the honourable Member who just sat down gets up to talk about acquisition of land, I believe that he would do well to take a leaf out of the book of the honourable Deputy Prime Minister. The Deputy Prime Minister in this House from time to time will accept that we have differences of approach in certain matters and he would say, "Your method was the way you saw it and our method is the way we see it and we think ours is the better way." I think that is a fair commentary and reasonable debate in these matters. I really do not think that it should fall out of the mouth of a Minister who is responsible for acquisition of land, if we seek to raise questions that have been put in the market place, especially by persons concerned, to get up and cast aspersions and to raise questions about who has knowledge of

what and who does not have knowledge. It certainly is not in keeping with what one would expect.

In presenting this Resolution which we are debating, he says to this Honourable House that we are now being called upon to purchase lands on which the roads have already been built, that this is really to regularize the situation. Simple, straightforward English Language suggests that the Government has acquired somebody's lands, built a road, and we are now going to acquire the land. If we ask a question about this, the honourable Member would wish to indicate that somebody gives lectures somewhere and, therefore, that person believes that he is a repository of all knowledge and all things. If he is the Member responsible for the Ministry, how else would we get information? How can ordinary people hear that the road has already been built and the House of Assembly is now passing a Resolution to acquire the land?

Yet, they say there is nothing wrong with the methodology. He has a duty and responsibility to explain the methodology in detail so that the citizens of this country will not believe that the Government is riding roughshod over them. No one accused the Government of that today, persons raised questions, but the honourable Member, in what can only be described as a fit of arrogance, dares to get up and cast aspersions on other people merely because they do what they perceive to be their duty in this Honourable Chamber.

I find it unacceptable.....

Mr. SPEAKER: The honourable Member knows full well that he is not entitled to comment on any issues that are passed by this Chamber unless it had been passed for a certain time.

As far as I can understand, the honourable Member is now debating the last Resolution, or what has been said under the last Resolution. I should like to draw the honourable Member's attention to the precedent so that he can continue on the straight path.

Mr. B. M. TAITT: I am grateful to Your Honour for guiding me on this matter. I merely wanted to talk in terms of the attitude which a Minister should have when presenting the acquisition Resolutions. If I alluded to that Resolution inadvertently, I apologize to the Chair. The fact is, though, that I should hope that an honourable Member seeks to explain a point and thus save him from taking a long journey unnecessarily, he would demonstrate a certain graciousness.

There is no fight over the acquisition of a piece of land, but there is need for explanation, and there is need for the Minister to help the whole House, and thereby the whole country, to understand better the policies of the Government. This piece of land cannot be explained

to us on the basis of the Addendum. The Addendum reads exactly the same as all the other addenda which come with acquisition Resolutions, except that the location and the quantity are different. All this says is that, in accordance with the particular section of the Land Acquisition Act, we are about to acquire some land. The reason why these addenda are written this way is that a certain assumption is made by the people who write these addenda, that the Minister who is introducing the Resolution will fill in the flesh on the mere skeleton which appears in the Resolution.

I appeal to the Minister — because we do not usually have differences — not to seek to have a contest where none exists. I am going to allow the Minister to wind up and see if, on this occasion, he will demonstrate a different attitude.

Hon. L. B. BRATHWAITE: Mr. Speaker, it is very reasonable to launch an attack and then bring the olive branch. I am always willing to accept the olive bow at any stage, whether it comes first or last.

Section 3 of the Land Acquisition Act gives the Chief Surveyor certain limited authority to enter on any premises once the notices are published — and I was particular to explain that — in the *Official Gazette* and a daily newspaper. Under Section 4, the Governor-General can give the authority to the Chief Surveyor to enter in or give authority to any person to enter in and to carry out any work on the premises. The carrying out of those works does not necessarily mean that compensation must be paid before you carry out those works. As a matter of fact very seldom is compensation paid until long after those works are carried out, especially when it comes to the building of roads and such things.

3.35 p.m.

It may be well known to a number of people in here, but the honourable Member for St. Michael South Central (Dr. R. C. Haynes) would know of a particular case in which a mutual friend of ours has had many problems with a building which was very much disputed as a result of the Compulsory Land Acquisition Act. I do not believe that up to now a settlement has been reached, although the Ministry and the Government were trying hard to finalize that matter. There were many difficulties and the matter went to court, a decision was made in a particular direction, and it was thought that the court would have to sit again to deal with another matter. But the property itself was utilized for the purpose of which the notices were published.

The publication of the notes under the various sections of the Act gives the authority to the Chief Surveyor and Government agencies to move in and to carry out the work that is to be carried out. It is vital to compensate, you are anxious to compensate, but com-

pensation is not a prerequisite to the starting of any work. It does not have to be. It is as clear and simple as that. The Act is very clear and specific. You can go into court at any time. If judgment goes against the government, you are entitled to compensation plus the interest on your money.

When I adverted to the fact that the honourable Member for St. Michael West is competent to handle these matters, I was not trying to be difficult. I was paying him a compliment, and I did not think that he would take it the other way, because he speaks with so much force and logic in here, and sometimes with some wisdom, that I thought that I would always be hearing that. But as he fell down today, I think he will fall down again. I hope that I have been able to satisfy him on the points which he raised concerning the Act and Government's authority.

I discovered that the honourable Member for St. Philip North (Mr. W. O. Franklin) was looking very anxiously through the Act to find out if I was speaking from the gospel according to Cap. 228. He was not able to persuade himself that he could fault me and therefore he closed his book.

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

WITHDRAWAL OF HOUSING CREDIT FUND BILL

Order No. 1 — to move the Second Reading of a Bill to provide for the establishment of a Housing Credit Fund.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, I would like, with the leave of the House, to withdraw this Bill. I do not propose to proceed with it any further.

Mr. SPEAKER: The Minister is seeking leave to withdraw Order No. 1. There appears to be no objection and, therefore, No. 1 is withdrawn from the Order Paper.

WITHDRAWAL OF BILL TO PROVIDE FOR THE ISSUE OF PASSPORTS AND RELATED MATTERS

Order No. 2 was called — to move the Second Reading of a Bill to provide for the issue of passports and for related matters.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, I would wish to withdraw this Bill. It has created a certain amount of difficulties. There is a prerogative power to issue passports and it has never been abused or created any difficulties and we therefore wish to withdraw this Bill finally. We are not coming back to the new Passports Bill.

Mr. SPEAKER: Are there any objections? Leave is therefore granted to withdraw Order No. 2.

WITHDRAWAL OF RESOLUTION TO APPROVE
CIVIL ESTABLISHMENT (GENERAL)
(AMENDMENT) (NO. 3) ORDER
1984

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): I hear an aside saying, "Blaming the Attorney General's Office."

Mr. SPEAKER: The honourable Member should not be replying to these asides.

Rt. Hon. J. M. G. M. ADAMS: Yes, Sir, but I want to be on record as saying that the Attorney General's office has very competently carried out bad instructions. What I was doing here is withdrawing the instructions in the previous matters. I am satisfied that we pursued a bad policy. If a Government cannot say that it pursued a bad policy and before making it any worse, retreat from it, what can it do?

Asides.

Rt. Hon. J. M. G. M. ADAMS: No, I do not think you will see that headline. You will see the headline, Government's Development Policy Outlined!

Mr. SPEAKER: Order No. 3.

Rt. Hon. J. M. G. M. ADAMS: There is an unfortunate error in Order No. 3. It is intended to create a Police Reserve. Discussions have been going on about this, but while I was away, there seems to have been some error made in interpreting the instructions which I had left. I am blaming myself; my instructions were unclear.

In saying that I do not intend to pursue this Resolution, I am not reneging from the increase for the Police Force. But the increase should not have come in this manner, because a number of temporary posts have been created, which will be filled by special constables, while we work on the amendment to the Police Act and other establishments matters, not necessarily police matters, which are necessary before a revision of the Civil Establishment Order will come before the House.

The Order will fall to the ground if it is not passed within 40 days, and I am seeking to withdraw this Resolution.

Mr. SPEAKER: Since there are no objections, leave is therefore granted and Order No. 3 is now withdrawn.

AIRPORT SERVICE CHARGE (AMENDMENT)
ACT, 1984

Order No. 4 was called – To move the Second Reading of a Bill to amend the Airport Service Charge Act, Cap. 59.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, this Bill is simply a Bill to implement the budgetary proposals. We have had the debate on the Budget already, and I do not anticipate that there will be much debate on this.

In respect of the airport, about which I was asked last week, Cabinet has given the approval for the firm to do the design of reproofing of the runway. The successful tenderer was British Airports International. I trust that honourable Members will appreciate that every effort is being made to deal with the resurfacing of the runway.
3.45 p.m.

This Bill contains the usual exemptions from the charge.

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

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

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called and passed.

Clause 2 was called.

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

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

Mr. B. M. TAITT (St. Michael West): In Clause 2 subsection 3(2)(f) it says: "Subject to subsection (3), the official representatives of the Government of any country, their wives or children under the age of eighteen years...." Is there any special reason why you actually fix the age? I am aware that the age in Barbados is eighteen, but there

are some other countries which still adhere to 21 years as the age of majority, and I wonder if the Bill would not be more efficacious if you did not stick in the 18 and word it otherwise. It is just a question of tidying it up.

Hon. H. B. St. JOHN: I think that the proper law of taxation would be the law of Barbados, it being a Barbados tax relating to the Barbados situation. I do not think that we could on the one hand for our own citizens have one age of majority and on the other hand for other citizens have a different age. Eighteen is used nowadays throughout legislation where 21 was being used before.

Dr. R. C. HAYNES (St. Michael South Central): In relation to Clause 2, section 3(2)(a),(b) and (c), what is the principle really behind the exemption of members of the House of Assembly and members of the Senate, their wives and children under the age of 18 years when travelling with them? I presume this is whether on official duty or not. Is there a principle behind this or a custom? I am not criticising it, but what is the principle? Or is it just a custom? I do not know.

Hon. H. B. St. JOHN: When the original charge was introduced, it was introduced there, and we just have no reason to change it at the present moment. It has been in existence as long as there has been a charge. I think these categories of exemption were worked out over ten years ago, and it is traditional. We just do not want to change it.

Mr. W. O. FRANKLIN (St. Philip North): Just as a matter of interest, do you have any idea as to what this would cost the revenue?

Hon. H. B. St. JOHN: We have never quantified that. As I said before, the scheme of the Act and the principle of the exemption were being laid down long ago. We have never gone through it with a view to seeing whether one should change it. We just do not believe it needs to be changed where it is well known and settled that the principles of exemption were in existence so long. I have no idea of the cost, but it cannot be very much.

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

Clause 3 was 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. SPEAKER resumed the Chair and reported accordingly.

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

CUSTOMS (AMENDMENT) ACT, 1984

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, this Bill and the next Bill on the Order Paper comprise a package of measures which have been worked out in Barbados following discussions which took place at the CARICOM Council of Ministers level, and also between the Ministry of Trade and Industry, the Manufacturers Association, Chambers of Commerce and the Import Licensing Review Committee.

This Bill relates to the tightening up of measures to determine once and for all whether through legislation we can prevent the illegal importation of goods into Barbados. There have been a number of suggestions over the years as to the best way of doing this, and the Government has taken the view that an improvement in the personnel at the Customs and an improvement in the times of operation of the checking of the containers and of suitcases would help alleviate this problem. We have already increased and upgraded the Customs Service as part of this exercise. We have already introduced provision at the airport for the processing of documentation. We trust that now we are about to amend the law relating to possession of illegal goods, this package of measures will effectively deal with this problem.

3.55 p.m.

Government has rejected the suggestion that Customs officers should be given a percentage of the value of the illegal imported items that have been discovered. We do not believe that it is right that you should have to pay people twice for doing their job. There are strong advocates of this view in some parts of the Manufacturers Association but, quite honestly, I do not believe it is fair and right, and if we started it in one department of Government, I believe that the ripple effect would be very great and that, sooner or later, we would have to pay people twice in every other department in Barbados to carry out their jobs. We prefer to look at it the other way and to regrade and substantially improve the promotional opportunities from the top down in the Customs Service and to back up this with an improvement in these laws and an increase in the funds.

I really trust that these measures will achieve the objects. I do not believe that anybody in Barbados can seriously contend that any Government in Barbados is in favour of going soft on people who break the Laws of Barbados.

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

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

Dr. R. C. HAYNES (St. Michael South Central): Mr. Speaker, I rise to give my full support to this piece of

legislation. I think the time has come when the people who get involved in the kind of activity that this Bill is designed to stop should be told that this Parliament is prepared to bring in legislation and to bring in severe penalties, and that the community out there would support the Parliament of Barbados in trying to stop a practice which eventually undermines the economy and throws a lot of people out of work. The same effort that is spent by those people trying to bypass the laws, trying to corrupt certain elements in our society, can be spent in trying to support our local industry in order to get the domestic economy going again and in trying to keep money in the economy, which could be to the advantage of each and every person.

I should like to see higher penalties for those people — I know what I am talking about — who have the resources to bypass the laws. I believe I have an idea how they have been bypassing the laws of Barbados. I gather it is very hard to track them down and, quite frankly, a lot of them should be in jail long ago. An example has to be made of people who have a large amount of financial resources available to them and instead of making those resources available to help strengthen another sector of the economy, which would enable them to continue to make a dollar — if not \$5 on a given transaction, nevertheless many more people would be able to live if they would follow the line — continue to flaunt the law and not try and help in these difficult circumstances. I have no difficulty whatever in supporting this particular measure and I should like to see really strong enforcement measures taken so that these people can clearly understand that if they break the law, then they will feel the full effects of this particular piece of legislation.

There are people in this society who believe that they can buy anybody out, and I believe that political parties have to be very careful how they associate themselves with certain individuals who, through all sorts of insidious means, approach the entire body politic. I am not only talking about people at the upper levels of the political structure, but elsewhere, and that kind of undermining of authority in this society has to be carefully monitored.

It is my belief that it is not coming from the traditional private sector in Barbados, which is really committed to the development of this country and do not envisage going elsewhere to live, having made their fortunes in Barbados. I feel that there are specific groups of people in Barbados who have been involved in this kind of exercise to a large extent, and I certainly welcome this particular measure. I think that if enforced and highlighted that it would help the manufacturing sector in this community, and in the long run it would help all of us.

There comes a time when things are difficult in a country, when you have to get up and support a Government measure if you can see down the road that that measure will have effect in the interest of the community. Having said so, whereas I would not like to put it in the unpolished terms of the Deputy Prime Minister, I believe appropriate inducements have to be given now to ensure that that whole manufacturing sector is not geared only to the domestic and CARICOM markets, and that means major restructuring and refinancing of the manufacturing sector. In other words, the whole principle of genuine export-led development into areas where one earns genuine hard currency is exceedingly important, and whereas this degree of protection offered by this legislation is important, it should not be an opportunity for exploitation. It has to be carefully monitored and at the same time it should not lead to the fattening of the bellies of anyone in order to direct us from the ultimate national goal of re-orientating manufacturing activity to genuine export-led development, which has always been the thrust of the Democratic Labour Party since it introduced the manufacturing sector in Barbados.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, Sir, I want to congratulate the new Member of the House who has just taken his seat after making a speech on this Bill.
4.05 p.m.

For a long time we had a Member of the House for St. Michael South Central who generally argued that everything the Government did was wrong, that private business was exploitative; he even rang a member of Cabinet and explained a speech by telling the member of the Cabinet that he knew he agreed with him that all white people were bastards and wanted destroying. I have never heard the words "export-led growth" from him before in six years, and it really comes as a welcome surprise to hear him praising the Deputy Prime Minister and thanking him for his wise words and his initiatives to cover up an area where there have been infelicities in the past in Barbados.

The spirit of bi-partisanship is welcome in this country. When I looked at the other side I used to think that they were different persons to whom I could say "Come over into Macedonia and help us". But the honourable Member evidently is making overtures from his position as a non-starter in the presidential stakes and his position five or six down the line on the Opposition benches. If he continues to talk sense, as he has just talked in the last five minutes, we might find a few fair words to say about him just as he is finding a few to say about our policy.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, I am very glad to hear your voice because for a moment I was not sure where I was. It seems as if we are debating a measure that will bring out the best in all of us. I hear the

Prime Minister talking in terms which I have not heard him speak for years.

We in the Democratic Labour Party consider it very important that we air our views on this matter and signal that we support it. We support these measures and we are very glad that the Government has brought these measures. There are in this society some people who have always understood and articulated any assault on any activity by the private sector as anti-white people and anti-business and anti-everything, and in many ways it is good that it is the Barbados Labour Party Administration that is bringing this measure to this House, because I do not think that the lady who writes the prolific letters in the newspaper will accuse the Deputy Prime Minister of any anti-white sentiments. Nevertheless, there are certain measures which we have always believed necessary, and this is one.

One of the things which I agree with the Deputy Prime Minister wholeheartedly on is the decision not to give any incentive pay, any percentage of ill-gotten gains discovered to the discoverer. That is a dangerous precedent, as he said. But, generally speaking, the customs officers in this country at all levels have functioned very well, and I recall the former Comptroller of Customs, Mr. Nattie Green, who by the manner and the dexterity with which he carried out his duties became the model for customs comptrollers throughout the Caribbean. From Jamaica to Montserrat people ask about this distinguished gentleman and how he is faring. From time to time one runs into old CARICOM colleagues who ask how is the Comptroller, and everybody knows of whom they are speaking.

What is important is that the custom officers must feel that they have the total support of the political directorate and the political Opposition members when they carry out their duties, that they will not be assailed by any person or persons in authority for doing what they consider to be their duty, and I hope that the Government and the Opposition will not delude themselves into believing that the mere passage of this legislation will stop the industry of bypassing Customs at the industrial level. There are substantial quantities of imports which come into this country — and I am not talking about the individual who brings something in, I am talking about organised systems which elude Customs, and there are substantial attempts from time to time to bribe customs officers. The reason why many customs officers have not always taken the steps that they should take to bring these people to justice is that they have not always been sure that, in the pursuit of their legitimate duty, they might not run afoul of authority. Now that both sides of the House have spoken out in this forum, perhaps the word will get out.

No one would expect the customs officer to become draconian in his or her application of skill, not that anyone is recommending that customs officers become so over-zealous in their application to duty that they do not understand that they have some discretion in the exercise of that duty, and should display a common humanity. We are talking not of the person who goes to the United States and on his or her return manages to get through with a hairbrush or some other gift that they got and did not pay any duty — even a television. I do not think that either side wishes the customs officers to jump on those people and be so meticulous in their application that Barbadians feel terrorised as they come back. What this measure is designed to do, we believe, is to capture that element, an admittedly small element, in Barbados that has made an industry out of getting around Customs, and who, indeed, have set up networks throughout the Caribbean Community. They have networks in the Caribbean Community devoted and committed to nothing other than finding illegal ways of moving stuff.

I think that one of the most serious crimes against the people of a country is to import something from Hong Kong or Japan or from anywhere else and then put in it a label saying "Made in Grenada", "Made in Barbados", "Made in St. Lucia", "Made in Jamaica". That is an industrial crime, it is a moral crime, and it strikes out against anything that we have been trying to do as a people to bring ourselves up by our own bootstraps. It is extremely difficult for the manufacturing sector to compete with legitimate imports; it is impossible for the manufacturing sector to compete with illegal imports. So we can easily support this measure, but I issue a word of caution to the Government that it is not this measure that will determine how well we do. This will only provide the sanction, and it may deter one or the other, but it is the enforcement procedures which we need to sharpen. The Government needs to let the Customs Department have the highest possible training and the greatest amount of resources possible in terms of manpower and in terms of the quality of that manpower so that they can get the job done.

If we have sanctions that call for 20 years in prison, what will tend to happen is that some poor unfortunate down the road will probably be the first to be made an example of. What is very important is that the Government should signal to the directors of this industry, the perpetrators of the planned conspiracies to defraud the Government and the people of the Caribbean. It is this kind of signal from the Government, and indeed this Honourable House, that will help to bring manufacturing back to the required level, and at least give the manufacturing sector in Barbados and in other Caribbean countries the opportunity to use their full potential. That is primarily why one will support this measure and the

one that follows it, even though I myself might have some question on the actual implementation of this legislation. The fact that the Minister has said that it is agreed with the CARICOM Ministers and it has been discussed, I am prepared to support it and to give it a chance to see if it will work.

4.15 p.m.

I hope that the Minister has a package of other steps to be taken as part of this whole programme of reinvigorating the manufacturing sector in Barbados and, by definition, throughout the Caribbean.

I think that when the Barbados Manufacturers' Association makes representation, the Government ought to take them seriously and not necessarily assume that because the President of that organization holds political office in my political party, that the President of that organization cannot submit or put forward a proposal that would be of benefit to the country as a whole. When I functioned in the Ministry of Trade, there were a number of proposals which came from the Chamber of Commerce which we adopted in the Ministry of Trade, even though there was never any doubt at that time that the vast majority, if not the totality, of the Chamber of Commerce were the upholders and the supporters of the Barbados Labour Party. We must distinguish between a person's political position, which every single individual is guaranteed under the Constitution of Barbados, and that person's willingness to make a contribution to the growth and development of the country. And as difficult as it may seem, we still have to accept that, from time to time, those who hold opposite political views can put forward a sensible suggestion.

I hope that this measure and the bi-partisan support — I think that is the word that has been used — will go forth as a message to the people who have been raping the country, that the days for their continued existence are coming to a close.

Hon. H. B. St. JOHN: I am obviously very pleased that the measures contained in this legislation have received the unanimous support of both sides of the House. That will certainly, in my opinion, give to all and sundry the correct vibes that when they engage in this conduct, they are dealing with a united Parliament.

The passage of the legislation is only part of a series of measures. In addition to this, there has already been the tightening of the checks at both the airport and the seaport. More and more surprise checks are taking place in respect of searching containers. We also know that if we are to successfully tackle this problem, we have to have a CARICOM approach certainly in the Eastern Caribbean.

There is absolutely no doubt that there seems to be a ring of traders who have family connections in some cases, business connections in others, who are using the freeport areas of Panama and St. Maarten to bring in the goods, and who, in one or two instances, were indulging in relabelling in some countries.

We in Barbados are quite satisfied that strenuous efforts have been made in the lesser developed territories to deal with the policing of labelling. But as the Secretary-General or the Director-General of the OECS countries said in a speech recently in Barbados, it is one thing for the more developed countries to expect that there will be a common standard of legislation or conduct throughout the CARICOM region, but it must be remembered that manpower shortages prevent other member countries from being able to act as swiftly as we would like. What we are finding out now is that if you have a customs union, you have to have institutional machinery to ensure that there is formal policing in certain areas. I am very pleased to say that continuous discussions are taking place about the need to have close collaboration between the enforcement authorities in the Caribbean Economic Community.

Honourable Members may not know, but already in an effort to speed up our policing system, two people have been appointed. One works out of the OECS Secretariat and one is working out of Georgetown. They have been appointed to ensure that the policing of the Rules of Origin takes place on a regular basis. Now, obviously more and more information will come to light, and as it comes to light, Barbados certainly will be among those countries which will have no hesitation in investing the Caribbean Economic Community with the necessary staff or powers to be able to ensure that the integrity of the Common Market and the customs administration are in tact.

I strongly support the view that it is necessary to have a certain element of protection for certain sensitive industries, but my view has always been loudly proclaimed — as a strong believer in integration, I believe that it should be done at the regional level. We should have a common system of protection, just as we must have a common system of customs administration. Earlier today, we heard the first steps at implementing a provision in the Treaty, namely the common protective provision. I hope that we will continue along those lines and that in the near future specific measures will come for agricultural industry — I know the agricultural Ministers are meeting on it now — to do the same thing for a list of agricultural products which we, as trade Ministers, with the approval of the Heads of Government, have done with relation to industrial products.

There is also a warning that we have constantly to give to the industrialists, as we have to give to the agri-

culturalists. In all of this, the consumer out there is the person who has to be satisfied eventually. I am pleased to note that there is unanimity in this House that any protection that is given should not be abused. I trust that the consumer departments throughout the territories will divide vigilance in ensuring that any protection given will not be abused.

4.25 p.m.

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in committee.

Clause 1 was called.

Hon. H. B. St. JOHN: I beg to move that Clause 1 be amended by the introduction of the word "No. 2" between the word "Act" and I beg to move that the Clause as amended do pass.

I understand there has been an earlier Bill this year, and we want to say (Amendment) (No. 2) 1984.

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

Clauses 2 – 8 were called and passed.

On the motion of Hon. H. B. St. JOHN, seconded by Hon. L. B. BRATHWAITE, Mr. CHAIRMAN reported the passing of one Bill as amended in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

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

MISCELLANEOUS CONTROLS (AMENDMENT) ACT, 1984

Order No. 6 was called – To move the Second Reading of a Bill to amend the Miscellaneous Controls Act, Cap. 329.

Hon. H. B. St. JOHN (Christ Church East Central): Sir, I beg to move that this Bill be now read a second time. It is just the companion Bill to effectuate the similar amendments in the regulations issued under the Trade Act of Barbados. It is necessary for them to be harmonized with the Customs Act.

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

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

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called and passed.

Clause 2 was called.

Mr. B. M. TAITT (St. Michael West): Mr. Chairman, I would like to draw to the attention of the Minister two very small amendments which I think he will have to make. Clause 2 is amending Section 3(2) of the principal Act, and if he would look at the principal Act, he would see that Clause 3, in fact, ends with the word "to", so the word after (e) will have to be taken out. It should be 'annex' rather than 'an annex.'

I think that in order to understand what I am saying you would probably have to look at the main Act. It says:

"Subject to sub-section (3), the Minister may make regulations for maintaining, controlling or regulating the supply of goods and services so as to".

In the initial Act, the word was "annex" and I think that "an" was slipped in the amending Bill.

Then, it says "a fine of \$100 000." Do you not wish to say "a fine not exceeding \$100 000"? This seems to leave absolutely no discretion with a magistrate or judge. I think you wish to have a fine not exceeding \$100 000. Again, if you look at the original, you will see it had "a fine not exceeding \$5 000". It is Clause 3(2) of the original Bill.

Hon. H. B. St. JOHN: I have a ready answer to the second point. I am told that in the new drafting style, under the Interpretation Act where we lay a fine, it means "not exceeding". That is what I am reliably informed. So the draftsmen now say a fine of so-and-so and the Interpretation Act covers that.

I have the original in the Attorney-General's Office in respect of "annex", and the word "an" has been in-

serted by the Printery, because, according to the original draft that came down from the Attorney-General's Office, it says: "(e) annex to the contravention", so it seems that "an" has crept in. I would agree that Clause 2 has to be amended by the deletion of the word "an".

4.35 p.m.

The word "an" has to be taken out from between "(e)" and "annex" in line 4 of the section. I beg to move this amendment.

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

Mr. CHAIRMAN: I think the Clerk has posted that amendment already.

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

Clause 3 was 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 with amendments in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

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

PRIVATE INVESTIGATORS AND SECURITY GUARDS ACT, 1984

Hon. L. R. TULL (St. George South): Mr. Speaker, in recent years the use of security guards in Barbados has become far more prevalent than in the past. We have a situation in this country where unauthorised bodies are carrying out what are essentially para-police duties. Therefore, the time is ripe for us to rationalise the use of these private investigators and security guards, and indeed it is necessary for us to review the total operation, taking a number of points into consideration. We have to be concerned about the maintenance of law and order, and we also have to be concerned about the rights of private citizens. It is also imperative that we pay attention to the fact that only persons of good conduct, people who are fit and proper, should be the ones carrying out these rather importance para-police responsibilities.

We have sought, therefore, to bring under an Act a regimen for the control of private investigators and security guards in this country. We have set up a Licensing Board, which will be in effect an advisory body. They will advise on the status, of a particular security guard operation, whether it be the agency itself or an individual or individuals, and also regulate their conduct in a way that is in consonance with the standards that we

expect in this country for people who would carry out law and order responsibilities.

A person may operate only under the provisions of this Bill, when it is passed, and the Board will determine the operations of any agency. We have also made provision in the Act for an appeal from the Board to a judge, and we will, in seeking to protect the rights of the individual, prevent the use of these new-fangled, electronic devices for listening and photographing at a distance — in other words, prying into the personal lives of people in this country — and we will make it an offence if in carrying out their jobs private investigators resort to those type of devices doing their work. Those of us who have had to deal with such cases, before there was an amendment to the law in relation to divorce, will know that quite often private investigators used to do some daredevil things to acquire evidence of adultery. We were in a very unfortunate situation in this country when private investigators were paid by one spouse to spy on another, and some names that we know very well used to go around and snoop around people's houses, in their bedrooms and so on, to see if they could uncover any evidence of adultery when people wanted to end a marriage. We frown on that kind of conduct, and the Bill to end the grounds for divorce that obtained for many years in this country, and indeed made one ground, brought an end to that particular activity. All of us can see other circumstances in which one might feel that perhaps the best way to get information on people in this country is to use these, what I consider, extra legal devices and we will consider that in this Act to be against the law, punishable by a heavy fine or a term of imprisonment.

We are also giving the security guards for the first time, those that are not island constables, although we have the power to make every security guard an island constable, the power to arrest without a warrant in certain circumstances. For instance, if there is a breach of the peace, or a threat, or indeed when one is of the view that a felony is about to be committed. The powers are circumscribed very largely by the various sections of this Bill, and during Committee I will be glad to take any questions in relation to any aspects of the new Bill which is before Parliament.

The other aspect I should mention before I move the second reading relates to the carrying of guns. We have had a number of requests from private security agencies for the carrying of firearms by members of the agencies when they are carrying out certain jobs and responsibilities. It has presented us with a serious problem, because we have not had a clear set of guidelines by which we can determine in which cases this should be granted at all. I know it has caused some consternation on the part of the Police Department, the Commissioner

of Police himself has not been too happy about that area of the law, and this is cleared up in this case.

In no case, however, is it contemplated that any private security man or investigator will be given permission to carry a firearm in the execution of his work unless there is clear evidence that he has received proper training in the use of firearms. I hope that this Bill will now bring once and for all to an end the terrible dilemma which faced the Commissioner of Police and the Government in relation to these continual requests by private agencies for their people to carry firearms.

We in Government feel very strongly that there is need for private agencies to do some of the work of security in this country. The Police Department is already overburdened with discharging numerous responsibilities in the maintenance of law and order in this country, and the responsibility widens as the society develops. We have a new and different sort of crime, it is more sophisticated, that is creeping into our society, and we are having better formed, better educated and more intelligent criminals at work. This is stretching the resources of the Police Department, and therefore other areas of security and law and order work that can easily be moved away from the police and handled by private agencies is all to the good of this country. One only needs to see, for instance, a big show at the stadium and the amount of police manpower that is required to deal with very large groups of 10 000 or 12 000 people to know that skilled trained, expert and well-trained policemen are too often diverted from the important work of tracking criminals and keeping law and order to do what are sometimes private or at the least semi-private activity. So the private security companies do have a role to play in the maintenance of law and order in this country.

4.45 p.m.

This Bill, as I said, seeks only to rationalise the use of security guard services in this country, to set standards for the people who operate in those services and to ensure that they are under a body that will make sure that they need not run amok over the rights of the people of Barbados.

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

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

Mr. L. E. SANDIFORD (St. Michael South): Mr. Speaker, we have been seeing over the years the development and expansion of a corps of security guards, both public and private, and this generally has been in response to a need in both the private and public sectors to what is considered a growing problem in relation to certain aspects of the maintenance of order and the security of

property. In many instances, these are very genuine concerns, and it is right that persons either who own property, who run businesses, or others, should be able, and should feel that they are able, to take all necessary measures in order to ensure that their businesses are safe and secure, that they do not suffer unduly from losses which tend to erode their position and that their clients and consumers generally are able to pursue their own interests within these businesses in peace and security. Of course, there is always a problem that arises between the rights of one set of people and the rights of another set, and it would be foolhardy for us to assume that there are no dangers involved in this.

As I understand it, what is being proposed is an extension of the powers of these security guards, and this extension can present a problem and a danger. Even when the powers of arrest with or without a warrant are given to members of the disciplined Royal Barbados Police Force, there are dangers and excesses. These are people who have gone through a period of training, who are part of a tradition, and who, therefore, are expected to operate within certain rules, norms and conventions, but you get problems, and I must say that I have some concerns about the extended powers that are being proposed in this particular instance. We will watch the situation to ensure that the security guards operate within the framework of what is reasonable and permissible. I will be among the first persons, if we find that there are excesses, to be calling for any modifications or amendments to this particular piece of legislation in the light of the circumstances which may develop.

I am concerned about the security of the security guards. There have been some complaints about the safety of these guards, particularly those who work at night, are exposed to a lot of danger. I am referring to those particularly in the public sector, but this, no doubt, also relates to those statutory corporations and other Government agencies. It is said that, in many instances, only one guard may be on duty, that the back-up services may be inadequate or non-existent, and that they do not have access to any telephone which they may use to call on either their superiors or the Royal Barbados Police Force for assistance. I understand that in many instances the telephones which may be on the premises which they have to secure are not available or accessible to them, particularly during the night when most problems occur. I believe that at some of the post offices and maybe at some of the schools this creates a problem, because if you are a security guard and a problem comes up, a karate expert comes to you and you are unable to deal with him or he deals with you, and you are unable to get a timely message through to someone who can come and give you assistance. I think this may be exposing the security guards to undue risks, and I believe that this is a measure which some attention should be paid to.

4.55 p.m.

We are prepared to go along with these measures, but we will be taking a very close look at how the new provisions operate, because we are very conscious that there may be dangers to the interests, liberties and freedom of people, and we must have these as our prime concern.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, this is a narrow Bill. In its immediate application it deals just with the licensing of security services, something which, speaking not necessarily as a member of the Government, I can certainly welcome in general. I do not think it will be going too far to say that it is reflective of development in Barbados. As countries get better off, to put it crudely, there is more to steal, more to defend against stealing, there is more property that attracts crime, and the question of crime, especially crime prevention, gets a bit beyond the resources of any reasonable Police Force.

To my mind, the need for security guard services that has developed in Barbados, both at Government and private sector level in the last ten years, has opened up the whole field of law and order in Barbados, and the whole field of the protective services, generally. The protective services in this country stretch from the Defence Force to the Brinks Guard and from the watchman at MTW to the security guards who help children across the road at the schools in the morning and try to guard the school premises from the same children all during the day, and I think that philosophical, intellectual re-appraisal of our protective services, generally, on a non-partisan basis, is really overdue.

The Royal Barbados Police Force has been mentioned in connection with this debate, and I would very respectfully point out to the House that there can hardly be a Barbadian who does not accept the idea of a national Police Force, that one Police Force should have jurisdiction throughout the whole country and carry out all the duties related to law and order within that country, and I think that the automatic acceptance of this very fundamentally colonial doctrine, because the only English-speaking countries in which there is a national Police Force, one Police Force, are countries which were British colonies and no others, is the root of a lot of the difficulties which we have had from time to time. Barbadians are simply not conditioned to the idea that there is a role in society for the military, a role in the society for watchmen, a role in the society for a specialised force of people guarding the seaport and carrying out duties in the seaport, and a role for another body of people guarding the airport and carrying out duties there. All these things require a particular training and particular expertise, and I think control from a non-central source. But we are so conditioned to think that all security in a country is the responsibility of the Police Force that every time some of it is devolved, there

is an outcry that you are taking away something from the Police Force.

Barbadians including the less informed honourable Members opposite, would perhaps be surprised to know that the greatest outcry over the powers of the forces of law and order in Britain at the moment arises from the fact that people are arguing there is a move towards a national Police Force. People see the dangers in putting defence into the hands of a military which may misuse the powers you give it. They do not realise that in some countries putting all security into the hands of a single, centrally controlled Police Force is regarded as more of a danger, and I am talking about Canada, the United States, Britain, the Soviet Union — all of Europe in fact. There is no national Police Force to be found in Europe except to a very limited extent, perhaps the gendarmerie of Andorra and Liechtenstein and so on, and even they have to share their powers with other groups which to some extent share the character of policemen. I think we have to develop an attitude in Barbados, in which not doctrines of countervailing force but doctrines of training those who have to administer law and order come to be adopted.

In 1976, we found a situation where the Police Force was serving court documents, something so ridiculous that in a big country you would not consider it for a moment. You do not train a police to face danger, to carry out detective procedures, to control traffic and then send him out on a motor scooter to serve writs in the courts. You do not need that amount of training to do that, it is a waste of a good policeman's time to do it, and we have devolved that on someone else.

The duties required to be an immigration officer, the knowledge of the law, the knowledge of economic developments, the sort of policies you have to carry out, are entirely different from the training a policeman needs to have in order to be a good forensic man, to control traffic or whatever. So we developed the duties of immigration to another body.

It is one of the phenomena of the world that is now beginning to be ridiculed in the world's Press — that the small police forces of the Caribbean are expected to carry out defence of their islands against external or indeed internal aggression. A week scarcely passes without the *Miami Herald* and the *New York Times* poking gentle fun at the idea of taking 100 policemen in Dominica, or Grenada, putting them into camouflage uniforms, giving them automatic weapons, giving them armoured vehicles, teaching them how to fire mortars, Bren guns and other automatic weapons and still calling them policemen. Honestly, I am not decrying the programmes, because that is all public opinion will take in those islands, but nobody seriously considers a man a

policeman when he is wearing a steel helmet and carrying an automatic weapon, carrying a grenade launcher — some police forces in the Caribbean have grenade launchers, not in Barbados — any more than Brigadier General Omar Torrijos, commanding a squadron of tanks in the Panama Police, as they were then called, was anything other than a soldier. He was a soldier.

You cannot imagine Torrijos worrying about traffic control in Cologne. He commanded the military wing of the police, the same military thing — I am not saying it in any spirit of carping — that the Democratic Labour Party wanted to be responsible for the military defence of Barbados. He had no difficulty carrying out a coup with his tanks, his armoured cars and his automatic weapons, although technically he was only a senior officer of police. At least the Panamanians are now recognising the fact, and I believe they have gone the whole hog to have an army, maybe an airforce, as I understand it. So this Bill, to my mind, is much more than a Bill to license security services.

5.05 p.m.

What we need to do is to give the police the numbers to carry out their duties in a country where police work has increased. We can argue endlessly as to whether there is more crime than there was in 1975. The statistics show that in 1975, perhaps there were a few more offences. When you break them down, there were more offences of people beating others, but not so many offences of people stealing. There may have been more cases of rape in 1975, there is more burglary in 1984. Undoubtedly, the level of crime has had some elevation in Barbados. There are more young people, there are more objects of crime, there is more money.

This year, I believe, the crime statistics are up. Perhaps, next year they will be down. The fact is that all of us can recognise that more police are needed for the purposes of keeping law and order in the sense of crime. They are also needed — and I say this for the Attorney-General to hear that this problem is being given the attention it should get — for traffic control. When the 40-hour week was introduced for the police in 1973, a conscious decision was taken to reduce the number of policemen engaged in traffic work. Only now are those numbers being restored. But there are 50 per cent more vehicles than there were in 1976 and perhaps twice as many as there were in 1970, when perhaps the numbers of police engaged in traffic control was just as great as at present.

The police need a much better traffic department. They need more people. They need better training. They need to understand that to park on a highway on which only two cars can pass is an illegal obstruction. They need to stop people from stopping on the highway to put out others, stopping on the highway to buy newspapers, nuts

or ackees. If people are going to sell ackees close to the highway, the Government should give them a lay-by, a little kiosk to sell from, but traffic is to be kept moving.

So we have to increase our Police Force to deal with crime, to deal with traffic and to deal with traditional policing. We do not need police, to my mind, to carry out the kind of work on the beaches that is being done by the wardens of the Parks and Beaches. What is needed are good beach wardens, well trained, perhaps under the supervision of the police, with a power of arrest — I do not flinch from that — and an understanding that some countries have had to pass laws that say that insulting behaviour is an arrestable offence, and if they see insulting behaviour, we have to be prepared to allow beach wardens to arrest people for it, like the harassment of Barbadians and of others on our beaches, in Broad Street and elsewhere. But it does not necessarily need a trained policeman to do that from a geographical area like a beach, so I am in favour of a beach warden corps first.

The previous Government took a wise decision to institute a security guard force for Government departments. I am the Minister responsible, and as the Prime Minister, I am advising the Minister that he should have more training programmes, because I am sure that I have seen Government security guards who are not as well trained as the guards of three or four years ago. Perhaps there were programmes to train existing guards, but after attrition, other persons have come along without the same training. We train guards and then they go into the private security services and work for more money. That is really what has been happening. So we need security guards in that situation.

We agreed to have an airport guard service, combining the customs guards and the present security guards. That has already been agreed on, but so great is the inertia of the bureaucracy that we cannot get it into full operation. We have agreed to have a head of the airport guard service at the level of assistant airport manager and provide some promotion opportunities in what will be a smaller service, the overall security guard service, so that good people will go into it and can rise through the hierarchy. Indeed, I really do not see why the chief of security or deputy chief of security cannot be promoted into the Ministry of Civil Aviation at an appropriate position after many years of experience once he has the kind of qualifications which we are looking for and getting.

I support the idea of devolution of these security functions. I feel very sad when we hear arguments from or on behalf of the Police Force that it is somehow reducing the authority of the Police. The last such argument we had was over the traffic wardens. Many

countries have persons, not fully fledged policemen, who carry out traffic duties on the streets. Perhaps the greatest differentiation in a country where the police are armed is that you would see people in similar uniforms but unarmed carrying out traffic duties. We have a very modest programme. We have traffic wardens to deal with parking around Bridgetown. That is mild in controversy. The police argue that the service virtually should be a subsidiary of the Police Force. I do not mind who controls it.

I do not like the idea that not only is the national Police Force considered the norm, but that it is considered that there are no law and order duties which should be carried out, except by or under the direction of that national Police Force. A national Police Force is not the norm in any country. In Martinique, there are three Police Forces. There are the Agents, the criminal police who carry out investigations, there are the Gendarmes, nearly all Frenchmen, ex-soldiers — they have to be ex-servicemen to get into the Gendarmes to carry out security duties of a certain sort and have some military knowledge, and there are also local policemen in Martinique under the control of the municipalities, such as the Municipality of Fort-de-France. They all wear separate uniforms and have a separate set of duties to do. You may think that is reasonable, but nobody thinks it is undemocratic or destructive of any of the forces to share authority in limited areas of this sort.

I think we have come to terms with the distribution of responsibility for law and order functionally in Barbados, and not merely geographically or in a political sense. This Government has already taken these steps, though without perhaps articulating them with such particularity as I have expressed here today. We have already decided that the police do not need to have a military role, and should not. From the day that the police in 1961 or whenever it was got Public Service regulations about how you must try a policeman as if he is a civil servant before you can terminate his appointment in the Force, it did not have the structure of discipline necessary to sustain a military force. I have never yet heard of a military force where, if a man appeared a serious danger, a serious handicap to his comrades, he could not be got rid of at once.

I see the honourable Member for St. James South (Mr. N. K. Simmons) has entered the House. I see the right honourable, and indeed I have to say galant, Member for St. John (Rt. Hon. E. W. Barrow) and the honourable Member for St. Michael West Central (Hon. V. L. Johnson). I would be most surprised if they would ever have consented to serve in a military body where, at any moment of stress, someone who did not match up to the requirements of that body could yet continue in service, an irritant and indeed a danger, because Civil Service-type regulations apply to his

continued employment and duties. So we have a separation of the military forces.

We have had a separation of the protective forces. It does not take a trained policeman to guard a building, nor should it. It does not take a trained policeman to copy down the number of a car illegally parked. It does not take a trained policeman to guard children crossing the road. We are going to have more of this, and I really hope that we will not have to fight every single reform — immigration, writ servers, defence force, beach wardens, traffic wardens — though the portents within which a particular sacred cow lives. It is all part of development and getting on in the world.

5.15 p.m.

I know there are those who say that current proposals to create a Police Reserve and to employ the reservists in the different security forces of Government, indeed to create a Fire Service Reserve and employ the reservists as security guards or in other such positions, should not be done unless those bodies are under the control of the Police Force. I do not agree with that. I think the idea of having a Police Force of 1100 people, as we are now aiming at, and having another 200 or 300 trained persons who can enter the Police Force and who are employed as security guards, beach wardens, traffic wardens, or whatever, is an idea which will give some flexibility in police manpower in this country without the question of the control over these bodies being given to the Police Force.

I hope that I have not gone too far outside the problem, Mr. Speaker, but it is a problem that is engaging a great deal, because very soon we will have to come to the House with an amendment to the old Police Act to do away with the old rule that says a man has to be sworn as a full-fledged member of the Royal Barbados Police Force before he can enter the Training College. As far as I know, the Police Force is the only body with which the Government has any dealings where you cannot even be trained unless you are invested with the legal authority to do the thing that you are being trained to do. A man is sworn a member of the Police Force and he can arrest without warrant, put on a uniform, carry a weapon, fire it, carry out all the functions of a policeman — and draw the salary, too — all before he is trained. We are coming to the House to amend that situation so that the impasse which has led to the present difficulty with the current Barbadian intake at the Training School, can be ended, and we can have some flexibility in numbers — expand the Force when you need it and perhaps contract it; send police to Grenada when you need police in Grenada and bring them back home and find something else for them to do when you do not need to do that. All these things will come, I imagine, before the House next year.

Mr. L. E. SANDIFORD: I rise on a point of elucidation, Sir. During my address, I referred to the problems involved in the development of the security guards and the Police Force. The Prime Minister has now, in broadening the debate, referred to the problem of the intake at the Training School. I do not think that this House has been informed of the problems involved in that. I, for one, would be very glad to hear a little explanation of the problems relating to that, because up to now I believe there has been an intake for several years and I cannot conceive what would have been the problem to stop an intake.

Rt. Hon. J. M. G. M. ADAMS: I believe there will very shortly be a Press release from my office about the matter, but I do not mind anticipating it. It is a good illustration of the irresponsibility of whoever the unnamed spokesman to the Press of the Police Force is, because not a word of what has appeared in the Press of the reason is the truth. The reason why nobody has been trained lies in what I have just said, that is you have to appoint a policeman before he is trained. As a result of the change of the pensionable age, from 60 to 65, and the voluntary age, from 55 to 60, the Public Service and Police Service Commission have frozen all first appointments until the legislation passes the House. At the moment, since June no permanent appointment has been made in the Public Service or the Police Service, or indeed in the Legal Service. That is the answer. You cannot train them without appointing them; and, therefore, since you cannot appoint them, you cannot train them.

It is totally untrue to say that the Government has not agreed to an increase in the Force. It is totally untrue to say that no funds are available. Abundant funds are available and the Government has agreed. The logistics of how to deal with the thirty temporary policemen that I have awarded took a very long time to work out in the Ministry of the Attorney-General, and I believe that what has been decided is that they have been sworn as special constables and given training by the police and when they can be appointed, they will be appointed. That is why I withdrew the Resolution earlier today. It is a purely legal, juridical point. It has absolutely nothing to do with anything that a police spokesman is said to have told the Press.

The Commissioner is on vacation and I have been out of the island, but we had a talk about it on Sunday, and I am really sorry that he was not here because I am sure that he would have put the Press right. When I read the first comment I was abroad. I happened to see the Attorney-General, I think in South Carolina, and I asked the Attorney-General how a policeman could tell the Press that there are no funds to train the police. He said that is not the matter at all, and gave me the

explanation, and the Commissioner of Police and I spoke, as I said, last week on Sunday. I believe that the matter should be straight in the minds of the police who did not know. It is something that will hardly ever recur, it is just an unfortunate thing. Thirty policemen will be sworn as special Constables and will have training to enable them to take their places in the Force.

I think that this is the outside Bill, but since the honourable Member asked, I am glad to give him the explanation. Indeed, I think that I have set out my views on this matter of security forces at sufficient length for honourable Members to grasp Government's policies, and grasp how we are trying to articulate these policies and express them in legislation over the next few months. We can expect the Pensions Bill. We can expect an amendment to the Police Act. We have got the Security Guards Act now. I am looking forward to an amendment to the Highways Act, and the National Conservation Commission Act to provide better control over offenses of indecency and insulting behaviour committed on the beaches and highways of this island. I hope that the Minister of Transport and Works is also questioning whether it is safe to allow people to carry things to passengers in motor cars. I am not against selling on the pavement, but I am very much against a motor car stopping suddenly to buy a newspaper. I do it sometimes, and I am against it when I do it. It just shows how easily we can be led into conduct that is not sometimes in the best interest of public order. All of these things will come before the House and I have no doubt honourable Members will have a field day exercising themselves on them. But they are really not put forward for any reasons other than for the general improvement and the general better conceptualising of how the forces of law and order ought to be operating in Barbados.

Rt. Hon. E. W. BARROW (St. John): Mr. Speaker, the number of security guards in Barbados tends to vary in proportion to the level of employment. Some three years ago I made a statement on the floor of this House that we appear to be becoming a nation of security guards. Whether the number of security guards we now see parading in uniforms is due to increased lawlessness in this society or, as Members on the other side would have it, to increased prosperity is a matter which I do not think would entertain the intellect of people outside of Barbados for a very long time.
5.25 p.m.

There is no doubt in my mind that a lot of these military and para-military exercises that we have been indulging in in recent years are tantamount to a form of concealed unemployment. They are non-productive. Having said that, if we are going to have security guards, I think that the idea of licensing security guards is not a bad idea. That is the positive side of it.

I do not normally on the floor of this House ventilate my personal experiences, but I had to the Royal Bank Trust Company in Trident House on business at 9 o'clock one morning. There was a policeman at the door and he said, "Good morning, Sir," and I said "Good morning," and I passed him. As I was about to enter the elevator I was accosted by a so-called security guard and told that I must empty my bag on a table. All I had in there was what I considered to be valid legal documents, a pen and my car keys. I said, "What is your authority?" He could not tell me that. I said I had passed a policeman at the door who had not accosted me. So I emptied my bag on the floor and I went on upstairs and left everything on the floor just where it was. Somebody coming along behind me, not an attendant of mine or anything like that, subsequently brought the documents upstairs when he discovered where I was, and the manager apologised for the gentleman's rudeness.

Aside.

Rt. Hon. E. W. BARROW: He had no authority. The Prime Minister says he knows about the incident, so he must have authorised this security guard to search my bag, thinking that I had a bomb.

Rt. Hon. J. M. G. M. ADAMS: On a point of order. No, Sir. I said the honourable Member for St. Michael West (Mr. B. M. Taft) knows about the incident.

Rt. Hon. E. W. BARROW: I really had to brush this off as a form of ignorance. If somebody is authorised, if a member of the Police Force asks me to do something, I will do it, but I passed a member of the Police Force with my briefcase and he did not tell me there are any special conditions prevailing at the American Consulate on that particular day. They explained subsequently that they had a bomb scare at the American Consulate, which is in the same building.

If we are going to have security guards, people feel that they need them, then license them. This Bill does not make any provision that only Barbadian nationals will be security guards, because what worries me is that large numbers of people are coming in here and being given positions of authority. I saw not very long ago in St. Peter that they had a gentleman who migrated from Amsterdam or somewhere like that with a gun on his hip perilously close to no less a person than the Prime Minister and in close proximity to the Member for St. Michael West. He actually carried out certain threats to the Member for St. Michael West. I do not want to say too much about that gentleman from Amsterdam at the moment, because his dossier is arriving from the Police Force, which the Prime Minister probably has already, because I asked them to send it on to the Prime Minister. That gentleman was inside a station with a gun on

his hip, and they said that he is attached to some security force in Barbados.

If we are passing measures like this, if the security of the realm is at stake, let us put in a provision that only citizens of Barbados should hold positions of private investigators or security guards. That means that we will not wake up any morning and find that all the security guards in Barbados are people who Son Mitchell has driven out of St. Vincent and have found refuge in Barbados to inflate the voting statistics of this island. That is what I am concerned about. Do not let us have a foreign army of occupation of security guards. Let us put in a provision that you have to be a national of Barbados. I am for that and I know that other Members on the other side are for it.

I heard the Prime Minister say that you do not have to be a member of the Police Force to do this and to do that, but I am saying that you have to be a trained member of the Barbados Police Force in order to know what a breach of the peace is. What does a breach of the peace, which could be 'cussing' somebody in good Barbadian parlance in the bus stand, have to do with security? We are giving two specific functions to security guards in this Bill. One is to arrest a person for a breach of the peace. Section 9 says:

"(1) Subject to subsection (2), a security guard may in the performance of his functions arrest without a warrant, any person

(a) who is in breach of the peace or whom he reasonably believes to be in breach of the peace..... "

What is reasonably believing to be in breach of the peace? You can have reasonable belief that a man is about to commit a felony, but what is a breach of the peace? A breach of the peace is something like creating a noise or aggravating somebody to fight. Even a trained policeman would have difficulty in interpreting this section, but just as we did a couple of weeks ago in relation to offensive weapons, where you give a person the power to arrest somebody whom you have reason to suspect they have an offensive weapon, and if he does not have an offensive weapon you cannot sue that person for false imprisonment or wrongful arrest, we are giving these people this power in relation to breaches of the peace. What have breaches of the peace to do with security?

The other subsection says: "who commits or attempts to commit treason or felony." I should like to ask any of the lawyers in this House here now — I do not mean that they should give the answer to you now, Sir — if they could give me the definition of treason. The definition of treason would go something like giving aid and comfort to the Queen's enemies in the realm or

elsewhere. The cases of Sir Roger Casement, William Joyce, and the son of the former British Cabinet Minister, who shall be nameless, all caused a great deal of legal discussion as to the definition of treason, and even professors at universities could not come to a settled view as to what the words "giving aid and comfort to Her Majesty's enemies in the realm or elsewhere" actually mean even today.

How can you give a security guard, with all due respect to them, who is somebody who gets a pretty uniform — no educational qualification is needed, all one has to do to be a security guard is to be out of a job and not be able to get into the Police Force or the Defence Force — this right? If you are out of a job, and you cannot get into the Police Force, the Defence Force or the Civil Service and somebody then says that you belong to the right political party, you get a pretty uniform and automatically you are a security guard. They are proliferating all over this island.
5.35 p.m.

I have no objection to supermarkets and such employing security guards. I am not against any private house owner having somebody to protect his children at nights when that householder goes to visit friends or goes to the cinema or on any other lawful occasion. That is a matter of individual choice. But if we are going to invest people with all these powers, that is another matter.

Some of my best friends are security guards. Unemployment is rampant in Barbados. They cannot get into the Defence Force because they have to be personally approved by no less a person than the Prime Minister himself. They cannot get into the Police Force because, maybe, they cannot meet the educational qualifications.

Asides

Rt. Hon. E. W. BARROW: I am just stating the facts. They have to be personally vetted in a security matter. He knows that as a fact.

You cannot get into the Police Force because you cannot get past the Police Service Commission. You cannot get in to be even a recruit in the Police Force because they are not recruiting anybody. You cannot get into the Civil Service because the Public Service Commission say they are not recruiting anybody into the Civil Service. So you put on a uniform as a security guard.

If the honourable Member for St. James North (Hon. L. S. Craig) was here, I would see him getting up and saying that he is going to tell all the security guards in Barbados that I talk about them. I have said that some

of them are my best friends. I would like to see the honourable Member for St. James North as a security guard, because I do not know of any other occupation, apart from being the Member for St. James North, that would suit him more adequately, so do not get me wrong.

But let us look at the facts. Are you now going to give these people the right to arrest somebody for treason? A legal writer in the *Nation* said the other day that I was guilty of treason and it cost the *Nation* a little bit of money, and if he is a trained lawyer and he does not know what treason is — he said that he is the fastest gun in the west, meaning that he is the fastest solicitor in Barbados.....

Asides

Rt. Hon. E. W. BARROW: Do not ask me what his name is. That is irrelevant. This is not the place. If he said something like that and he does not know what treason is, how do you expect a guard to arrest somebody for treason? He would never arrest me because Mr. Lawson Bailey said that I was guilty of treason.

Mr. SPEAKER: The honourable Member knows full well that he cannot call certain names.....

Rt. Hon. E. W. BARROW: No, not in a derogatory way.

Mr. SPEAKER: unless he serves notice.

Rt. Hon. E. W. BARROW: I am not criticizing the gentleman, Sir. Well, I withdraw the gentleman's name. An eminent lawyer in Barbados, I will say, did not fully appreciate the difficulties which are embodied in trying to find a correct description of "treason". How can you expect a security guard to come out and arrest somebody for treason? It says: "Arrest for treason without a warrant or somebody who attempts to commit treason". How can you attempt to commit treason?

I am just re-enforcing what the honourable Member for St. Michael South (Mr. L. E. Sandiford) has said, that in trying to give some respectability and authority to the security guards, there can be problems. I agree with licensing, I do not want too many people running around in uniforms saying they are security guards when a fellow could be coming to rob your house by just saying I am a security guard. A fellow can put on a uniform, knock on your door, say he is a security guard and not show you a badge or something like that, so it is a good idea to licence them.

You must have security guards, but do not let us give powers to these people which are unnecessary for the performance of their duties. I have not heard of any security guard being beaten up or killed in the line of

duty up to now. I have heard of a watchman up at Roberts Manufacturing, and an old man, who really should have been at home sleeping and not watching at all, but security guards, as far as I know, have not encountered any problems in performing their duties as security guards.

Special Constables were mentioned. We used to have a piece of legislation called the Parish Constables Act. What could possibly be done is that when people have served a certain apprenticeship as a security guard, and have some kind of training – I suppose if they work for Brinks they would have some kind of training – training to the satisfaction of the Board, then you could employ them as parish constables, as they used to be called, and I believe that is still their official title within the Statute Law of Barbados.

Parish constables had certain powers of arrest. As a matter of fact, the parish constables' powers of arrest, as far as I am concerned, do not appear to extend beyond the powers of a citizen to effect arrest in similar circumstances, but if for official reasons you want to give them that authority, I am sure that honourable Members on this side would have no objection. But we have to be very careful that we do not create a new para-military force who believe that they have powers that we never intended to give them. It can become very dangerous, and it is very difficult for they themselves to interpret the extent of their powers so that they always act within the four corners of the law.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, I shall not be long because most of the views which I hold on this measure have been indicated by my two colleagues who have spoken.

I would just like to caution the Government that they ought to be very careful as they extend the police power. It seems to me that in Barbados and a number of developing countries, solutions to certain kinds of problems are sought to be found in extending the number of areas in which persons can have powers of arrest, above and beyond the powers which have come to be accepted in normal societies. I must confess that I am not comfortable with the concept of so many security personnel in all directions wherever you turn in Barbados, but I agree and accept that if we are to have these security personnel, we ought to have them licensed.

I would sincerely recommend to the Government that they review the section of this Bill which deals with the powers of arrest. Policemen in Barbados have certain powers of arrest and that even among the Police Force they sometimes become confused about whether they can or cannot arrest an individual. The rights of the individual that have been enshrined in the Constitution of Barbados were not put there lightly, and the whole question of the

freedom of the individual is something which has been the subject of discussion and the subject of sacrifice from time immemorial. I cannot understand why the Prime Minister feels it is necessary to invest security guards with powers of arrest as extensive as appear in the Bill. I think it is wrong, and I am surprised that the Attorney General, whom I have come to believe is one of the persons who defends the right and the freedoms of the individual in a number of places where he has spoken, would introduce a Bill which in fact gives a security guard this kind of power.

5.45 p.m.

I am also somewhat surprised that the investigatory ability is framed in the way it is framed in this piece of legislation. But, like my colleagues, I am prepared to let it be tried to see how it works, but at the first opportunity after one has seen this Bill in operation, one will be raising questions about that aspect of the Bill. Earlier, in fact, when the measure was being introduced, I had indicated that I thought it would be a good idea not to proceed with this matter this afternoon, because one wanted to be in a position to do even more research on the issue and to look at what measures have been taken in other places with regard to security guards.

I think that a security guard should also have a defined area of operation in terms of the private sector. This Bill, as I understand it and I read it, tends to give a fairly blanket power to the security guards. There are other areas of the legislation that I am not happy with, but I am prepared to let them ride for the time being. What I would really like the Attorney-General to agree to is to re-examine the powers of arrest which are being offered in this Bill. I am not happy with it, and I really think it can do us no harm if we re-examined that part of the Bill, rather than putting it on the Statute Books only to discover subsequently that we have created confusion.

Hon. L. R. TULL: Mr. Speaker, honourable Members will appreciate that in these matters a delicate balance has to be struck between the rights of individuals and the security of the state, and by that I mean not only the state in the classical sense, but the interest of all people in the community. And any time legislation of a law and order nature comes before Parliament, one can expect that people will take positions on either side, but you cannot argue vehemently on behalf of the private rights of individuals to the total exclusion of the need to maintain law and order.

I have heard some startling things said in the debate. The right honourable Member for St. John (Rt. Hon. E. W. Barrow) is concerned about the fact that security guards can arrest for a breach of the peace or the commission of a felony. One of the main reasons why we have this bit of legislation is to bring some order into

public activity unrelated to the normal run of duties of the Police Force. Take, for example, a big pop concert at the stadium. Are the honourable Members seriously suggesting that if a serious breach of the peace is threatened at the stadium, people are about to riot and are breaking everything up, that the security guards who are on duty at the stadium should not have a power of arrest of those who are the perpetrators of that breach of peace? I can hardly believe that is what the honourable Members are saying, particularly in view of the fact that any citizen in this country, including the right honourable Member for St. John and all of his Members on that side, have the power of arrest if a felony is committed in their presence. That is the law right now. Any citizen of this country, policeman, security guard, parish constable, island constable, Minister — any citizen at all — has the power to arrest anyone who commits a felony in his presence. So what is the big song and dance about?

The very fact that the right honourable Member says treason is an offence that is not easily understood by many people, and he said including lawyers, means that the likelihood of a security guard arresting for attempted treason is that much more unlikely. But you do not legislate only for the 99; you have to legislate for the one, too. You are telling me that we only legislate for offences that would happen plentifully day after day in the community, but you must make no provision for the offence that will happen only on the rare occasion.

I am glad to hear that the Opposition supports the need for a proper licensing of security services in this country. I am always concerned about any excess by law officers in relation to the rights of the people in this community. I do not have to be preached to about that by the Opposition. I do not think any of them on the other side feel as strongly as I do that the rights of the people of this country must be safeguarded, and I certainly would be raising my voice, like the Deputy Leader of the Opposition, if any excesses emerge after the passage of this legislation. We are all human beings and we have our own human foibles. The right honourable Member would suggest that security guards are not bright and are not well educated, but I think that they have their own values and standards and they are no less decent than other people in this community, not that I agree with him. But even in the Police Force we see excesses from time to time. What do you expect when you are dealing with human beings?

There are more than 1 000 police officers doing their work 24 hours a day, 365 days a year, and there must be one or two from time to time who will carry out their jobs with excessive zeal. I sit in my Chambers and I see week after week, month after month, a number of writs being served on the Attorney-General by citizens of this country who are putting individual police officers and the Attorney-General in court because police

officers carrying out their job with this excessive enthusiasm, and this Government has to pay damages and compensation over and over for police officers who have carried out their jobs beyond the bounds of what is required. It is not only so in the case of police officers; it is so in terms of all public officers, whether it is the returning officer or presiding officer at an election, or a magistrate or a customs officer. We are constantly confronted in the Ministry of Legal Affairs with writs filed against us for people who go beyond the bounds of what has been allowed in the law in carrying out their duties. So honourable Members need not worry about the fact that if there are excesses that they will be dealt with in the normal way.

The honourable Member for St. Michael South (Mr. L. E. Sandiford) asked about accommodation and facilities for security guards and watchmen at night, and said that they have no telephones. I am not so sure. As recently as last week I was sitting in my office about 7.15 in the evening and my door opened and in walked a security guard. His complaint was that he was trying to telephone me because he saw my car was still around and he was wondering whether I was ill. I do not know, but it seems that, contrary to what the honourable Member is saying, the opposite argument might be a more valid one.

5.55 p.m.

I also remember that we had a watchman at a school in the Pine, I think it was the Wilkie Cumberbatch School, and he made a lot of noise to have a telephone available to him during the night because if anything happened to him, he wanted to be able to call the police. The result was that the Government had to pay about \$4 000 or \$5 000 in overseas calls for his calling his girlfriend at night saying that he was cold. We have to balance these things. We do not want to go too far on one side or the other.

Of all the criticisms made, the only one that had any, I would not say merit, but certainly the one that was repeated by about the three honourable Members related to the power of arrest. No one wants any law officer, police officer or security guard, to be going around wantonly picking up people and carrying them into a police station. We require in this legislation that where a security guard arrests someone, he must take them to a police station immediately not that this will show the total ill, but at least it mitigates it in some regard.

I well remember that when I used to practise law there was a police officer who used to take in young women regularly. If they dressed well, their hair was in place and they looked middle class, he felt that they were good prey for him to arrest them. When he was taking them in, he would say, "You think you are great, I am going to show you." The same police officer is well known to

the Commissioner, the hierarchy in the Police Force know of his aberrations, the Police Service Commission know of his aberrations, the magistrates in Bridgetown know of his aberrations. As a matter of fact, I well recall one magistrate saying, on one occasion when he brought a young woman before him, that he would not be finding anybody guilty of any offence that is brought in to court by that particular police officer. I only mention this to emphasize the point that it does not matter whether you are a trained policeman or not, and know what a felony or what treason is, to carry out your work in such an unreasonable and excessive way as to cause not only embarrassment to a number of citizens in this country, but to cause the taxpayers of this country to have to pay compensation for the victims of such indiscretion.

I really think that the Opposition speaker got a little bit far in what, to my mind, is a reasonably innocuous Bill that seeks to do nothing more than rationalise the use of security and private investigation agencies in this country, to bring them under some type of control and to set up a clear regimen not only for their operation, but for their recruitment.

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 and 2 inclusive were called and passed.

Hon. L. R. TULL: Mr. Chairman, if Members on the other side have no objection, can we take it in Parts?

Mr. CHAIRMAN: There does not seem to be any objection to its being done in Parts. We will still be able to discuss it as we go along.

Hon. L. R. TULL: In that case, I beg to move that Part II do now stand part.

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

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

Part III was called.

Hon. L. R. TULL: I beg to move that Part III do now stand part.

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

Rt. Hon. E. W. BARROW: Mr. Chairman, in Part III, Clause 9, the honourable Minister said that where the security guard makes an arrest immediately he has to take the person arrested to the nearest police station. That is not what the clause actually says. The clause says that:

"Where a security guard makes an arrest under subsection (1), he shall, within a reasonable time thereafter, take the person arrested to a police station or before a magistrate."

Let us take a place like French Village or Indian Ground in St. Peter. If a security guard arrests somebody there on a Saturday night — there is no magistrate living down there, telephones are difficult to get to — what is a reasonable time? Wednesday morning? The security guard would say, "It was 1.00 o'clock in the morning, and I did not have any transport to get down to District E police station." The clause as it stands does not say, "shall immediately take in to a police station", so you may be investing in a security guard the power to detain a person for an inordinately long period of time without his having the benefit of facing either a police sergeant at a station, where he could be duly charged and given bail, or a magistrate or a Justice of the Peace.

In Clause 10, both the security guards and the private investigators are under an obligation, on the request of a member of the Police Force or his employer, to produce an instrument of authority. It appears to us on this side that the person who is most interested in knowing the authority of a security guard — let us leave out the private investigator for the time being — would be the person whom that security guard is attempting to arrest, because a person who is assaulted by a person who is not an authorized member of the Police Force — I do not mean assault and battery, I mean laying hands on — is entitled to defend his person and his property against unlawful detention or assault and to retaliate with force. If the security guard is under an obligation to produce the instrument of his authority to the person who he has approached by telling him, "I am a security guard, here is my badge of authority. I am going to arrest you because you have just committed a felony," then the person who is being arrested will have no excuse. But what would his employer want his badge for? His employer would not take him on as a security guard unless he was satisfied that he was duly certificated and authorized as such.

A member of the Barbados Police Force is not really concerned, unless he suspects that this person is not really a security guard, and, therefore, is in the same position as somebody who is being unlawfully

arrested by somebody pretending and holding himself up to be what he is not. Therefore, it is the private citizen, who may find himself charged with resisting lawful arrest, who should be put in the position of knowing that this person is an authorized person. A citizen has no difficulty with a member of the Police Force in uniform, and it is my belief and experience that members of the Police Force who are not in uniform and who are in the process of carrying out an arrest or exercising their authority usually identify themselves to the citizen against whom that particular action is being taken. I do not see any reason why a security guard should be put into a position, to use the Barbadian expression, "to be able to down hand in a man", frog-march him down the road to a police station or any other place that he wants to incarcerate him, saying that he did not have time enough to take him to the police station, and if the man resists, because he did not know what the authority of the person was, he is then exposing himself to further charges.

6.05 p.m.

Take the particular incident which I mentioned to you just now, the man who thought that I had a bomb and demanded that I empty the contents of my suitcase on a table. After I had passed a duly authorized policeman of the Barbados Police Force and satisfied him at the door, five feet away was this other joker, to borrow an expression which is now the parlance used among parliamentarians, who told me that I must empty my bag on the table when I am going about my lawful business in Broad Street. I asked him what was his authority and he looked at me with his mouth open. I could only treat him as a joker. What was his authority to ask me to empty my bag? Absolutely none. There was no law at that time, and there is still no law in Barbados which gives any security guard the power to stop anybody entering any building in Barbados at the moment. That is why we welcome some kind of legislation that recognises them and makes it possible for them to be registered. But if they are registered and you are a private citizen, you want to know their authority on demand, and it is not only a member of the Police Force who must know, or his employer, who is the last person who should be asking for identification, but the ordinary man on the street — the man on the Clapham omnibus — and I do not mean Clapham in England, I mean Clapham going up Collymore Rock. The man on the Clapham pickup wants to know when you are hauling him off the bus, because you say you are an authority of the peace, what is your authority for taking him off the bus all the way back to the Bridge.

Mr. B. M. TAITT: Mr. Chairman, we are doing Part 3, 6(1)(a). I am very disturbed about 6(1)(a):

"Subject to sub-section (2), "private investigator" is a person licensed under this Act to perform any of the following functions", and the first function

is "obtaining and furnishing information as to the personal character or actions of any person, or as to the character or nature of the business or occupation of any person."

The only restriction on that is that it is subject to subsection 2. I think that the Attorney-General, and I asked him earlier, ought to let us do some further study of this matter before we put this Bill on the Statute Books in Barbados. By the powers we are giving here, as long as a person is licensed as a private investigator, that person apparently can use almost any means to obtain information. If you look at 6(d) that is a much safer area. It says "securing evidence to be used in civil or criminal proceedings". We know from experience that there is somewhere where it is determined whether the evidence that is secured is evidence or otherwise. But, according to this, when we have passed this legislation, any individual can become a private investigator, and, it appears to me, can invade the rights of other individuals in the pursuit of what would now be his legitimate duty.

Policemen in Barbados have to have a warrant before they can go and seek certain information about people. Let me put it this way, they do not have to have a warrant to investigate, but there are certain limits to how far they can go in their investigations, and that is why they have to seek a warrant when they reach a certain stage in their investigation. Nowhere in this Bill do I see that security guards, and more particularly private investigators, will have any of the restraints. I do not think that is intended in the Bill, but as it is drafted, it appears to me that 6(1)(a) is an open-ended statement, and it seems to me that it could be extremely difficult to bring civil action against a person who is licensed as a security guard, because such a person would now have a statutory power, whereas if any other honourable Member on either side investigated my personal life a little too closely I might be able to take action against them. This seems to me to be clothing such activity with righteousness.

I want to hear the Attorney-General on this. Maybe I am seeing this through an entirely different set of glasses and I should like to hear him. It is the very first one — "obtaining and furnishing information". Furnishing information to whom? To his employers, to the person who employs him for that purpose, so I can now get an investigator to follow the Minister responsible for, say, Housing, to find out what he does on a daily basis, to keep track on him of where he goes at night. I am not sure that this is not a new danger we are creating by statute. I should like to hear the Attorney-General on it before I go any further.

Hon. H. deB. FORDE: Sir, I listened with some interest to the points being made by both honourable gentlemen who have just spoken. The functions

enumerated in Clause 6 of the Bill are the standard functions which constitute the functions of the security guards as recognized the world over. Several studies done particularly by the Criminology Department of the University of Toronto and in the United States have shown that the security guard industry is one of the fastest growing industries in the world, and within the last ten years there have been a large number of studies undertaken as to their functions and regulation. In fact, there is a book, I forget the name of the author, published by Penguin which does a comparative study of the legislation in Europe, particularly in the United Kingdom and Sweden, and the legislation in the various States in the United States and in the provinces of Canada. Sections like those in this Bill have a very respectable genealogy and are based on precedence, and the meaning of words and the construction of the clauses can easily be checked in the legislation of other countries.

I believe that what Section 6 seeks to do is not necessarily to say that everybody who obtains or furnishes information as to the personal character or actions of another person is necessarily a security guard, nor does it necessarily clothe the private prying into the business of people with the respectability of the law, as the honourable Member for St. Michael West seemed to have suggested. What it does say is that where persons are licensed to carry on these functions, they will be considered as security guards and therefore will be subject to the statutory regulations contained in Part III of the Act, indeed of the whole Act.

6.15 p.m.

I think that this section is similar to the legislation in the province of Ontario. The honourable Member reads quite a lot, and I think that if he reads some of the Commonwealth law bulletins he will find that this legislation particularly is to be found in the Canadian provinces, and that there was a lot of constructive criticism on improving it. Perhaps the University of Toronto has done more work than any other place on this type of legislation.

In relation to Clause 9 of the Bill on which the right honourable Member for St. John spoke, I conceive of no difficulty. At common law there is a power on any person, the average citizen, to arrest without a warrant where an offence is committed in their presence, or where they have reasonable suspicion that a person is about to commit what constitutes a felony. It seems to me that Section 9 does not offend Section 13 of the Constitution. Section 13 says that a person cannot be deprived of his personal liberty save as may be authorised by law in any of the following cases, and one of those cases is at subsection (e):

"upon reasonable suspicion of his having committed, or being about to commit, a criminal offence under the law of Barbados."

A breach of the peace constitutes a criminal offence if you breach the peace in the circumstances where you come under particularly the old statute started in the 14th century, a statute which is part of the common law of Barbados. Under that section there is an obligation that the person who is arrested or detained shall be informed as soon as practicable, in a language that he understands, the reason for his arrest and his detention. The section must be read subject to the Constitution, of course. Here, there is an obligation to bring him before the police or before a magistrate, and no doubt the effect of Section 13 adds a further protection to a person who may be arrested by a security guard.

I believe that in setting out the functions of security guards under the Act, and particularly under this Part, and in trying to regulate them, that we are making some progress. I am not one who is happy about the private security guard services which have been established in most countries, nor indeed about governmental security guards, but go on and regulate them. I think the point has been made in the several studies that I have read on this subject that there is need for legislation and there is need for minute regulation of their powers. I do not believe that Section 3 confers any excess of jurisdiction on the guards, and I think that both this Act and the Constitution have enough safeguards to monitor their actions.

I agree with the honourable Member for St. John. In fact, it is always difficult to say what set of facts constitute a reasonable time. The phrase "a reasonable time", as indeed the phrase "as soon as is reasonably practical" have been construed by the courts, and I think that the courts are quite capable if a guard exceeds his jurisdiction, indeed if a policeman or the private person within a store exceeds his jurisdiction, in providing a fast and swift remedy to deal with the situation.

I have been combing the Bill itself to see if there is any way in which the Bill can be improved. I think it will be a little bit difficult for us to really improve on the Bill, but it is a matter for the Minister and the Government as to whether they would wish a Bill such as this to go before a Select Committee of the House. I do not think it is a controversial Bill. If at all there is anything we are doing, it is only to improve its wording. It is very clearly drafted to me, and there are several safeguards in the Bill as a whole.

Mr. B. M. TAITT: Before the honourable Member responds, I would like to ask a question to which the honourable Member for Christ Church West could probably respond. If in fact the powers of arrest which are being in 9(1)(a) and (b) are not different from the powers which every other citizen has at common law, why are we including them in the statute? Usually, if you put something in a statute, either you are consolidating the law or you are correcting a mischief.

What is the consolidation which we are doing if, in fact, it is a common law position? If it is not consolidation, what is the mischief? It seems to me that as soon as you put it into a statute.....

(Hon. H. deB. FORDE: Do you agree it is the law?)

Mr. B. M. TAITT: I do not know. That is what I am trying to find out.

Hon. H. deB. FORDE: The honourable Member may not yet have got his professional qualification, but I know that he excelled in criminal law at the University of the West Indies, a subject in which he lectures. I am sure he is satisfied that section 9 of the Act merely restates the common law position.

In my experience it is always good drafting, even if you are declaring the legal position in a statute that seeks a total regulation of the powers and functions of officials or persons, to include a provision such as this.

Hon. L. R. TULL: Mr. Chairman, the honourable Member for Christ Church West has quite adequately dealt with the last point raised in relation to Section 9(1). I am sure that the honourable Member who raised the question well knows that it is the normal practice to put into new legislation existing common law. This is true in most pieces of legislation, and indeed criminal law legislation. When you look at the Offences Against the Persons Act, you will see a lot of the common law codified there.

The right honourable Member for St. John raised the question of ID, and he says that under 10(1) a private investigator or a security guard shall on the request of a member of the Police Force or his employer produce his instrument of authority. He questions, with some justification, why the private investigator or security guard is not required to produce his instrument of authority to someone he is going to arrest.

I have not been associated with criminal law for a long time, but I have a clear recollection that a police officer not in uniform is required to show identification if he wants to arrest someone. If he is in uniform he is not required to produce any identification. I say this because Section 10(2) says that a security guard shall, while performing his functions, wear the uniform prescribed by the Board. It is therefore quite evident to me that a security guard who is arresting someone is required at the time to be in his uniform, and if he is in his uniform that is the same as in the case of the police officer who is in uniform.

(Mr. B. M. TAITT: Suppose he is a bogus man in a uniform).

Hon. L. R. TULL: The honourable Member asks suppose he is a bogus man in a uniform. Suppose he is a bogus man in a policeman's uniform!

If you check Clause 14(3), you will see that anyone who, with intent to deceive, impersonates a private investigator or a security guard, or makes any statement or does any act calculated to suggest that he is such a private investigator or security guard, is guilty of an offence and is liable on conviction, on indictment, to a fine of \$5,000 or imprisonment for 2 years or both. So if a bogus man pretends to be a security guard, or wears a uniform and pretends to be a policeman, to cause some temporary embarrassment to a citizen of this country, there is adequate provision in law to deal with that situation. If the question was raised as to whether a private security guard or an investigator can arrest without a warrant when he is not in uniform, I would take the point raised by the right honourable Member and say that he should be required on request to produce his identification and not if he is in uniform.

6.25 p.m.

The other question raised by the right honourable Member relates to the question of what is reasonable time. I think my friend, the honourable Member for Christ Church West, has answered that question as well as it can be answered. What is reasonable has been determined by the courts and in investigations, and anybody who practises law in this country would know that that is a matter that comes up with such monotonous regularity that it is something of which the Court is constantly seized, and we need to do no more than to leave that in the hands of the judicial officers. But, certainly, despite my statement, if we go off the facts and the hypothesis that has been put in this particular case — a man in French Village, who is a security guard arrests a man, and the question of transportation, I would have thought that he had an over-riding responsibility to call the police, as normal citizens in this country do. If something happens, you call the police, and in a case like that with no buses running, I would think that is what he would do. I do not know where French Village is, by the way, so I am answering the question in a vacuum, but wherever it is, that is the answer.

One question raised by the honourable Member for St. Michael West relates to Section 6(1) (a) Certainly the honourable Member should know that it is a function of law officers to enquire — this has been so from time immemorial — about the character of persons. We have always known that when someone applies to join the Police Force, and that is as far back as I can remember, the police goes through the district in which the man lives and enquires from the shopkeeper, the neighbours and people around, what kind of person this person is who has an application in for a policeman. It is not because they are doing the dark and malicious things

the honourable Member contemplates, but because if you are going to be a police officer, it is important that a person of right reputation and character and a person who is held in certain esteem by his peers and his neighbours be chosen. That is an old duty and function of the police when they have got to recruit people to the Police Force. In the case of death and in unusual circumstances, they have a role to go around and put together information, collate information and hand it over to coroners. So I do not share the same misgivings and fears as the honourable member for St. Michael West.

Mr. B. M. TAITT: Sir, I think that there is an inherent difference between a police officer who is out investigating — and it was usually a policeman until recently — I understand it is now the Security Division of the Defence and Security Division — to the character of someone who is going into a sensitive job and a private investigator engaged by one private person to investigate another private person, and it is the lack of safeguard in this area that I spoke about.

Hon. L. R. TULL: That is in the Constitution of Barbados.

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

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

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

Mr. W. O. FRANKLIN (St. Philip North): There are a number of security firms, the personnel of which, in my opinion, are not suited at all for these functions, and it is no secret that a lot of them have been blamed for some of the things that have happened in the places that they are supposed to be protecting.

We are now licensing, and naturally the grandfather's clause, would apply where those that are presently existing would most likely be considered favourable. I wonder if the Attorney-General could give us any indication whether or not provisions will be made for upgrading the existing people before they are licensed or if you are obligated to license them automatically because they are already functioning in this capacity.

Hon. L. R. TULL: Mr. Chairman, I do not see any grandfather clause in this particular piece of legislation, and therefore every private investigation security agency, or every private investigator or security guard will *de nouveau* on the passing of this legislation be brought under the scrutiny and examination of the Board to determine whether that agency or that

individual is suitable to carry the responsibilities of his office.

I am always amazed at the way in which accusations are made without substance in respect of individuals and groups in this country. I have heard what you have heard, but I would not repeat it. It is very easy to say that when you get break-ins at Locust Hall, as they say, it is the Vincentians, and if you get a business place broken into at night, it is the security guards. This is a common thing, but I do not support that kind of unsubstantiated allegation made against any individual or group. I do not know that that is true.

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

Parts V and VI were called and passed.

The Schedule was called and passed.

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

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

Hon. L. S. CRAIG: Mr. Speaker, earlier in the day I intimated to the members of the Opposition that they were free to introduce a Private Members' Resolution to discuss certain aspects of the Financial Statement made today by the Prime Minister. It is in that light that I beg to move, if it be the pleasure of the House, that we go back to Private Members' Notices.

Mr. SPEAKER: Since there is agreement, we will revert to "Private Members' Notices."

PRIVATE MEMBERS NOTICES

Mr. SPEAKER: The Resolution standing in the name of the right honourable Member for St. John.

Rt. Hon. E. W. BARROW: Mr. Speaker, I beg to give notice of the following Resolution, for which I obtained Your Honour's sanction earlier today.

"BE IT RESOLVED that this House

- (i) take notice of the Statement and Proposals made today on October 23, 1984, by the Minister of Finance for the purpose of raising revenue to meet public expenditure,

- (ii) regret that the Statement and Proposals are inadequate to deal with the serious crisis into which the Government through its ineptitude has led the country, and
- (iii) call upon the Government to devise a new package of measures to arrest the economic decline in Barbados, and lay a firm foundation for steady and genuine economic recovery."

Hon. L. S. CRAIG (St. James North): Mr. Speaker, I think it is but fair to Members on the other side if at this time I intimate to them that I propose to suspend the sitting later in the evening until 10 o'clock tomorrow morning, when I have no doubt in my mind they will be prepared to discuss their Resolution. You can rest assured that we are prepared.

Asides.

Hon. L. S. CRAIG: The Leader of the Opposition must understand that I had certain discussions with the Deputy. It will be 10 o'clock tomorrow. You know the state of the economy, so you are ready to talk about it and I give you the opportunity in a hurry. We do not want it to decay.

Further, Sir, the Deputy Leader of the Opposition drew to my attention that we normally would come back when we present the Budgetary Proposals, I think that is what we discussed, maybe the following day or two days after, or whatever it is. Good dear, if this is not a Budget and you come back the following day, after a Budget, what is wrong with coming back tomorrow at 10 o'clock so that you can have a field day?

Now that we are allowing Parliament to meet, you do not want it to meet. We are coming tomorrow morning at 10 o'clock. You have a slogan there already, so what is the matter? You will only do a little homework tonight and come up with your proposals to rescue the country, and we are quite willing to hear them.

I just draw to Your Honour's attention and Members on the other side that in fairness I think we will come back tomorrow morning at 10 o'clock.

Mr. L. E. SANDIFORD (St. Michael South): Mr. Speaker, I wish to make it absolutely clear that there was no agreement between myself and the Leader of the House that we would come back tomorrow to discuss this.

Hon. L. S. CRAIG: I never said there was an agreement. I said we discussed it.

Mr. SPEAKER: Will the honourable Member continue please?

Mr. L. E. SANDIFORD: I really find it very difficult to understand what is going on. There was a statement made today and then it was said that time would be provided for the Opposition to debate the matter. We have had continuing discussions; it was agreed that we would give notice of our Resolution and there was a clear understanding that the debate on the Resolution would take place next Tuesday. That was the understanding that I had and that is the only agreement on this that we had.

Hon. L. S. CRAIG: If the honourable Member would give way, first of all there was no agreement. What we discussed was to come back, if you would recall, as soon as possible. I said let us make it next Tuesday, and you intimated that you were quite willing to do it as soon as possible. Tomorrow is as soon as possible. What is wrong with that?

In 1976, we were called upon by that Government to reply to a Budgetary Proposal on the floor of the House right away. You finished at 5 o'clock and we had to start right away. This is a little statement and you are having public meetings outside telling people about the economy, so you should have it all there and ready. You should be able to discuss it now. We are giving you all those hours for your preparation.

I am kind to say this now. I should have said it when I was about to suspend the sitting.

Mr. L. E. SANDIFORD: Mr. Speaker, I would really like to understand if there is an agreement on this thing. It is understood before anything happens that Mr. Speaker says, 'Discuss this on both sides and come to some kind of understanding'. The only discussion on this which was tending into any kind of direction about discussing something immediately is when I had a discussion with the Prime Minister. He was concerned in a way about legislation dealing with stamp duties, but that was a separate matter, and there was a clear understanding that the matter would be discussed next Tuesday. I cannot understand how a measure like this can be made a matter for misunderstanding.

Hon. L. S. CRAIG: That is not true. There was no discussion first of all between yourself and the Prime Minister about Stamp Duty. The Prime Minister simply waved his hand and said can we do the Stamp Duty now.

Mr. L. E. SANDIFORD: There was discussion about that. He is right beside you. It is a question of integrity now.

Mr. SPEAKER: Will both honourable Members please take their seats?

I do not want any shouting. I particularly said that both Members should get together and come to an agreement about introducing the Resolution, and that it will be done.

Rt. Hon. E. W. BARROW: May I on a point of order say that the reason why.....

Mr. SPEAKER: I do not think you are on a point of order; you have the right to make your comments at this time.

Rt. Hon. E. W. BARROW: The reason why I was under a certain amount of pressure was because of other pressing matters which I had to attend to, and I told my colleague, the Deputy Leader of the Opposition, that in order to get this Resolution on the *Order Paper* for next Tuesday, it would be necessary for me to give notice of it today, and I even enjoined the honourable Member for St. Michael West if he could curtail his erudite legal interventions where he was attempting to educate the honourable Attorney-General so that I could get it down on the *Order Paper* for next Tuesday. There was never any doubt in my mind. If I did not do that I would have to wait until next Tuesday, and then the honourable Member could not tell me to come tomorrow morning if I did not do that. So ease it up.

Hon. L. S. CRAIG: Ease?

Rt. Hon. E. W. BARROW: I said just ease it up.

Hon. L. S. CRAIG: I thought you said ease you up.

Rt. Hon. E. W. BARROW: Ease me up? You? You are in no position to ease me up. You are not a security guard yet.

It has got to be on the *Order Paper*.
6.45 p.m.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, we are being very hard done in public relations terms by honourable Members opposite. In the last three weeks, we have had to put up with accusations that we do not hold Parliament, that we do not do the people's business. We have had to put up with meetings in Marhill Street, all about not going to Parliament. On Saturday, I read in the papers that the Government must present a comprehensive package of budgetary adjustments to Parliament designed to do certain things to the economy. These things need knowledge and thought. You cannot put that in the papers a Saturday and then say, on the following Wednesday, that you do not want to talk about it. The Government is being dragged down — we do not go to Parliament, we do not do this and that — and now you are begging for time.

Rt. Hon. E. W. BARROW: If the honourable Member would give way. I will just save the honourable Member a lot of anguish.

I beg to withdraw the Resolution.

Mr. SPEAKER: Leave is being sought by the honourable Member for St. John to withdraw the Resolution of which notice has just been given. If there are no objections, leave will be granted.

(Hon. L. S. CRAIG: There is objection here, Sir.)

(Hon. Dr. R. L. CHELTENHAM: You are too late. It has already been ruled on.)

Rt. Hon. J. M. G. M. ADAMS: I hope it has been noted by the Press that the Democratic Labour Party is begging for time. They say we have to come to Parliament and now that we have offered them Parliament, they are begging for time.

(Hon. Dr. R. L. CHELTENHAM: They do not have anything to say.)

Mr. L. E. SANDIFORD: Mr. Speaker

Mr. SPEAKER: On what does the honourable Member now rise?

(*Aside: Bluffing.*)

Mr. L. E. SANDIFORD: On a point of order, Sir.

Mr. SPEAKER: On a point of order?

Mr. L. E. SANDIFORD: Yes, Sir.

Mr. SPEAKER: Can I hear the point of order?

Hon. L. S. CRAIG: Nobody is speaking. There is no point of order, Sir. He has to speak on the Resolution which has been withdrawn.

Mr. SPEAKER: I want to hear the point of order.

(Hon. DeL. O. BRADSHAW: He is bluffing.)

Mr. SPEAKER: Can we now carry on with the business of today?

(Mr. B. M. TAITT: Lord have mercy.)

Hon. L. S. CRAIG: Lord have mercy? I am trying to save you from Taitt's mouth. You clown! You have let Taitt come and overshadow you again.

COMPULSORY ACQUISITION OF LAND AT
TURNERS HALL, ST. ANDREW, FOR
VARIOUS PURPOSES

Order No. 10 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at Turners Hall, St. Andrew, for recreation and park development, highway improvement, housing, agricultural and park development.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, I regret very much that the right honourable Leader of the Opposition is not in his place for this Resolution. I would have been happy, if he were here.

This Resolution seeks to acquire Turners Hall plantation in the constituency of St. Andrew. The plantation consists of 226.649 hectares of land or 560 acres, 10 perches. That plantation, although well worked and productive over the years, has virtually fallen into disuse. We are hoping that, as a result of the quick measures which we took, 33.18 hectares or 82 acres of sugar cane will be harvested during the next crop season. That is certainly a considerable reduction from the amount of sugar cane which Turners Hall used to produce.

The purpose of the acquisition is for the development of a park. It is well known that Turners Hall has nearly 100 acres of wooded land that can be converted into a very beautiful park for recreational purposes. I welcome the acquisition of this land and the purpose for which it will be used. It will also be used for highway development and the Government is also looking at sub-dividing portions of this land into reasonable agricultural holdings. At the moment, there is little agricultural production, and we feel that it is too vital to the Government's agricultural strategy to have a plantation that is wasted in this way. In the past, Turners Hall produced well. There was a time when there was a sugar factory at Turners Hall and one just beyond that, and while they might not have made a fortune, they were still able to survive and at least break even.

6.55 p.m.

We will also be using portions of that land, especially the portion on the main highway, for the resiting of a number of houses which are in the back, without any facilities of water, roads, and electricity. We want to bring those houses to the front and make them more habitable than what they are. It is common knowledge that whenever this Government is resiting people, we give them all the necessary facilities and conveniences, waterborne toilet facilities and proper grounds, with a view to improving their standard of living.

Turners Hall has been to a large extent a drain upon the country in terms of the massive debts which it owes to the Government. This plantation owes to the

government something like \$1 212 268.70, but its market value is less than half of that, and obviously there is no way, no matter how you purchase it, that it can meet its commitments to Government. These are some of the sad factors surrounding the estate, and the way in which it was being operated, there is no way in the world in which it would ever be able to meet its indebtedness.

Government has decided, and not only in the case of Turners Hall, that all plantations in the island must be productive. That is why the Government sought in the past to ensure that if lands were not worked taxes will have to be paid for them as a measure of some compensation for their non-production. Barbados is too small to allow lands to be idle and remain so. It is important and vital that every square metre of land is brought into agricultural production, and with the measure which we are now taking, I am satisfied that a lot will be done with the land which is at Turners Hall.

I will be very much disappointed if honourable Members on the other side do not probe me a lot and say a lot on this important piece of land acquisition.

I beg to move that this Resolution do now pass.

Mr. N. K. SIMMONS (St. James South): Mr. Speaker, I am happy to see that the Government has acquired some land in this quantity for a park and for recreational purposes. I should like to know from the Minister what area is to be allotted for the park and recreational purposes. There is a dire need for some place where children and adults can go and spend a day and have good, clean fun, possibly for which they have to pay. But at the moment we do not have that type of facility. There are few places if any at all, in Barbados to which you can take children, leave them for the whole day, and they can have a good time.

I want to know if details have been worked out for the park, whether there will be the usual trees and swings and you just walk and come back. I am quite sure that if the park is properly provided with facilities, it could pay for itself. You can probably have a small roller-coaster, which children would pay to ride while the adults would have facilities for themselves. I should like to think that all of these details are worked out; if they have not been worked out, you can give reasonable consideration to them.

Another attraction which I believe you can possibly look at is the placing of an aquarium at the same park. I do not think it would involve too much money, but in any event the money will be spent. There is nothing like that at the moment in Barbados. It would not only be for Barbadians. We are a tourist resort, and I am quite sure those persons who visit our island will want to go there, because one of the complaints of many

people who visit this island is that after they have spent three days here there is very little to see.

In Bermuda, you will notice that there is a very beautiful aquarium. I went there two years ago and when I went back I was surprised to see how they had developed it. There is no need to start big, you can start small and develop it. Along with that aquarium I notice that there is a small zoo. There is nothing like that in Barbados and I would like to see this. With all our parks and gardens, there are a number of youngsters who are growing up and who do not see animals, who have not even seen a fowl. I believe that if we are to bring them up properly, we have to think in terms of this as well. Turners Hall seems to me to be a good place for this; it is big enough. I dare say that I do not know the area that you have allotted for the park, but I guess it will be some thirty acres.

I notice that there are very few recreational areas in the housing areas. This is something that I would like you to pay attention to. If you go into Haynesville, the Pine, and Fernihurst, there are no places with children under the age of twelve can play and be supervised. If you are going to provide these facilities, I hope that people with the necessary training can be employed. Too often there are people who are placed in charge of these facilities who have little or no knowledge of how to handle children or people. They create more problems than they solve problems.

Hon. H. deB. FORDE (Christ Church West): I was very disturbed by the statement by the honourable Minister that the debts owed by the company, I think it is Barbados Estates Limited – the owners of Turners Hall Plantation – to the Government exceeds the value of the plantation and probably the assets of the company. I wish the Minister would give us details of the debts, whether they are debts owed to the Crown for Land Tax, Corporation Tax, National insurance payments, PAYE, or whether they are debts owed to the Sugar and Agricultural Bank, now demised virtually, and the Barbados National Bank. If they are of the latter nature, I think the Minister ought to be aware that the provisions of the Agricultural Sugar and Credit Bank Act and the Barbados National Bank Act, which gives priority to loans made by those institutions to plantations such as Turners Hall Plantation, have not been fully complied with, in that the loans are not advertised in time. Therefore, the Government must carefully consider whether it will act as a preferential creditor in relation to the funds accruing from this compulsory acquisition, or would see that other genuine creditors to this company are not displaced from their order of priority. I think it is a very serious thing when debts are allowed to accrue in respect of businesses and then at the time of compulsory acquisition, the property which normal creditors would have to go against no longer exist, and

Government's priority and ability to offset the debts due to it will be used against the noble creditors who may have been supplying credit to the plantation or who may even have other security which is now displaced.
7.05 p.m.

Can the Minister tell us how much land the Government now owns? Although I believe that there is justification, and I accept the Minister's word, for this acquisition, I remain concerned at the fact that Government, because of the nature of its responsibility, very often has been acquiring additional lands. Sometimes Government owns land in an area that is not immediately useful to Government for the purpose for which Government may be acquiring another piece of land. For instance, if you are going to expand the road system in the Pine, you cannot do that even if you own this land which you own at Turner's Hall, so I have to concede that – and I think the Government must have a proper register of its holdings of land and other property in this country, and must be in a position to begin disposing of some of the land for which it has no immediate use.

If Government has a cash flow problem, and if it has a tight economic situation, it must of necessity limit its acquisition, because that is a charge on capital, and may mean less money available for capital development. Alternatively, it must begin to sell some of its capital assets like land which is lying down and bringing no direct benefit immediately to the Government. I can think of several Government properties which at present are not in any productive or other useful use, and it seems to me that this is an area to which the Minister should pay some early attention. I know that this Minister has been working on a list of Government properties, and that is a step forward.

I was surprised, looking at the general principle of acquisition when I was a Minister, to discover that the Government only acquired areas on a long lease, the rents for which had not been paid for several years preceding my time in office. I believe that for the purposes of these types of acquisition the Government should have what I like to call an estate management section with persons who have spent their time in learning the art of estate and property management. In this regard there is a first class course at Cambridge University, and I should like to see some of the development scholarships given for that purpose. I think that whilst there will always be justifiable reasons for acquisition – and there is a need in this case as explained by the Minister – I also believe that we must be very wary of spending capital funds on more and more acquisitions without at the same time disposing of assets which are not immediately useful. I trust that the Minister will be able to give me some of the information for which I ask.

I join with the honourable Member for St. James South (Mr. N. K. Simmons) in saying that the provision of recreational facilities is a high priority in this country. I believe that it will contribute not only to the tourist industry, but to the leisure time of our citizens, and I agree with the Minister that the Turners Hall property provides some of the best area for this purpose. If you stand on Springhead and look towards the Atlantic Ocean, that is probably one of the most picturesque panoramic views you can imagine in our country. I sometimes ask about the Turners Hall area when viewing paintings. Turners Hall Plantation provides one of the tremendous vistas and landscapes of Barbados and it needs to be mirrored in our paintings.

The same emphasis that will be placed on development of recreational facilities at Turners Hall Plantation should be placed on the development of the Graeme Hall Plantation where there are equally exciting possibilities for the development of recreational facilities while at the same time preserving the natural resources and the natural vegetation of a very important part of Barbados. Perhaps the Minister will at the same time let me have some information about the development of the Graeme Hall Woods.

Hon. L. B. BRATHWAITE: Mr. Speaker, touching on the information which the honourable Member for Christ Church West has asked for, I cannot say that I can give him in detail all he wants to know, or a precise figure. What I do know is that National Insurance was not paid for the workers at Turners Hall Estate for a considerable length of time and PAYE virtually did not exist. The area is within my constituency and I have been taking a very keen interest in the development. At the moment, severance for the people is being looked at by the National Insurance Office with a view to seeing what can be done, but there is a serious backlog of land taxes and other things which have not been paid.

The owners or agents for the estate were behaving as though they did not have to pay for anything, and therefore the conditions there are virtually chaotic. The money I referred to, the \$1.212 million, has nothing to do with National Insurance or Land Tax or anything like that, but the actual indebtedness to the Barbados National Bank by way of principal and interest, which is a considerable amount of money. As a matter of fact, whenever you are finished, the value of the estate cannot be half of the indebtedness to the bank. It is a very sorry situation.

As far as the land holding of the Government is concerned, Government has quite a lot of properties in this island. I do not know if the Ministry of Housing and Lands has yet been fully apprised of the total ownership of the land. They have now been coming to grips with this. We have people in the field who have been

looking at the valuation section to see how much they own. We have been getting a lot of information from there. What we have been trying to build up, which we have not fully got, is a proper management section of Government properties within the Ministry of Housing and Lands.

I believe that in terms of acreage of land, Government might well have in the region of five to six thousand acres. That will include the lands that had been transferred to BADC and those lands that are still within the Crown, because some of the estates were never transferred. Putting them all together this might well be the total land holding of the Government in terms of acreage as distinct from properties, because to total up what properties you have in terms of acreage might very well be difficult to do. At some point, I can probably get a list, and it might be useful to make the list available to honourable Members of the House if they so wish.
7.15 p.m.

The honourable Member for St. James South (Mr. N. K. Simmons) asked about the lands at Turners Hall. He wanted to know about the acreage of the forest land. I believe that the forest land at Turners Hall is between 50 and 70 acres. The place is very heavily wooded with numbers of old trees, but until we go in there and find out what we can dispose of and how best we can bring some order, we will not be in a position to say how best we can go about dealing with Turners Hall Woods. Another thing we have to take into account is that the Ministry of Agriculture is working in that area carrying out a number of soil conservation projects in order to stabilize the area.

The honourable Member for St. James South also mentioned the possibilities of having a zoo and an aquarium. I do not know that the land lends itself to an aquarium. I believe an aquarium would have to be in a place which is more level and more conducive to the maintenance of water. There is a possibility that a zoo could be put at Turners Hall. We are looking at all the aspects of utilisation of the wooded area of Turners Hall, but we are very much decided in our minds that it would be a good idea to allow the agricultural section of Turners Hall to remain in agriculture.

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

SUSPENSION OF SITTING

Hon. L. S. CRAIG: Sir, I beg to move that this sitting be now suspended until 8 o'clock this evening.

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

The question that the sitting be suspended until 8 o'clock was put and resolved in the affirmative without

division and Mr. SPEAKER suspended the House accordingly.
7.20 p.m.

ON RESUMPTION

Mr. DEPUTY SPEAKER: This sitting is now resumed.

COMPULSORY ACQUISITION OF LAND AT WELLINGTON AND BECKWITH STREETS, BRIDGETOWN

Order No. 11 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at Wellington and Beckwith Streets, Bridgetown, for recreational purposes.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Deputy Speaker, this Resolution seeks to acquire this area of land, small though it is, for recreational purposes. It is not an area of land that we can put a playing field on or anything like that. What is envisaged is that a few benches will be put there and maybe some form of a garden, and it will be railed in in order to give some protection to the people who will be using it.

I do not want to be pre-mature in making this point, but the Government is also looking at another area which is within the Wellington Street/Chancery Lane area, where it is very depressed, with a view of acquiring it and hopefully put up a modern block of flats to keep this socio-economic group of people within the City.

We have been talking for a long time about urban renewal, and the people not only in the City, but throughout the country, have rights and expectations, and they cannot be put off for long. I would like to see the day when we will have urban and rural renewal, in which all the people in the country will see a general improvement of their overall living conditions. I believe that this was the vision of the founding father of the Barbados Labour Party, and this is a goal on which all of us should set our sights.

I beg to move that this Resolution do now pass.

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

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

COMPULSORY ACQUISITION OF LAND AT DASH VALLEY, ST. GEORGE FOR VARIOUS PURPOSES

Order No. 12 was called – To move the passing of the Resolution to approve the compulsory acquisition of

land at Dash Valley, St. George for Sports and Community recreational facilities, Housing Development and the provision of sites and services for housing purposes.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Deputy Speaker, this Resolution seeks to make provision for an area of land at Dash Valley, St. George, adjoining St. Michael, for housing development and recreational purposes.

For some time now the people in this area were crying out for improved social amenities. I recall that when this matter was first mooted I was then in the Ministry of Agriculture, and I was to some extent caustic in my comments, but the learned honourable Attorney General, then Minister of Education, prevailed upon me that it was important and imperative that the good folks in that area had some means of recreation. The people in Dash Valley and the people in South District, who are not far away, who could normally walk down Hanson Hill, and all the surrounding areas of St. Michael, Lower Burneys and all around, need social amenities, and I was happy that in the Ministry of Housing and Lands the opportunity has been given to me to introduce this acquisition.

8.05 p.m.

Earlier in the day I mentioned that I had come across a file dealing with the cost of land, and it had to do with this one where I thought the owners were particularly greedy, even though I am supportive of this. It is not only the small people, and you can understand them because they have nothing and would hope to get something, but the large plantation owners, too – and they adopt a more mercenary attitude than even the small and landless people. I say to them that the fact that lands are being acquired from their plantations to make social amenities available to their workers, people who have worked for them and their predecessors in ownership or in blood, should encourage them to be considerate in their attitude towards the pricing of lands in order to make conditions better for these people.

I beg to move that this Resolution do now pass.

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

Hon. L. R. TULL (St. George South): Mr. Deputy Speaker, I am very glad to see that the Government is taking additional steps to acquire more land in the area of Dash Valley. In 1980 I had to impress on the Government that there was a crying need for playing field and recreational facilities in that part of St. George, and the Government acquired some land in 1981 for a playing field at Dash Valley. I think they acquired the land from Hanson Plantation.

This Government has taken a policy that agricultural land should only in extreme circumstances be taken out of agriculture to create recreational facilities. If you follow that logically, then it would mean that in places like St. George South, my own constituency, there would be no playing fields, because there are either top rate agricultural land or hilly rock sides where they are building a number of new development areas, places like Bulkeley Terrace, Fairview, the Mount, the Hope and Brighton — a whole lot of them. So if they follow their policy not to use agricultural land for playing fields rigidly, it would mean that an area such as St. George South would be left out in the cold. I am therefore grateful to the Minister of Housing who, when he was Minister of Agriculture, realised that these rules have to be flexible if there is going to be integrated development in Barbados. Whatever is going must be spread among all the people, whether they are from the country or in town.

I want to put in an additional plea. There is an area around Greens and Drax Hall Hope where thousands of people live, including large numbers of young people, and there is no playing facility any where in the immediate area. I am putting in an appeal for the people of that area to be provided with playing field facilities so that they can enjoy the type of recreational life enjoyed by so many young people in many parts of the country.

I would be failing in my duty if I did not again put in a plea for the people of Drax Hall. Drax Hall, I have to say week after week, is the biggest plantation tenantry in Barbados, with a far bigger population than any other plantation tenantry in this country, and they do not have playing field, they do not have a community centre, they do not have a clinic, they do not have anything at all. They have the worst roads in Barbados, one of those white-mouthed roads, and I am making an appeal to the Minister of Sports to come on a tour with me shortly and to set in motion land acquisition procedures for acquiring land in Drax Hall for recreational purposes for the people in that area.

I am glad to see this Resolution here. I understand that it is not only for recreational purposes, there is a playing field already, but they will be building a community centre and a pavilion and hard courts and that some of the land on the periphery is to be used for house spots. Recently I saw the Government has in its wisdom taken a lot of land that is in its possession, done some sites and services studies and offered a number of lots for sale to the people of this country. I want to make the point that a number of people in this country are still unable to purchase house spots and for the time being still need spots for rental. Everybody cannot find \$2.75 per square foot to buy 3 500 and more square feet of land to construct houses on, and some provision must also be made for people who want to rent house spots, with an option to buy, for chattel houses. Although I

would like to see the area in Dash Valley which is being acquired, which is on the boundary of St. Michael and close to the general development in the St. Barnabas area, properly developed with fine houses, and well appointed facilities for the people of the area, I think it is still imperative at this stage of development to remember that there are people who cannot afford to buy house spots, and maybe some of the spots on the northern side of the area being acquired may be reserved for people who want to rent spots to put their chattel houses on.

This is one of the measures, Mr. Deputy Speaker, that has come before Parliament in recent times that I have more than ordinary pleasure in supporting.

Hon. H. deB. FORDE (Christ Church West): Mr. Deputy Speaker, although I do not represent the constituencies of St. Michael South East or St. George South, I welcome this Resolution because I think the area would cater to a large number of persons, perhaps the whole area from St. Barnabas corner to the St. George Valley. The Dash Valley and Watts Village area is probably one of the most densely populated areas, so I certainly do not begrudge in any way the persons whose constituencies are benefitting from this Resolution, but I take the opportunity to remind the Minister in charge of Community Services and the Minister in charge of Sports that Christ Church has only one community centre.

Christ Church has a density that is second only to that of St. Michael. There are some 86 000 people occupying Christ Church, and I believe that 15 years of Democratic Labour Party rule, another eight of ours preceded by another 15 of ours, is more than enough that governmental policy should recognise that the necessity for community centres in Christ Church is a matter of great urgency.

When Gall Hill was being developed, the opportunity was not taken to give Gall Hill a community centre. We have to rely on Club Randall and private enterprise. That was an area obviously deserving of a community centre. If you look at a vast area like Silver Sands, there is more than enough lands and every reason why there should have been one catering for that sub-area. The same goes for the Charnocks area and St. Patricks. The lone community centre is in Sargeants Village.

The most densely populated square footage in Barbados is in the area between the Garrison and St. Lawrence. Honourable Members do not recognise this and they continue to characterise the area as though it consists merely of Highway 7, the main highway leading from the Sir Grantley Adams Airport down to Bridgetown. They do not recognise that within the area of the Garrison, which includes part of the Bay Land

area, Brittons Hill, Fordes Road, Bonnetts, Dayrells Road and Rendezvous, you have some of the most densely populated areas in this country. There are no community centres catering to the people of the area.
8.15 p.m.

I am not prepared to be fogged off with general promises and excuses. I have had that under the Democratic Labour Party Government. I have fought too hard for this Government and I am not going to put up with that. I am making my position quite clear. I have given the Ministries concerned more than enough time to have considered acquiring proper land areas and doing something about the areas. I am not in here to beg them. I will say on the platform that the Democratic Labour Party failed to attend to the community services' need of Christ Church and my party seems to have taken up their legacy in this respect, unless something is done about it.

I am making no bones about this. I do not think it is satisfactory that the densely populated Christ Church area should have one community centre. I do not think there is proper planning to deal with this matter. I do not think it is satisfactory that there is still a ghastly gap of adequate sporting facilities in the Christ Church area.

While I am happy to come and vote for other people, I am not begging Ministers for anything. I am telling you clear that I believe that people in my area pay taxes. The people in Christ Church contribute more per head of population to the taxation of this country than any other part of the island. You can do a survey and see this.

(Rt. Hon. J. M. G. M. ADAMS: Because they have the most money.)

Hon. H. deB. FORDE: We may have the most money. We may be the most densely populated. We also deserve to be properly treated.

The right honourable Member for St. John once told me when I asked for roads in Hart's Gap that the then honourable Minister of Transport would only provide roads when he gave permission. I told him that I would be in here and he would be canted out and we would get the roads. I do not want to hear excuses about this.

I know that the honourable Minister of Sport

(Mr. B. M. TAITT: Who?)

Hon. H. deB. FORDE: The Minister in charge of Sports. The honourable Member for St. Michael South East (Hon. DeL. O. Bradshaw) has promised that he will be acquiring or asking the Minister of Housing to acquire

land in Rockley for recreational facilities, a hard court. The Dayrells Road/ Deighton Road/ Bay Land area, Rendezvous/, Clapham and Forde's Road produce the leading basketballers in this country, as evidenced by our recent savaging of all of the other teams, including Pinelands. Therefore, since that is the position, and we are asking for facilities, it is reasonable that they should look at the needs of the people in this area.

I have a good case. I have within my area nine of the eighteen basketball teams. They are from the Dayrells Road, Deighton Road and the Bay Land area. They are now teaching other areas. We contribute to them. The honourable Minister knows that. He supports his team and he was down there to see some of my teams beat them on many occasions.

Aside.

Hon. H. deB. FORDE: We have the best dominoes players in the area. We have the best jockeys in the area. We contribute most of the hockey players in Barbados.

Aside.

Hon. H. deB. FORDE: Sir, you know how the poor overcome their straitened circumstances. My constituents have been doing the same. They show that we have the talent.

Aside.

Hon. H. deB. FORDE: Yes, we have the Garrison. I am glad that the honourable Minister *sotto voce* said that we have the Garrison. I want the Minister to give a direction to the National Sports Council to permit Springfield Sports Club to establish a pavilion on the Garrison similar to what was given to the Rugby Association, and to demarcate that area for these people. If the Rugby Association could have those facilities, I want to know why Springfield cannot get equal facilities in those circumstances.

When I come in here and talk, I know the facts. People think I am not a sportsman, but I follow cricket, I follow hockey, and I follow all of these sports.

Asides.

Hon. H. deB. FORDE: Sir, I am not talking about that sort of sport. I am serious. Of course, I follow that. I am not talking about those sorts of sports now. I do not play those sports on the Garrison.

(Mr. B. M. TAITT: Any more.)

Hon. H. deB. FORDE: I play real, real sports on the Garrison.

To get back to the point, I really want to say quite clearly on recreational facilities for Christ Church that there is a great need for a community centre.

I have taken the honourable Minister of Sport — because although the honourable Member for St. Andrew is moving this Resolution, it really relates a lot to the Ministry of Sport — and showed him the best pasture in Barbados for a playing field and community centre, Rendezvous. His advisers have told him that it can be developed at minimal cost.

I want the Minister to let me know how soon the Minister of Housing will be asked to bring the necessary Resolution down to the House. These are not matters that take a long time. I do not want to hear that it has gone out for housing because Pillersdorf has sold it to somebody and Town Planning has passed it. The question of the alignment of the road has long since passed. I hope that my colleague, the honourable Member for Christ Church East (Hon. Dr. R. L. Cheltenham), will join me on behalf of the Christ Church constituencies.

(Hon. Dr. R. L. CHELTENHAM: I am tired begging.)

Hon. H. deB. FORDE: Although community centres are no longer the Minister of Sport's responsibility, but that of the Minister of Culture and Information, I believe the Minister of Sport has a contribution to make to this. We must be conscious of the fact that Christ Church has really suffered in this regard.

Mr. B. M. TAITT (St. Michael West): Mr. Deputy Speaker, I believe this is the first time I have had the honour of addressing you as Mr. Deputy Speaker.

Applause.

Mr. B. M. TAITT: It is traditional, and I am very, very honoured to be able to do so.

This Resolution has provided, apparently, the basis for which I have to listen to my colleagues who believe they have problems in their constituencies. Since cases are being put, I think I should appeal to the Minister.

I hear the honourable Member saying that he only has one community centre in Christ Church and then the other honourable Member saying that something has been acquired and he is hoping to have more. I should like to appeal to the honourable gentlemen on the front bench to have just a look at the constituency which I have the honour to represent. I think it is one of the biggest disgraces in the world that a people who live within a one mile radius of Bridgetown can be so absolutely abject when it comes to the delivery of social services of the kind which we take for granted in this Honourable

Chamber. In my constituency, there is not a single recreational area that is owned by the people.

(Hon. V. L. JOHNSON: They do not have any representative.)

(Hon. L. S. CRAIG: They have Kensington Oval.)

Mr. B. M. TAITT: The honourable Member says to me that we have Kensington Oval. We have had that before. It is not in my constituency, but that is not the point. I do not think he wants to be facetious about this serious matter.

(Hon. V. L. JOHNSON: And you have the Liberty.)

Mr. B. M. TAITT: The other honourable Member is saying that we have the Liberty. Thank God for the Liberty. The honourable Member is quite right. If we did not have the Liberty — he cannot go to the Liberty, Sir, for the same reason that you would not go.....

(Hon. L. S. CRAIG: Barrow cannot go there either. You and I can go.)

Mr. B. M. TAITT: What did you say earlier, that we are the security guards? He is now making the kind of sport that the honourable Member for Christ Church West (Hon. H. deB. Forde) talked about. He passes by the Liberty and a whole lot of other places.

The Liberty, thank God, does provide some outlet for the people who live in the immediate surroundings. But I think that we, as parliamentarians, apart from the partisan positions, ought to be embarrassed at the fact that there is not a single, solitary community centre, or development area, or anything remotely related to such activity, in the constituency that runs from Bridge Gap all the way up to Hindsbury Road.
8.25 p.m.

It is one thing to talk about density, but if you want to see density in population, I invite the honourable Members to come and see density of population as you go through Graves Land, Alkins Land, Richmond Gap, Peterkin, Hanschell Land and Bank Hall. The honourable Member for St. Michael Central (Mr. A. Truss) can get up and attest to what I am saying, because at a point when he sought to represent what is now part of my constituency, he recognized that there was not even a small piece of land area on which those people can go and play. We have road tennis, and even in the area of road tennis, we do not have roads for the people to play road tennis — they go on the school pasture in Hindsbury Road. It is fascinating to see the number of people who attempt to get some recreation on the Hindsbury School pasture. There is not a single hard court in the entire constituency — not one.

I am not only going to castigate the present Barbados Labour Party. The Democratic Labour Party was in power for 15 years and before them the Barbados Labour Party was in power, and this has to be something of a disgrace, something which everybody in here should be ashamed of. The people who live in that area are like beggars. We ought to be ashamed. It has nothing to do with my being their representative. There has to be somebody else who will represent them at some time. It cannot be right that an entire group has been systematically left out of the goodies in this country. We have no roads. We have no recreational facilities. We have no day care centers. We have nothing — and they vote in my constituency. The honourable Member for St. Michael East (Dr. D. G. Blackman) walked through that constituency with me in 1981. He made certain solemn commitments. It is now 1984, and the people in that constituency have every reason to believe that as poor, black people they are being deliberately ill-treated. I did not always have the part of the constituency that begins at Bank Hall and stretches over to Hindsbury Road, including Country Road. But when I took over that part of the constituency, all I can say to you, Mr. Deputy Speaker, is that mayhem followed murder. They are in worse shape in that area than the areas which I represented formerly. If honourable Members wish to make facetious remarks about that area, I believe that the honourable Member for St. Michael Central will assist me in saying that it is a burning shame — whoever is responsible for it. I am appealing to the Minister responsible for Sports, the Minister responsible for Social Services, or any Minister who will listen, to investigate the possibility of putting some kind of social services in that area.

One honourable Member asked, "Where is the land area?" We have three or four old properties in that area that still have sufficient land attached to them, that if it were intended to make any movement in the direction of providing these services for those people, steps could be taken. I freely admit that we do not have any large expanses of lands left, but even on Barbarees Hill itself there are at least two properties that could be made available. If we go into the Bank Hall area, we can find at least two properties that run back to back that would be available. I do not remember them by name, but I will take you and show you them if you wish.

While we may not be able to have a large playing field surely we can have a day care center. Surely we can have a pavilion where boys and girls can go and play indoor games. Surely we can have a hard court. You do not need a large amount of land to have a hard court. But no! These people have come to feel that they are forgotten. They are not forgotten by their representative, and they are not going to leave me out and I am not going to leave them out. I am never going to leave them out, because they are not only part of me in terms of my being in the House of Assembly — they are part of

my natural heritage. That is why it is so embarrassing and painful.

I rejoice with the people of Belfield that, finally, they have a multi-purpose pavilion. I have not seen it in detail. I think that it is shaped in the wrong way, but even if it is, I still rejoice that they have it. I am not going to play hypocrite and say because the Barbados Labour Party put it there — at the urging of Senator Hall. Quite seriously, I am glad to see that there is a recreational centre in that area. I would like to see another recreational area in the Spooners Hill area, because for the people who live in the Fairfield/Spooners Hill area, there is not a single recreational area.

If you take that whole sweep of people that run virtually from the City up to the first ridge by Codrington, you will find that there is a significant absence of certain services. We have the stadium. That is just like the honourable Member telling me the other day that he finally fixed some roads for me in my constituency. Do you know where they fixed? Barbarees Hill. They fixed Barbarees Hill and he told me they fixed some roads in my constituency. I am grateful they fixed Barbarees Hill and Prescod Bottom, which it was believed belonged to the honourable Member, and White Park main road. I think, though, that when all is said and done, those honourable Members, especially the Minister of Sports, and the Minister of Transport and Works, and the Minister of Housing, in spite of the political commentary which might go on while I am making this speech, must feel that something is fundamentally wrong if such a large group of people we represent can be without even a single iota of any of the services.

The Member for Christ Church West said that he needs more, and I think he does, but at least they have one. I will not deny that they need them, but they have other services, too. We have more.

Hon. H. deB. FORDE: Sir, so that the honourable Member will get my speech correct, what I have said is that in the whole parish of Christ Church, from the sea back to the St. George Valley, there is only one community centre. That was established in the 1950s in Vauxhall, in the constituency of the honourable Member for Christ Church West Central (Mr. M. A. King).

Mr. B. M. TAITT: Sir, that adds to the shame. All I can do is to rest in the hope that my colleagues on the other side and that we in this Honourable Chamber will recognize that while there can be some politics in providing some of these services, the denial of these services ceases at some point to become a political action and becomes something else. We as a people cannot afford to go on through the years denying these people who have made significant contributions to the development of this country. A large number of those

people, some of them have now retired, have worked in "The Shippings" when it used to be called "The Shippings". They have contributed to the growth and development of this country. They are entitled, and if not them, their children and their children's children are entitled to feel that when we took over the country, we brought some of the goodness to them.
8.35 p.m.

It is only because some of the other honourable Members were putting the record straight that I thought it necessary to make this speech, of which it can be said I have made it time and time again in this House, and I will make it again some time in the future so long as it is necessary. My own hope is that it will not be necessary during the next two years, to make this speech either about the road, or the day care centre, or the recreational facilities, or the general malaise which attend this constituency and surrounding areas.

Mr. A. TRUSS (St. Michael Central): Mr. Deputy Speaker, I should like to join with honourable Members who spoke and who lack facilities in the particular constituency they represent. I completely agree with the honourable Member who just sat down, the Member for St. Michael West, (Mr. B. M. Taitt) although I do not believe that the Government has systematically gone about to ill-treat the people of St. Michael West. I think for the record that should be corrected, because if I assumed that that is the case, then it means that the Government is systematically ill-treating the people of St. Michael Central as well. In St. Michael Central there is no community centre, there is no sports centre, there are no recreational facilities at all.

(Hon. L. S. CRAIG: You have the national stadium).

Mr. A. TRUSS: The stadium is in St. Michael North East. I have no polyclinics, no hard courts, no day care centres. All the things Members have been complaining about I could complain about as well.

The honourable Member for St. Michael West raised two points which I think have to be dealt with. He said that the people of St. Michael West were being systematically ill-treated. I do not think that is a fair comment on the Government.

Mr. B. M. TAITT: If the honourable Member would give way, on a point of explanation, what I said was that those people had come to believe that they have been systematically ill-treated.

Mr. A. TRUSS: Mr. Deputy Speaker, they are not being systematically ill-treated by this Government, because the people of St. Michael Central, whom I have the honour to represent, also do not have the facilities

that the honourable Member for St. Michael West spoke of.

He also spoke about political action. I do not think that this is a case in which the Government can be blamed for taking political action. The parishes of St. Michael and Christ Church are the two major parishes of Barbados, and 56 per cent of the population of this country live in these two main parishes. What has happened is that there has not been an even distribution of the community centres and sports complexes throughout the parishes of St. Michael and Christ Church. I dare saying that in this instance some of the country districts have been better treated than the very densely populated areas of St. Michael and Christ Church, but on the other hand the areas of St. Michael and Christ Church are beneficiaries in other ways. They are the beneficiaries of natural gas where the country districts are not going to get natural gas very soon.

It is all a question of timing and money. We are all aware of the fact that within the last few years the entire international economy has been in recession. We in Barbados have felt the pinch. I believe the Minister of Sport is doing his best to distribute as equitable as possible the amount of money that is voted by this Parliament to be spent in the area of sport.

I too would like to say that I believe that sport is no sport, in the sense that it is a very serious thing for young people not to be able to have something to do in the afternoons or evenings when they come in from school or from work. In fact, particularly now when unemployment is at its highest since 1974-75, it is even more important to have young people occupied in sports before they get themselves involved in trouble. I, too, would like to see something done. I am making a special plea, a parochial plea, on this particular occasion, but I understand the position of the Government. I think that the honourable Member for St. Michael West, as indeed the honourable Member for Christ Church West, understand the position of the Government as well, and all I can say is that I do hope that the Minister in future will try to ensure the even distribution of these sports complexes, day care centres and hard courts, and that he takes into consideration all of the constituencies within the parishes of St. Michael and Christ Church.

Hon. V. L. JOHNSON (St. Michael West Central): Mr. Deputy Speaker, it is an honour to be addressing you in your capacity as Deputy Speaker of the House, and I am rising principally to get the opportunity to so address you. In addition to that, I would like to reflect on the speeches that we have heard on this acquisition.

It is sad when various members from contiguous constituencies in St. Michael feel obligated to get up in the House of Assembly and make a plea, each one independently, for separate and distinct community

services. When I was a youngster living in Fairfield I used to play knee cricket at what is now Fernihurst on Annie Jones' pasture. That area would be regarded for most purposes as Goodland, but I was a Fairfield boy. Nowadays one seems to get the impression that the sense of community is beginning to disappear and that each little ecological niche isolates itself and does not encourage cross participation of persons from adjoining areas. So if somebody from Belfield trespasses on the Farm's playing facilities, a fight breaks out.

(Mr. B. M. TAITT: Why did you not put that pavilion in my area and let your group come across?)

Hon. V. L. JOHNSON: I had in mind that your people would be happy to come over to Belfield, and that is why we built such a fine pavilion down there — to accommodate the large catchment area represented by Greater Black Rock, Wavell Avenue, Seclusion Gardens and Fairfield.

In addition to that, I believe that we now need to look at the possibility of providing these facilities through other means. Instead of investing independent sums of money in each community for recreational purposes, it would appear that during the course of planning for schools these facilities could be incorporated in the school complexes for the purpose of the children during the school day, and that in the afternoon hours these very facilities be made available to the persons who live in the community. As it now stands, when school is finished, the gates are closed and the watchman starts to preside, and the community is debarred from the school premises until the next morning.

In the United States of America and in other countries a bit more enlightened on these matters than we are at the moment, school facilities are opened to the community around the clock. So in building a school you build a community playing centre, and you do not have to go and look for additional funds to put a playing field next to one that exists within a school compound. I would urge upon the central planners to investigate more fully the prospect that we might be able to get more resources for a limited sum of money by allowing our planning to be more comprehensively involved. It is a matter of dualism, having the playing field and school together in the same complex.

I think that the people from St. Michael West, as I heard the honourable Member say, are suffering, but I do not know that we can underscore neglect in the same indictable sense that he seems to be drawing it, because right next door to St. Michael West in the Farm is a large football playing centre where his constituents and the constituents of St. Michael North West and St. Michael West Central all go to play sometimes. A large hardcourt, perhaps one of the largest hard court facilities

in St. Michael, is at the Farm, and his constituents have access to that facility as well.

8.45 p.m.

I believe that I know the geographical area represented by the honourable Member for St. Michael West and there is no open space existing in St. Michael West, none, not a single area of land with two acres that would accommodate a playing facility.

Mr. B. M. TAITT: If the honourable Member would give way. In elucidation, I have to point out to him that St. Leonard's churchyard has seven acres of land. On the eastern side of St. Leonard's there are acres and acres of land, and on the property adjoining that, that runs on to Barbarees Hill and which is owned by the Hewitts, there are acres of land and a run-down house.

In the property on the other side of the road, again there is a large quantity of land, with what used to be the community centre. The piece of land at the bottom of Passage Road is open land. I had to beg the honourable Member not to put housing there. That is also seven acres. So I do not think the honourable Member should make that categorical statement that there are no open spaces.

If I remember correctly, when the honourable Member for St. Michael East (Dr. D. G. Blackman) was Minister, he had indicated that the Chinese had given \$1 million and that they were going to be using that money to put up a facility at the bottom of Passage Road. I think the honourable Member should be aware of that information before he goes any further.

Hon. V. L. JOHNSON: Mr. Deputy Speaker, the areas to which he referred are all areas which have been earmarked for some specific use. The area he referred to at the bottom of Passage Road has been slated for an indoor/outdoor stadium for quite some time. The area he described in Barbarees Hill is owned by Mr. Hewitt who, to the best of my knowledge, is still very much alive and you cannot go, and appropriate the man's land, considering the fact that he is yet alive and strong. I still say that there are no open areas in St. Michael West that would suit the purposes of a playing facility. One would have to do massive acquisitions and then demolitions in order to clear sites — all at extremely high costs.

If you are talking about Mr. Darcy Scott's land in Barbarees Hill, that is a property bordering on \$1 million, and I do not think that the Government is going to acquire land for \$1 million, clear it and then build a playing facility. It just does not make economic sense. These are points that need to be taken.

Asides.

Hon. V. L. JOHNSON: I just told you. It is earmarked for a stadium which will go to benefit not only the residents of St. Michael West, but the greater community, particularly those who live in St. Michael.

Mr. Deputy Speaker, I believe that this Government has brought an enlightened approach to this business of providing facilities. I should like to congratulate the present Minister for Sport, because he has gone about it to me, in a sensible and systematic way. He and I have had to come to some strong words with respect to Belfield, but the point is that he has systematically and painstakingly gone about establishing land banks for the purpose of recreation and I do not think that he can be faulted.

If any lack exists, you have to blame that party. The honourable Member for St. Michael West was perfectly correct when he said that the Democratic Labour Party represented that area for 15 years, and for some time before that and during that long period — two decades approximately — the people of St. Michael West, as it now is, were neglected — not by us but by them.

Asides.

Hon. V. L. JOHNSON: I will do the roads soon.

I believe that the honourable Member will have to admit that we have been fair and reasonable. I am conscious of the expressed needs of the people for roads, although this is not the appropriate place and time to talk about it. The honourable Member for St. John (Rt. Hon. E. W. Barrow) pointed to the reasons why the people from that area particularly are suffering from the lack of proper road facilities, and especially in places like Bosvigo — and Hanschell's Land, those two very massive tenancies. So it is not to say that we have been wicked or we have been deliberately seeking to deprive people in these areas. It is just the sheer turn of circumstances that makes it the way it is.

I am grateful, Sir, for the opportunity to address you in your capacity as Deputy Speaker and I am equally grateful to have the opportunity to support this Resolution.

Hon. DeL. O. BRADSHAW (St. Michael South East): Mr. Deputy Speaker, it is true that Rome was not built in a day, and honourable Members should probably remember that maxim. There are a number of facilities that are required throughout Barbados but a Government cannot do all of them in any one financial year. As Communities grow and housing developments continue to develop throughout Barbados, you will find demands for sporting facilities. Also, one of the problems which this Government has to face is a situation which we inherited, that settlements in Barbados did not take

into consideration the provision of adequate recreational facilities, and now that sport has become an accepted thing in our way of life, especially over the past couple of months, more and more demands are made on the National Sports Council and even the Ministry of Sport.

I am not going to promise this Honourable Chamber or anyone else that I am going to be able to realize all of the facilities that are necessary. There is a question of finance. As you know, Mr. Deputy Speaker, we get a yearly allocation, and I have got to do everything possible to ensure that as many facilities are accomplished from this small sum of money. For instance, we have got to look for \$1 million to rectify the National Stadium. That will have to come out of our budget. We will have to look for another half of a million dollars to relay the track at the National Stadium in addition to a lot of other things, but this Honourable Chamber is well aware that for the 1984/85 Estimates a small sum was included for the development of sport.

What I am prepared to do as Minister responsible is to see that the cake is spread as wide and as equitably as possible. In Christ Church West, I have already identified an area in Dayrells Road where Senators and Springfield play — I know that they are the island's top basketballers — and I hope to provide a hardcourt there. In the Waterford Area, the honourable Member for St. Michael Central need not worry because the National Sports Council was directed to have that area levelled. I have already given the honourable Member for that constituency the assurance that, come next year, some facility will be constructed there. But all in all honourable Members need not grow hot over this matter. It is going to take time, and I am prepared, with the services and whatever facilities are at my disposal in the National Sports Council, to make good all these particular concerns. It is just a matter of time.
8.55 p.m.

The honourable Member for Christ Church East needs facilities. I am well aware of that. He needs training facilities and maybe a community centre, but the Ministry of Sports is not responsible for community centres. As far as the Garrison is concerned, that is the responsibility of the Ministry of Lands. Anyone who wants to lease or put a facility there may apply to the Ministry of Lands for such permission.

I am aware that there is a great demand for recreational facilities throughout Barbados. We should not seek to make it into any parochial issue or any political football inside here. It takes time and honourable Members must understand that not all of them are going to be accomplished in any one year. I will do my best over the years, at least during the time I am in the Ministry, to satisfy as many needs as I am able to.

Hon. L. B. BRATHWAITE: All honourable Members who have spoken, with the exception of the Minister for Sports, have been making very heavy demands upon the Government with respect to playing facilities. The honourable Members for St. Michael West (Mr. B. M. Taitt) and Christ Church West (Hon. H. deB. Forde) have made some very tall demands. When the honourable Member for Christ Church West was speaking I was beginning to wonder what the Government can do to bring some satisfaction to his mind and soul. The Ministry of Housing and Lands acts on behalf of client Ministries; we do not initiate acquisitions by ourselves. The honourable Member for Christ Church West knows that I am not reluctant to do anything that is reasonable which he might request.

I want to say something which I have said repeatedly. I said it when I was in the Ministry of Agriculture, I said it when I was at Communications and Works and I am going to continue to say it as long as I am alive. Barbados is a very small country, and with our limited land resource we have got to allocate lands for playing areas, for housing and for growing food. We like to import and we believe we must import everything we eat and drink, but we have got to have land to provide us with certain basic necessities, since we never know when the time will come that the boats or the planes will stop coming, even if only for a short time. Barbados is not more than an hour from one point of the country to the other. If you live at Harrisons in St. Lucy, you can get to the lighthouse in St. Philip in an hour. I can get from Belleplaine, St. Andrew, to the airport in 30 minutes' time, and I do not think I break the speed limit.

The point is that the time has come when we have to rationalise the number of playing fields and social centres and all these great demands which are being made. It is my view that even though you might need playing fields within certain strategic areas, you cannot have playing fields in every area in Barbados. Playing fields must be looked upon like roads or water in districts. It should not matter who represents where; if it is felt as a result of research that a playing field is necessary in St. Michael West and lands can be found, by all means one should be put there. Similarly, if it is felt that one is necessary in St. Michael Central and the land is available and the population is there to support it, and there are no other areas with that amenity, by all means give it.

I suppose that one of the reasons why Christ Church might not have been looked at in the past as an area very ripe for community development in terms of sports and social centres, is probably because you have always had a good bus service there and people can get to Bridgetown where there are playing areas and can get to the beaches, like Worthing, Oistins, Silver Sands and Long Beach. The people in St. George and St. Thomas, and even in St. Andrew where the sea is hostile, might

find it difficult to get to beaches and might therefore have a greater need for playing facilities. You might want to look at facilities in that light, but you cannot in a small society consider that in every little area a playing field must be provided; you have to look at everything in a very rational way.

I do not believe that anybody has ever seen in this Cabinet, and certainly would not have seen under the Democratic Labour Party Government, the people in St. Michael West as a people who should be despised. God forbid that that should be so. In my view, very nice people live there, and to me they are very forcefully represented, and I do not think anybody would want to do anything to hamper them. I would be terribly upset if I could imagine any of my colleagues would do anything to affect the good people who live in St. Michael West. It is not the policy of this Government to discriminate against the citizens of this country, and even though the constituency is represented by the honourable Member who now represents it, probably very soon its representative might be from this party. You always have to look and hope that you will win people over, and you cannot win them over by hating them.

I hope that the honourable Minister for Transport is listening and will bear with some understanding and sympathy the pleas that are put up. I will continue to discharge my duties and functions faithfully and, as I have sworn to do, without fear or favour.

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

Hon. L. S. CRAIG: Sir, earlier today, I gave notice of a Resolution for \$34 000. It relates to the by-election in St. Peter and I propose to do it now in all its stages.

Order No. 15 was called – To move that the House resolves itself into Committee of Supply to consider the grant of sums of money for the service of this island.

On the motion of Hon. L. S. CRAIG, seconded by Hon. V. L. JOHNSON, 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.

SUPPLEMENTARY ESTIMATES 1984-85 \$34 328

HEAD 15 - CABINET OFFICE

Subhead 1 - Electoral Office

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Chairman, the Addendum to this Resolution sets out the purposes for which supplementary funds are needed. This is the first of many such supplementary Resolutions to come before the House in the next few weeks.

Item 8 is generally a small head; \$2 610 was voted. We are asking for \$2 000 more because of expenditures and maintenance of properties of one sort or another. Subhead 4, the popular one relates to the by-election. By-elections cost money. We have to hold another one. It would not be quite as much as the first by-election, because you would not have to repair the ballot boxes and that kind of thing again. Perhaps we will have to clean the schools, and there might be overtime for electoral staff. I do not know if we are going to have another voters roll. I do not think we have to go through all of that.

(Mr. B. M. TAITT: You have to, by law.)

Rt. Hon. J. M. G. M. ADAMS: You have to go through all of that? I believe a great deal of work has already been done by the Electoral Office anyhow in clearing the list.

One of the unfortunate things about the by-election was that there should have been controversies about people's entitlement to vote. Perhaps honourable Members on the other side are not aware of this to the same extent, because I do not think they had so much controversy. I think very generally, the way they objected to a voters list was to have their names removed from the list, sometimes without even telling them, including one of the presiding officers, who is a clergyman. His name was removed from the list at the behest of the honourable Member for St. Michael West, and when he tried to cast his vote, his vote was refused.

(Mr. B. M. TAITT: Properly so.)

Rt. Hon. J. M. G. M. ADAMS: On the other hand, certain clergymen to whom we objected remained on the list, but were given notice.

(Mr. B. M. TAITT: Discretionary power.)

Rt. Hon. J. M. G. M. ADAMS: Nonetheless, whatever happened, happened. I believe the whole exercise in the long run shows the electoral system at its best, because it shows when things go slightly wrong, there are means of correcting them.

I do not think that honourable Members will have any difficulty with voting the sums sufficient to pay for the first by-election and the second. The estimate is \$20 400.

I beg to move that Head 15 do now stand part.

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

Mr. B. M. TAITT (St. Michael West): Mr. Chairman, I will obviously not debate this Head because I do not think that here is the place to debate it. I just want to remind the Prime Minister in his capacity as Minister of Finance that the attorneys who participated in what he calls correcting any little thing that goes wrong and helping to preserve the system and helping to preserve our concept of justice have not yet been paid. I know this is not the Head under which they will be paid, but it arises out of this Head. They will have to be paid. It is my understanding that the judgement calls for the Crown to pay the fees for Attorneys on both sides.

(Rt. Hon. J. M. G. M. ADAMS: Was the Crown a party to it?)

Mr. B. M. TAITT: I do not know. If I remember correctly, a very erudite submission was made by the attorneys representing the petitioner that Government should set aside funds to pay the attorneys.

I do not propose to put my position on this. It is a matter on which I ought not to have a position because I, in fact, have an interest and should so declare it. I am only saying that this is a matter on which the Government should state their position, although not necessarily here tonight. I am only reminding the Attorney-General that the Chief Justice did make comment in this regard and that at some appropriate time I think that these persons ought to have some indication from the Government as to what is the Government's intention and what is the Government's position. Failing that, the matter will simply hang.

I really believe that a lot of work was done not only for the petitioner and the respondent, but for the country as a whole. I do not believe that the people at large will have any objections to the attorneys who participated benefitting for the effort which they made. I hope that the Minister of Finance will find it convenient to consider this matter at the appropriate time. I hope that he, as Prime Minister, would let us know what the policy of the Government is on this matter.

Mr. P. M. GREAVES (St. Michael North): Mr. Chairman, I want to approach this matter from a different perspective. We have just gone through a by-election in St. Peter, the result of which is now history. There have been problems connected to that by-election. Quite

honestly, I do not think any of us would like to see those problems repeated.
9.15 p.m.

I believe those problems arose either from the lack of proper training, maybe on the part of the Electoral Office, or the choosing of persons to preside at the stations who were not amenable to training, or perhaps the choosing of persons who were too able to be able to carry on a sustained effort over a 12 hour voting period. I should like to see the Government, and I am including the Electoral Department, make a special effort on this occasion not to have a single session with those who are appointed to preside at the stations but to have a number of training sessions, seminars if you like, with the presiding officers to make sure that the kind of errors that took place last time are not repeated in this by-election or in the general election to come. We can use our experience in the St. Peter by-election to good effect.

I should also like to see the kinds of persons appointed to preside not only as being persons who will be impartial, but who really understand what it means to preside at a station. It is my understanding, so it is said, that persons whose names were recommended by the presiding officer were not chosen and other persons were chosen in the place of those whom the presiding officer recommended. I would like to see people of calibre take their places at stations so that we can eliminate those problems that existed.

I do not believe that we should have a returning officer who is a civil servant. I believe that we should have someone who can bring a truly independent mind to bear when he is called upon to adjudicate on certain matters. I happened to be the Minister in charge of Elections at some point in time and we had some returning officers who were old headteachers and still sitting, so what I am saying can apply to everybody. I believe we should have persons who are independent, persons retired, but people who cannot be pressurized. That is the kind of persons whom we want to have in our electoral system. We will have a greater respect and confidence in the system if we have this system.

I want to make one final point, which has been made on this side and on the other side from time to time — let us have that Electoral and Boundaries Commission.

Mr. A. TRUSS (St. Michael Central): The Minister responsible for electoral matters should take in consideration comments made by the last speaker. I, too, as all honourable Members, would like to see a fair and free election in the upcoming by-election as well as in the General Election in two years, or whenever it is convenient for the Prime Minister to so call.

I believe that the presiding officers have to be trained properly. I believe that at some stage money

should be spent on a seminar or a series of seminars or courses to ensure that presiding officers particularly, and returning officers are trained properly so that they would know what has to be done before the actual day. If there is then a dispute, there would be no fear of being pressured because they would be in full control of the situation in so far as they know what is right and wrong.

The problem with the last by-election was that we ran into great difficulty when the returning officer was not sure of what was right or what was wrong. In the areas in which he thought he was right, he stood firm. I do not believe that he trembled when someone shouted at him, but in the areas in which there was doubt in his mind, you could clearly see that he was unsettled in his mind as to what he thought was right and wrong. He shifted his position from one to the next.

Some money should be spent in the area of training and I also believe that at some stage the public should be educated. GIS should run a programme from time to time on what voters are expected to do on polling day. Many voters did not know until the by-election that the ballot had to be stamped on both sides. This is something which a lot of people have mentioned to me. I think that if the voters themselves are educated and know what the procedures are, then the chances are that when the voter votes he can ask why his ballot was not stamped. It is all a matter of education, and I do believe that it is not too late for us to start educating the public as well as having some special seminars or courses for the presiding and returning officers.

Hon. H. deB. FORDE (Christ Church West): I concur with the points made by the honourable Member for St. Michael Central (Mr. Truss) who has just spoken. I think he has made some valid points. The outcome of the St. Peter by-election is now history, but having participated in the electoral case, I doubt whether we will see many such cases for quite some time in Barbados. I think it is only when it is a very close result, as there was in this case, that one will expect some of the points which were taken and adjudicated to be so taken.

I think, however, that the case does outline some very vital principles for the electoral system in Barbados. I think that there are points which one would have wanted clarified, and I should like to congratulate the petitioner of having had the courage to seek the clarification of those points. I think that history will prove that his principle was quite correct when one looks at the long term necessity to safeguard the democratic electoral system in our country.

The margin of error in the case, however, was not significant, and whatever criticisms one has to make of the electoral system, I believe that a large number of people came out of the system with some pluses. There were errors, though, some of which I believe all of us

who were at the inspection thought could and should have been avoided. I believe that the officers must pay more regard to making up the final sheets and they should pay more regard to making and crossing off the lists those persons who vote at polling stations. I do not believe that there was one polling station at which one could say that the voters list used represented the facts of people having voted. I think that was true not only of the officials who worked at the stations, but was probably equally true of the party officials on both sides who kept the respective voting lists. We must pay more attention to that aspect of the matter.

The whole issue of elections should be removed from the partisan, political domain. I think it is too vital for the public life of this country for that. Politicians must have absolute confidence in the electoral machinery and must be able to convey that confidence to their party supporters. Whether we are in Government or in Opposition, I think we should be able to say on a non-partisan basis that our electoral system is second to none. 9.25 p.m.

There are some obvious defects in the present Representation of the People Act. By and large it is a reasonably good Act, but I think we have not looked at certain aspects of the law of representation. I believe that we ought to consolidate the Representation of the People Act with the Election Controversies Act. I believe in many respects the rules made under the latter Act are deficient and do not give enough guidance for testing by an election court of some of the points one would want to raise. I also believe that there are other defects, of which I have spoken, which should be rectified.

I would like respectfully to suggest to the Minister who is responsible for this subject that it is an area in which a non-partisan committee, or a committee representing both political parties, should consider a draft Bill consolidating a revised Bill dealing with this matter. I would counsel that it should not be left too near to the elections. Whenever this happens, the matter becomes controversial. We tend on the platforms to lose reason and rationality, and by our statements we encourage our supporters, who may not be as understanding of our rhetoric as we would hope, to believe that all is bad in our electoral system.

I am a strong believer in the multi-party democracy. I believe that we need strong political parties, and we do have two strong political parties. I believe that the two political parties can agree on an election system in which it is possible for us to have confidence. I believe that an attempt has been made to beef up the Electoral Office, but despite that I would not want to see repeated some of the confusion that occurred in the 1976 election. This can only be avoided by long term planning, by more staff in the Electoral Office and by an approach in which

the leading political parties can agree on the laws and regulations which should be on the Statute Book and in the practice which should follow.

Maybe I will have another opportunity and not at such a late hour to talk on this subject. I think that we have on both sides of the House people who are very knowledgeable in this field. I think, for instance, the present Minister is unrivalled in his knowledge of electoral law and electoral procedures. It is a subject that he has studied for a long time, perhaps even before he went to Oxford. I have seen on the other side, having observed some of the comments of the honourable Members for St. Michael West and St. Michael North, and Mr J. C. King, people who have some knowledge of the subject, and we have other people with quite a knowledge of the electoral laws and procedure, and therefore I will commend to the Minister and to this House that we should try if possible to revise and consolidate our laws as soon as possible.

Mr. R. E. BRATHWAITE (St. Lucy): Mr. Chairman, I agree with some of the previous speakers. The honourable Member for St. Michael North (Mr. P. M. Greaves) spoke about training. I will agree that training is very important, but I believe that the most important thing is dedication from people who intend to be honest in whatsoever they do. I was not satisfied with what went on last time in some parts of St. Peter, because there were some people whom I knew lived in Christ Church and St. Lucy who voted in the constituency of St. Peter. I do not believe that was good enough, and I feel that the electoral officer has a very hard task on his hands. He cannot do it in a short time either. I believe the only way we can get honest elections in Barbados as far as the electorate is concerned is to stamp the ballot of the individual on the particular day.

In the process of five years a man can live in St. Lucy for the first year and register in St. Lucy, move to St. James in the third year and register in St. James, go to Christ Church in the fourth and fifth years and register there also. Automatically, that man has three rights to vote. I can assure you that all the ID cards you talk about, and that individual puts his name and signature one place, he can do the same thing at other places, because at no time can the officers in charge check on that.

I am sure that this actually happened in the election of 1981, and I hope that that sort of thing does not happen again. I feel the time has come when a man should have one vote. I feel there should be some means when you go to vote for some mark to be put on your ID card so that you cannot move from there to any other place to vote, unless you try to tamper with the mark on the ID card. When we reach that stage, I believe we will not have all the confusion.

There was a chap who used to live in St. Lucy years ago but who has been living in the parish of St. Peter for the last 12 years. This individual went two weeks before the election of 1981 and asked to have a transfer to the parish of St. Lucy. Since then he has gone back and asked that he be transferred back to St. Peter. The electoral officer said he could not agree with that. That individual still by chance got away and managed to vote. I say that is because somebody was not doing their homework, because when a name is transferred from one constituency to another, his name should be crossed out from one.

There are people who have been living overseas for 14 or 15 years and are still on the electoral list. They came in and voted at the last election. I feel that the electoral officers in this country should be more serious about what they are doing. Then, there are people who have died and their names are still on the list. I heard of a young boy who is in America and his brother resembles him and he also voted. In those circumstances it is a very touchy exercise, and all of us should join hands together and get it solved, because it is a very hard and difficult task to know that a man wins by right and still loses when it comes to the count.

Mr. B. M. TAITT: I should like the Minister responsible for electoral matters during the next by-election and all subsequent elections to arrange for each political party, and perhaps each candidate, but certainly the political parties, to have a master list of the register of voters. A master list would eliminate much of the confusion and trouble, and it can do no harm. In 1981 we had tremendous difficulty because there was no master list. Steps should be taken to ensure that that does not create a problem.
9.35 p.m.

There are a number of other things obviously which can be said about the St. Peter by-election. I think the hour is too late to debate the St. Peter by-election, so I am waiting until the next time around. There are a lot of things to be said.

Rt. Hon. J. M. G. M. ADAMS: I think a Master List costs less than \$6,034.16. The honourable Member for St. Michael West would know exactly what I mean. That is the advertisement in the *Advocate* that you cannot pay for because the law forbids it, although I believe that the law has other interests in the matter.

Asides.

Rt. Hon. J. M. G. M. ADAMS: I am not dealing with any case that may come before the courts. I am dealing with the adding up of the amounts of money in newspaper column pages that were observable to the public. The amount of money that was spent in newspaper advertising so far exceeded the cost of a

master list. It left the election expenses allowed by law way behind, and it so far exceeded the cost of a master list that I believe that a political party that can obviously break the laws on election expenses can buy a master list.

Mr. B. M. TAITT: If the honourable Member would give way. I do not know of what he speaks, although I am sure, as usual, he knows of what he speaks. But we were not discussing the purchase of a master list — we were discussing the availability of one. I do not think it is necessary for the Prime Minister at this hour to get cheesy or facetious and play cute. If he knows of something, that is his business. I do not know anything about what he is talking about, but I know that the Democratic Labour Party has never been able to get a master list for any amount of money or for love. Maybe there are other instructions.

Rt. Hon. J. M. G. M. ADAMS: The honourable Member means an alphabetical list of everybody in Barbados. Well, unfortunately, I do not believe the law permits that to be supplied. We have never had one either, I can tell you that.

Asides.

Rt. Hon. J. M. G. M. ADAMS: Political parties were supplied lists of voters for each constituency, but I have never had a master's list myself, and I am in charge of national registration.

I am going to deal with the points made which have been made. I am not going to deal with the point about the cost. That is under consideration. The Government has not had a bill of cost from the petitioner.

Training classes are held regularly. Refresher classes are given before a by-election. A special class is given to everybody who will be working. At the time of a general election, people are given classes, although, perhaps, in less detail.

Asides.

Rt. Hon. J. M. G. M. ADAMS: Did the honourable Member say civil servants should not be appointed?

Mr. P. M. GREAVES: I think you should give consideration to appointing the officials earlier. They are appointed too late to have any kind of training that might be useful.

Rt. Hon. J. M. G. M. ADAMS: We now come on to the point made by the honourable Member for Christ Church West. The law is deficient. You cannot appoint returning officers before an election is called but you have to appoint them coincidentally with an election.

It is a convention that you appoint the registering officer as a returning officer. In fact, you can appoint a returning officer any time, of course, but there is no payment for a returning officer and therefore he had no incentive in 1982 to be a returning officer.

Asides.

Rt. Hon. J. M. G. M. ADAMS: What incentive does he have? There is no election. He is not going to get paid. He has no function to carry out, nothing at all.

The convention is that you select somebody who is going to be a returning officer and make him the registering officer and he gets his training in electoral law in the course of doing the registering officer's work. The cash money goes to the registering officer, not the returning officer, who is paid *ad hoc* only.

The honourable Member deprecated the appointment of civil servants as returning officers. I think that the uncle of a candidate was a returning officer in 1976. He was so bad that, before the election, his removal was recommended by the Supervisor of Elections, but the Minister, his nephew, refused to remove him and indeed took him on inside the Electoral Office. He had three jobs in all.

Asides.

Rt. Hon. J. M. G. M. ADAMS: George's Moe's uncle, if you want to know. The Supervisor of Elections recommended his removal. Is he the sort of person that we are to be told is to be independent and not be subject to pressure?

Asides.

Rt. Hon. J. M. G. M. ADAMS: Yes, of course, it was bad. On the other hand, I am going to give another example. I am not going to call the name because he is somebody for whom I have the greatest respect, and I believe the honourable Member for St. Michael North is in the same position. He may very well have been first appointed in the honourable Member for St. Michael North's time. I am going to draw the illustration in this particular constituency because it is an example of the fact that lightning can strike anywhere. A man may be a civil servant and pressurized. He may be a civil servant and resist pressure. He may be a civil servant and know the rules. He may not be a civil servant and know the rules or not know the rules. It is a matter of personality.

I am going to draw this example because in some ways it resembled the St. Peter by-election, but the atmosphere was much less charged and therefore it did not have to go to an election court. There was a majority of 13 after the votes were counted. I — and who was I? The Leader of the Opposition — went to the station.

There was obvious confusion in the station. There were two lawyers, one of them an exceptionally incompetent lawyer, the other of them a civil servant, perhaps without the expertise in electoral law. He should have been trained because he was a lawyer and his advice was taken, but he knew no electoral law, he was never exposed to it. I am not blaming him; in his own field he is a very, very good lawyer.

Those two lawyers and the returning officers between them had managed to eliminate over 130 votes. They called them spoilt votes but they were not spoilt votes. They were rejected. That is another thing, the nomenclature. Everybody should start to learn the difference between a spoilt and a rejected vote. There are virtually never spoilt votes in Barbados. I have never seen one. I heard there was one in St. Peter and it was not declared as such. It was just put in an envelope and let loose to be found among the papers by the lawyers, but it never appeared on any list as a spoilt vote although it was a spoilt vote.

There were over 130 rejected votes and the losing candidate was in a state of excitement and tension, although not so great a state of excitement and tension as the winning candidate, because he could see among the votes a very large number which were valid votes cast for him. I asked the present Mr. Speaker and Senator Barrow to go to my office to collect my father's old books on electoral law — we were all in Opposition — and to bring the chart of valid votes to show the returning officer. He had never been told, and the lawyers with him could not tell him, that a vote to the left of a name is a valid vote or a vote in ink is a valid vote, and eventually — and this is the contrast between St. Peter — two members of the Opposition, one a teacher of law and the other a lawyer, were able to persuade the returning officer, appointed by the Government, and help him analyse the votes one by one. The result of it in the end was that 64 of the votes which were previously rejected were awarded to the candidate who was in the minority and 60 to the candidate who was in the majority, so in the end he won by 9 votes.

9.45 p.m.

Let us contrast that with the atmosphere in St. Peter which we all saw, and which I think was a very unsatisfactory atmosphere. These are not things that arise basically from the system; these are things that arise from human personality. In St. Peter on the night there were some shouters on both sides, threateners, bad-behaved people, two of them talking now, and a wrong result ensued. In fact, I believe that now the tumult and the shouting has died, clearly it caused other effects. The decisive vote, the vote with the I.D. number written on it.....

Asides.

Rt. Hon. J. M. G. M. ADAMS: It should have been searched. That was a bad decision on the part of the returning officer, but you have to forgive a man. Twenty hours or 24 hours of ceaseless pressure by the great and mighty in the land, you have to forget that after a time on the decisive vote, bad advice was given on the decisive vote by somebody who should have been in a position to give good advice, and who, when the law is examined, had no right giving advice at all when you really get down to it, and the decisive vote was a result of bad advice by the best trained of all when you really analyse it. So what would training do?

There are human situations that cannot be avoided by improving the roads. I think there have been a few returning officers who have departed from the highest standards of impartiality. I have looked at the records of all the returning officers that are available in the Electoral Office in four elections, and I do think that those who presided in the elections of 1981 are by and large the most impartial. Those who presided, strangely enough, despite the abominable example of Mr. Moe and two others in 1976, are the worst of all, and those who presided in 1971 were for the main part impartial, but I do not think demonstrated quite such a level of impartiality as those of 1981.

When you get down to it, it does not even matter what Government is in power and what method of appointment is used. Maybe you could draw a lesson that where a political party is fairly confident, it does not feel it necessary to load the dice in its favour by the appointment of people that can be relied on for dirty work on the crossroads, like some of the returning officers in 1976. I think some were dishonest people that were a disgrace to the oath which they took. On the other hand, Senator Deighton Griffith, who was only marginally qualified to be a returning officer in terms of the Representation of the People Act, because of his close association with the Democratic Labour Party before and immediately after the election when he was appointed a Senator — he only resigned from his position in the Democratic Labour Party I think the day before he was appointed as returning officer in the constituency of the Minister who appointed him — was an extremely fair and impartial returning officer against whom no accusation could be made. The only thing wrong with his appointment was the appearance of it. You should not have got the president of the constituency branch, or whatever he was, to resign to appoint him to be returning officer and then let him resign the day after the election and make him a Senator. You should not do it.

Asides.

Rt. Hon. J. M. G. M. ADAMS: The honourable Member who appointed him is saying that he was never president of the branch. But he was a Dem; we know that.

Asides.

Rt. Hon. J. M. G. M. ADAMS: I have never seen Mr. Timothy's name on the St. Peter branch list. I saw Mr. Timothy for the first time on election night. I have never seen that man at a Barbados Labour Party function and known him.

Asides.

Rt. Hon. J. M. G. M. ADAMS: Honourable Members are telling me before my time. I have often addressed the St. Peter Constituency Branch in Mr. Hinds' time and since and before Mr. Hinds' time, and I have never seen the gentleman who was returning officer in the last election at a branch meeting, not and knew him.

I cannot believe honourable Members will disagree with a judgment of his impartiality when the honourable Member for St. Michael West got on the television and said he was the best man there ever has been. Maybe we had better make all the returning officers the presidents of our constituency branches then. But I do not want to go into that too much. I do not think it matters whom you appoint.

Asides.

Rt. Hon. J. M. G. M. ADAMS: Is that any different from the presiding officer who had a tin of peanuts in the polling station at Maxwell and every time voters came in rattled them in 1971?

I must make the other points. The Boundaries Commission. The Leader of the Opposition is a difficult person to find. It is difficult to know where to deliver letters to him. He cannot easily be got on the telephone. We are trying to get in touch with him on the telephone to invite his suggestion of a few names of people who can be appointed to the Gambling Commission.

I do not believe we have been able to do that yet, and the Cabinet Secretary tells me that he has done and is doing his best to ensure that he gets the letter — I have to consult him on the people whom I appoint to the Boundaries Commission — saying whom I propose to appoint as chairman and two other members, and I am waiting to hear from him on whom he appoints. The process is in train. I have spoken to the prospective chairman, who is a retired civil servant, and I await only the recommendations of the Leader of the Opposition before the Boundaries Commission is brought into force.

I do not think that the Electoral Office needs significantly more staff. At the moment there is some elasticity, and I think they are satisfied.

I agree with the honourable Member for Christ Church West (Hon. H. deB. Forde) that you need to

consolidate the Representation of the People Act with the Election Offences and Controversies Act.

It is not normally my custom to praise lawyers for cases that they have done in court, and the honourable Member for Christ Church West will understand if I am not praising him on this occasion, because the points he made are points with which I am familiar, but I should like to congratulate Mr. Phillips for bringing a point to my attention, which I have never seen argued in an election case, which relates to the size of the spaces for each candidate's name on the ballot paper.

I am familiar with election cases that go back to Queen Anne's election of 1712 when the Tories lost power. I think the first report of an election case I have ever read is of the election of 1712 in England. Of course you would not get cases and ballots before the Birmingham by-election of 1868, except one or two of the Australian cases. But I have never before known anybody argue, or argue successfully, that votes could not be allowed because they were cast in a space which was greater than that given to the other candidates. 9.55 p.m.

(Mr. B. M. TAITT: Great point.)

Rt. Hon. J. M. G. M. ADAMS: A very fortunate point. What nobody has denied is that there were a dozen more people who tried to vote for Arthur. That is known.

I agree that the two Acts should be consolidated and the rules rewritten.

On the question raised about the list by the honourable Member for St. Lucy, you are qualified to vote if your name is on the voting list. That is a fundamental and essential point, and a very important one, because the returning officer should really not be asked on election day, nor should the presiding officer, to choose between people on the list.

How far you can succeed in a petition, how far you can satisfy an election on the grounds that persons not qualified to vote did vote, is, in my opinion, doubtful in Barbados. The last successful election petition occasioned by scrutiny and the grounds enforced before this one was in 1920 in the St. Joseph general election in that year. The other successful petition in which both candidates were disqualified for corruption was in St. Joseph. That was a corruption election, not a count. In that election, Mr. Williams successfully petitioned against Mr. Patterson on the grounds that an American had voted. There were other objections that a tailor had voted who was qualified to vote in the City but not in St. Joseph, but he succeeded on the grounds that an American had voted. An American had got his name by reason of a property qualification in Bathsheba on to the

electoral list and voted for Mr. Patterson. He lost by one vote. There was then an equality of votes after the American's vote was disqualified. A new by-election was held and he won the by-election by four votes, eventually, holding the seat unopposed until 1934, when he lost it by four votes to somebody called Adams. Whether the history of 1920 will repeat itself is a different matter.

I think that, as far as possible, what we should be doing is working the system better. The system is supposed to prevent people from voting more than once. In a general election, the points made by the honourable Member for St. Lucy should not have any application, because if you say that you are qualified in St. Peter, it means that you are disqualifying yourself in the other twenty-six constituencies.

There is still more scope for people to choose where they will vote to avoid voting in St. John, St. Thomas, Christ Church West or St. George South and to choose to vote in the City, St. Michael North, St. Michael South or wherever else if these considerations apply. I know you would not mind if I, for example, cast my vote in St. Michael East next time. People who are in a position to make a choice can make a choice in a general election.

This election did have, and I agree with the honourable Member for St. Lucy, more than its fair share of unqualified people voting. I believe that strenuous efforts have been made not by any politician pushing, at least not by any that I know of, to clean up the list and prune it for the next by-election. I believe that all the outstanding applications have been heard, trials have been held and decisions have been taken, and people's names have been taken off.

Mr. B. M. TAITT: When the Prime Minister spoke earlier, he indicated that there was a reverend gentleman who was a presiding officer. The application made against that gentleman was, in fact, that he had become Rector of Holy Innocents two years before. It was not spurious.

(Rt. Hon. J. M. G. M. ADAMS: If you mention that, I would mention Blackett.)

Mr. B. M. TAITT: It may have been that Blackett should have been taken off. I can only deal with my case. You would have to deal with yours.

The point is it has been made to seem as if this man had been unfaired in some way. If I were not a member of the Synod Council and a member of the Synod, I would not have known that he had been appointed Rector of Holy Innocent's in January 1982. You cannot want a more perfect definition of where a man

lives if he has been appointed rector of a church that has a rectory in which the rector lives.

Mr. P. M. GREAVES: The right honourable Prime Minister spoke of cleaning up the register and said that a number of persons whose names were on it have been removed. I hope that care is taken to make sure when those names are removed that those persons' names are on some register. That is very important. They should not be removed completely off the Register of Barbados. They should be somewhere.

Rt. Hon. J. M. G. M. ADAMS: We have personalised it a bit. The complaint in the case of the Rector of Holy Innocent's is that his name was removed without his being given a hearing, where, in the case of the Roman Catholic Vicar of St. Patrick's, he was given a hearing. A returning officer for the City went to him. He gave him a long complicated story saying that he came from Indian Ground and he regarded his home as always being in Indian Ground; and that in the Roman Catholic Church you are liable to be moved anywhere and, therefore, although he was living in Jemmott's Lane, he could not be said to be resident there. A totally spurious story! But he was given a hearing; a returning officer went to him and took a long statement from him. Whether the statement was spurious or not is a matter of opinion for me but a matter of decision for other people over whose decisions I can exercise no authority. I am giving an opinion that it is spurious, but it may be that they came to a conclusion that it was not brought up. The essence of it is that one clergyman was given no hearing while another clergyman was given every courtesy, the privilege of a hearing and everything.

There are other flaws. The hearings were put for after the by-election. One young man, who in my opinion behaved extremely badly and discourteous to the Leader of the House who went in the early morning, when a check was made at his house at 5.00 o'clock by the returning officer to see if he lived in Oxnards or in St. Peter, and when he opened the window and he saw the returning officer, he slammed the window in his face and refused to answer. He was not only left on the voter's list, although he was not found at the St. Peter residence and was found sleeping at the other residence.....

(Mr. B. M. TAITT: The same could have happened to you.)

Rt. Hon. J. M. G. M. ADAMS: We must not personalise it too much.

We do our best with this. We also do our best to meet the point raised by the honourable Member for St. Michael North, because I must say that in the case of the Reverend Harcourt Blackett, he refused to acknowledge any residence other than Indian Ground. Therefore, there would have been nowhere that we could have put him

since he was clearly not resident in Indian Ground. You would have had to put him in limbo.

His statement, in my considered opinion, amounted to saying that he was not resident in Barbados, because he claimed residence in a place where, clearly, he was not living. He voted as living at the Villa Maria, Ashton Hall, a place equally where he was not living and where he had no claim of residence. So you cannot do anything for somebody in that position. Somebody is surely entitled to say, "As far as I am concerned, I just do not reside here at all, I am only temporarily here, do not put me down." Foreigners do say that. Foreigners who are qualified to vote, Canadians and English people, do say that. They have ID cards but do not take up the status of voters.
10.05 p.m.

The overseas names. It is probable that there will be a new enumeration before the next General Election, and all those persons who do not have the new ID card will be eliminated from the list. The great majority of those persons are persons overseas. The new system will be made compulsory for the next election, and everyone who does not have a new ID card, and who is not registered under the new National Registration System, will be written and told that the National Registration System will be the sole system for qualification as an elector. An effort will be made to discover the addresses of persons who have gone overseas in the last five years, and who are therefore still qualified to be electors, so that they can be advised.

It is quite long enough now for the system to be made compulsory. Ten years is quite long enough. An enormous number of Barbadians were disfranchised by the ID system, and they only had weeks notice of that. The ID system was introduced in 1968. We have run for years on the new National Registration System. There are a few people who said they would never register under it. The Leader of the Opposition is one. The honourable Member for St. Michael West said he would never register under it. You had better hurry very quickly. Read Section 28 of the Election Offences and Controversies Act. You better move very quickly and get registered under the new system.

I do not think that it can be reasonable to allow any political prima donnas to have the rules bent in their favour any longer. After eight years of a new system, nobody should be a holdout. We have rules and regulations, and the rules and regulations must be obeyed. That, I believe, will eliminate an overwhelming proportion of the overseas names — people who have left ten or fifteen years ago and therefore have not been here to register under the new system.

Mr. B. M. TAITT: If we are going to have an Electoral and Boundaries Commission, how are you able

to say now what is going to happen? I think you are saying what you would like to see happen. If we are going to have an Electoral and Boundaries Commission, then all of these matters will fall under the ambit of that independent agency. For the Minister to be saying what will happen strikes me as a little far-fetched. I think you are saying what you would like to see happen or what the policy will be if you have anything to do with it. If we have an Electoral and Boundaries Commission, all of this will be removed from the ambit of the Government.

Rt. Hon. J. M. G. M. ADAMS: The honourable Member surely has not read the Electoral and Boundaries Commission. The Electoral and Boundaries Commission cannot pass law. They cannot change the law. They cannot decide that you cannot vote without an ID card. They cannot decide that it will be all right to vote with the old ID cards. That is a matter for the House of Assembly and the Senate. Let us have a little common sense. Even if you read the Act, you will observe that all the Electoral and Boundaries Commission can do in respect of boundaries, which the Government is totally foresworn for the future, is lay a report in the House of Assembly; the House of Assembly can pass it or reject it, or indeed amend it if it feels like.

There is still such a thing as Government policy, whether there is an Electoral and Boundaries Commission Act or not. The Central Bank has its own Act and autonomy, but it still has to follow Government's policy. If Government's policy is that you vote as a result of a National Registration System, well so be it. The Electoral and Boundaries Commission is not a third legislative chamber that will pass its own laws, and I am saying that the policy of Government is that the National Registration System will be the qualifying system; that after seven years this is what should be the case.

I am not telling you who is to be the returning officer in the future. I have not addressed my remarks to that at all. I have commented on the past and the present in respect of the training of officers and so on. The Electoral and Boundaries Commission will appoint them, deal with them and run the elections. But the framework of Government in the country will remain in the hands of Parliament and the Executive.

Mr. Chairman, I could talk more but I do not think it is necessary.

The question that Head 15 stand part was put and resolved in the affirmative without division.

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

On the separate motions of Hon. L. S. CRAIG, seconded by Hon. Dr. R. L. CHELTENHAM, the money Resolution was read a first and second time and agreed to.

ADJOURNMENT

Hon. L. S. CRAIG: Sir, I beg to move that this House do now stand adjourned until Tuesday, October 30, 1984 at 12 o'clock noon.

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

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

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