

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1981 – 86

HOUSE OF ASSEMBLY

Tuesday, September 4, 1984

Pursuant to the adjournment, the House of Assembly met at 12.20 p.m. o'clock on Tuesday, September 4, 1984.

PRESENT

Rt. Hon. E. W. Barrow, Q.C., B.Sc., LL.D., (Leader of the Opposition)

Hon. L. S. Craig, (Minister of Parliamentary Affairs and Leader of the House)

Rt. Hon. J. M. G. M. Adams, Q.C., M.A., (Prime Minister and Minister of Finance and Planning)

Hon. H. B. St. John, Q.C., LL.B., (Deputy Prime Minister and Minister of Trade, Tourism and Industry)

Mr. L. E. Sandiford, M.A. (Econ.), J.P.

Mr. C. L. Bolden, 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)

Hon. V. L. Johnson, M.A., (Minister of Transport and Works)

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. R. E. Brathwaite

Dr. D. G. Blackman, B.A., M.A., Ph.D.

Mr. L. A. Weekes

Mr. W. O. Franklin, A.I.A.S., J.P.

Hon. A. Truss.

Prayers were read by Rev. Frank Stapleton.

ELECTION OF SPEAKER

Hon. L. S. Craig: Mr. Clerk and honourable gentlemen on both sides of the House, I am in receipt of a letter dated 4 September, 1984 from His Excellency the Governor-General, Sir Hugh W. Springer, which reads as follows:

I have the honour to acknowledge the receipt of your letter No. 4457/2/64 of 1 September, 1984, inviting me to give leave to the Honourable House of Assembly to proceed forthwith to choose a new Speaker consequent upon the resignation of Mr. Walter Clare Burton Hinds, the Speaker, from the said House.

I hereby give leave to the Honourable House of Assembly to proceed forthwith to choose a new Speaker and I should be pleased if you would inform the Honourable House of Assembly accordingly.

I have the honour to be,
Yours faithfully,
HUGH W. SPRINGER
Governor-General.

The appropriate Standing Orders therefore permit me to nominate a Speaker for this honourable august Assembly.

I think that the person most fitting to proceed with such a nomination is the right honourable Prime Minister, and I will give way to him.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Clerk, it gives me much pleasure, following the letter from His Excellency giving the House leave to elect a new Speaker, to nominate the honourable Member for the parish of St. Joseph (Mr. C. L. Bolden) for the position.

The honourable Member has been a Member of the House for almost fourteen years. He is well versed in parliamentary procedure, he has acted as Deputy Speaker of the House and he has acted also as Speaker, during the long sickness and resignation of the former Speaker, the former honourable Member for St. Peter.

I am sure that he will be a credit to the House, that his legal training and parliamentary background will be of immense assistance to our deliberations.

I do now move that the honourable Member for St. Joseph do take the Chair.

Rt. Hon. E. W. BARROW (St. John): Mr. Clerk, I have great pleasure in seconding the formal motion, in accordance with Standing Order No. 2.3, that the honourable Member for St. Joseph do take the Chair of this House as Speaker.

We have had the opportunity on this side of looking at the discharge of the duties as Deputy Speaker and as Acting Speaker by the Member for St. Joseph.

We have, on occasion, had reason to disagree with nominations by the other side. All I can say about the honourable Member for St. Joseph — it may be because of his exposure to legal discipline — is that we can find no fault in this man.

It therefore gives me great pleasure, probably the first time for a very long time, in having a Speaker in whom both sides of the House appear to have the greatest confidence to preside over our deliberations.

Mr. CLERK: Is there any other Member proposed for the office of Speaker?

If there is none other, then I declare that the time for nominations has now passed.

I will ask that this Honourable House call the honourable Member for the constituency of St. Joseph to the Chair of this House.

Hon. L. S. CRAIG and Mr. L. E. SANDIFORD escorted Mr. SPEAKER-ELECT to the Chair.

Applause.

Mr. SPEAKER: It is with great pleasure that I take the Chair today as Speaker of this Honourable Chamber.

I have been heartened by the words which have been spoken on both sides of the House, and I pledge to continue to administer the Rules of this House as I deem they should be administered, that is, fairly and squarely to everyone in this Chamber.

Applause.

SUSPENSION

Hon. L. S. CRAIG: Your Honour, it gives me great pleasure to rise from this side to be the first Member of the House to address you in your new role as Speaker of this Chamber.

Sentiments have already been expressed, and it is not necessary for me to add anything. All that I should like to assure you, Mr. Speaker-Elect is that you would have from me the fullest co-operation at all times. I would expect you, Sir, to reciprocate.

It is customary and true to democratic tradition that I now suspend the House for ten minutes so that you may proceed to Government House

I am advised by the Clerk.....

Rt. Hon. E. W. BARROW: On a point of order, Sir, if the honourable Member would give way, Standing Order No. 3. 1. which says:

"As soon as the Speaker has been elected, the House shall proceed to the election of a Member to be Deputy Speaker of the House."

I think I was in here from December 1951. We have had about five or six Speakers elected. I am not aware of any adjournment being taken after the election of the Speaker in order to allow the appointee to sojourn to Government House or any other place for any purpose whatsoever.

If there is some such demand, it does not say so in the Standing Orders, and it probably could have been done at the end of the session.

It is quite clear to me that the election of a Deputy Speaker is the next item which has to be considered.

Hon. L. S. CRAIG: Sir, if the honourable gentleman and Leader of the Opposition and President of that great Party would have allowed me to finish, then he would have been aware of the fact that I have such things in mind.

Sir, it is traditional, as I have been informed by the Clerk of the House — I am not familiar with such practices and therefore, I take my advice from the Clerk of the House — that after you have been elected, you should proceed to Government House so as to inform His Excellency.

I am told that it is normally reported to the Senate Chamber. On this occasion, I am told that he has to go to Government House.

12.30 p.m.

I think Members on the other side would be satisfied that we would not be able to transact any business unless the Governor-General.....

Asides.

Hon. L. S. CRAIG: I am in no position to agree or disagree. As you know, the Clerks are at the Table to advise Members on both sides of the House.

Sir, I beg to move that this sitting be now suspended for 15 minutes.

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

The question was put and resolved in the affirmative without division, and the sitting was suspended accordingly.

12.35 p.m.

ON RESUMPTION

Mr. SPEAKER: I have just returned from Government House from being sworn in by His Excellency, the Governor-General. He was pleased to approve my election as Speaker of this Honourable Chamber.

ELECTION OF DEPUTY SPEAKER

Hon. L. S. CRAIG (St. James North): Your Honour, in accordance with the Standing Orders, to fill the post of Deputy Speaker I propose to nominate the honourable Member for St. Lucy (Mr. R. E. Brathwaite).

Asides.

Hon. L. S. CRAIG: I believe that we will have a very interesting day. I am sure about that. I know what is meant by cheers and jeers. I have had it from both sides.

As I was saying, I rise to nominate the honourable Member for St. Lucy to be the Deputy Speaker of this august Chamber. He has brought to this Chamber over the past years a degree of dignity to Parliament with his contributions, and in his style befitting someone of whom this Chamber can be graciously proud. Many people seem to think that one has to be a trained lawyer, doctor, or economist to fill such a distinguished post. But many a great man has risen to some of the finest heights in the entire world with just an ordinary elementary education. I have a greater respect for such persons who have become self-made men in the eyes of the entire world. There is a feeling, however, in this country in particular, that as long as you did not go to some higher educational institution.....

Asides.

Hon. L. S. CRAIG: Sir, where is the police? I see no police at that door. I must draw to the House's attention that there are people who come through the back door of the Chamber and I do not think it is fair to any Member of the House. I just wanted to draw this to your attention.

I have the greatest respect for such-self made persons on that side and this side. Over the years one can think of people whose contributions will always be remembered – men like Owen Alder, Lloyd Smith, J. P. C. Ramsey, A. E. S. Lewis, men who reached the great heights with no formal academic background. I know why I am saying this. I believe and sincerely hope that when the Member for St. Lucy is elected that he will fill the role as Reynold Weekes did on several occasions when he acted as Chairman, and I have no doubt that one will remember Mr. Eyre Hoppin.

With those few remarks it gives me great pleasure to nominate my colleague, the Member for St. Lucy, as Deputy Speaker of this Honourable Chamber.

Mr. J. G. ODLE: Mr. Speaker, I have very great pleasure to second the motion.

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

Mr. R. E. BRATHWAITE: Mr. Speaker, I am very grateful and happy for this honour to be Deputy Speaker of this Honourable House. I will try to do my best at all times to uphold the high standards of this House.

I thank you very much.

1.15 p.m.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, June 5, 1984.

Hon. L. S. CRAIG: I beg to move that the Minutes of Tuesday, June 5, 1984 be taken as read.

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

ANNOUNCEMENTS

Mr. SPEAKER: The Clerk of Parliament has presented me with a letter addressed to him and dated the 25th day of July, 1984, in connection with the election of Mrs. Sybil Frances Phillips-Leacock as a Member of the House of Assembly. The letter reads as follows: –

Having regard to the provisions of Order No. 1.2. of the Standing Orders of The Honourable The House of Assembly, I have to inform you that on 21st July, 1984, His Excellency the Governor General received the Writ which had been issued on 25th June 1984 to the Returning Officer for the constituency of St. Peter, duly endorsed by the said Returning Officer certifying the election in the poll held on 19th July 1984 of Mrs. Sybil Frances Phillips-Leacock to serve as a Member of the House of Assembly for the said constituency.

2. The oath of allegiance required by section 59 of the Constitution and section 62 of the Representation of the People Act, Cap. 12, was taken by Mrs. Leacock today, 25th July 1984, before His Excellency the Governor General. The Prime Minister also witnessed the swearing-in.

F. M. BLACKMAN
Cabinet Secretary.

Mr. SPEAKER: Mrs. Sybil Frances Phillips-Leacock has also signed the Declaration of Qualification which has been certified by the Clerk of Parliament, Mr. George Branner. I therefore invite two members of this Honourable Chamber to bring Mrs. Leacock to take her seat.

(Mrs. LEACOCK entered the Chamber, accompanied by the Rt. Hon. E. W. BARROW and Mr. L. E. SANDIFORD, and took her seat.)

Mr. SPEAKER: Mrs. Sybil Frances Phillips-Leacock, it gives me great pleasure to welcome you to this honourable and esteemed Chamber. I shall look forward to your co-operation and to your contributions in this Chamber.

Mrs. S. F. LEACOCK: Thank you, Mr. Speaker.

Applause.

Mr. SPEAKER: I am in receipt of reports from the Accountant General for the Financial Year 1983/84 and Accounts and Statements for the months of March, April, May, June and July prepared by the Accountant General.

I am also in receipt of Messages from the Other Place re amendments to the National Health Service Board Bill and the Land Development Duty Bill.

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR-GENERAL

Mr. SPEAKER: I am in receipt of a Message from His Excellency, the Governor-General to the Honourable, the House of Assembly. It reads as follows:—

His Excellency the Governor-General has the honour to inform the Honourable the House of Assembly

that, on the advice of the Prime Minister, he has appointed The Honourable Aaron Truss, M.P., to be Minister of State, with effect from 3rd September to 3rd October, 1984.

HUGH W. SPRINGER
Governor-General

PAPERS

Hon. V. L. JOHNSON: Mr. Speaker, I am commanded to lay the following:—

The Road Traffic Regulations, 1984.

The Annual Report and Statement of Accounts of the Barbados Port Authority for the year 1983.

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

The Special Development Area (St. Barnabas Road) Order, 1984.

The Land Development Duty (Rate of Duty) Order, 1984.

Statement showing Net Customs and Excise Receipts for two months ended 31st May, 1984.

Statement showing Net Customs and Excise Receipts for three months ended 30th June, 1984.

Report of the Accountant General for the year 1983–84.

Report on the Audit of the Receipts and Payments Account of the National Training Fund for the period 18th May 1982 to 31st March, 1983.

The Spirits Regulations, 1984.

The Spirits (Amendment) Regulations, 1984.

Hon. L. R. TULL: Mr. Speaker, I beg to lay the following:—

Report of the Fire Service for the year 1983.

Report of the Probation Department for the years 1981 and 1982.

Report on the Registration Office and the Supreme Court Registry for the year 1982.

Hon. Dr. R. L. CHELTENHAM: Mr. Speaker, I am commanded to lay the following:—

The Report and Financial Statement of the Barbados National Standards Institution for the year 1982–83.

Hon. L. S. CRAIG: Mr. Speaker, I am commanded to lay the following:—

Statements showing Money Order Transactions through the Crown Agents for Overseas Governments and Administrations for the period January to May, 1984.

Statements showing the sums advanced to the Postmaster General for the payment of Money Orders for the period January to May, 1984.

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

The Second Annual Report and Financial Statements of the National Sports Council for the year ended 31st March, 1980.

The Third Annual Report and Financial Statements of the National Sports Council for the year ended 31st March, 1981.

1.25 p.m.

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

The Education (Amendment) Regulations, 1984.

GOVERNMENT NOTICES

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

Resolution to approve the Land Development Duty (Rate of Duty) Order, 1984.

Resolution to approve the Special Development Area (St. Barnabas Road) Order, 1984.

Resolution to approve the compulsory acquisition of land at Gall Hill, Christ Church, for the extension of the Christ Church Foundation School.

Resolution to approve the compulsory acquisition of land at the Belle and Waterford, St. Michael, for Highway construction and improvement, for agricultural, industrial and housing development and also for a sewerage scheme.

Resolution to approve the compulsory acquisition of land at Lydia Hill, Content, St. Thomas, for

the provision of recreational facilities and for road development.

Resolution to approve the borrowing of an amount in various currencies equivalent to US\$11.0 million from the International Bank for Re-construction and Development (World Bank) for the purpose of assisting in the financing of the Road Maintenance and Rehabilitation Project of the Government.

Resolution to approve Part XV of the Road Traffic Regulations, 1984.

Resolution to approve the Spirits Regulations, 1984 and the Spirits (Amendment) Regulations, 1984.

Resolution to grant the sum of \$75 898 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. 3, which form the Schedule to the Resolution.

Resolution to approve the borrowing by the issue of Treasury Bills further sums not exceeding \$100 000 000 to pay off at maturity bills already lawfully issued and outstanding.

Resolution to approve of the publication in the Official Gazette of a notification declaring the abandonment of the compulsory acquisition of land at Tudor Street and Sobers Lane.

Resolution to approve the Education (Amendment) Regulations, 1984.

A Bill to amend the Defence Act, 1979.

A Bill to grant an additional sum of money out of the Consolidated Fund and appropriate the same for the service of the Island for the Financial Year ended 31st March, 1984.

A Bill to amend the Soil Conservation (Scotland District) Act, Cap. 267.

A Bill to amend the Shipping (Incentives) Act, 1982.

A Bill to amend the Road Traffic Act.

A Bill to amend the Student Revolving Loan Fund Act.

A Bill to amend the Tenancies Freehold Purchase Act, 1980.

A Bill to amend the Property Transfer Tax Act.

A Bill to amend the Education Act.

NOTICES OF QUESTIONS

(Hon. L. S. CRAIG: Nothing from out there? After three months, there is nothing from out there?)

Mr. SPEAKER: I have questions by the honourable Member for St. Peter.

Aside.

(Hon. L. S. CRAIG: Do not even get up and ask anything. You would get a very rude reply because you cannot point at one thing in St. Peter, not even a nail.)

Mr. SPEAKER: The question by the Member in respect of street lights in Castle Tenantry, Gays and other areas in St. Peter.

Mrs. S. F. LEACOCK: Mr. Speaker:

To enquire of the Minister of Transport and Works:

1. Is the Minister aware that there is need for street lights in Castle Tenantry, Gays, Oxford Tenantry, and Major Walk (Speightstown) in the constituency of St. Peter?
2. And is the Minister aware that the absence of street lights in these areas causes considerable inconvenience to the residents?
3. Will the Minister take immediate steps to have street lights installed in these areas?

Hon. V. L. JOHNSON: Mr. Speaker, the Reply to the Question is ready.

Mr. SPEAKER: The next Question deals with the danger posed to pedestrians on the Speightstown Bypass Road.

Mrs. S. F. LEACOCK: Mr. Speaker:

To enquire of the Minister of Transport and Works:

1. Is the Minister aware that there is a danger posed to pedestrians at the point where the Speightstown Bypass Road crosses Church Street in St. Peter because there are no Stop Lights?
2. And is the Minister aware that since the Bypass Road was put into use a number of accidents have taken place at this point?
3. Will the Minister take the necessary steps to ensure that Stop Lights are urgently erected at the point mentioned?

Hon. V. L. JOHNSON: Mr. Speaker, the Reply is ready.

Mr. SPEAKER: These Questions are not marked for Oral Reply, therefore they cannot be answered in that manner.

(Hon. L. S. CRAIG: You are only telling them they are ready. You have not given any reply.)

(Hon. DeL. O. BRADSHAW: If you want a reply, write to the Minister.)

Asides.

Mr. SPEAKER: If the honourable Member would deal with the Questions in the order in which they are called, it will facilitate us in what we are doing.

The next Question deals with the resiting of the Speightstown Girls' School.

Mrs. S. F. LEACOCK: Mr. Speaker:

To enquire of the Minister of Education:

1. Is the Minister aware that the Speightstown Girls' School is in need of resiting?
2. And is the Minister aware of the inconvenience to which pupils of this school are put in reaching the school?
3. And is the Minister further aware that the facilities at the School are deficient?
4. Will the Minister therefore take the necessary steps to have the School resited to a conveniently located environment?

(Hon. Miss B. A. MILLER: I did not hear the Question.)

Mr. SPEAKER: The next Question deals with the state of disrepair of the Speightstown Post Office.
1.35 p.m.

Mrs. S. F. LEACOCK: Mr. Speaker:

To ask of the appropriate Minister —

1. Is the Minister aware that the building housing the Speightstown Post Office and Library is in a bad state of disrepair?
2. Will the Minister take the necessary steps to have the Post Office and Library resited to a modern

complex in a conveniently located site in the Speightstown area?

Mr. SPEAKER: The next question deals with the disrepair of the Indian Ground School, St. Peter.

Mrs. S. F. LEACOCK: Mr. Speaker:

To enquire of the Minister of Education:

1. Is the Minister aware that the Indian Ground School, St. Peter is in urgent need of repairs?
2. And is the Minister aware that the children have no playing facilities at the School?
3. And is the Minister further aware that this state of affairs is not conducive to effective learning and teaching?
4. Will the Minister ensure that repairs to the School are carried out without delay?
5. And will the Minister proceed urgently to acquire an area of land to provide playing facilities for the pupils at the school and for the residents of Indian Ground?

Asides.

Mr. SPEAKER: Order please.

The next question deals with the state of disrepair of the roads in Gays, The Mount, Greaves Road and Reservoir (Ashton Hall), The Whim Road and Major Walk (St. Peter).

Mrs. S. F. LEACOCK:

To enquire of the Minister of Transport and Works:

1. Is the Minister aware that urgent repairs are needed to roads in the following areas in St. Peter:

GAYS
THE MOUNT
GREAVES ROAD AND RESERVOIR ROAD
(Ashton Hall)
THE WHIM ROAD and MAJOR WALK
(Speightstown?)

2. Is the Minister aware that the present state of these roads is so delapidated that the roads cause considerable inconvenience to the residents?
3. Will the Minister ensure that repairs are effected to these roads without delay?

Mr. SPEAKER: The next question deals with the Housing Project at Maynards in St. Peter.

Mrs. S. F. LEACOCK:

To ask the Minister of Housing & Lands:—

1. Is the Minister aware that the Housing Project at Maynards, St. Peter which was started just prior to the 1981 General Elections has not been completed?
2. Is the Minister aware that grass and vines at the present over-run the project?

3. Is the Minister aware that there is urgent need for Housing development in the Constituency?

4. Will the Minister state whether the Government intends to continue the project or not?

5. If the answer to No. 4 is in the affirmative, will the Minister state what plans the Government has for completing the Project?

6. And will the Minister indicate when the Government proposes to begin construction again?

Mr. SPEAKER: The next question deals with the need for street lights in Black Bess:

Mrs. S. F. LEACOCK: Mr. Speaker:

To ask the Minister of Transport and Works:

1. Is the Minister aware that there are no street lights on the road leading to Black Bess district in the Constituency of St. Peter?
2. And is the Minister aware that the absence of street lights causes much inconvenience to the residents of the district?
3. Will the Minister take urgent action to have street lights installed on the road leading to the district?

Mr. SPEAKER: The next question deals with the deplorable conditions in the Speightstown Bus Stand.

Mrs. S. F. LEACOCK: Mr. Speaker:

To ask the honourable Minister of Transport and Works:—

1. Is the Minister aware of the poor state and the deplorable conditions which exist in the Speightstown Bus Stand?
2. And is the Minister aware that there is no proper shelter or toilet facilities provided for commuters in the Bus Stand?
3. And is the Minister further aware of the inconvenience which a lack of the abovementioned facilities causes the commuters?
4. Will the Minister therefore take the necessary steps to implement a modernization plan for the Speightstown Bus Stand?

Mr. SPEAKER: The next question deals with the state of disrepair of the Boscobel Boys School.

Mrs. S. F. LEACOCK: Mr. Speaker:

To ask the Minister of Education:—

1. Is the Minister aware that the Boscobel Boys School in St. Peter is in a bad state of disrepair and lack proper toilet facilities?
2. Will the Minister therefore ensure that these deficiencies are corrected as soon as possible?

Mr. SPEAKER: The question re street lights on the Speightstown Bypass Road from its junction with Road View to its junction with Retreat Village in St. Peter.

Mrs. S. F. LEACOCK:

To ask the Minister of Transport and Works:—

1. Is the Minister aware that there is an absence of street lights on the Speightstown Bypass Road from its junction with Road View to its junction with Retreat Village in St. Peter?
2. And is the Minister aware that this absence of lights on the highway is causing considerable problems to the users of this road?
3. Will the Minister ensure that lights are installed in the area mentioned above without delay so as to remove this inconvenience?

Mr. SPEAKER: The next question deals with the need for a pedestrian crossing at the junction of Chapel Street and the Speightstown Bypass Road.

Mrs. S. F. LEACOCK:

To ask the Minister of Transport and Works:—

1. Is the Minister aware that there is need for a pedestrian crossing at the point where Chapel Street meets the Speightstown Bypass road in St. Peter?
2. And is the Minister aware that the absence of such a crossing causes tremendous inconvenience to school children and residents of the area?
3. Will the Minister ensure that a pedestrian crossing is established without delay at this point?

Thank you Mr. Speaker.

Mr. SPEAKER: The next question comes from the honourable Member for St. Michael South. His question re the establishment of educational classes at the Bay Primary School, St. Paul's Primary School, St. Matthias Primary School and elsewhere.

Mr. L. E. SANDIFORD: Mr. Speaker:

To ask the Minister responsible for Education:—

In view of the fact that early childhood education can enhance the learning process for all children, particularly for those children of working class backgrounds, will the Minister consider the establishment of educational classes at the Bay Primary School, St. Paul's Primary School, the St. Matthias Primary Schools, and elsewhere for children who are between the ages of three and five years of age?

Mr. SPEAKER: The question by the same honourable Member re the extending of natural gas services to residents of St. Michael South who live in areas not now served by this utility.

Mr. L. E. SANDIFORD: Mr. Speaker:

To ask the Minister responsible for Energy —

Would the Minister indicate what plans he has for extending natural gas services to residents of St.

Michael South who live in areas not now served by this utility?

Mr. SPEAKER: The question by the same honourable Member re the flooding of certain areas in St. Michael South.

Mr. L. E. SANDIFORD: Mr. Speaker:

To ask the Minister of Transport and Works:—

1. Is the Minister aware that from time to time problems of water settlement and flooding seriously affect the well-being of residents who live in certain areas of St. Michael South, including Clarke's Avenue, Luke's Avenue, Chapel Place and Pinder's Gap, Grant's Avenue, Old Quarry Avenue and Bayview Avenue, and Eversley Road?
2. Will the Minister indicate what plans he has for solving the problems referred to?

Mr. SPEAKER: The question by the same honourable Member re the implementation of the policy of selling house lots in the Bayville area of St. Michael South by National Housing Corporation.

Mr. L. E. SANDIFORD: Mr. Speaker:

To ask the Minister responsible for Housing and Lands —

Would the Minister indicate what progress is being made in implementing the policy of selling the house lots in the Bayville area of St. Michael South to the tenants of the National Housing Corporation who occupy these lots and who desire to purchase them?

Hon. L. B. BRATHWAITE: The answer is ready.

FIRST READING OF BILLS

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

A Bill to amend the Defence Act, 1979.

A Bill to grant an additional sum of money out of the Consolidated Fund and appropriate the same for the service of the Island for the Financial Year ended 31st March 1984.

A Bill to amend the Soil Conservation (Scotland District) Act, Cap. 267.

A Bill to amend the Shipping Incentives Act, 1982.

A Bill to amend the Road Traffic Act.

A Bill to amend the Student Revolving Loan Fund Act.

A Bill to amend the Tenancies Freehold Purchase Act, 1980.

1.45 p.m.

A Bill to amend the Property Transfer Tax Act.

A Bill to amend the Education Act.

OBITUARY SPEECHES

SPEECHES RE LATE MRS. VIOLA BOLDEN

Rt. Hon. E. W. BARROW (St. John): Mr. Speaker, I should like to draw to the attention of honourable Members that, during the period when the House was in recess, it came to our knowledge that Your Honour had to leave the island in order to attend the funeral, with your other relatives, of your mother, who had unfortunately passed away.

I think I saw Your Honour shortly before you left, and I personally extended to you and the members of your family my own sincere regrets of the sad occurrence.

I do not think that, as far as my researches go, your mother came from the parish of St. John. I believe it was from Orange Hill in another parish, which the honourable Member for St. James North, I believe, would have the honour of representing. Since she resided abroad for many years, my knowledge of her was really through the members of your family, your father as a councillor, a parishioner, yourself and your brother.

I am sure that honourable Members here would like to join with me in extending to you, Sir, and to your family, our sincere regrets that your mother is no longer with us, and to express our condolences to you and to the members of your family.

Hon. L. S. CRAIG (St. James North): Sir, I rise to support the sentiments of the right honourable Leader of the Opposition, the Member for St. John, whom I have no doubt would have been acquainted with the late Mrs. Viola Trigola Bolden.

Mr. Speaker, when I received your letter informing me of your absence, surely it was not the type of letter that one would like to receive, in the light that you were leaving to attend your mother's funeral.

Mrs. Viola Bolden was the mother of three boys and five girls. She lived to the very ripe age of 73 and one may say that she had a full life. Although I have never had the honour of meeting your mother, I had the pleasure of speaking to her on the phone on several occasions when I had to make enquiries about your whereabouts. I therefore join with my colleague in extending to you, Sir, and to your family, our deepest sympathies in your very recent and unfortunate circumstances.

I have no doubt that you will have comfort, however, Mr. Speaker, in knowing that she had lived a

full life, a Christian woman who gave all that she could possibly give to her children, whom she loved so well and who loved her equally. I believe that she would have died a very, very happy person seeing the success of her children in their endeavours in their chosen fields.

Rt. Hon. E. W. BARROW: Mr. Speaker, since you are in the Chair, I do not think it would be untoward for me to invite the other Members of this House to stand for a few moments in sympathy with the Resolution which has been passed and seconded.

(Members stood for a few moments in silence).

Rt. Hon. E. W. BARROW: I hope that Your Honour will convey the feelings of this House to the other members of your family.

Mr. SPEAKER: On behalf of myself and my family, I humbly accept the condolences expressed by both sides of the House on the passing of my late mother.

SPEECHES RE LATE MR. CLIFFORD HAYNES

Mr. L. E. SANDIFORD (St. Michael South Central): Mr. Speaker, during the adjournment, to which reference was made in the previous Resolution, death also came to the father of one of our Members. It was with a sense of profound grief that we learnt of the death of Mr. Clifford Haynes, father of the Member for St. Michael South Central, Dr. Richie Haynes.

Mr. Clifford Haynes was 77 years of age. His own father had died when he was about six months old, and therefore he was left to face the world fatherless. He certainly used the good old Barbadian method of "cutting and contriving" in order to make a livelihood in this country, and to make a contribution for the development of his family and for the community in which he lived.

He worked at various occupations, as a carpenter, a trucker, an agriculturist and a shopkeeper, and in all of those activities he brought to bear the same kind of integrity and dedication which was the hallmark of his life. 1.55 p.m.

He was the father of six children and, together with his wife, he raised those children to the point where they have all been able to make significant contributions towards the social and economic development of this country, and they have made their mark in various aspects of the life of this country.

I therefore invite Members to join with me in the passing of the customary Resolution which is made on these occasions and I move it in these terms:

RESOLVED that the House of Assembly place on record its profound sympathy over the death of Mr. Clifford Haynes, Father of Dr. R. C. Haynes, MP for the constituency of St. Michael South Central. AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to his widow and other members of his sorrowing family of which the Member for St. George South is a member of that family.

Mr. J. G. ODLE: (St. George North): Mr. Speaker, I wish first to second the Resolution moved by the honourable Member for St. Michael South (Mr. L. E. Sandiford).

I should like to add that not only was Mr. Haynes my constituent, but he was also a friend of myself and my family. I knew him from the time I was a little boy, and I am very much aware of the hard work which he had put into the business of living in the perilous times of the undergone.

I should certainly like it to be recorded that his efforts bore fruit in the wonderful family that he has raised. Of course, his devoted and beloved wife, who is still with us, had no small part in that contribution.

I also want to endorse the remarks of the honourable Member for St. Michael South.

Mr. SPEAKER: I too should like to be associated with the sentiments expressed by both Members on the passing of the late Mr. Haynes.

In passing this Resolution, I should like to ask Members of the Chamber to stand for a few moments in silence.

Honourable Members stood for a few moments in silence.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. L. S. CRAIG: I beg to move, Sir, that Standing Orders 1, 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, Sir.

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

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I beg to move, that this sitting be now suspended for forty-five minutes for lunch.

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

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

2.05 p.m.

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

MESSAGE FROM SENATE RE AMENDMENTS

Hon. L. S. CRAIG: Sir, there is a matter which came down from the Senate. I propose to deal with that matter immediately.

I beg to move that the House do now agree to the amendments which came down from the Senate.

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

CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) ORDER, 1984

Order No. 11 was called – To move the passing of a Resolution to approve the Civil Establishment (General) (Amendment) Order, 1984.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, it has become virtually a ritual that every several years, every two years in these times, we come to the House with a Civil Establishment (General) Order to provide for new salary scales for public workers. The reason for the frequency lies in the recent economic history of the post-war world. For many, many years, inflation ran at so low a level around the world that there was perceived no necessity for salary scales to be revised with any frequency. In fact, I think I am correct in saying that, in the years between 1920 and 1950, the salaries of public officers in Barbados were reduced more often than they were raised, since reduction was one of the methods used to deal with the Great Depression of 1929–1931. But since 1950, and particularly since 1961, there has been a history of constant revision of the salaries of public officers, both to deal with inflation and also the wish of Barbadians for an improved standard of living.

I have taken 1961 as a base date because, so far as I am able to trace, that is the occasion upon which the idea of a regular revision of the public officers' salaries entered the consciousness of the public. In the early part of the year 1961, the then Barbados Labour Party Government engaged in an exercise relating to public officers' salaries. The method adopted in those days has been characterised by my friend, the honourable Member for Christ Church East (Hon. Dr. R. L. Cheltenham), as 'inviting down an Englishman to tell you what to pay Civil Service.' It was

considered that an outside arbitrator would bring an independence to the process and also command an acceptability that dictation from the Government or from the then nascent trade unions would not meet.

The 1961 exercise was the first in which there was some dissension, for the police salaries could never be agreed on. This dissension carried over into the change of Government and eventually was settled by a substantial re-organisation of the entire salary structure – terms and conditions of the Police Force embodied later with the coming into force of a new Police Act.

By 1966, when there was a new exercise in salary revision, attitudes were clearly changing. There was a report and some sort of agreement was patched up – not for five years, however; for only three. By 1969, the present form of salary negotiations and revisions had come into effect, and in 1969 there was a straightforward negotiation without outside assistance and without regrading being made an essential part of what was a straight salary exercise, and there was a general agreement on salary increases again for three years.

In 1972, it proved impossible to reach agreement on salaries between the then Government and the then Public Service unions. An interim agreement was reached until some form of perhaps not an entirely satisfactory agreement was reached in 1973 along with the promise of a substantial regrading and reclassification in the Public Service. This regrading and reclassification was duly carried out, and indeed forms the basis of the structure of the Public Service as we know it today.

In 1976, faced with inflation which the Government had permitted to a degree far beyond the capacity of the Government to match with a salary revision, there was no agreement between the then Government and the unions of the day, and a few months before the statutory date of a general election there was what has come to be known as “legislation of Public Service salaries.”

I have to make a point on this. There is no other way to increase Public Service salaries except by legislation. Public Service salaries are not dealt with in a document, whether a legally binding contract or otherwise, between employer and employee. They are dealt with by law. A law has to be passed authorizing the passage of a certain level of public salaries. There is no other way to change the salaries except by legislating them. Some idea seems to have grown up that in taking the salaries to Parliament for legislation, there is something unusual. It is unusual neither from the point of view of being an unusual procedure, nor from the point of view that it sometimes has to be done to settle an insoluble dispute as to the amounts of the salary. I want to repeat. There is no way of changing Public Service salaries except by legislation. So the phrase “legislating

public service salaries” has become a mere catch phrase of the Press and perhaps the less knowledgeable of those in the unions. To change Public Service salaries, you have to legislate them.

Since 1969, there has been only one occasion that I have been able to discover when there was virtually general acceptance and agreement on Public Service salaries. That was in 1978, and even then it was not complete, because the Barbados Union of Teachers was in full flow then – and they have never agreed to anything, for any Government, at anytime, *vis-a-vis* money. Their salaries always have to be legislated. They do not conduct themselves as a union which wishes to reach agreement on teachers pay. They have never reached agreement; indeed, they have never complained when agreement, so to speak, has been imposed on them. But other than the B.U.T., the year 1978 represents the only instance since 1969 when it was possible for the unions, generally, to agree with the Government for a salary increase without conditions starting from a fixed date.

In 1972, as I said, there had to be an interim arrangement. In 1976, there was legislation. In 1978, all the unions except the B.U.T. agreed. In 1980, all the unions except the BUT and the BWU agreed. In 1982, I will be quite frank, Sir, there were really virtually hardly any negotiations. We could not afford to pay and we put that to the union; the unions expressed their distress, but their agreement was hardly invited. We dealt with them, but we explained that what we could offer was \$25 a week to everybody, and we proceeded to deal with that.

Now in 1984 there is agreement with the National Union of Public Workers which, let us not forget, is by a far margin the majority union in the Public Service. The Barbados Workers Union comes third in Public Service representation. It is the NUPW first, with many thousands of members; the Barbados Union of Teachers, second; and the Barbados Workers Union, third.

This is the history, broadly speaking, of Public Service wages negotiations. Does it threaten the existence of trade unions? That is not for me to say. It is not the Government which seeks to undermine the unions, because we seek to reach agreements with the unions, and we make very strenuous efforts to achieve agreements with the unions.

3.05 p.m.

In 1976, I understand that the then Prime Minister had eleven meetings with the National Union of Public Workers. The General Secretary of the National Union of Public Workers has said in the Other Place that he enjoyed the arithmetic of the honourable Member for St. John, because 11 actually meant one and one; that there were two meetings. A fullstop should have been between the two ones in 11. But, whatever the arithmetic of the

honourable Member for St. John, a number of meetings were held.

In 1978, we gave the Barbados Union of Teachers the same consideration as was given to all other unions. They did not agree and the salaries had to be fixed without the formal consent of the BUT. Their consent was implied by the fact that no industrial action followed the fixing of the salaries, but they never, then, before, or since, formally agreed to any measure.

In 1980, when the country went through a surge of prosperity, the life of which had never been seen before, or, sadly since, the Government resolved to share that prosperity with the Public Service of this country. We recognized that the prosperity had principally benefitted the unemployed. Unemployment had fallen from 22 per cent at the end of 1975 to less than 10 per cent in 1980, and we considered that the employed deserved some of the benefits that society had extended to the unemployed as a result of Government's enlightened policies. We therefore offered the Public Service salary increases a good way in front of the Retail Price Index increase, 25 per cent at the top going up to around 42 per cent to some workers at the bottom.

What was the answer of the unions? The Barbados Workers' Union found itself unable to accept the biggest salary offer in a single year ever made by any employer in this country, because in some ways, unfortunately, the Government led that year with its 40 per cent offered to the worst paid employees of Government, and this offer was taken up in salary negotiations by the BWU and the private sector later. But the BWU could not accept a 40 per cent increase for people who, at the most, had had to suffer no more than a 26 per cent increase in the cost of living.

Asides.

Rt. Hon. J. M. G. M. ADAMS: It has been drawn to my attention, Sir, that my remarks are addressed to Item 12 on the Order Paper, rather than Item 11. I hope that the House will accept that 11 was a slip of the tongue for 12. Item 12 is the salaries revision. I am sure the House will accept this.

There are two honourable Members sitting down on the other side to whom the digit 1 is of enormous importance, and I am sure they would not mind my adding on the 1 on this occasion.

I see the honourable Member for St. Michael West (Mr. B. M. Taitt) laughing.

Mr. SPEAKER: Could we not then dispose of Item 11 and then move into Item 12.

Rt. Hon. J. M. G. M. ADAMS: Item 11 is excluding certain changes in the Printing Department.

Sir, I would prefer to go on to Item 12.

Mr. SPEAKER: We would have to do it formally.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that the record of the House be corrected to reflect the fact that the House has entered into a debate on Item 12 and not Item 11 on the Order Paper.

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

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

CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (NO. 2) ORDER, 1984

Mr. SPEAKER: Accordingly, we are now doing Item 12.

Rt. Hon. J. M. G. M. ADAMS: I cannot entirely escape the conclusion that an economic consideration of the welfare of the 700 workers who paid draw-backs to the Barbados Workers' Union through Government sources was not the only motivation operating upon the minds of the Barbados Workers' Union in 1980, or indeed today.

I must say that the generosity of settlement now proposed to the House under this item is perhaps as great as any generosity that any Government has shown in previous salary negotiations. The rate of inflation is running at five per cent. The past period of inflation has been in single digits, and we are offering a 15 per cent increase on the base year, which includes two and a half per cent already given, and five per cent in the second year. In the first year, however, public officers will approximately have doubled the increase in the standard of living, taking the interim allowance into consideration, and in the second year they are matching the increase in the standard of living — an offer never before made by Government to the Public officers! And for a union not to accept that offer, its motives have to owe something to other than economic considerations. I say that without hesitation.

Also, bear in mind that in the Public Service, except for those in the upper ranks, there is an annual five per cent increment paid to officers not at the top of their scales — the police, the Fire Service, the Prison, clerical officers, the nurses. Everybody, given good behaviour, gets a five per cent increase. A public officer in the middle of his scale in the last two years would have got two and a half per cent advance on a 15 per cent increase, a five per cent increment, a five per cent increment, a five per cent increase next year and another five per cent increment. So over a two-year period, when inflation would be probably 12 per cent or 13 per cent,

many public officers will be getting salaries 30 per cent higher than at the start.

I make no apologies whatever for saying that this is a generous offer, which the other public service unions would have been very well advised to accept, as the National Union of Public Workers has accepted. The settlement went beyond what the Cabinet had approved. I took it upon myself to authorize the Chief Establishments Officer to offer sums of money which in total would have added a few million dollars to the Government's wage bill beyond the limits that the Cabinet had put — for the sake of getting agreement.

I believe that we could very well have legislated at the lower figure, but I considered that in 1982 the public servants had to hold strain when many people in private industry did not hold strain. They are now paying the penalty, because many of the bankruptcies and the close-downs come from the fact that private industry found itself with costs beyond what its markets would bear, the costs being principally labour costs. They agreed at all costs with the unions and now they are paying the price of shut-downs in the hotel industry and in manufacturing. But they did not hold strain when the Public Service held strain. I therefore said that an effort should have been made to allow the Public Service to regain some of its losses which accumulated over the 1982-84 period. A moment ago I mentioned the relationship between a business' costs and wages. I think it would not be out of place for me, on this occasion, to sound a word of warning of the sort more commonly associated with the Governor of the Central Bank perhaps than with any politician. I am not going to any extremes, but it is a matter of common sense that Barbadians are getting better off as a result of the appreciation of the United States dollar. The cost of living in Barbados could never be rising at so moderate a level, were it not for the cheap imports of foods from Europe, Australia and New Zealand, the cheap imports of construction materials from Britain, cheaper imports of motor cars from Japan, occasioned because of the 20 per cent appreciation in one year alone of the American dollar.

3.15 p.m.

In arithmetical terms, a 20 per cent increase in the value of your currency, when you import 60 per cent of what you consume, without anything else is going to point in the direction of a 12 per cent increase in the standard of living, because you are now able collectively to buy that much more with the same amount of money. This is never foreseen. We live in a society which assumes — in ten to twelve years it assumed it — that all prices are constantly going up. But, in fact, there has been remarkable moderation in prices in this country in the last twelve months.

Indeed, when your currency is appreciated, the costs of all businesses that manufacture for export are rising.

The 20 per cent rise in the value of our currency means a 20 per cent rise in the cost of labour in the manufacturing industry, and a 20 per cent rise in the cost of labour in the tourist industry. So you start off — even if you do not raise your prices — right away with a 20 per cent bite at your potential profits once you are competing with people that do not have this to deal with.

The country cannot go on with increases in real wages that go so far beyond increases in production. If your wage bill goes up 20 per cent, your costs are going to go up by that. You either will face bankruptcy or raise your prices — and the immediate effect of raising your prices is to make yourself incompetitive and to sell less.

We hear a great deal of why, because of politics, we do not sell so much in Trinidad. The Trinidad Licensing Scheme came on long before there was any political dissension. We were being outsold in Trinidad by the cheaper garments from St. Lucia, Antigua, Grenada and St. Vincent long before the Barbados Manufacturers' Association embarked on its campaign of systematic untruths relating to the Government and the effect of its policies on the economic conditions. The Trinidad garment industry was driven out of business by high wages because we could never have built up a \$20 million to \$25 million trade in garments with Trinidad, St. Lucia, \$8 million, Grenada, \$6 million; and so on.

We have to recognize the fact that the capacity of the Government and private employers alike to pay endless wage increases is not limitless. There have been few economic dogmas more strenuously resisted by the unions of this country than one which is accepted virtually everywhere in the world — that high wages cause unemployment. Barbados must be one of the few places left on earth where people say that that is not true. Perhaps in here today, we will hear people saying that is not true. Yet, I say as a fact that — after we pass this — if a maid's wage was not \$175 a week in Barbados the Government would find it possible to employ more maids. I say as a fact that if security guards were not getting \$200 a week that Government would find it possible to employ more security guards. There is only a limited amount of money available and Government's duty is to balance the demands of the employed against the needs of the unemployed.

You cannot give a maid less than a working wage, and, therefore, you do your best to make sure that a maid in Government, previously the most lowly paid of all workers, is given a wage which enables that maid to enjoy a reasonable standard of living. The same goes for security guards. The fact that in Government there are security guards getting more than newspaper reporters at the *Advocate* and the *Voice of Barbados* is a matter for the *Advocate* and the *Voice of Barbados* and the exigencies of white collar employment, which would

suggest that somebody with six 'O' Levels would prefer to be a journalist rather than a security guard. These are matters of choice, but the Government wishes, as far as possible, to be an employer paying reasonable wages. Above all, we would not want to fall into the situation of some private employers who pay bad wages and still do not employ people. And so, the Public Service has been unable to expand in numbers for a number of years. We are operating with approximately the same numbers as we were six years ago because Government's increased resources are going to pay better salaries. We cannot set aside resources for expanding employment in the Public Service.

I say these things not to be critical of the unions' demands for wages. It is their duty to their members not to be seen to be holding back or giving wages grudgingly. I am proud to know that I live in a Third World country where a maid making tea and sweeping offices gets US\$85 a week. Hardly any other Third World country can say that. I am proud to preside over a Government which can offer that kind of wage, as high a wage as now exists in Britain or in much of Europe at the current rates of exchange. But, on the other hand, it has to be recognized that the unemployment in this country is due to the fact that, starting with the Government and going right down to the private employers, employers cannot afford, in many cases, to employ more labour.

Some of the unemployment is due to bad management. I read in the *Advocate* newspaper how a particular firm owned by Trinidadians has had to lay off seventy workers. That has been in the *Advocate* three times, the last time with a picture and a headline. Nobody has ever thought it fit to question the management policies of that firm, which went bankrupt only after it raised its prices 165 per cent to some of the users of its products. The users of W. B. Hutchinson and Company's products could no longer afford to buy them, have had to look elsewhere, and W. B. Hutchinson had to close down — not because of any Government policy, but because it had priced itself out of its own market. But that is what we have to put up with in terms of the coverage, argument and the perception of the Press, and perhaps the Opposition, in many of these cases.

3.25 p.m.

This is not a case where it is a matter of deliberate policy. The honourable Member for St. Michael West (Mr. B. M. Tait), in his then incarnation as Minister of Trade, said that the day of the one-door shop was over, and then proceeded to preside over the closing down of 400 of them. It is not that sort of case where Government policy was deliberately brought in to bear.

Asides

Rt. Hon. J. M. G. M. ADAMS: I hear an honourable Member saying it was not 400; it was 390. This is not a matter of Government policy at all. It is a matter of management.

I tell you Mr. Speaker, quite honestly, that the Government depends on the 8 per cent Hotel Tax to help pay these salaries. The economic society of Barbados has examined the revenues of the Government of Barbados and come to the conclusion that you cannot give the services that you have in Barbados and pay the salaries you have and still speak of reducing taxation. I tell you quite frankly that I have no intention of reducing the 8 per cent Hotel Tax. If the hotels say that their visitors do not like seeing the 8 per cent on their bill, we have an answer for that. In Britain, the corresponding tax is 17 per cent, but there is a law in Britain that it must be an inclusive charge. You do not get a bill in Britain showing an amount plus 17 per cent. By law the Consumption Tax, the V.A.T., has to be included in the price offered to the public. I would just warn the Hotel Association of that, because this matter is now under contemplation in Barbados also. If the complaint is that the guests do not like to pay it, I will put it in their bills and they would not know they are paying it, any more than they would know they are paying 32 per cent in England, 17 per cent V.A.T. and 15 per cent service. It is only 18 per cent in Barbados.

Now a hotelier is critical of the Government for charging the tax. He has never told the general public that the hotel over which he presides is in a very severe cash flow position because there is a management contract by which 7 per cent of the gross goes to the manager and, in addition, the bank overdraft was used for the purpose of allowing the owners of the hotel to take out \$2 million in profit, and, therefore, the hotel now cannot operate, because it is paying interest on \$2 million, which the owners have in their pockets, and it is paying a 7 per cent management fee. The Government is asked to make it difficult for itself to pay Civil Service salaries by accommodating that hotel by reducing the 8 per cent tax. Why does the management not give up its 7 per cent gross? Why do some of the owners not put back in some of the money on which the hotel is paying interest?

Asides

Rt. Hon. J. M. G. M. ADAMS: This is not Heywoods. Heywoods has other problems.

This is a salary revision for public officers, and I do not want to make it into a general defense of the

Government's economic policies, or an attack upon the Government's critics. But these things are facts. High wages necessarily mean pressure on employment. What I call "communist economics" takes exactly the opposite view. There is full employment in communist countries, they say, because the wages are very low. In Cuba, perhaps the Cuban MTW may well employ five people for everybody employed by the Barbados MTW, to do the same work. But in Cuba, five people together get the salary of the MTW man in Barbados.

In the Soviet Union, there is no criticism of the Defense Force of the Soviet Union, because the problem of youth unemployment in the Soviet Union is entirely absorbed into the Soviet defense budget. There are 400 000 Russian soldiers. Do you know what they do? They guard every bridge in Russia! It is as if you had a soldier at each end of the Swing Bridge and at each end of the O'Neale Bridge, and even had a soldier guarding the little foot bridge there that goes from Queens College into the bus stand.

That is a system which we are rightly rejecting in Barbados, the system of low wages and low unemployment. Instead, we tend to have high wages and high unemployment. These are inescapable facts of economic life. They explain why the Public Service can no longer appear in the role as a provider of employment if it is also to appear in the role as a provider of good wages for the employee.

I remember a speech made by the right honourable Member for St. John in here, when he criticised the unions for concerning themselves only with high wages and not with the unemployed. He was perhaps making a speech in slightly more colloquial terms than I am pitching mine, but he was subscribing to the same sentiments on the same occasion and he delivered himself of an aphorism that is worthy of note from all of us — "the unemployed have no union". He could have gone on that you cannot legislate wages for the unemployed under the Democratic Labour Party, but at least we have legislated unemployment relief for them under the Barbados Labour Party regime.

I think that I have said enough on the relationship between wages and unemployment, except perhaps to add that this is an economic problem and not merely a problem of Government's finances. That is of the greatest importance in considering the future development of Barbados today. Have absolutely no doubt about it, Barbados can maintain stability, foreign exchange stability, fiscal stability at the expense of unemployment. But the Government has very seriously to consider whether that price may not be too high to be paid, and there are many ways of adjusting to it, none of them easy and none of them, in the last analysis, particularly pleasant, but one or more of them at least necessary.

To get to the negotiations themselves, the NUPW agreed with the Government on the salaries currently before the House. They have been put to the other unions. In a way, some have neither agreed nor disagreed. Most of them have said that there has been insufficient dialogue; that we hastened to agree with one union and ignored the rest. That is not true. Every union has been given the opportunity of concurrence in these proposals at face to face discussions with the Chief Establishments Officer. The NUPW has made a number of other submissions. It has made very substantial submissions for regrading throughout the Public Service.

The Union of Permanent Secretaries — I am not sure how to describe it — have written and also asked for a regrading. I do not think that the police has asked for any new regrading, but there has been some regrading at the top of the Police Force to straighten out a number of anomalies. I think there has also been some regrading in the Fire Service and some improvement in conditions and service.

The Government has taken all these matters of regrading into consideration, and is now engaged on a regrading and reclassification exercise. We have reclassified many of the posts in the key scale, which represents, properly speaking, the manual workers of Government. I considered there was too great a gap between the top of the D scale, and Categories 1 and 2, and I have asked that this gap be narrowed and that a number of category of workers be promoted from Categories 2 and 3 to Category 1. I consider that Category 1 was too limited. It covered only the electricians in the Queen Elizabeth Hospital. I think that heavy equipment operators and other persons have the same responsibilities and their work demand the same level of skill, and they will be regraded.

3.35 p.m.

I made a calculation last night, and it seems to me that one category in the regrading will get an increase of some 40 per cent as a result of the combination of the new salaries and the regrading exercise. That is, of course, not related generally to people in the Service, but to persons who, perhaps unreasonably, have been held down. The bottom of the category will be amalgamated. This will result in an improvement of only cents a week rather than anything substantial, but it does reduce further the anomalies in the key scale.

There are also other areas for which the NUPW has made specific proposals. One that comes immediately to mind are the Legal Officers of Government. I am quite satisfied that they are very under-paid, as are other professional officers of Government except doctors. I am satisfied that the engineers and architects in the Government Service are not being paid at scales commensurate with their expectations in private employment, and that

we are not necessarily getting the best people, or getting the best out of the people we have, and I think they deserve some consideration.

I see the honourable Member for St. Philip North (Mr. W. O. Franklin) taking notes. I would not be able to answer him if he asks me if there are any special proposals for surveyors, but I will make enquiries about that in case he is questioning my omission of surveyors from the professional categories at whom we are now looking.

There are other aspects of the Civil Service conditions which have been raised by the NUPW, and on which there is a continuing dialogue.

I saw the President of the National Union of Public Workers in the lobby of the House a little earlier and I asked him what were the items that were outstanding between us. He mentioned some. I gave him no answer then, because I intended to announce in the House that I am amenable to the suggestion of the Chief Establishments Officer that we accede to their request for a small subvention to assist the NUPW. We believe that we will find it possible to assist the NUPW with its office and with other expenses in a modest way. The argument is that the Barbados Workers Union enjoys substantial support for the Labour College and the educational programmes of the NUPW deserve some support from Government as well and I think it is a good argument.

I can also announce that, in response to arguments that the tightening up of Study Leave by the Government is too severe, we have already begun to liberalize Study Leave. Some civil servants will be well aware that they have been the beneficiaries of Study Leave in specialized areas. However, I think we must still make the distinction between Study Leave to the benefit of an officer and Study Leave for the benefit of the Government. Undoubtedly, applications for Study Leave in areas where the Government perceives that the scales in the Public Service are insufficient will be dealt with rather more generously than applications for Study Leave where the benefit will observedly go to the officer rather than to the department where he is employed.

As I said, these discussions are ongoing and I think in my diary there is a meeting with the NUPW next week to discuss a number of their proposals, although not specifically the question of regrading.

The question of regradings brings me to the final point that I am going to make in my speech. This Resolution is, of course, not the last bite at the cherry. We did not feel that we could keep the great mass of the Public Service waiting any longer for the salary increases. That is why the House is meeting today, and that is why we are coming with this Resolution at this time.

We, in fact, received agreement on the salary increases in the month of March, but we have still had to ask certain public officers to wait six months, and it will be a rush to get out the new salaries next month. But I have asked that this be done. In other words, it is as if you went on negotiating and talking and still did not reach agreement until a very late stage. As far as I am concerned, this is not good enough, and I am saying it as a member of the public, and indeed as a person who draws a salary from the public Treasury, to myself as Minister of Establishments.

We have waited. We have waited on the other unions on the regradings, on making our minds up about various terms and conditions of service. We have waited long enough. We cannot wait on the other unions any longer. We feel that the salaries must be legislated.

The Civil Establishment Orders now before the House contain the usual escape clause. If any public officer does not wish to take the new salary, he is free to draw the old salary by giving the appropriate notice and continue negotiating. I myself doubt that that particular clause will be of wide applications, but the Government offers it so that nobody will say that we are betraying the principle of collective bargaining.

The principle of collective bargaining does not mean that the unions, in the end, will dictate what they want. It means that the unions and the employers have to agree. The principle of collective bargaining is invoked by employers to avoid paying an increase at all, because if the employers do not agree to an increase of any sort, the principle of collective bargaining says that they are right – they collectively bargain and say they cannot afford to pay more. That is their right under the principle of collective bargaining, and the only way to unlock that situation is industrial action.

The principle of collective bargaining does not mean that an employer is obliged to go on and on offering what he cannot afford until the union says: "Yes". But the Government is keeping open the principle of collective bargaining in this instance by the clause therein contained since the Democratic Labour Party's time permitting public officers not to take the new rates but to take the old.

This was even offered to the judges. Honourable Members will recall that when we legislated the judges' salaries, we legislated it with an escape clause allowing any judge to take the old salary, plus his housing allowance, rather than the new salary, which incorporated his housing allowance. That legislation remains for the existing judges.

So we have come to the end of yet another of these salary revisions. The necessary legislation is before the

House. I do not intend to make another speech on the remaining items which follow Item 12 on the Order Paper. They are all related, and I trust that my speech has set out the Government's views as completely as I can on this issue.

The Government is paying all that it can to the public officers. Perhaps it will be found that the Government is unable to expand its capital expenditure because of the impact of the new wages bill; well so be it. The Opposition will perhaps be secretly glad, although they themselves say that we should not, because the capital expenditure produces employment, employment produces prosperity, and prosperity produces a happy atmosphere in the country. I have never known an Opposition yet which has so earnestly and terminately sought to make Barbadians unhappy and miserable and feel sorry for themselves as on this occasion.

3.45 p.m.

They will find it very difficult to make the public officers sorry for themselves that they are only getting 15 per cent plus 5 per cent at a time when inflation runs at 8 per cent plus 5 per cent. They will find it very difficult indeed to make public officers feel other than that this is a very generous settlement, and that their representatives did well to persuade the Government into a settlement of this level and consolidate it by giving the Government their sanction to legislate it. The overwhelming majority of public servants are behind this legislation which, Mr. Speaker, I do now beg to pass this House.

Hon. L. S. CRAIG: I rise to second the Resolution, Sir, and reserve my right to speak.

Mr. L. E. SANDIFORD (St. Michael South): Mr. Speaker, I wish to start by saying that the economic and social well-being of this country depends on how well we can deal with the problems of unemployment and inflation, balance of payments problems; how well we manage or mismanage the National Debt; and how we assist and promote efforts of the productive sectors of the economy, both public and private. In this particular regard, it is vitally necessary that those organizations which represent employers and employees should both be treated with courtesy and given an important role to play in the resolution of those problems, and that every effort should be made to ensure that the level of wages and the terms and conditions of work should be arrived at through processes and procedures which are acceptable to both sides.

I believe that the Government has been warned or advised, on more than one occasion that the state of industrial relations in this country leave much to be desired, and that in this regard, the Government, as the

major employer in the country, has a pacesetting and trendsetting role to play in ensuring that the state of industrial relations be improved.

I do not think that the history of negotiations in this country, particularly since 1976 when the present Government assumed office, can be said to be the epitome of good industrial relations, as conducted by the Government, because I believe that on each occasion the question of negotiation for public sector workers has come up, those negotiations have been terminated abruptly and prematurely, and legislation introduced into Parliament thereby terminating the processes of collective bargaining. As I understand it, on such occasions — I believe there have been three occasions now — the process of collective bargaining, which should be the hallmark of industrial relations in a democratic country such as Barbados and which should be given every opportunity to be explored to the fullest, was cut short. The Government now has almost a 100 per cent record in prematurely bringing to an end the processes of collective bargaining in which the industrial relations in this country could be based.

I dwell on this question of collective bargaining because this is at the heart of the present matter, and indeed at the heart of the fundamental question of whether Barbados will continue as a country based on free institutions, and its industrial relations based on the practised procedures and the processes of free institutions, using the spirit of voluntarism, sitting down around a table, bargaining in good faith and arising at some kind of compromise at the end of a reasonable period of negotiation. I do not think that anybody in their wildest dreams could advocate the view that, in these present circumstances, the processes of collective bargaining have been exhausted or have been pursued in good faith.

(Hon. Dr. R. L. CHELTENHAM: You cannot support that.)

Mr. L. E. SANDIFORD: I am making that charge and it will be for the Government to counteract it, if it is true, if they have other information.

As I understand it — let me make it very generous — I believe some five or six meetings — I put it at that high level. I have heard figures ranging from two meetings or four, but I am saying five or six — were held with the National Union of Public Workers in respect of these current negotiations. After those five or six meetings, some kind of agreement, as I understand it, was arrived at with the National Union of Public Workers, as its leadership was then constituted.

Asides.

Mr. L. E. SANDIFORD: I have to say "some kind of agreement;" because I heard that there are sections in the National Union of Public Workers and elsewhere who feel that that settlement is not as satisfactory as they would wish. That is why I used the words advisedly, "some kind of agreement". It has not met with unanimous agreement among the membership of the NUPW, or indeed among those public sector workers who are not members of the National Union of Public Workers. 3.55 p.m.

Now there were other unions still to be involved in the whole process of negotiation. They were not brought into it at all. As I understand it, two meetings were held with the union representing teachers, the Barbados Union of Teachers, and then a letter was sent after two meetings indicating the settlement, take it or leave it! I understand that they were given the opportunity to concur, not to negotiate. That is my understanding of the words that were used.

I am submitting seriously that there is something wrong with the state of industrial relations as practiced by the Government. When you can have the system where the Government appears to be playing off one union against another union, and then the other unions, after two meetings, are given a take it or leave it situation, it says there is some kind of agreement. You start off one meeting with the Chief Establishments Officer, another meeting with the Prime Minister, and then the letter says, "stumps drawn" — and the matter is settled.

This is no laughing matter, because it affects the welfare and well-being of this country. When the thousands of workers in the public sector are dissatisfied, when the very processes through which in a free society trade unions should be able to negotiate and should expect that they have the right to negotiate with their employers in good faith are choked up, it is a serious matter. That is exactly the situation that has happened.

Perhaps it is an appropriate time for us to reflect on what has happened. I am only talking so far about the public workers. There are some workers, including the staff of Parliament itself, who have not had any kind of negotiations or anything going on. Some of them have not had any increase since 1978. Something has to be wrong with the state of negotiations in this country when we can get this kind of situation developing. What we have to do is to ensure that the Government improves on its approach to the whole question of trade unionism in this country. What we require is a clear statement that the Government believes that the workers should be represented by the organization of their choice, that those workers' organizations should be free to bargain in good

faith, and that, as a result of that bargaining, some kind of compromise should be worked out.

When we look back at the history and realize that in 1976 that Government over there was telling the Democratic Labour Party Government that twenty-two meetings were not enough.....

Aside.

Mr. L. E. SANDIFORD: I go by the records of this Chamber. Twenty-two meetings were held.

Asides.

Mr. L. E. SANDIFORD: I hear that there were twenty-three at the end, and that the leader of the particular union, the General Secretary at the time, did not attend the last one. But we were told that twenty-three meetings were not enough under the processes of collective bargaining, and that the Democratic Labour Party Government should go back to the bargaining table. I want you to contrast that with what has happened since then, and with the present situation, in which one of the unions, the Barbados Union of Teachers, after two meetings is told that that is the end of the road. I have to ask what kind of somersault is taking place in this country. It does not augur well for the state of industrial relations in this country and the Government has got to do something about it.

It is often that the Government over there does not pay any attention to what is said over here. But, nevertheless, we are satisfied that there is a tide swinging against the Government and that the people out there will be forcing the Government to listen. You can ignore the Opposition over here, but the Opposition over here is rooted in the feelings and the opinions of the people out there. Your majority has vanished, and

(Hon. L. S. CRAIG: Why are you not over here then?)

Mr. L. E. SANDIFORD: It is only a matter of time.

We are asking the Government to look at these Orders again, because it has brought dissatisfaction into the National Union of Public Workers itself, with whom you claim that there is an agreement. And there has been no agreement with the Barbados Union of Teachers or with the Barbados Secondary Teachers' Union. 4.05 p.m.

I recall that some of these Unions used to write letters on occasions such as these when salaries were, to use the phrase, "legislated". (Although all salaries have to be brought into this Honourable Chamber to become law, when the word is used, it is used in the sense that the

process of bargaining is terminated and the matter is then settled by legislation). One of those unions would write the then Prime Minister, the Member for St. John (Rt. Hon. E. W. Barrow) and advise him that he should cease the action of legislating salaries and to find some other way to resolve the problems and the differences over salaries and terms and conditions of work with the union which was being represented. I am asking the Government to look at this matter again, not to rush head-long and place on the Statute Books an agreement which has met with widespread dissatisfaction among the unions of this country.

(ASIDE: Which one?)

Mr. L. E. SANDIFORD: I have mentioned them already. The NUPW itself was dissatisfied about it. That is what I read in the newspapers. The Barbados Union of Teachers, the Barbados Secondary Teachers' Union, the Barbados Workers Union — none of them representing the workers of this country is satisfied with this particular settlement. But yet the Government is proceeding on the basis of an agreement which we heard was arrived at since March — and there is still all of this residual dissatisfaction!

On a previous occasion, after negotiating for some twenty meetings, or twenty-three, this Honourable House was advised by an amendment that the Resolution to approve the Civil Establishment Order should be suspended, I believe the word was. The Government was advised when offering something like 35 per cent at the bottom and something like 18 to 20 per cent at the top as salary increases that we should go back to the bargaining table and arrive at a better figure satisfactory to the workers. I am asking the Government on this occasion to re-open negotiations and that any decision which they may take on the basis of their numbers should not preclude a more favourable settlement, or any other settlement, arising out of collective bargaining in good faith between the organizations representing the workers and its employees.

It may be that the Government is a little fearful. They may believe that one reason why industrial relations in the public sector may be plagued with problems is because there are severe constraints upon the public finances — and there are, in many instances. And, over and above that, they may believe that there are other considerations involved, some of them political, which may prevent them from negotiating, or which they may feel prevents them from negotiating in good faith.

I do not believe that we have reached that stage where a Government should be operating on the basis that, because it may have fears, it should not stick to one of the cardinal features of a democratic society, that the wages, terms and conditions of work of employees should be arrived at in good faith after collective bargaining. The principle of collective bargaining is on trial here, and it is a very serious charge. I will therefore advise and request

the Government to continue the negotiations and arrive at a settlement satisfactory to these organizations representing the workers in this country. Finally, as a generalization, I say that in the public sector the process of collective bargaining is inefficient, and that something needs to be done on this particular matter.

Hon. Dr. R. L. CHELTENHAM (Christ Church East): Mr. Speaker, I rise to give my support to this Resolution before this Honourable Chamber, so ably introduced by the Right Honourable Prime Minister.

I think that it was important that he began his speech as he did, by reciting the history of salary revisions in this country, because, as a result of darkness, it emerges very clearly that negotiations with the unions representing the public sector workers is really a very recent matter.

Prior to Independence, we always had an expatriate Commissioner who used to come in and decide salaries. You will recall that we had Jacobs in 1956, Godsall in 1961 and Pusinelli a few years after. At that time the Commissioners were concerned not only with salaries and wages in the public sector, but also with other conditions of work and related matters.

I mention that because that is one omission of the exercises of recent years. For example, Godsall in 1961 proposed that there be a cadet corps in the Public Service, and that those who entered the Public Service with good 'A' levels, with obvious potential to rise in the Public Service, should have been placed in a special category and be given every opportunity to rise rapidly, with a view to populating the top levels of the Public Service in a relatively short while. Except for a brief experiment with that idea, I think that it has now been abandoned.

4.15 p.m.

The point is that the Public Service is in severe need of rich talent in the middle and upper reaches. I think that it is important that there be some return to that idea whereby a cadet corps is established, and we deliberately and consciously go out to identify the talent within the Public Service which has an opportunity of rising to the top, rather than allowing that talent to surface through the natural processes.

The brief history of salary negotiations which the Prime Minister gave was important insofar as it established, beyond doubt, that it is not only under the Barbados Labour Party Administration that the Government has not been able to agree with the unions on public sector negotiations. In fact, the genesis of this disagreement is to be found when the Democratic Labour Party was in office. I do not think that it has anything to do with the Government as such being bad negotiators or unreasonable employers. It has got to do, in some respect, with a mis-

understanding, which I think is at the heart of the speech which was just made by the Member for St. Michael South (Mr. L. E. Sandiford), that the principle of collective bargaining does not imply that negotiations must be endless and interminable.

In the court process, there is finality. You can lose your case at the Magistrate's Court, you can appeal to the Divisional Court and you can appeal to the Court of Appeal. But after that, that is the end of the matter. You cannot go on and on and on and on. Your day in court must come to an end. Equally, in the process of collective bargaining there must be an end. If the Government sits down with the unions and hold one meeting, two meetings, three meetings or four meetings, they can go on for months, but they must reach the point at which the negotiations must come to an end.

I reject the charge that the Government has been unreasonable in this exercise. It is very significant that the union representing some 80 per cent or more of the workers agreed to the wages increase. The General Secretary of the National Union of Public Workers signed his name on behalf of 80 per cent of the workers in the public sector saying, that they agree with the Government that these negotiations have been reasonably conducted and that the offer is a reasonable one.

The Barbados Workers' Union has not agreed. The brief history that the Prime Minister has given us reveals quite clearly that the Barbados Workers' Union has never agreed either with the Democratic Labour Party or with the Barbados Labour Party Government with respect to the five per cent or seven per cent of the workers which they represent. The Teachers' Union, they do not agree with anybody, not even themselves. So what is the Government to do?

The last honourable Member who spoke said that the failure to reach agreement with the two minority unions — that is what they are in this exercise — is an indication that not only is collective bargaining under attack, but also democracy. I have already pointed out that collective bargaining does not imply interminable negotiations. There must be finality. I go further and say that democracy also implies restraint and accommodation. You cannot be unreasonable and think that there is anything democratic about being unreasonable.

It seems to me that the two minority unions had some responsibility, while maintaining their independence, to try and accommodate their position with the position as reflected by the National Union of Public Workers representing some 80 per cent or more of the workers. The reasonable question to ask is, why did they not try and adjust and accommodate their position, whilst maintaining their independence, to that of the National Union of Public Workers, the majority union? Rather than

making that point, we are led to believe that the Government was involved in some dishonourable act in coming to an agreement with the President, Horatio Cooke, and the General Secretary of the National Union of Public Workers. They are all known to be men sound in body and mind. There is nothing dishonourable about their coming to an agreement with the Government on salary negotiations.

An important point has got to be made in relation to collective bargaining and salary negotiations in this country. I think that the workers, not only in this country but all over the world, recognise it. Often, leadership of the unions does not reflect the good sense among the rank and file of the members. We have had several instances in the United States of America, and in England, too, where the workers have had to tell their union leaders that they are not going along with them, they do not seem to be representing their interests. Because the workers worldwide know two basic things which your mother would have taught you, as mine taught me. You cannot get a lot from a little and you cannot get something out of nothing. These are two basic principles rooted in common sense and centuries of experience and wisdom which all the workers recognize. So Mr. Walcott could keep as much noise as he likes. The workers know that you cannot get a lot from a little and you cannot get something out of nothing.

But, in all of this, he has not said too much. The position is that the members of the Democratic Labour Party are on very weak ground in this case. They are trying to fight a lost cause and make the unreasonable call for a return to the bargaining table. For what? For the unreasonable members of the teachers' union to continue to display their unreasonableness?

Eighty per cent of the workers out there want their money. The negotiations have been completed ever since March. It is about high time that they get their money. What am I to understand the honourable Members on the other side to be saying? That the Government must continue to deprive the long-suffering workers out there of the opportunity to enjoy the increase which they so richly deserve? That the Government must deliberately and consciously stand in the way of the workers getting the increase which they so richly deserve?

You cannot get everybody in this country agreeing on anything. The Government would be very well advised to try to get the National Union of Public Workers in complete agreement with the outcome of the negotiations. It would be an unreasonable expectation of the Government to return to the bargaining table. I am satisfied that these negotiations have resulted in a generous increase. The workers are getting an increase well in excess of the Retail Cost of Living Index.

In many countries of the world, countries that we have always looked up to and regarded as prosperous and

developed, workers are getting two and a half per cent and four per cent. The employees at Eastern Airlines, one of many companies in the United States of America, have had to agree to give some of their salaries back to the company in order to keep their jobs. That is the reality of the world in which we live today. And that is happening in the rich United States of America.

4.25 p.m.

Workers in Barbados, in the midst of the recession, can get 15 per cent and more, when Mrs. Thatcher is offering the public workers in the United Kingdom two and a half per cent. In Canada, there is none, but we in Barbados can get 15 per cent. And instead of coming in here today and rejoicing that, in the midst of all the misfortune around us, we are still able to give our workers in the public sector 15 per cent and more, we are told that the Government should return to the bargaining table and stand in the way of the workers getting the increase as a result of the negotiations concluded by the representative of 80 per cent and more of the workers ever since March.

In Barbados there has been the tendency of the private sector to follow whatever is the percentage offered by the Government in the public sector. The unions have always argued that if the Government, a non-profit making organization, as it were, can offer 15 per cent, there is no reason why the private sector cannot offer more than 15 per cent. Two years ago, the private sector, contrary to the lead set by the Government, succumbed to the pressure of the unions, and as a result they offered the workers an increase which their businesses were not able to bear. Some of the difficulties, not all, which are being experienced today in the private sector is a direct result of the fact that the wage bill is too high and that the increase which was given two years ago was too great in relation to the output and the prosperity, both then and in the immediate future of the companies. I very much hope that they will have the good sense and the courage to resist the unions on this occasion, and make it clear to them that they cannot get the same level of increases as the Government on this occasion. The Prime Minister has pointed out that the increase on this occasion is the result of the fact that we recognize that the workers in the public sector did suffer some loss as a result of the Government's inability two years ago to give them the sort of increase to which we thought they were entitled.

The right honourable Prime Minister has mentioned that a regrading exercise is going on, and that they are, in particular, looking at the lawyers in the public sector, the engineers and one or two other categories of workers. His list was not exhaustive, but I would wish to add the head-teachers of the secondary schools, new and old. I think a very good case could be made, almost an unanswerable case, for reclassifying them. They discharge heavy responsibilities, and I think they are an underpaid lot. I think that if we are to attract good people in the teaching service, who

are prepared to remain in it and aspire to be heads, it must be seen that we will be rewarding heads of secondary schools better than they are being rewarded.

I deliberately omitted the elementary schools' heads, because it was about five years ago that they benefitted from a substantial reclassification and regrading. That brought headmasters of primary schools from \$1100 and \$1200 a month to \$2100 and \$2200 a month, so I think the injustice which they suffered then for centuries was largely corrected. We have to ensure that in the passage of time they are not back in the same bad position that they were for many, many years, but I think there is a strong and answerable case for heads of secondary schools, and I very much hope that the Prime Minister, in his capacity as Minister of Establishments, will bear these matters in mind.

We must keep a sense of balance and proportion in all of these matters. It makes no sense for the unions to press for increases which are beyond the capacity of the Government and the country to pay, and which will result in workers being put out of work. It is a fact that in the hotel industry today a lesser number of maids are being used simply because their wages are so high that there are very few establishments which are able to carry the same number of maids. Neither Sandy Lane or Hilton, or the small apartments, can afford to have one maid for every eight rooms, as used to be the case when the remuneration for maids was not as high as it is today. They are now using one maid for every twelve rooms, and there is something like a 15 per cent or 20 per cent reduction of maids in the hotel industry. In my view, it is better that 10 000 people be employed at \$150 — this is just an illustration — than we must pay them \$220 and the 10 000 be reduced to 4 000. I think that everybody would be happy if we have a situation where we are spreading the cake and involving everybody at reasonable wages rather than having a few enjoying very high wages and the others outside of the labour force looking on.

What we have done in the Barbados Labour Party for the people at the lower end of the Public Service is something of which all of us on this side are proud. When we came into office eight years ago, maids were getting \$40, at most \$50 a week. They are today getting three times that and more — and they do not have to pay any tax on it either. We tend to be forgetful, but that is a major achievement of the Barbados Labour Party. We have not only triple their wages in eight years, in the midst of all the depression and recession which we have been going through, but we have also rid them of the responsibility and burden of paying Income Tax.

That has ensured that the gap between the top of the Civil Service and the bottom has been narrowed, but it has also brought problems, which I think we ought to face. We will not motivate people to aspire to the senior reaches of the Public Service. They will have no material incentive for giving of their best, or even remaining in the Public Service,

if people in the middle and lower reaches find themselves literally inches away from them in the salary scale. A certain differential must still be maintained. The relativities must still be maintained, or else the people in the upper reaches will have no incentive and no motivation.

I think that, given the tremendous increases at the bottom, as enjoyed over the last ten years in this country, it is about time that a look at the top to ensure that we continue to attract the best of our talent, and motivate them too. So I support the regrading and the reclassification exercise which is being undertaken, particularly for the upper regions of the Civil Service, and it ought to be said that that is being undertaken at the initiative of the Government and not of the union.

4.35 p.m.

I believe that in bringing these salaries before the House we have done something which is sensible and unavoidable. I do not see that we had any other alternative, and I am happy to lend my support to the passage of this Resolution before this Honourable Chamber.

Applause.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, it is clear that the Government is in such disarray that they have to cheer even when there is nothing to cheer about. When the honourable Member for St. Thomas (Rt. Hon. J. M. G. M. Adams) got up today, so intent was he on making the set speech that he started off down the road without even looking to see whether he was on the right track. Indeed, as we have heard the speeches from that side, what we have had is a lecture in history by the honourable Member for St. Thomas and the honourable Member for Christ Church East trying, to top up the areas which the honourable Member apparently left out of the prepared stratagem.

In the end, what we had from the Barbados Labour Party Government so far in this matter before the House is that the poor maids in Barbados now have to carry the brunt of all the difficulties we have. The maids are being paid so much money that the rest of the people cannot be employed. That is the gravamen of the speech I have heard.

Mr. SPEAKER: That is not what I have heard. You may be drawing a conclusion. I rather you put it that you are drawing a conclusion.

Mr. B. M. TAITT: I am going to put it this way. The poor maids in this country, along with the other persons who have been given these high salaries by the Government, now make it impossible for the Government to employ anymore people.

We have heard some antediluvian economic theory from the Prime Minister this afternoon. The Prime

Minister trotted out first year Economics, which he said is a dogma which is accepted everywhere in the world except in Barbados, and he went on, in that reasoned voice of his, to tell us what the dogma is and then to tell us why the dogma is true — except where it matters.

The truth is that it was the same very Prime Minister who told the people of Barbados in 1977 and 1978 that he foresaw the day when Barbados was going to have a standard of living equal to the standard of living in the United States. It was that same Prime Minister who led the people of Barbados to anticipate and to expect a level of living — and now that Prime Minister comes to this Honourable House, in the course of indicating that he is going to legislate salaries, once again, and tries to suggest that somehow the hoteliers and the manufacturers, by not holding strain in 1982, have been responsible for the dilemma in which this country now finds itself.

Everybody in Barbados is to blame except the Government. Everybody is to be blamed except the Minister of Finance. Yet, a close examination of the facts will reveal that it is still the Government's responsibility to create jobs in this country. If the Minister of Finance is indicating to us today that the Government has reached the point where it cannot create anymore jobs, and if the taxation policies of the Government are such that the private sector out there cannot create jobs, I think that what the Government is admitting is that we have come to a standstill in our economic movement forward.

I want to deal with a matter which the honourable Member for St. Thomas touched on in seeking to find a reason why we are in this situation. He cited a particular hotel and said that the hotel had a seven per cent management contract together with a fixed profit out of the gross of that hotel, and when the question was asked, he said it was not Heywoods. But I think that the honourable gentleman should also indicate to this Honourable Chamber that that pattern has been set in the hotels that are owned by the Government. I am reliably informed that, in the case of Caledonian and Heywoods, the Government has agreed to pay Caledonian \$500 000 per annum as a management fee, plus 22 per cent of the gross operating profit.

Mr. SPEAKER: Please! We are not going into the management structure or the fees payable in respect of Heywoods. When the Prime Minister said he did not mean Heywoods, that resulted from an aside. I am not going to let a debate based on fixing of salaries for public servants now degenerate into a debate on the management of Heywoods. I invite you to make your comments, but do not develop a debate over Heywoods.

Mr. B. M. TAITT: It is not my intention to debate Heywoods. I am merely using Heywoods as an example of what I am going to say. That is an example of the

pattern which the Government has set when in the 1978-79 period, and indeed just before the 1981 elections, a number of statements and a number of actions on the part of the Government led the way for the manufacturing and the hotel sector in this community, as a result of which whatever problems the honourable Member now identifies can be traced, and must be traced, back to the Government. It is not, as he suggests, that the manufacturers and the hoteliers did not hold strain, gave the workers too much money in 1982, and now are, as a result, laying off people and there is high unemployment.

He talked about a 10 per cent unemployment rate in 1978 and here we are in Barbados today with a 17.8 per cent unemployment rate at the end of June. I would make bold to say that, based on my estimates of the numbers which are reported being laid off on a daily basis in this country, the number of businesses, small and medium sized, that are closing down on a continuing weekly basis in this country, the number of companies that have seen a week on week off as the norm, the unemployment rate in this country is probably in the vicinity of the 22 per cent today which he talked about for 1975. The 17.8 per cent was to the end of June. We are now at the beginning of September, and it will be interesting to see the figures for the quarter ended September 30 whenever those figures are published — if they are published.
4.45 p.m.

It is in that context that one finds it extremely difficult to accept the argument put forward, attempted obviously, to divert attention from the point concerning legislation of salaries. I think it is specious for anyone to suggest that since the salaries are legislated anyhow, therefore legislation of salaries is nothing to worry about. What the unions are saying is that the principle of collective bargaining is not being recognized and adhered to by the Government.

Then, the honourable Member from Christ Church East, in an attempt to further parlay this argument, suggested that there must be an end to negotiations, that you must stop at some point. He cited the Court of Appeal as an indication of how the process must stop. But what the honourable Member did not do, and should do, is to recognize that when one goes to the Court of Appeal, one is not in contention with the judges; one did not put the judges in court, and then the judges turned around and decided, "This is the end." The judges are umpires. In this case, the Government is negotiating with the unions, and it is the Government that has decided that there must be an end to the negotiations.

If the Government had come to this Chamber and indicated that they had difficulty in reaching agreement with some of the unions and, therefore, they have decided to have an arbitration and the unions did not agree with the arbitration, honourable Members might not

have any difficulty in agreeing with that. But to suggest that the Government, with whom the unions are negotiating, must be the body that decides that the negotiations must come to an end, and to attempt to compare that with the processes in court, I submit is not in keeping with the arguments which the unions are putting forth. And to say that the Barbados Union of Teachers has never agreed with anything, or to say that the other unions have never agreed, is not a true representation of the issue which the unions are putting before the public.

Mr. Speaker, everybody in Barbados feels that when he joins a trade union, his rights will be represented. The people who work for the Government, unlike the people who work in the private sector, are circumscribed by certain rules and regulations. A teacher in this community is required to be above and beyond the norm when it comes to his behavioural patterns, the way he or she dresses, the way he or she conducts himself or herself.

They have been permitted over the years to form unions. But it is a puerile victory to be able to form a trade union, to pay trade union dues, to tell yourself that you have collective bargaining, only to find that, year after year, your employer who, because he is the Government, determines that he will fix the salary in advance, tells you what it is, and then asks you to come in and call them negotiations.

It is one thing to say how many meetings they held. It is another thing to examine the substance of what went on at these meetings. And from all the information that we have, it is clear that these negotiations do not even resemble what is normally known and accepted as negotiations in industrial relations.

I think that the unions of this country owe it to themselves, instead of talking about the legislating of salaries every year, to demonstrate to the rest of the community that they are trade unions in the truest sense of the word. I think the unions of this country have some responsibility to themselves and to their members to make the Government respect them. It is not for me, from the floor of this House, to advise any union what action it should take. But I think that, to the extent that this matter will blow over into next year, when the Government will come once again and legislate the salaries, and there will be a few statements against the principles if that is all that is going to come of it, then we might as well stop the debate, we might as well not get involved in discussing it year after year. We might as well ask the Government, as used to happen in colonial times, "What, Sir, are you going to give us this time?" Say, "Thank you, master," walk away peacefully, clap our hands and call that "wally".

It does not make sense to have this prolonged discussion year after year about the legislating of salaries — and

then the Minister of Finance makes the statement himself, categorically, that he makes no apology for the position he takes, a position which is contrary to the spirit of the trade union movement – and then the unions will resume as if nothing happened. The Prime Minister needs a rude awakening.

Aside.

Mr. B. M. TAITT: I was not rude.

Aside.

Mr. B. M. TAITT: Mr. Speaker, what the Government needs to understand is that they cannot make fun of the fact that they are going to give the NUPW a few dollars to help them with their administration. They have no respect for the NUPW, otherwise no Prime Minister could come into this Honourable Chamber and make fun of them. That is what I perceive him to be doing.

The National Union of Public Workers has now reached the stage where the Minister responsible for Establishments can announce that he is going to give them a few dollars to assist them with their administrative processes and make fun at them. He has no respect for them. And, by definition, since he is saying that they represent 80 per cent of the public workers, he has no respect for the public workers. But that is not new. That has been obvious – to all who can open their eyes and see – for some considerable time.

We have had paraded today a historical preview of the times in 1956 and 1961, times when we were still at the hands of a master. We became independent in 1966. In the United Kingdom itself, which had responsibility for Barbados, the Public Service unions in the United Kingdom are not subject to the kind of attitude which one has seen displayed here today. Those unions are respected, and must be respected – and they are many of them.

We have been told about how Pusinelli –

Aside.

Mr. B. M. TAITT: The honourable Member would not know about Pusinelli, Sir. He came in latterly.

We have been hearing about the time when a Commissioner used to come down, lay down the law, and that was that. We had the system of Whitley Councils, which were toothless tigers. We did not have collective bargaining.

The whole world has gone forward in terms of the public administration of countries. This has been acknowledged, even to the point of having trade unionism

in the Army in some countries, because it is recognized that in the movement forward it tells of people's rights....

Aside.

Mr. B. M. TAITT: In the movement forward in the recognition of people's rights, it was recognized that even though you are working in the Public Service, you still have certain basic rights. And even though in our system, it never seems as though the right to work is going to be accepted as a point in law, even though that does not seem ever to be coming as part of our system, it has been accepted on all sides that the right to work and the right to a decent living apply equally to civil servants as to anybody else. Yet, we can have the spectacle of the Minister responsible for Establishments and the Minister of Finance coming to this Honourable Chamber and saying, without apology, that he is like Grynner – he do what he do already so he is not apologizing," – and properly so, to the question of the \$200 which a security guard is getting in Barbados as opposed to what a journalist is earning.

4.55 p.m.

The honourable Member who just said that he is proud to preside over a Government in which a maid is getting \$175 a week, and in which a security guard is getting \$200 a week, should acknowledge that he cannot be proud to choose a journalist as an example of someone who is getting less than \$200 a week or \$175 a week, as the case may be. How can he be proud to lead a country where the priorities are so convoluted that Ministers can get \$63 000 a year, and Ministers are supposed to be equal?

Asides.

Mr. B. M. TAITT: I am not quarreling about that yet. That will come. I just mentioned it in passing. The Prime Minister himself is getting \$103 000 a year. He is supposed to be the equal of the journalist, but he comes here today to talk about journalists who are getting less than \$200 a week.

This country has a number of shortcomings, and a large percentage of the more recent shortcomings must be laid at the feet of the Government, and more particularly at the feet of the Minister responsible for Establishments. They have promised the people. They are the ones who told the people that they were going to give them the pie in the sky. Now the people are asking you, "What do I buy with the \$200 a week." If a security guard is getting \$200 a week, and his lady at home is not working where she used to work, then collectively in the household they are worse off. If a maid is getting \$175 a week and her husband cannot find work, then collectively that family is worse off. And if at the same time they have to pay public utilities prices that are extraordinarily high, when at

the same time they have to pay for food that has been so high over the last six years that it is a myth to talk about the five per cent inflation this year, you can see their plight.

What about the inflation over the three years previously? If you go into the shops you will discover that even if the inflation was zero percent, there is nobody buying anything. That is what is important about what is going on in this country now, not the rate of inflation. Nobody has any money to buy anything, because half of the people in the household are not working. Those who are working can be said to have a job more than they can be said to be working in terms of carrying home money.

Mr. Speaker, it is useless in this particular presentation to recite again what is happening in the hotel industry. It is useless to talk about what is happening in manufacturing. But what is unfortunate is that the Prime Minister continues to persist in laying the blame at the feet of somebody else each time he speaks. He refuses to recognize and acknowledge that the Government's policies, or lack of policies, must be the ultimate and perhaps the only blame for the problems we have. He refuses to acknowledge that certain political steps which have been taken or not taken are at the root of our problems in manufacturing. Why should anyone bother to recite the issues?

He talks about the \$175 which the maid is getting, and then he says that he is going to give everybody 15 per cent across the board. Is it that the maid is now too close to the Permanent Secretary? Is the \$175 per week too close to the \$56 000 a year? How can it be acceptable that 15 per cent for a person earning \$45 000 is sufficient for that person in that year, and 15 per cent of someone earning \$10 000 a year is sufficient for that person in the same year? It cannot be. But, we have the legislation of salaries at 15 per cent across the board.

I submit that those persons whom the Barbados Workers Union represents in the Civil Service are precisely the persons that need further consideration in any negotiations. I submit that when the Barbados Workers Union is portrayed as only representing 20 per cent or 15 per cent of the public sector, that, in fact, does not tell the whole story, because the 15 per cent or the 20 per cent that they represent are, in fact, the people who need the assistance the most, and the Prime Minister should have explained to this Honourable Chamber why he considers it desirable at this time to give 15 per cent across the board to all and sundry. These are questions which have been asked of me. I can find no reason why those people who work at the bottom should get the same 15 per cent as the people who work at the top. I know that the Governor of the Central Bank said sometime ago that those at the top were not getting enough money and they were about to desert the ship, and I know right thereafter certain adjustments were

made for he who is at the very top. I wonder if he is going to get the 15 per cent as well.

Asides.

Mr. B. M. TAITT: The salary you pay me, you can give me \$500; it will still be basically ineligible to carry anybody anywhere.

Mr. Speaker, I am really concerned that the Prime Minister has not found it necessary and desirable to even explain the process by which the Chief Establishments Officer and himself reached the position of 15 per cent which was acceptable to the NUPW, according to what we have heard. I want to know what are the arguments which the Barbados Workers Union have been putting forward for their sector of the Public Service? The Prime Minister indicated to us that the union's motive is other than economic. I do not know if he is expecting us to read and spell out of that statement, but I confess that I have not been able to understand what motive the union can have for saying to Establishments that 15 per cent for the category of workers they represent is not enough.

Mr. SPEAKER: Your time has just expired.

Mr. B. M. TAITT: Thank you, Sir.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, I am not going to utilize my time by following the path of the last speaker and indulge in a lot of irrelevancies. I want to get to the substance of the issue.

It is important that we recognize that the responsibility of those who hold office in matters of this kind is very great, for we are but trustees of the taxpayers' money. It does not lie within the ambit of the Minister of Finance or the Cabinet of Barbados, or indeed Parliament, to give the public workers all of the money in the Treasury. 5.05 p.m.

There is a direct relationship between the amount of money that a Government can collect by taxation and the amount of wages that it can pay out, for wages is but one part of Government's expenditure. I would have thought, therefore, that all those who in here advocate very clearly that the percentage increase and the quantum of settlement arising therefrom is inadequate, would have come forward with proposals for increasing the Government's revenue so that we would be able to pay out these enlarged amounts which they advocate so openly today. It is the type of irresponsibility on the part of all those who spoke on the other side to have failed to address the burden of the argument that was put forward, namely, that the amount of 15 per cent is generous in relation to the taxpayers' ability to pay.

It is easy to talk about a differential at the bottom, from the top and in the middle. But let there be no doubt about it — as Sir Arthur Lewis said some years ago, the key to wage bargaining lies in the number of people who can do the same job. If we had a surplus of lawyers, we would be able to pay the lawyers \$200 a week. If we had as many people coming forward for the legal jobs in the Government Service as we had coming forward for the maid jobs, we would be able to pay them \$200. If we had as many people coming forward for the medical jobs as we had coming forward for the watchmen jobs, we would be able to pay them the watchmen's pay.

Honourable Members on the other side well know that supply and demand factors are important in considering wage scales. The only area in which it does not really operate is in the area of ministerial appointments and Members of the House of Assembly because we always have more candidates than seats. But that is not an argument for paying them less. It is an argument for establishing the fact that in relation to their colleagues in other places, whether it is from the Prime Minister down, they get less than people in the comparable job in the other place earn. So do not let us fool ourselves, the Government has a very serious responsibility whenever it comes to wage negotiations.

We also have to take some other factors into account. The factor of employment retention is a very material one. If the amount of money that you pay out to public servants rises faster than your increase in revenue from your given taxation base, you either have to increase taxes or you have to cut out some of the expenditure. There is no argument about it. There is scope within the Public Service in Barbados for redeployment. There is scope for doing the same job with a lesser number of people. Anyone who looks at some of the works departments or the clerical departments would appreciate that there is scope for the introduction of data processing equipment in certain areas. And if the Government is called upon to pay out unreasonable claims in these areas, sooner or later the community will be calling upon the Government to introduce the labour saving devices, because the community are the ones who are paying the price. None of the honourable Members on the other side have addressed that vital fact that retention of employment levels is equally an important consideration to be borne in mind when you are negotiating salaries because there is scope for the introduction of more capital equipment in some areas.

As the honourable Member for Christ Church East (Hon. Dr. R. L. Cheltenham) has said, the record of this Government, in easing the burden of taxation, in the lower wage earning groups in Barbados, is one of which we can be proud. The differentials between the higher paid grades in the Civil Service and the lower paid grades is emphasized by the difference in the levels of taxation. Fifteen per cent

increase at the bottom of the wage scale is a greater increase than 15 per cent at the top, because the 15 per cent at the top has to be taxed at at least a 60 per cent, so you get 60 per cent of 15. You can work out that percentage.

Again, that is an argument which honourable Members on the other side know in their minds, but it does not suit their purpose to put it forward. Their purpose in here is to make the kind of speeches that the honourable Member who just spoke is a past master at making, speeches made by the distortion of facts, twisting of facts, invention of figures. That is the hallmark of the honourable Member's methodology of approach in politics. He creates facts in order to attack somebody else. He shows you one side; he leaves out the other side. He can fool some of the people; he cannot fool all. He cannot even fool all of the people in his party. They saw it; they spotted him early and they preferred the old to the new. We also have to take into account something of which we should all be proud, that in the Government Service and in other areas, the Government has introduced saving schemes, and the inducement to save is deductions from tax, from payments to credit unions and things of that kind. This is the most revolutionary and far-reaching piece of legislation that has ever been introduced in the financial field in Barbados for a very long period of time. Already, the National Union of Public Workers can boast and brag that it has some \$5 million to \$6 million in the credit union movement. The "kayaki" king and his acolytes have been forced to form a comparable credit union, a little 'nay-nay' thing that just started. I welcome it.

5.15 p.m.

I should like to see the credit unions in Barbados develop to the stage where they have more money than the commercial banks. The National Union of Public Workers, the teachers' union, the Police union and all of them benefit through tax deductions. Why does the honourable Member not talk about that?

The honourable Member who last spoke is an old-time trade unionist. He is only interested in nominal wages. But for a long period of time, I have heard the General Secretary of the Barbados Workers' Union saying that they have reached the stage of maturity now where they do not only talk of nominal wages, they talk of fringes and other things, they are interested in job security and such things.

The recession of 1973–1975 was child's play to the recession of 1979/80–1984. That is now acknowledged all over the world. It has been more persistent, deeper and more far reaching. The unions all over the world are so worried about it and its implications for job retention that the unions in big countries have been giving back wages in order to keep jobs. Check the airline industry all over the world. Do not come in here and try to fool people. Barbados is part of the world. We have done well to keep what we have had.

Applause.

Hon. H. B. St. JOHN: Fifteen per cent wage increases at this time is a great step forward!

Applause.

Aside.

Hon. H. B. St. JOHN: Do not let anybody fool you. You know that.

Mr. Speaker, I am going to draw the gap right here. In Jamaica, 6 000 public servants have been laid off; in Guyana, at least 10 000. It is happening all around the Caribbean and in the Dominican Republic. The Caribbean Development Bank is in a position now in which they cannot lend money to many Governments because the capital of the loans has not been paid back. The interest has not been paid back by some. Only one or two countries, Barbados, Trinidad and Tobago and the Bahamas, have paid back. That is the climate that we are dealing with. But we come in here with 15 per cent and we are going to hear talk about how it should be more. Not one of them over there in any of the businesses which they direct would pay more.

(Aside: No union pays National Insurance.)

Hon. H. B. St. JOHN: I am nothing to do with that. The particular individual misfortune of any company is none of my business. I am speaking generally. I am not dealing with anything in particular.

(Hon. L. S. CRAIG: They like fires.)

Hon. H. B. St. JOHN: At the appropriate time, I am going to talk about that in here, because I like the arena in here. When the honourable Member comes in this arena in here and he talks, we can get up and reply.

We hear all this talk about bankruptcies in companies. Everybody forgets that in 1974-75 there were greater bankruptcies than now. As a matter of fact, there are one or two people who had the distinction of going bankrupt twice.

Aside.

Hon. H. B. St. JOHN: Members on the other side. I am not calling anybody's name.

We should not at this period of time try to promote aims and aspirations which all of us know that the taxpayers of Barbados cannot satisfy. It is not my money, nor is it the money of the people on the other side. It is the money collected from the taxpayers. You cannot argue for the increase in expenditure and, at the same

time, be so hypocritical as to argue for a reduction in taxation.

Thank you, Mr. Speaker.

Applause.

Mr. W. O. Franklin rises.

Hon. L. S. CRAIG (St. James North): I beg to move, Sir, that the.....

Hon. L. S. CRAIG: Are you going to talk about the \$60 million and 12 000 houses now?

Mr. W. O. FRANKLIN (St. Philip North): Mr. Speaker.....

(Hon. L. S. CRAIG: In fifteen years, you did not even carry a stone in St. Peter, and now you came in here saying that you want a housing development!)

Mr. W. O. FRANKLIN: Mr. Speaker, I am made to understand that we will get a lot of houses next year, so I will leave that for the time being.

I want to refer to a section of the speech made by the honourable Member for Christ Church East (Hon. Dr. R. L. Cheltenham). He made the statement that in the Civil Service today, there is an acute shortage of talent available at middle and upper management levels. I am a little bit alarmed at this statement, coming in 1984, and by a Minister, because, obviously, it is a statement that he would have given some serious thought to over the years. I am surprised, because Barbados has been able throughout the years to produce outstanding civil servants, devoted civil servants, those who have given beyond the call of duty and those who have projected the image of Barbados very well wherever they function. And at this time in the history of Barbados where we have had the benefit of a university in our midst for so many years, and having a management training institute, that you can still say that there is an acute shortage of good manpower at the middle and upper levels.

This brings me to the point that this salaries debate must focus on some other aspects of conditions for the civil servants in Barbados today. I should like the Minister to reflect. Is this not an indictment on the terms and services offered to people now that they are not giving of their best, as they did before?

It is very obvious that you cannot claim that there is a lack of people with ability going into the service, because if you take the number of graduates available to you and the number which was available ten years ago, I am certain that you have a wider majority of graduates now. If you take the training opportunities available at

BIMAP and other places, I am positive that there are more training opportunities available. But what is beginning to come home, and what I have said before, is that it was a very shortsighted policy by this present Government when they started to cut back on training. Even today the right honourable Prime Minister made the statement...

Mr. SPEAKER: I do not want to interrupt the honourable Member, but we are not dealing with the training and other aspects of the Civil Service. We are dealing with salaries. Those statements were made by way of explanation or highlighting a speech; therefore, you cannot develop a speech on that aspect. We are dealing with salary Resolutions.

Mr. W. O. FRANKLIN: Thank you for your guidance, Mr. Speaker.

Getting back to the point, Mr. Speaker, I would contend that, in the past, Barbados was the beneficiary of good civil servants because salaries were not all that they looked for in their jobs. If this is now the case, where the only thing taken into consideration by people who enter the Service is salary, then something is lacking, in their other terms and services and in the atmosphere in which they are functioning. I would invite the appropriate Ministry to examine if the creation of this atmosphere, which, I am claiming, has led to some frustration among certain talented Barbadians, is not responsible for the statement made here by the Member for Christ Church East, that there is a lack of talent in the middle and upper levels.

I should like to sound a warning. I sincerely hope that this statement made by the Member for Christ Church East is not used to justify a policy which I have learnt is being introduced in Government, of bringing back personnel.....

Mr. SPEAKER: Please. The honourable Member is not dealing with the Resolution before the House. We are dealing with a salary Resolution. If the Member continues in this vein, I will have to ask him to discontinue.

Mr. W. O. FRANKLIN: Thank you, Mr. Speaker.

I would only like to get back, Mr. Speaker, to the point that I hope that the appropriate Ministry will look at all the circumstances surrounding the present employees in Government, salaries and otherwise, to make sure that the conditions are good and that the opportunities are available to them that would make them once again very contented workers, happy to be working in an institution and functioning with a Government that would bring back the level of the Civil Service in Barbados today to that level that we were all very proud of years ago. The talent is available, the training opportunities are available, and I am saying that they need to create that atmosphere to allow Barbadians to be the beneficiaries of a good Civil Service that would

continue to project the image of Barbados, not only locally, but on the Caribbean and international scenes.

Thank you very much, Sir.
5.25 p.m.

Hon. DeL. O. BRADSHAW (St. Michael North East): Mr. Speaker, I rise to support this Resolution. I have listened very attentively to the contributions made by Members from both sides, in particular by Members from the other side. There has been a misconception in Barbados that the Government has not been negotiating in good faith, and that the Government, rather than sit down and negotiate with the unions on the question of salaries, has rushed to Parliament to legislate the salaries for the public servants. I would be failing in my responsibilities as Minister responsible for industrial relations if I were not to point out that public servants' salaries have always been legislated, and no matter what agreement has been reached between Government and the unions, the salaries will have to come before this Honourable Chamber to have parliamentary approval. I hope that the public would understand that, rather than be misled by the Opposition. They must come here to vote the salaries for all public servants, whether or not the unions agree with Government.

The question is, when do we exhaust or determine that the machinery for negotiations has been exhausted? It is not determined by the number of meetings, it is not determined by the length of time; it is determined on the concept of give and take and the readiness of both parties to compromise. That compromise, I submit, can come within one meeting. What both parties at the bargaining table must understand is that there must be some give and take, and both sides must be able to compromise; and if the compromise is not there, then there cannot be any solution to the problem. We must bear in mind that Government in this case has got to show its initiative to lead, and if it finds, as another employer, that the proposals forwarded by the employers' union are unreasonable and that it is beyond the ability of the Government to pay those increases, then it has a duty to say that it cannot pay them.

We cannot continue the situation where negotiations go on and on without any finality. There must be a line drawn at some point in time. We have seen during these negotiations a few of the unions asking for as much as 30 per cent. Government just cannot afford to accede to that request, and that has got to be made abundantly clear. On the other hand, we have seen the National Union of Public Workers accepting a compromise position, the proposal of 15 per cent.

What is even more important is that both sides have sat down and agreed. The proposal was not, enforced, as

some of the Members on the other side would lead this Honourable Chamber and other people to believe. It was negotiated, as far as I can recall. The NUPW met with the Chief Establishments Officer on more than one occasion, and it was they who decided to return and seek a compromise. But we hear a savage attack made on the officers of that union by the Deputy Leader of the Opposition. He ought to be ashamed of himself questioning the integrity of Horatio Cooke.....

Asides.

Mr. L. E. Sandiford rose.

Mr. SPEAKER: There are two members on their feet. On what does the honourable Member rise?

Mr. L. E. SANDIFORD: I am rising on a point of elucidation.

Mr. SPEAKER: You have spoken already. I do not know if there is anything you have to elucidate now.

Mr. L. E. SANDIFORD: Yes. I said something which the honourable Member is misrepresenting. During the course of my speech I never questioned the integrity of any leader, nor did I say anything that could be remotely interpreted to be a savage attack of any union in Barbados, unless you cannot understand the language.

Mr. SPEAKER: The honourable Member may now continue.

Hon. DeL. O. BRADSHAW: Mr. Speaker, the honourable Member got in here — I do not know if he can remember — and said that there was some "kind of agreement", and went on to say that the Government was playing off one union against the other. Are you accusing the NUPW of acting and working in collusion with the Government?

Asides.

Mr. L. E. Sandiford rose.

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

Hon. DeL. O. BRADSHAW: If the honourable Member had said that outside, I am sure that he would be brought before court for damages for slander. Imagine casting aspersions on the integrity of a man like Horatio Cooke, who has given outstanding service to the NUPW and to the Democratic Labour Party! And hearing on the floor of this House today an accusation that the Government was working in collusion with the NUPW to play one union against the other! But the honourable Member will soon find out whose God he is serving, because the

Leader of the Opposition knows Horatio Cooke very well, and I am sure you will not find very good favour with him soon from now.

We have to understand the business of salary negotiations. It is very difficult for four to five unions to reach an agreement on salaries. We should be congratulating the NUPW for having reached what we would consider a very reasonable settlement.
5.35 p.m.

The Deputy Prime Minister has said that in Canada, Jamaica, Guyana and other countries, far from getting an increase, workers have been accepting reductions in their salaries in order to maintain their jobs. Unemployment is high in these countries. In Canada, it is more than 11 per cent. People have been laid off; others cannot find jobs, and others are accepting reductions in salaries. We should be proud in Barbados to see a Government at this time in 1984 being able to offer a settlement of 15 per cent. I am not saying that the workers should not be putting a case for more, but we have got to understand that in negotiations, reasonableness must apply — and it applies to both parties on the bargaining table.

We have had, for instance, very recently, a settlement reached by one of the unions in Barbados with a particular employer. The employer felt that the offer was too high and reminded the union that if it was forced to pay those high increases, some workers would have to be laid off. The increases were granted — and a couple weeks after the increases were granted, people were sent home. So you have got to examine whether you are asking too much and, in the end, forcing people out of jobs, putting people on the unemployment list.

We have to approach negotiations with reason. It is no sense thinking that a number of people must have high increases and high wages to the detriment of the vast majority of people. We have to remember that lots of people are out there in search of work, and we have to spread the national cake. The Opposition must not preach cheap politics, giving the people the impression that the Government is wicked and that the Government is cheating the workers. That is far from the truth.

We have to understand that in this time things are not what the Government and what we, as a concerned people, would want it to be. The Government is fighting feverishly to address itself and to make proposals to reduce the unemployment figure. We have to initiate policies that will bring about a reduction in unemployment, we have to create jobs, and we cannot create the jobs if we lavish and expend the public's money foolishly. We have to make sure that whatever money is spent is spent prudently.

This negotiated settlement with the NUPW should be complimented. I am sure that though all unions know

they have not put their signature to the agreement, they are satisfied with it. All that has happened is that they have been caught with their trousers down. The NUPW has paved the way and now they have decided that they do not want to follow. But they all know within their hearts that it is a good settlement, and I am sure that in the end they will take the increased salaries and be satisfied that it is a very good settlement indeed.

Applause.

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

SUSPENSION OF SITTING

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that this sitting be now suspended for 10 minutes.

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

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

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

CIVIL ESTABLISHMENT (PART-TIME OFFICERS) (AMENDMENT) ORDER, 1984

Order No. 13 was called – To move the passing of the Resolution to approve the Civil Establishment (Part-Time Officers (Amendment) Order, 1984.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, Sir, I beg to move that this Resolution do now pass.

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

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

CIVIL ESTABLISHMENT (TEACHERS) (AMENDMENT) ORDER, 1984

Order No. 14 was called – To move the passing of the Resolution to approve the Civil Establishment (Teachers) (Amendment) Order, 1984.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, Sir, I beg to move that this Resolution do now pass.

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

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

RESOLUTION TO FIX THE RATE OF WAGES OF PUBLIC AND CASUAL EMPLOYEES

Order No. 15 was called – To move the passing of the Resolution to fix the rate of wages of public and casual employees.

Hon. L. S. CRAIG: I beg to move that this Resolution do now pass.

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

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

RESOLUTION TO APPROVE THE RATE OF SALARY AND ALLOWANCES OF THE PRIME MINISTER'S PERSONAL STAFF

Order No. 16 was called – To move the passing of the Resolution to approve the rate of salary and allowances of the Prime Minister's Personal Staff.

Hon. L. S. CRAIG: I beg to move that this Resolution do now pass.

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

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

CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) ORDER, 1984

Order No. 11 was called – To move the passing of the Resolution to approve the Civil Establishment (General) (Amendment) Order, 1984.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, because of slight differences in the Statutes which govern certain of these departments, as I am instructed, it requires a notice in the *Official Gazette* to make the amendment, agreed on at a much earlier stage, relating to regrading at the Printery to come into force. It is therefore necessary to pass this Resolution in this form, so that a notice can be published to allow the changes in the Printing Department to come into operation. The matter has already been debated in the House.

I beg to move, Sir, that this Resolution do now pass.

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

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

CONTROL OF OFFENSIVE WEAPONS ACT, 1984

Order No. 1 was called – To move the Second Reading of a Bill to control the carrying of offensive weapons in public places.

Hon. L. R. TULL (St. George South): Mr. Speaker, as far back as 1979, the Crime Prevention Panel brought to the attention of the Ministry of Legal Affairs and the Commissioner of Police, the increasing incidences in the use of knives, switch blades, ratchet knives, I think they call them, in the perpetration of a number of crimes, grievous bodily harm, robbery and offenses against women. From that time, we sought to get the concurrence of a number of agencies in and outside Government to agree on the type of action that should be taken to bring that type of activity to an end. We have therefore put together this piece of legislation, which is separate from other legislation dealing with the carrying of offensive weapons.

I believe that under the Vagrancy Act, it is an offence to have a dangerous weapon in certain circumstances. But in the case of the Vagrancy Act, the emphasis was to reduce the amount of vagrancy in Barbados, and that legislation is of many years standing. Also, under the Offences Against the Persons Act I believe there is a section that deals with the carrying of dangerous weapons. I believe that someone who is caught at night with an offensive weapon with the intent of breaking or entering a building, with the intent of carrying out a felonious act incurs a greater penalty from the fact of having an offensive weapon when the felonious act was carried out without a weapon. We also have under the Larceny Act, a provision against the carrying of offensive weapons. But we found it necessary to have a separate Act to deal with this particular phenomenon of knife carrying in Barbados.

One of the interesting aspects of this development is the fact that many of the crimes that are committed against visitors to the island, around the hotels and beaches, according to information brought to me, are committed by people using knives.

There is also an increase in the use of guns. You will recall, Mr. Speaker, a year ago we gave an amnesty that all persons who were in possession of unlicensed firearms should turn them in to the nearest police station, up to a given period, and no charge would be brought against them as a result. I am not happy that the amnesty has succeeded to the extent which we would have expected, so we are carrying out a very rigorous exercise to bring the number of guns and dangerous weapons that are in use in the community under certain controls.

Anything to do with law and order evokes a lot of emotion on the part of the public, because we have to balance the responsibility of the police in carrying out their jobs, and indeed inspiring them in the very difficult job they have to do, with maintaining the civil rights of people who live in this community. There are those who feel that we should try to wipe out all criminal activity in this country by very harsh and oppressive legislation. I am not of that view. And there are those who feel that the rights of citizens of this country are of paramount importance, and that any action taken to give the police greater power in carrying out their work in trying to control crime in this community is a dangerous thing. There are people on that side who believe that the broached rights of the people of the country is their particular mission.

I am trying to strike a balance between the humanists, the civil rights advocates, and those on the other side who believe you should come down with all the might at your disposal on people who commit or are suspected of committing crimes in this community. I believe that this Bill strikes the balance between the needs for law enforcement and the need to safeguard the freedom of the citizens of this country.

I am particularly worried about the increase in attacks on women in this country. I am seeing the figures developed. That is one thing that has not seen the type of decline that is evident in almost every area of criminal activity in this country. I am concerned about it, and I fully intend that if we do not see a diminutive in the level of crimes committed against women in this country, there should be more legislation, that would put further powers in the hands of the police to bring that kind of activity under control. I would bring that legislation, because I am going to be a law and order man.

Every time that you are tough on law and order, you are going to offend a few people. But I think it is of paramount interest in this community that we do everything possible, as a Government and as a responsible community, to make it possible for people to live comfortably and at peace in their homes and to walk the streets of this country, free from fear and the kind of wanton and wicked attacks which are made on them on their properties.

This Bill gives the police powers to arrest persons who have offensive weapons in their possession, and who show an intent to use these offensive weapons to commit an offence. But there is a safeguard; the police can only arrest in those cases without a warrant if they are dissatisfied about the identity and the address of the suspected person, or indeed if the police is of the opinion that that person is about to commit a felony.

6.05 p.m.

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

Rt. Hon. E. W. BARROW (St. John): Mr. Speaker, I was rather surprised to hear the honourable Attorney General mention "intent", because if there is one aspect of the Bill which immediately strikes you, it is the question of *mens rea*. There is no question of intent, because in Clause 3 of the Bill it says:

"Any person who without lawful authority or reasonable excuse, the proof of which lies on him, has in his possession or under his control in a public place any offensive weapon is guilty of an offence....."

If we compare that with the Vagrancy Act — because all this Bill before us does is to make various kinds of sharp-edged instruments, which are not being mentioned in the Vagrancy Act, offensive weapons — the Vagrancy Act it says, at Section 3 as well:

(h) "Any person who has in his custody or possession pick-lock, key, crow, jack, bit or other implement, with intent to feloniously break into any dwelling-house, shop"

(i) "Is armed with any gun, pistol, hanger, cutlass, bludgeon or other offensive instrument or has upon him any instrument with intent to commit a felonious act....."

those are the two relevant sections to which I wish to allude — you will see in both of those cases not only is the question of intent mentioned, but intention to commit a felonious act.

If I am walking down the street with a pocket knife which I use for peeling sugar cane, or lawfully purchased or given to me by somebody who grows sugar cane — I am not saying to break sugar cane — the mere possession of an ordinary boy scout knife, according to Section 3, puts you in a mess. And you do not have to prove any intent on the part of the prosecution, it throws the burden on the person who is in possession of something, which he could have in terms of normal use.

I am not defending people who go about with felonious intentions. I want you to know that I am a law and order person. For instance, I am an unrepentant believer in using the cat-o'-nine-tails in cases of rape — and not less than twelve strokes for the first offense and up to seventy-five for the second and third, and then in public. I want to get my position clear. I am not defending people who go about rampaging all over the place and giving this country a bad name, but at the same time we must not go about creating offenses for innocent people who may be unaware of the law.

Seventy per cent of the boys that I went around with used to carry pen-knives, and I do not know of a single

instance of a school boy using one for a felonious intent. The only time I know was when I was stuck with a pen-knife, during vacation time in Queens Park, and that was because I was running down a little boy smaller than me and he decided the only way to defend himself was to turn and cut me on my leg, from which I still have the scar. But I do not call that felonious, I call that self-defence, because I was going to give him a good beating for carrying away my bat, and, as I said, seventy per cent of the youngsters that I went to school with had a pen-knife of one kind or another.

According to Section 3 of the Act, where it says "any person who has in his possession", we are now making the mere possession of a penknife an offense, and there is no age limit or age below which a person cannot be prosecuted, apprehended, or arrested. It is just the mere possession. In the Vagrancy Act, you not only have to prove an intention, but a felonious intention of having a gun — and something which is in common usage, such as a penknife, the mere possession of that is an offense.

I should like to suggest to the honourable Member that we look at the Vagrancy Act and increase the penalties. Calling a man a rogue and a vagabond or a disorderly person and charging him \$10 or whatever it is — I believe it has gone up to \$100 — is not sufficient. I think you should try to incorporate these provisions with the provisions in the Vagrancy Act or vice versa. Let us bring in a comprehensive Bill about offensive weapons, but do not have one law for penknives and another law for guns. A gun is more "offensive" than a penknife for a schoolboy to walk about with, but yet, if you have a gun, even an unlicensed gun, in your possession, the police or prosecution has to prove that you had a felonious intention.

I understand that there are people walking about with guns exposed in holsters and masquerading as bodyguards and security guards for a certain number of persons in this country. Certain people who are not nationals of Barbados walk about with two guns on their hips and the police do not do anything about it — probably because you have to prove that they have these guns with a felonious intention. If you can tell an officer of the law that you only have these guns for the protection of your own person or the protection of some other person, eminent or otherwise, apparently it is not an offense. Why make it an offense for someone to be arrested merely for having a penknife, when you do not have any evidence at all that that possession of the penknife was for felonious intention, and put the onus on that person, who may be just carrying the penknife as a matter of peeling oranges or doing any little thing, you do with a penknife, when the Vagrancy Act has a different criteria altogether in assessing possession of an offensive weapon.

I think the honourable Attorney General should have a look at that, because we seem to be applying two

different standards altogether. At the same time I consider that the penalties, although I believe they have been revised, under the Vagrancy Act are not stringent enough, and there are other sections of the Vagrancy Act which could be eliminated altogether, because they are rather antiquated and really out of date. I think the new Gaming Act repeals certain provisions of the Vagrancy Act.

Hon. L. S. CRAIG (St. James North): Sir, maybe for the first time in my life, I support some of the comments made by the right honourable Member for St. John. Sometime ago when I was in the Opposition, I made a strong plea to bring back the cat-o'-nine-tails. I was told that it was not abolished, and I heard all sorts of grounds about it not being used. I think that there is nothing, as far as I am concerned, which can be more cruel than for a man to walk into a house and find a man's wife or his daughter asleep, set about to steal something, is not content only to steal money or whatever it might be, but turns around and rapes the man's wife and on top of that batter her. I want to say this. Do not only bring it back, but give me the job of licking them. I would like to be the MP for licking people with the cat-o'-nine-tails. I am very serious about this.

6.15 p.m.

I read the evidence of a man living in Brighton, an invalid in a wheelchair, who had to sit down and watch his daughter raped. And then the culprit will be sent to the Psychiatric Hospital. I do not know what to do with you lawyers at all. You will go into court and, for \$1 000, put a case defending a man who has committed such a cruel crime. But if it happened to your sister!

(Asides).

Hon. L. S. CRAIG: I am talking about lawyers. You used to defend them, too, you and Sleepy Smith and that gang — high lawyers in those days in James Street. You are only pretending now that you are a MP and Leader of the Opposition. Remember you and that five cents thing with that man that you beat down in James Street? The time with the rapist? You and Lorenzo Williams and that wild gang down there? Do you think that I now know you? You are only now playing that you are a decent lawyer. All of a sudden you are a consultant. I am not paying you any mind. You are talking in the evening of your years now that you are getting better. That is what is wrong with you. You are now realizing that the things that I used to tell you are coming to pass. Do you remember that you gave Simms a bottle of rum on one occasion to withdraw his evidence, all of those things. However, Mr. Speaker, I really support the views of the Leader of the Opposition, because I think that is a very cruel thing.

People talk about the damage to the tourist industry. I am not only concerned with the damage there,

I am concerned with my family. I am in here tonight. I have to be in St. Peter at some time, as you would know. If my wife is in her home lying down and someone goes in there and rapes her, well, the jury would have to decide my fate and the doctors his. I hope it will not happen, and I hope that such an incident would not happen to you, Mr. Speaker, particularly, because I know that you are the only person in here that has ever shared such abuse.

You said 75 lashes? I feel you should put salt water on them, too. Scar them up so that when they go out with the women, the women would be able to ask them, "What is wrong with your back?"

You will recall, Sir, that many years ago there was a lot of bounce and draws and throwing acid on people. The late Sir Allan Collymore, then the CJ, gave some of them 15 years and 20 years and put the "cat" on them, and it disappeared for a lot of years. Now, all of a sudden, it is a fancy thing. It is now picking pockets. I hope somebody cut off their hands in the long run.

These are my comments in respect of this. They may appear to be harsh, but I am a strong believer in bringing back the cat-o'-nine-tails, although I have been told that it has not been abolished.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, I will not be long on this Bill. The motive of this Bill is a sound one, but I believe that the drafting is such that it does not serve the intended purpose, because to carry out the wishes of this Bill, according to how it is drafted, may, in fact, make prosecution almost either impossible on the one hand, or total.

I believe that the drafters in Barbados do not necessarily look at legislation outside of the Commonwealth jurisdiction, but I believe that what is commonly called "The Sullivan Act" in New York City is the one which, when I first heard of the intention to bring this legislation, would be the basis for this kind of legislation, in which the mere possession of a weapon is not in itself an offence, but exposure of the weapon. In other words, in the case of a knife which you may have in your possession, if that knife is for peaceful purposes, that in itself could not automatically make you eligible for prosecution. At the point where that knife is exposed, not necessarily that you take an action, but where the knife is exposed, then the Police has an easier time. I think this is the intention which I heard in the Commissioner's and, I think, the Minister's statement.

I do not think anyone could question the motive of this Bill, and I do not think anyone would disagree with it in the context of what it seeks to achieve, but I wonder if perhaps you would not wish, before passing it, to have another look at it so that when in fact we do

pass the law, it would not suffer some of the difficulties which I foresee, and which I do not think it is necessary to go into.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, I speak as one who is a liberal in matters of punishments. I could never support the cat-o'-nine-tails, whether ordered by the Leader of the Opposition, applied by the Leader of the House, or, as is in Barbados, held back to the end of your sentence. I wonder how many people in Barbados realize that when the "cat" is now awarded, you are not beaten until you are released. That is something I would ask the Attorney General to look at. I think that it is a very wrong thing.

The person whom the honourable Member was talking about in connection with the rape at Brighton, in prison that person chopped off another prisoner's hand because he would not have sex with him. He is in prison now awaiting perhaps three dozen strokes of the "cat" for 25 or 30 years, and when he is a man in his '50s, the "cat" will be applied to him. That is wrong. He might not have chopped off the other prisoner's hand if he had been beaten when he first went into the prison.

I think it is carried into the inhuman if a man has to stay 25 years in a prison knowing that when his hair is gray and he is going to be released, they are going to tie him up on a triangle and beat him up with a cat-o'-nine-tails. It may make him more into a brute rather than less. Certainly it has proved no deterrent to that man.

I do not believe we have spoken of it in here before, but the Government has had to pay out money because of that particular monster, who is possibly the most wicked person that I have had to deal with in Barbados. We have had to pay out money because in prison his sexual impulse was so strong that he actually took a cutlass to another prisoner because the other prisoner, who was himself there for, I believe, a commuted murder, would not surrender to him. But I hope the Attorney General will review the stage at which the punishment is administered when the cat-o'-nine-tails is awarded.

As far as the knives are concerned, I do not see the honourable Member for Christ Church East Central (Hon. H. B. St. John) in his seat, so I will mention a matter which I know affects his Ministry. I am told that one of the principal irritants to tourism in this country is the lack of privacy on the beach; the fact that beach boys are not content to sit around and, so to speak, wait for their services to be sought whether as sellers of dresses or shells, but parade the beaches and harass tourists, visitors and Barbadians to an extent that is seldom experienced in any resort.
6.25 p.m.

"This beach belong to we", I know, but, "this beach does not belong to we" to the extent that we have to inter-

fere with other people who are on the beach. I noted, along with the Deputy Prime Minister when we were in the Bahamas, that there is not a single beach vendor, beach boy, nothing at all on the beaches behind the hotels in the Bahamas — not one. The people sit on the beach unharassed. In Barbados, I am told that hotel security guards are afraid of the beach boys because the beach boys take out knives and threaten them when they are asked not to harass visitors. When the beach boys are asked about the knives, they say that they had the knives for cutting coconuts or whatever the case may be.

The right honourable Member for St. John would be familiar with somebody who tried to comb his hair on the steps of the House of Assembly in 1974, against his wish. I put it in the way Cameron Tudor has put it. It would not be the first misrepresentation that Cameron Tudor has ever uttered in life. That young man could be very amusing. I remember once when he was charged with selling liquor without a licence, he said that he did not sell liquor, he sold coconuts, and he gave the liquor free; and that it cost the same to have the coconut cut and drink the liquor as if you did not drink the liquor — the liquor was given away — and that the tourists just used to pay him to watch him cut the coconuts because he was so pretty. Indeed, he always walked with a cutlass in his hand. I ask the Member for St. John, would he like to be walking along Enterprise Beach in the dusk and meet that young man with the half cutlass that he used to carry in his hand? Maybe, he had it for cutting a coconut. Equally, maybe he may have had it because he knows that the honourable Member walks on the beach at a certain time.

I myself find some difficulty in saying that there is some sort of right to carry a knife as a daily incident of dress. The carrying of weapons I believe, as a historical matter, was an aristocratic privilege; a sword or knife, depending on how high you were. If you were a Knight, you carried a sword; if you were an Esquire, you carried a dagger. I think the honourable Member for St. Michael South is nodding in agreement. The carrying of knives had the same macho importance to people in the days before guns were available. Guns are the great equalizers now. Knives were the great equalizers once.

I see no reason to carry a knife at all. I think that carrying a knife on a beach or carrying a knife on Broad Street, cannot be for the purpose of cutting cane. There is no cane in Broad Street, and a pocket knife cannot cut a coconut. It cannot easily or successfully cut a coconut.

I have no difficulty with the wishes of the Commissioner of Police, as expressed in the Act presented by the Attorney-General, in supporting this Bill, which, stringent though it may seem, applies to an activity that

contains so much danger — the carrying of a knife — that people should be discouraged. I believe at one stage the Chamber of Commerce suggested that it be dealt with by restricting the importation of knives. That is one measure. A knife may well have some purpose in the home, but not the flick knives, heavy ratchet knives, the terrible daggers that are seen in knife shops. It is no accident that if you go to London, some of the biggest and most desperate knives that you would see on sale, as what is called war surplus, are sold right next to Nazi helmets, German war medals and other impedimenta of the fascist-minded or people who are really psychotic minded, or who want these things as expressions of a disordered personality.

I see no reason to carry a knife, and many dangers in so doing. Too many murders in Barbados are committed because someone had a knife in their hand or had access to a knife. Knives are the popular means of committing murders in Barbados. In England it is strangling; in America, shooting; in Barbados, knives. I think they lead in the statistics for the means of death.

I really believe that some rule as to offensive weapons is necessary. We are not really a criminal society. We do not have the number of thieves, like white collar fraud operators, that developed countries have. But we do have more murders and more grievous bodily harm than a society relatively as law abiding as Barbados can have. We have a much higher murder rate than the apparently peaceful characteristics of the people of our country would normally dictate.

Part of the reasons for this is availability. In the United States, it is well settled in the minds of sociologists, that if there were a reduction in the sale and the use of guns — Saturday night specials — capable only of killing your wife, or your girlfriend, or husband, of course, but not useful against a burglar, because they are not accurate at more than a few feet — there would be less murder in the United States. If fewer knives were used and sold in Barbados, there would be less stabbing, less death, less grievous bodily harm, people who get into violent tempers, instead of standing off from a physical struggle that they might not win, might not then have recourse to a knife to equalize the odds, and would be able to let their passions cool and seek the recourse of the law instead of the recourse of the knife. I really cannot criticize the format of this Bill, if it would seek to reduce the use of sharp-edge weapons in this country.

Hon. L. R. TULL: Mr. Speaker, Sir, I am a little bit concerned that matters of such vital importance should be interpreted in the way in which I have heard them interpreted by certain Members who have spoken. I believe that there is a deep-seated and fairly widespread anxiety in this community, about the increase in violent

crime, crime committed with knives and other dangerous weapons. Those who oppose or unduly criticize the provisions of this Bill, I fear are taking on a very heavy responsibility in going against the wishes of the people in this community who have a very deep-seated anxiety about this.

The right honourable Member for St. John makes reference to the Vagrancy Act. The Vagrancy Act was passed in other times. When I look at the Vagrancy Act, I can say exactly what is recommended by the right honourable Member, that perhaps an amendment of that Act would be the best vehicle for achieving what I am trying to achieve in the Bill before Parliament today. But the Vagrancy Act was meant more to suppress and restrict vagrancy, to keep little boys from going around making fools of themselves, and having people declared rogues and vagabonds, than dealing with the very widespread and vicious use of guns and knives and other arms in Barbados.
6.35 p.m.

The recommendation that was made was not in respect of a boy scout's knife or a penknife. Looking at the Bill, I think that, if one reads the section read by the right honourable Member in conjunction with the definition, a little light will be thrown on that area, because "offensive weapon" in the definition includes "flick knives, ratchet knives, switch blades and any article made or adapted for use to cause injury to a person, or intended by the person having possession or control thereof for such use." I believe that if you read the definition in conjunction with Clause 3(1), you will realize that the definition limits the kind of dangerous weapons to specific types of knives or weapons that are made specifically and are intended to create the type of offense that we are trying to correct.

Rt. Hon. E. W. BARROW: If the honourable Member will just give way, I would like to draw to his attention a Privy Council case on the question of inclusion. This was a trade dispute case, and the Privy Council ruled that when a definition clause says that something includes something, it is to make it abundantly clear that these particular items are not excluded. In other words, the rule of interpretation, which goes *expressio unius exclusio alterius*, does not apply to the definition clauses which says that the definition includes something. It does not exclude — it is just making it abundantly clear that these things are included.

I wonder if the honourable Member has ever heard of a billfish beak. There is no more common offensive weapon in Barbados than a billfish beak. It is commonly used, particularly around the city of Bridgetown, where people have access to the fish market. The honourable Member drew our attention to the clause which says,

"any article made or adapted for use", so I suppose it can come under "adapted for use".

Asides.

Rt. Hon. E. W. BARROW: Are you saying that a billfish beak is not included in the definition of an offensive weapon just because it is not mentioned there?

Hon. L. R. TULL: I just learned something from the right honourable Member. I have not heard of the use of billfish beaks for over thirty years.....

Asides.

Hon. L. R. TULL: The honourable Member tells me that I have not come down from St. George yet. I know about billfish beaks. I, like the honourable Member for St. Michael West, grew up around the beaches in St. Michael, and I have seen them; but I have not heard of them or seen them for so many years that I thought they had gone out of use. I want the honourable Member to understand that – not that I am saying the situation in England must necessarily obtain in Barbados – there is in the Prevention of Crime Act thirty years ago, 1953, in Britain, a provision for legislation in the same vein – the words are almost similar – and there are numbers of decided cases in Britain on the very point that the honourable Member is raising, of what is included. It eludes me at the moment, but a few months ago I read one case in which a weapon, a knife, outside that defined in the law under the Prevention of Crime Act in 1953 in the United Kingdom came before the courts and the courts ruled that that was not within the ambit of that particular piece of legislation.

Apart from that, we have to deal with these things realistically. What is required is an explanation by the person who is in possession of a dangerous weapon, and what is required is nothing more than a balance of probabilities, what is required by the civil law rather than criminal law. There is no overriding burden of proof, and I believe this starts at the time which the person is approached or accosted by a police officer. I just make that point, because it has been raised twice, about one having to prove something.

This is nothing new. There is an increasing amount of legislation in this country, and in many countries of the Commonwealth, where the burden of proof is being put on a person who is accused even of trivial offenses. It may not be a good trend to follow, but at least it is a guide to what is happening. Professor Granville Williams, in a textbook he has written on Criminal Law, said:

"Many statutes shift the persuasive burden. It has become almost a matter of routine for Parliament, in respect of the most trivial

offenses, as well as some serious ones, to enact that the onus of proving a particular fact shall rest on the defendant, so that he shall be convicted unless he proves it."

Given the seriousness of the problems facing this community in respect of the misuse of the ratchet knives and all these things that cause the mayhem for which the right honourable Member for St. John would have people flogged in public with a cat-o'-nine-tails, you cannot blow hot and cold. You cannot say how serious these offenses are and how they should be dealt with, and, on the other hand, get too sensitive about what, in fact, is a wider power, to ask people to account for the possession of a dangerous weapon. I know that the honourable Member has not been practising law for a long time, but he did say that if you did find a man with an unlicensed gun, you have to prove felonious intent. That is not the law. Mere possession of an unlicensed firearm is an offense, without proof of anything.

A point was raised in relation to the Sullivan Law; that if you have the weapon in your possession but it is not exposed, it is not an offense; but if it is exposed, it is an offense. I find very great difficulty in understanding the logic in that kind of legislation. If people walk around with this type of weapon and use it only when they are about to commit whatever act they are going to commit, what difference does it make whether they walk around stuck in a sheath at your side or in your top pocket exposed to the public? I do not accept that there is any standard by which we should determine the nature of the legislation in this particular case.

Finally, Mr. Speaker, I am not one who believes in beating anybody with a cat-o'-nine-tails. I want to state that quite categorically. I think it is brutal and inhuman, and even though I feel that we have to take very strong stands to combat crime, certainly this Attorney General has absolutely no intention of trying to get anybody to bring out a cat-o'-nine-tails and beat anybody in this country for any offense. It may be a philosophical difference or a moral one, I do not know, but I do not share that view.

The right honourable Prime Minister has raised the question of whether people who have been in their sentencing been awarded blows by the cat-o'-nine-tails should have it at the beginning or at the end. I am not interested in the beginning or the end. I really cannot accept at this stage of our civilization, however uncivilized some people may be, that serious people, thoughtful people, responsible people, can still be advocating that you brutalize people with a cat-o'-nine-tails. I do not know how many of us have ever seen it. It is a vicious looking thing with nine thongs with metal and wire at the

end of each thong. The thongs open up and take nine pieces of flesh out of the back. I am not advocating that. 6.45 p.m.

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. DeL. O. BRADSHAW, Mr. SPEAKER left the Chair and the House went into a 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. L. R. TULL: In moving that Clause 2 stand part, I beg to move that after "alley", in the definition of "public place", we include the word "beach", so it would read:

"public place" includes any highway, street, lane, alley, beach and any other premises or place to which, at the material time, the public have or are permitted to have access, whether on payment of a fee or otherwise."

I beg to move that Clause 2, with that amendment, stand part.

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

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

Clause 3 was called.

Hon. L. R. TULL: I beg to move that Clause 3 stand part.

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

Hon. Miss B. A. MILLER (City of Bridgetown): Mr. Chairman, I welcome what I see here at Clause 3, "Prohibition of the carrying of offensive weapons", because there are a number of juveniles, who are school children, who do carry offensive weapons. This is clearly a beginning, and I do hope that the net will widen in respect of this culture of violence which is growing in our country.

I am sorry that the prohibition of the carrying of offensive weapons is not wide enough to capture not only offensive weapons but war toys which people give to infants. This starts at two and three years old, when a child

wants a rubber gun and a machine gun, or a rubber knife. Then, at adolescence, the parents take money and give them war games. So this culture of violence has grown up, and, especially in recent years, the media has added to it.

Every night on the television we see crime and violence glorified and romanticized, killing, maiming and raping, all the things that honourable Members have been talking about this afternoon with great feeling. These are now shown and written about in all of the media as part of life in the late 20th century. Young people in Barbados, like they are in most developed countries, are now conditioned to violence, so that the killing, maiming and raping do not revulse young people anymore. As far as I can gather sometimes when I watch, they are turned on by this culture of violence — they are not shocked. Real blood and gore is to be found on the television week after week, so I hope that this is only the beginning of a turning of the tide back against this monster which is growing up in our community.

I really do welcome this legislation because in the schools there is a small hard core of students, particularly male students, who do carry these offensive weapons. They have no respect for the Heads. They have no respect for the Boards of Management. They have no respect for their parents. Perhaps in this way they will learn some respect for the authorities and for the law.

Mr. B. M. TAITT: Mr. Chairman, I just wish to make a comment on this section in light of the comment made by the honourable Member. I agree with most of what she said, but I am not sure that I accept that this is going to go in any direction towards solving that. These are the symptoms that we have; we have to go to the root cause.

I think that almost everybody who was born in Barbados loves the United States. Almost by definition, you grow up in Barbados and you are taught to love the United States, and what has been happening is that there has been a cultural intrusion of United States values into Barbados, to the point where sometimes you cannot tell whether you are in Barbados or in the United States; and some of the things which survive in the United States, because that country is vast and has a series of different cultures across its land, are imposed on this little 2 x 3 country, and we have absorbed all of the negatives.

I do not wish to anticipate a Bill, but the blood and the gore and all of those other things must be associated with some other factors that have been brought into Barbados. We have legislated things in this Honourable Chamber which have a more fundamental effect on what is happening to our cultural up-bringing in Barbados. I will talk about those things when we come to discuss other business, but we must examine what kind of teaching we are having in the nursery schools, in the primary schools, what kind of thinking we are having among those whose responsibility it is to pass on the culture to others.

It is one thing to say that the young people have no respect, but the people of our generation do not care; and if the people of our generation do not care, you cannot expect the younger people to have respect or to show any of those things. We have a lot of people in this country who really do not care if Good Friday comes on a Wednesday morning, and that seems to be a norm in this society now. I am very sorry that we are not having a comprehensive look, and I recommend to the Government, even if they have to spend some money, that now is the time to take a comprehensive look at some of the changes that are occurring in the directions.

We have just introduced a morning news programme into Barbados, lock, stock and barrel. There are some aspects of that with which you will agree, because you get the news fresh, but I do not know that that intrusion into our society every morning continuously, where even the weather is about the United States, is a good thing for us merely because it is professional television.

Mr. Chairman, this is not the time and ...

Mr. CHAIRMAN: This is not the time for that.

Mr. B. M. TAITT: The honourable Member's comments induced the thought and I hope we get a chance to discuss those matters.

Mr. CHAIRMAN: Another occasion probably.
6.55 p.m.

Rt. Hon. E. W. BARROW: Mr. Chairman, I am still concerned over Clause 3 of this Bill which makes possession of a knife an offence. That in itself is not the dangerous thing, but it appears to me that any police officer can arrest anybody at any time, even if that person does not have an offensive weapon on him, because when you go to Clause 5, which is coupled with Clause 3 - Clause 3 (1) is mentioned in Clause 5 - that gives a police officer power to arrest a person, without a warrant, if he has reasonable cause to believe that that person has in his possession a knife. A case for wrongful arrest cannot be brought against that police officer. All he has got to say is, "I had reasonable cause."

How do you know if a man has a knife in his pocket or in his sleeve or somewhere on his person? It means that a police officer can now arrest anybody.

In the United States of America, there is a contra distinction to what the honourable Member for St. Michael West was urging. It is not exposure which is the offence, it is carrying a concealed weapon. A weapon in the United States in that context is, invariably, a hand gun. If you have it exposed in a holster, apparently, it is all right.

This is very dangerous, because it means that if a policeman wants to arrest someone on different grounds, or on no grounds at all, if he just feels like arresting someone, all he has got to say is, "I believed he may have had some kind of knife in his pocket. When I searched him, he did not have a knife, so I let him go." And that is the end of the matter.

This is a very useful section if a policeman arrests people wrongfully, and there is no other provision in the Statute Law of Barbados whereby he can justify the arrest. When he gets to the station, wherever that may be, he says, "I believe he had an offensive weapon." The fact that the person did not have an offensive weapon does not really matter because the policeman can say: "I had reasonable knowledge to believe that he had an offensive weapon."

The other difficulty that I see about this whole Bill is that it does not make it an offence to have an offensive weapon on somebody else's private property. The most you can get it for is trespassing. He can have eighteen offensive weapons, he can have a whole bandoleer of knives around him, but as soon as he sees a policeman coming, he can step on to my property and put his hand in his pocket and the most you can do is get him for is loitering.

That is why I say that I think perhaps we ought to go back to the Vagrancy Act. That may sound ridiculous, but if you look carefully at the Bill, a man who is going to use an offensive weapon is not necessarily going to do it in the bus stand around a lot of witnesses. He is going to have the offensive weapon with the intention of prizing open somebody's window, going in and stealing or something like that. He will be on private property. But not in this day - you have to be in a public place!

I am not trying to protect anybody, but if we are going to pass legislation, let us pass legislation that does not interfere with school boys, but allows you to get the real criminals, the people who are going out with intent to commit offences and felonies, like the Vagrancy Act says. Here, you do not have to be committing anything, or be on somebody's private property where you would be carrying out some felonious intention. But if you have a pocket-knife in your pocket in the bus stand, a policeman who comes and suspects that you are using abusive language, or that you are jostling the queues for the bus, can arrest you. But, when he comes before the elders, he cannot say that you disobeyed the traffic instructions, so he says, "I suspected that you had an offensive weapon." It may turn out that you may not have had the offensive weapon on you at the time, or you did not have it with any intention of doing anything with it. So I am asking the honourable Attorney General to look at these little anomalies.

Hon. L. R. TULL: Mr. Chairman, there are two points raised by the right honourable Member, which I shall address. The first one relates to the question of someone being on private property, such as a hotel or house. I believe that that is a valid point which could perhaps be dealt with under reform legislation when we are preparing the criminal trespass legislation.

In respect to the other point, I am not in agreement with him, because just as a police officer can hold a man and carry him to the station and say that he suspected that he was in possession of a knife, the law at the moment – and it has been for a very long time in this country – is that a policeman could arrest, without warrant, someone he suspects of being in unlawful possession of anything. So a policeman can walk me in any time I walk down the stairs and say that I have a handkerchief in my pocket and he believes that I stole it. We have lived with that in this country for a very long time. I do not know how many people in the country know this, but that has been a law in Barbados for over fifty years. I do not remember the date of the legislation, but the legislation in this country for the whole of this century, is that a police officer can arrest any person in this country, without warrant, on suspicion that that person is in possession of something unlawfully.

Aside

Hon. L. R. TULL: Reasonably suspicious.....

Rt. Hon. E. W. BARROW: I should just like to correct the honourable Member, if he would give way.

The law of unlawful possession deals with goods which have been recently stolen or suspected of having been stolen. You cannot be in unlawful possession of your own property. Unlawful does not mean that it is against the law to have your own property in your possession, as in this Bill.

I should just like to.....

Aside

Rt. Hon. E. W. BARROW: You have not practised in the criminal courts long enough to understand the nuance of this thing.

Laughter.

Hon. L. R. TULL: The right honourable Member is wrong again. You have to prove recent possession and all this in the court. But he was not talking about making a case out in the court and putting a proper defence. He was talking about the kind of arrest where any police officer can say that he reasonably suspected that your wallet or your watch or your handkerchief or your cap was stolen. It is similar with a knife, as in this legislation.

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

Clause 4 was called.

Hon. L. R. TULL: Mr. Chairman, Clause 4 naturally follows from Clause 3, because this is the clause that makes provision for the offence of persons who offer for sale, in a public place, the dangerous weapons referred to in the Definition Clause.

On the point raised by the honourable Member for the City (Hon. Miss B. A. Miller) and the honourable Member for St. Michael West (Mr. B. M. Taitt) about getting to the causes of things, I cannot get right back to the original causes, that will have to be dealt with by a wider body, not just the Attorney-General's Chambers, but as long ago as 1981, I wrote the Ministry of Consumer Affairs and recommended to them that they ban the importation of a whole series of dangerous weapons, such as flick knives and ratchet knives. In addition to that, I recommended to the Ministry of Consumer Affairs that they ban the importation of noxious gases; all these modern things used to spray gas in people's faces and knock them out and then take over. I think that when we get around to banning these things at source, then there will be far greater justification for arresting people, because you know that these things would not have come into the island through the normal routes. So this clause deals with the offering of these dangerous weapons for sale. Again the balance of probability as the level of proof required is on the defendant, as in the case of the person who is in possession.
7.05 p.m.

I beg to move that this clause stand part.

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

Mr. B. M. TAITT: Mr. Chairman, I am very glad to hear the Minister say that he recommended that these matters be dealt with in that way, because I wanted to suggest to him that, in fact, that is the way in which we have to deal not only with these, but the things which the honourable Member for the City spoke about. You simply have to stop them from coming into the country illegally.

We are now legislating that anyone who sells or offers for sale and the proof has to lie on the defendant. I myself do not like that, for anything, but I am going to go along with it. The honourable Member just read from Granville Williams, but I think – I may be wrong – that Granville Williams went on to make the point that he is, in fact, not in favour putting the onus of proof on the defendant. His thesis, and a thesis with which I agree, is that if you keep inching on a little bit more of the proof on the defendant, we are going to move from the system to which we have become accustomed over to the French system, where you are guilty and you have to prove that you are innocent. I do not like it.

The honourable Member is bringing in this legislation, and I think he should be given a chance for it to prove one way or the other, but my argument is that these problems will tend to disappear if the Government has the courage that it is always talking about to put the things on licence and do not issue any licences for them. The trouble is that the Government has poo-pooed and milified the concept of licensing so much that the idea of putting something on license is now anathema to them. That is the dilemma which they face. This is a simple matter. Ratchet knives and these things are brought in here by merchants. They are not brought in here by MP's. They are brought in here by people who see a way to make a quick dollar. You have to tell the merchants they cannot bring in ratchets, toy guns that teach tots that murdering is proper, or spray guns.

I am very glad to hear that the Attorney General has recommended this to the Ministry of Consumer Affairs. I will recommend to him that he must keep pressing them to go and do what is necessary.

Hon. L. R. TULL: Sir, I must say a word for the Ministry of Consumer Affairs. I did not seek to shift the responsibility from the Attorney General to the Ministry of Consumer Affairs. I said that I made a recommendation in 1981. I believe that sometime last year the Ministry of Consumer Affairs took a decision to ban the importation of the items to which I referred. But there are still quite a few in Barbados that preceded that decision, and there is a lot coming in. The seamen and the people who jump off on the wharf bring in all sorts of things — narcotics, guns, and knives. This is another thing, we have open coasts, and you can bring almost anything in here. I want the honourable Member to understand that that could be the source, because I know that the Ministry of Consumer Affairs has already taken a decision to ban these things.

I have asked that the Government analysts do a study on these noxious drugs — mace and all of these things that they are going around with and knocking people out. I am awaiting a report from the Government analysts so that we know exactly what ones are to be banned from coming into this country.

The question that Clause 4 stand part was put and resolved in the affirmative without division.

Clause 5 was called.

Hon. L. R. TULL: Mr. Chairman, in relation to this clause a great deal of concern is expressed about the expansion of powers of a police officer to arrest without a warrant. This clause is the one that gives the police officer authority to arrest without a warrant when he has reasonable cause to believe that someone is committing an offense under the Act. But this power of the police to arrest is not an at-large action; there are certain checks that are built into the provision. If you look at it, you would see that the

belief of the police officer must be reasonable, and there are several bits of legislation that ask for that and no more.

Secondly, the power can only be exercised if the officer is not satisfied as to the person's identity or his place of residence. If a police officer stops you from driving along and says that you have committed a traffic offense and asks you for your name and address, and you refuse to give him, or you give him a bogus address that he believes is not a right one, he is entitled by law, right now, to take you out of your car and take you to a police station.

Also, the power can only be exercised if the officer has reasonable cause to believe that it is necessary to arrest in order to prevent the commission of a felony. If a police sees a man with a ratchet knife or a switch blade or a billfish beak, and he reasonably suspects that that man is about to go and commit a felony, are you seriously asking us not to allow the police in those circumstances to have a power of arrest? No! The police officer must wait until the person uses the knife, pushes it into somebody and robs them and then say, "Ah, now I can arrest you for robbery and grievous bodily harm?"

We believe that the police should be in a position to act in a preventative way. This provision is nothing more than a power that is given to the police in a wide variety of areas under Cap. 167 of the Laws of Barbados Police Act. If you will just take a look at the Police Act, you will see a wide range of areas in which a police can arrest without warrant. This does not go beyond that.

I beg to move that Clause 5 stand part.

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

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

Clause 6 was called and passed.

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

On separate motions of Hon. L. R. TULL, seconded by Hon. H. B. St. JOHN, the Bill, as amended, was read a second time and passed.
7.15 p.m.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I beg to move that this Sitting be suspended until 8 o'clock tonight.

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

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

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

CRIMINAL PROCEDURE (AMENDMENT) ACT, 1984

Order No. 4 was called – to move the Second Reading of a Bill to amend the Criminal Procedure Act.

Hon. L. R. TULL (St. George South): Mr. Speaker, for a long time there has been a view in the legal profession that the practice of preliminary investigations in indictable matters was too long and torturous an exercise, and in line with modern developments with respect to preliminary hearings, particularly in the United Kingdom and other Commonwealth jurisdictions, it was thought that one could short-circuit much of the work that is done in preliminary hearings, because all that is required in those cases is for a case to be made out and sent on to the Assizes. The purpose of this Bill, therefore, is to short-circuit much of the existing procedure, for instance, by permitting the written statements made by witnesses on both sides, witnesses of the prosecution or the defence to be admissible as evidence before an examining magistrate instead of cold testimony, as is required at this point.

Now, by the Magistrates Jurisdiction and Procedure Act, an examining magistrate will be allowed to commit a person for trial who is legally represented. This is important. There is a distinction between persons who are represented by attorneys-at-law before the examining magistrate and those who are not. In the case where an accused is represented by an attorney-at-law, a magistrate may commit that person without considering the evidence, if all the evidence is submitted in writing and there is, on the face of it, a *prima facie* case before the accused man.

It also allows the statement of a witness to be used in place of oral testimony at a preliminary enquiry if the party against whom the testimony is tendered, or indeed the court itself, does not insist on the witness giving oral evidence. Provision is also made in the Act for the publishing in the courts, for public information, the results of all committal proceedings.

The enactment of the Magistrates Jurisdiction and Procedure (Amendment) Bill is expected to reduce the time spent by magistrates in taking down depositions in writing on the hearing of a preliminary enquiry, and it will also save counsel a great deal of time in going through these long processes that are currently being required.

I beg to move, Sir, 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. L. R. TULL, seconded by Hon. Dr. R. L. CHELTENHAM, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. J. G. ODLE in the Chair.

Clauses 1 – 4 inclusive were called and passed.
8.15 p.m.

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

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

MAGISTRATES JURISDICTION AND PROCEDURE (AMENDMENT) ACT, 1984

Order No. 5 was called – To move the Second Reading of a Bill to amend the Magistrates Jurisdiction and Procedure Act, Cap. 116.

Hon. L. R. TULL (St. George South): Mr. Speaker, this is all part and package of law reform relating to criminal procedure in the magistrates court, and I beg to move that it be now read a second time.

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

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 3 inclusive were called and passed.

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

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

EVIDENCE (AMENDMENT) ACT, 1984

Order No. 6 was called – To move the Second Reading of a Bill to amend the Evidence Act, Cap. 121.

Hon. L. R. TULL (St. George South): Mr. Speaker, those of us who have practised criminal law realize how critical it is to have the right to address the jury last. The law, as it now stands, gives the right to the prosecution to address the jury last, if there is a witness for the defence. We are seeking here to amend Section 10 of the Evidence Act, Cap. 121, and to put in the law the right of the accused to have the last address to the jury in every case.

(Mr. B. M. TAITT: Hear, hear!)

Hon. L. R. TULL: That, substantially, is the position. The right to address the court last was a prerogative right that was vested in the Attorney-General. Over the years, the practice has developed that the Attorney-General will yield to the accused to have the last address to the jury, when he does not give evidence or call witnesses.

I have had this bit of legislation passed to the Judicial Advisory Council and to the DPP and they have both agreed with the contents of this amendment.

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

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): In seconding this Bill, Sir, I want to say that the Attorney-General is too sanguine in dealing with the matter.

This Bill arises out of my initiative in writing to the Chief Justice many years ago and indicating that I thought that it would be a desirable law reform. And since it is a practice on our side of the House to have a little family democracy, and state your own position, I can state my position as being very disappointed that it has taken the judges, the Judicial Advisory Council, the Attorney-General – too often – the Director of Public Prosecutions, the police and everybody quite so long to accede to this particular piece of law reform. It was always a lottery, and produced a very distorted trial effect when the accused knew that he would be penalized in dealing – as counsel for the accused knew – with the case of the accused, if he called witnesses.

I believe that a good deal of what appears highly unusual to jurists of other common law jurisdictions in our criminal procedure arises from this very point. Accused persons are encouraged not to give evidence or

call witnesses. If they call witnesses, their counsel loses the right, under the present law, to address the jury last. If they give evidence, they can be cross-examined by counsel for the Crown.

8.25 p.m.

I was told by my father that he also attempted to have the law changed when he was still private counsel, before he was even a member of the Executive Committee. In those days the Chief Justice used to say that the only way that you would change the law is if the judges were given the opportunity to comment on the failure of the accused to give evidence. I would even have had that in this Bill, but the Attorney General, not the DPP, has bludgeoned me over the head. And, as the honourable Member for Christ Church East has said, the extent to which the judge, but not counsel, may comment on the failure of the accused to give evidence, has caused too much trouble in the appeal cases.

I do not myself seek to make it any harder for accused persons to be acquitted. But like all counsel on this side of the House – I do know about the other side, other than the honourable Member for St. John, we all have the experience of grossly guilty persons being successfully defended partly because they do not have to give evidence, partly because counsel has the right of last address, and partly because of the antiquated system. I said "grossly guilty". Nobody guilty has ever been acquitted, because as Dr. Johnson has said, if you see the prisoner commit the crime, and you are satisfied in your mind that there are no circumstances which the jury can regard as extenuating, but the jury says that he is not guilty, why then? They are right and you are wrong. So, truly, you cannot say that a guilty person is ever acquitted. I am thinking of persons who you know have a long record of raping girls in and around the city of Bridgetown and places which can be reached in five minutes drive by a motor car, and they are accused of indecent assault, and you tell them to plead guilty, because indecent assault only carries two years – and they are doing five years for rape already – and they tell them to plead guilty and they say, "No, no skipper – trust yourself. You can get me off." And you do! That is the kind of situation that I mean.

Anyway, this Bill is particularly dear to my heart because it takes some of the lottery out of defense. It is advantageous to the defense, and I will hope that it is followed by a gradual over-the-years process where accused persons will give evidence or call evidence if they have a case to defend.

We really have an amalgam in our criminal justice here. It is not generally known, but before 1898, in the common law jurisdictions, when, for the first time, an accused person was permitted to give evidence in his own defense, the statement from the dock could be read, and

counsel for prisoners who were literate used to write out statements for their clients to read from the dock, and, as Mr. Justice Hanschell of late and beloved memory used to say, "these statements bristled with law". If there was any law available to a prisoner, he would read it out from a paper from the dock, and, of course, the juries began to ignore it. In these days now, a greater burden is put upon the prisoners, because they are expected to learn the statements by heart and put all available defenses in a statement from the dock to permit their counsel to plea. I believe that once it becomes known to a jury that a prisoner can call evidence, the jury will begin to ask themselves why he did not call evidence, and I believe that perhaps there will be a slightly greater latitude under the Bill, generally, to allow prosecution, counsel, and the judge to deal with these matters.

Alibi evidence has never been all that popular in Barbados. When I was at the Bar I brought it forward on one or two occasions. It appeared cast iron, but I have known juries to ignore it, no matter how cast iron it appears. This Bill deals with some of that, and I think it is a welcome reform in the law.

Certainly, I have much pleasure in seconding this Bill. I only hope that other useful pieces of law reform do not take quite so long to reach from the stage of a letter of initiation to introduction into Parliament as this one has taken.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, for those of us who teach human rights, this piece of legislation is welcome, because this piece of legislation will confirm, for all time, that the person who is accused of a crime is innocent until proven guilty. As honourable Members have said, many persons, in the hope that they or their counsel would exercise the last speech, have had to forego good evidence that might have demonstrated that they were innocent and take the chance of not putting the evidence before the courts. I think that part of the legislation is good, and I think it is good when we in this Honourable Chamber, especially after we came off the cat-o'-nine-tails discussion earlier, can, in fact, pass legislation of this kind.

I am not myself happy with the requirement that an accused should transmit in advance, if he is going to need alibi evidence, to the DPP, or the prosecutor, who his witnesses are going to be. I have no doubt that the practitioners will provide good and sufficient reason, and I take note that they are giving a discussion to the judge. But, as Your Honour knows, where discussion is given to the judge in a statute, the judge presumes that if the Legislature passes a statute that they intended that to satisfy the majority of cases, and judges tend not to exercise that discretion, even though it is stated and purported to be given.

I understand the necessity for public policy that witnesses should not be sprung on prosecutors, so that the prosecutors will have to ask for adjournments. I assume that would be the reason for a witness having to transmit in advance who his witnesses are or will be. But I must say that I think that that mars the otherwise laudable aspects of this Bill. I will not oppose it merely because I am not happy about that particular clause, because the other part of the Bill is so salutary that one would have difficulty in opposing it, but I really would have wished that the Attorney General would have been stronger in his representation of the accused.

I say "accused", Mr. Speaker, because I really thoroughly believe that even a man whose criminal sheet is as long as the length of this room when he is accused of a particular crime must be given the benefit of being proved guilty before it is assumed he is guilty. The honourable Member who has defended, I believe, many people in court, has said that sometimes the prisoner will tell him to trust himself, and he referred to Dr. Johnson. But I think it is not often remembered in Barbados that when a barrister or an attorney represents a prisoner or a person who goes to him, that he is not representing the guilt or the innocence of the person, he is merely ensuring that that person gets every single right which he is entitled to receive under the particular constitution under which we live.

I am very pleased that, in the context of the amendment of the Evidence Act, prisoners and, generally speaking, accused persons, especially in some of the more serious crimes, will no longer have to fear calling a witness or giving evidence themselves. I hope that the words which I spoke concerning the alibi defence will be taken by the Attorney General in the spirit in which they are offered. I look forward to seeing genuine reforms to the Criminal Justice Act in Barbados to the point where we have a modern Criminal Justice Act that can compare favourably with a number of Acts that have been brought into force in the rest of the Commonwealth and in the other countries in the world.

8.35 p.m.

Hon. L. R. TULL: Mr. Speaker, the right honourable Prime Minister has made reference to the fact that this thing was in the pipeline for some time. One aspect of it is the right of a judge or the prosecution to comment on the failure of the accused to give evidence which was a matter that chained us in bringing this Bill before Parliament. I feel very strongly, and I am loud on it, that when the Constitution of Barbados gives people the right to keep silent, no judge, no prosecutor, has any right commenting in a prejudicial way on a person exercising his constitutional right.

There is another aspect of this matter of accused people giving evidence. It is not only because the accused

and his counsel will be forfeiting the right to address the jury last. Those of us who have practised criminal law know that there is another reason. You have accused people who come from a certain section of the community who are short on education, inarticulate, and who are not very bright, and the surest way of getting them convicted is to put them on a witness stand and put them at the mercy of an efficient prosecutor. So as a defence lawyer, you are protecting your client from self incrimination by not allowing him to go on a witness stand and allowing a good prosecutor to run rings all around him.

I suspect that now that we are going to give the accused the right to address the jury last, whether he gives evidence or not, perceptive and abled counsel will still stick to letting their man say nothing, or making an unchallenged statement to the dock, because of the fear of putting him on a witness stand and subjecting him to rigid cross-examination.

Mr. Speaker, 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. L. R. TULL seconded by Hon. Miss B. A. MILLER, 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 to 4 inclusive were called and passed.

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

CUSTOMS (AMENDMENT) ACT, 1984

Item No. 7 was called – To move the Second Reading of a Bill to amend the Customs Act, Cap. 66.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, Barbados was not much in the centre of international military affairs until, unfortunately, the last four or five years. Four or five years ago, we found

ourselves with an Argentine aeroplane at Grantley Adams Airport with a cargo of ammunition for the Guatemalan Army at the time when there was very high tension over Belize. Since Barbados had strongly supported the cause of Belize, and obviously, supported the British Government in its military efforts to protect Belize from Guatemalan aggression, when the Customs Department discovered that, contrary to the laws, as they then appeared of Barbados, the cargo of ammunition had not been cleared and it appeared to be illegal cargo, the Customs seized the aeroplane and the cargo. The aeroplane was subsequently released, but the cargo of ammunition, comprising several hundred thousand rounds as we were advised, virtually sufficient for three months' operation by the Guatemalan Army – was seized, and then the Guatemalan Army came to Barbados, as is their right in a democratic country, and took the Government to court.

In the end, we lost the case and the Guatemalans recovered their ammunition, but not before the Chief of the Guatemalan Military Intelligence had sat down in my office and told me of his taking Sidney Alleyne to a training camp in Guatemala to train him in invasion procedures. He also told me that they had given Sidney Alleyne a certain amount of money to invade Barbados to restore the Democratic Labour Party Government to power. The Guatemalan Foreign Minister also came to my office demonstrating how he handed the cheque across the table to Sidney. At the time it worried me greatly. I suppose that after five years, I should advise Sidney Alleyne on getting his money out of the Guatemalans and only, in the end, having to spend a year in jail in Martinique, without succeeding in getting the Democratic Labour Party back in power, by armed force or otherwise.

We changed the law then to provide that arms intransit would have to be specially licensed. I was actually surprised to find out how many cargoes of arms and ammunition transit Barbados. It is a security matter and, therefore, I am not going to give any details, but in the days when I personally had to sign every warrant to permit them to pass, it really came as somewhat of a shock to see the extent to which arms had to be bought even by armies not engaged in warfare.

With the Falklands War, there was another situation. The Argentine Air Force discovered that most of their aeroplanes could not fly to the Falkland Islands, fight and fly back, and they needed additional fuel tanks. They had some difficulty obtaining these fuel tanks, as I believe Her Majesty's Government in Britain was very successful in interdicting the supply of Exocets, spare parts, fuel tanks, aircraft – the lot. But as honourable Members may have read in the newspapers, as a result of an elaborate plot involving the Israelis, employees of an airline in Luxembourg and other persons, a cargo of spare fuel tanks was loaded on a jumbo jet for transmission to the Argentine Air Force. It landed in Barbados.

8.45 p.m.

It was correctly invoiced as having come from Luxembourg and going to Lima, Peru. The Argentinians collected it in Lima. The equipment was correctly described — although it did not say “spare parts for Mirage fighters” — as empty fuel containers. It did not come within the legislation which we passed to cover the old Guatemalan situation, and there was therefore no legal means of preventing those spare tanks from going to Lima, for the obvious destination of Argentina.

I do not know if those spare tanks benefitted the Argentinians. If they had not got them, they could not have put them on the aeroplanes, and a lot of Argentinian boys would not have flown from Puerto Diagos to the Falklands to be shot down by the Harriers. I believe in fact that 75 per cent of the pilots in the Argentinian Air Force were said to have become casualties during the course of that war. It clearly did not benefit the British, because although most of the Argentinian pilots were eventually killed, they did manage to sink at least two ships by bombing in the Falklands. I think it would have been better all round if some power had existed to interdict all kind of supplies, useful to competence in war situations of that particular sort.

This legislation will expand the powers given to stop arms and ammunition passing through Barbados. We do have a major international airport. It is the nearest airport to the places where a lot of arms come from, Spain and airports on the west coast of Africa, so we are attractive. We will be able to interdict these supplies under the procedure which it is intended that the Minister prescribes.

We have had too much of wars and alarms of wars in the last five years. We cannot by ourselves stop people from fighting, but I think we can stop Grantley Adams Airport being used to facilitate that fighting. Under the Democratic Labour Party, it was used to facilitate the Cuban expedition to Angola. The Guatemalans and the Argentinians have all used it to facilitate their own military adventures. Much to our regret, we have had to use it in our military involvement within the Caribbean. At least, let us put a halt to its being used for matters outside our own interest, and indeed, in many cases, against our own interest or the interest of our friends.

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

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

On the motion of Rt. Hon. J. M. G. M. ADAMS, 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.

Mr. B. M. TAITT (St. Michael West): I should like to ask a question. The honourable Member said in the course of introducing this measure that it was an aspect of security, and I wish to respect that, so I will not proceed down that road. However, in recent times in the newspaper, I have seen a report which suggests that during the recent election in St. Vincent, the Vincentian Government sought to get the assistance of the Regional Security Force, and that the other members of this Regional Security Force found it difficult and/or impossible to commit their troops, but that the head of our troops, the Minister, committed our troops, and that, in fact, Barbadian troops were in St. Vincent territory during that election.

(Hon. L. S. CRAIG: Did you not hear that Mitchell said it is not true and Cato said he does not know anything about it?)

Mr. B. M. TAITT: I am saying what I have read and I understand that it is Mitchell who said so.

I should like to hear from the Prime Minister — he says he does not know about it from his seat — if we had troops in St. Vincent during the St. Vincent election as part of the Regional Security Force, or as part of our own force, or as part of any force. I wonder if he is in a position to tell us that in the context of this Clause.

Hon. L. S. CRAIG (St. James North): Sir, I have heard the former Prime Minister of St. Vincent emphatically deny that when.....

Aside.

Hon. L. S. CRAIG: You do not believe Mr. Cato? Mr. Cato denied this, Sir.

I believe that if there were Coast Guard vessels in St. Vincent's territorial waters, it was a normal exercise between the Governments of this present Defence Pact to patrol the territorial waters of the countries that are involved in the pact. Therefore, there was absolutely nothing wrong if they were in the waters or not in the waters. That is an arrangement between the two Governments. I think that that is the answer which is to be given on the floor of this House, Sir.

Mr. B. M. TAITT: No, Sir.

Hon. L. S. CRAIG: Matters of defence and security are very closely held to the breast of the Minister in charge of Defence and Security.

Mr. CHAIRMAN: I should like to inform honourable Members,.....

Mr. B. M. TAITT: No, Sir.

Mr. CHAIRMAN: I will not permit a debate.....

Mr. B. M. TAITT: No, Sir.

Mr. CHAIRMAN: on.....

Mr. B. M. TAITT: Please let us keep it the way it has been going, Sir.

Mr. CHAIRMAN: The Chair speaks.

Mr. B. M. TAITT: I will listen.

Mr. CHAIRMAN: I will not permit a debate on matters relating to defence and security when we are dealing with this Bill to amend the Customs Act. I see nowhere where I can possibly allow that.

Mr. B. M. TAITT: With the greatest respect, Sir, the matter with which we are dealing was introduced by the honourable Minister, and he said it was brought here specifically to deal with the question of the movement of arms.
8.55 p.m.

If Your Honour now rules that you are not going to allow us to discuss that aspect, then Your Honour would be closing the debate on a matter which he specifically said he has brought it here for. I am asking the honourable Member who is the Minister.....

Hon. L. S. CRAIG: Sir, on a point of order. Arms are passing through the Customs. That is the whole idea of the Bill.....

Asides

Mr. CHAIRMAN: Order on both sides of the House.

Mr. B. M. TAITT: The honourable Member said in the course of discussing this that it was also used for our own involvements. Mr. Chairman, with the greatest respect I do not think that the Minister responsible for Defence and Security wishes us not to talk.

Asides

Mr. B. M. TAITT: I say that I want to know and you are telling him to send me out? He can send me out,

but I want to know if we sent troops to St. Vincent. I want you to tell me if it is true. I do not want to hear from Mr. Mitchell or Mr. Cato. I want to hear from you.

Mr. CHAIRMAN: Please, order on both sides of the House. Please take your seat.

Rt. Hon. J. M. G. M. ADAMS: The honourable Member has not asked me if arms and ammunition passed intransit to St. Vincent through the Customs. He has asked me about troops, and if on no other ground I would not answer.

Mr. CHAIRMAN: I am not entertaining those questions.

Rt. Hon. J. M. G. M. ADAMS: The honourable Member has answered himself. He has admitted in his last intervention, when he pretended to lose his temper, that he does not want to hear it from Cato and Mitchell — he wants to hear it from me. So he knows that both Cato and Mitchell have denied that any Barbadian troops were sent to St. Vincent. He knows that!

He says that he wants to hear it from me. What I will say as a fact is that no application for a license to send arms and ammunition to St. Vincent at election time or indeed, as far as my memory recalls, otherwise, under the Customs Act, Section 98, has ever been signed by me.

I have been asked to send arms to Dominica, but never St. Vincent.

Mr. CHAIRMAN: We are venturing too far. I think that we have gone far enough. The question is that Clause 2 stand part.

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. H. B. ST. JOHN, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

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

SUSPENSION

Hon. L. S. CRAIG: Sir, I beg to move that this sitting be suspended until 10:00 a.m. Friday, September 7, 1984.

I would like also to thank honourable Members on both sides for their co-operation today, and I look forward to doing as much as we can on Friday, knowing that they are carrying out renovations to the building. I am told that there is going to be quite a bit of dust and confusion at this time. Hopefully we can get through with as much as we can so that we can be away for another three weeks, until we get everything organized.

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

The question that the House be suspended until Friday, September 7 at 10 a.m. was put and resolved in the affirmative without division, and Mr. SPEAKER suspended the sitting accordingly.
9.05 p.m.

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

BETTING AND GAMING ACT, 1984

Order No. 3 was called – To move the Second Reading of a Bill to revise and consolidate the laws of Barbados relating to betting and gaming and to provide for associated matters.

Hon. L. S. CRAIG and Mr. M. A. KING rose.

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

Mr. M. A. KING: On a point of order: I believe there is no quorum in the House at the moment.

Mr. SPEAKER: Will the Clerk please count the House.

Asides.

Mr. SPEAKER: I am informed by the Clerk that there are eight members including myself. Let the bell be rung.

The bell was rung and a quorum formed.

Mr. SPEAKER: There is now a quorum. The House may proceed.

Hon. L. S. CRAIG: Sir, I beg to move that this Bill be now read a second time.

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

Mr. M. A. KING (Christ Church West Central): Mr. Speaker, this Bill seeks to revise and consolidate the laws

of Barbados relating to betting and gaming and to provide for associated matters. I should like to go on record as taking the position which our party holds on this bit of legislation, and to state our party's unalterable opposition to the introduction of what we conceive to be what is intended in this Bill.

I think this Bill paves the way for the introduction of casino gambling in Barbados. This is the beginning, and I want to indicate our party's opposition to the extension of gambling in this community. We certainly feel that it is not the direction in which our community should develop. We have to be concerned about the moral issues which face the community and the problems which are inclined to be associated with the introduction and extension of gambling in all of its forms in this community.

We think that emphasis needs to be placed on the development of our people and the resources of the people, and that people should not be encouraged to pervert their lives into lives of gambling. Gambling does no good for the community and the moral fibre of a people. The moment we go down that road, all sorts of problems tend to come into the country, problems tend to become associated with the large scale of gambling.

There has been gambling in this community on a very limited scale throughout the years. We have had sweepstakes. Nobody has complained about the Turf Club Sweepstakes. We have had the Instant Money introduced. We have had all forms of gambling creeping into the community gradually. The Hospital Sweepstakes were just another form of sweepstakes. But we have to be aware of anything which paves the way for the extension of gambling in the community and which makes us into a nation of gamblers rather than trying to develop our own personal integrity, if we are to develop into a small nation which does not become contaminated by all the evils which this type of gambling is inclined to introduce into the community.

I just want to make our position absolutely clear. We are opposed to the introduction of anything in the community which can pave the way for the introduction of the extension of gambling on a large scale in this community.

Rt. Hon. J. M. G. M. ADAMS: Sir, since no other honourable Member wishes to speak, I would like to reply.

Mr. SPEAKER: Is the honourable Member speaking on his behalf or on the behalf of the Government?

Rt. Hon. J. M. G. M. ADAMS: I am seeking to wind up on behalf of the Government.

Mr. SPEAKER: Proceed.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, if there is one thing certain about legislation relating to gambling brought from the Government side, it is that, however short a speech and however distinguished a speaker who speaks on behalf of the Opposition, sentiments which outside of this House will be described as hypocritical will inform the response by the Opposition.

Barbadians are well aware that ours is a society in which gambling is virtually endemic, although confined largely to what could be called non-casino games. The addiction to sweepstakes, bingo, betting on horses, gambling and dice under trees, and the playing of poker at all levels of society, in private homes and in clubs, is as strong in this country as in any other part of the English-speaking world. The English are characterized in any style as the greatest gamblers in Europe, among Europeans.

For many years in the United Kingdom, as in Barbados, hypocrisy also prevailed. Despite any number of studies by Royal Commissions pointing out that the English are the greatest gamblers in Europe, and that they spend more on different forms of gambling, gambling remained an activity characterized by all the expressions of moral disapproval recited by the honourable Member for Christ Church West Central (Mr. M. A. King). I think, therefore, that we should not be too hard on ourselves if we bring to the subject of gambling a measure of hypocrisy that reflects no more than the background in which we have all been reared.

The same arguments about any extension of gambling have been used throughout this country in the House of Commons in London when rationalisation of the gambling laws has been sought, or when any new addition to the scope of gambling in the United Kingdom has been introduced. Yet, it does not seem to me that gambling has done any damage to the moral fibre of any European country where it exists, or that, for example, in New York, the people are more moral, decent and reasonable than the people in Nevada where gambling is one of the principle activities of the State. Indeed, many Americans might say that New York and Florida, where casino gambling is not permitted, demonstrate a great deal more moral wickedness than the states of the West, where it is widespread.

But the particular point which should be replied to in the honourable Member's speech relates to the subject of casino gambling. I challenge the honourable Member to find anything in this Bill which will facilitate or which will directly point to the introduction of casino gambling in this country. I state categorically that the Government is not promoting this Gaming Bill as a means to introduce casinos into the country. There is no such intention. The Gambling Bill is a consolidating measure,

and a measure extending control over gambling activities in some areas where it does not now exist.
10.10 a.m.

I could go over the whole history of the gambling laws of Barbados at length, but I will not do so today. I think they only need to be dealt with very shortly.

When this island was first settled by the English, they brought with them the English law as to gambling. In the 17th century there was very little restriction on gambling of any kind in the common law of England. There still is. They say in the common law all games played with dice are illegal. I believe that to be true, and this Act certainly does nothing to change that situation.

I have heard the Leader of the Opposition state that there is one dice game which is statutorily legal and which can be played for money, and that it is a game in which he himself indulges. I have heard it said that it is a game in which he himself is very good. It is backgammon. So far as I know, that is the only dice game that can be played for money which is legal in Barbados. But that is a small matter.

In the 18th century gambling became a vice in so far as people gambled at various card games and lost enormous estates. Buckingham Palace passed into the hands of the Royal Family as a result of the Earl of Jersey losing it at cards at a London club. This is not the only example of a large estate in England or a great magnet sacrificing his fortune. Anybody who is familiar with the history of the English aristocracy in the 18th century will be equally familiar with the fortunes won and lost at the turn of a card at Almax and Whites, will be familiar with the Marquis of Hastings, who sacrificed great fortunes of one of the oldest peerages in England on the horse track and at the card tables. The laws in England were therefore changed to reduce the impact which gambling could have on the fortunes of the wealthy.

First, gaming Acts were introduced, which restricted the possibility of going to law to enforce gaming debts. As in England, so it was in Barbados. These were then tightened up so that collateral arrangements along those lines became unenforceable. As in England, so in Barbados. Then later on still, at the high point of national hypocrisy, during the Victorian period in the 19th century, those in charge of the legislative affairs in Great Britain decided that even though it might be all right to gamble privately, subject to the Gaming Acts, it was not all right for poor people to gamble, and accordingly into the Vagrancy Acts of England, I think the first of which was passed in 1824, but were subsequently added to, various concepts arose, notable among them being the concept of the common gaming house. This was a means used to control what were called gambling hells; and it

came to be extended to cover the various forms of gambling that were emerging in England. Again as in Great Britain by this time, so in Barbados. The result is that today in Barbados we have a hodgepodge of gambling legislation. We have various Gaming Acts relating to the enforceability of gaming debts, we have parts of the Vagrancy Act and we have a number of controlling statutes, some passed by the Democratic Labour Party Government and some passed by our Government.

The Democratic Labour Party legalised betting on horses in Barbados and the book making business. It also legalised pool betting, betting on the English football pools. It institutionalised the West Indies Hospital Sweepstake, a proven fraud in which there were many persons alleged to be winners but who could not be found, a proven fraud which ended up bankrupt owing the Government of Barbados and many other people, and out of which members of the Democratic Labour Party, including members of their party in Parliament, boasted that they have become millionaires. Let us remember that the Democratic Labour Party brought book making to this country, pool betting and the West Indies Hospital Sweepstake; book making in particular, the betting shops in Barbados in particular, being perhaps the largest extension of gambling introduced into this island by any one piece of legislation, which saw the removal of the Turf Club's monopoly.

I am not censorious on that, because I do believe that horse racing is one of the activities where betting is an essential part, and that betting on horses is a relatively harmless occupation. People are a lot better exercising in betting on horses than in getting drunk and making themselves alcoholics, in my opinion, it is a good deal better exercise than standing up by the roadside quarrelling and perhaps fighting.

I do not wish, Mr. Speaker, to be numbered among those who believe that people have to be protected unreasonably against themselves. I am not against gambling, and I am not afraid to get up and say so. I believe that any human activity can be abused. Religion can be abused by people and it can be misused, as witness the Dean's remarks recently. I am not putting them forward, I am just saying that one churchman says that there are religious organisations in this country which are exploitative and not in the best interest of the persons who follow them. I am merely repeating his remarks. It is the same with gambling, drinking and politics, because I have seen a lot of people carry politics to an extreme that the politicians themselves deprecate and realise that it is dangerous to the politicians as it is to the unfortunate practitioners of the art of violent yardfowlism.

This Bill, therefore, reflects the different interests which I have been outlining. It is a consolidating Bill which joins together the different Gaming Acts. It is a

Bill dealing with the Vagrancy Act. In particular, it is a Bill which has removed the distinction between one law for the poor and one law for the rich on gambling. It used to be the law that if you played a legal game of cards under a tree that the police could come and snatch up the cards and the money and take you away, while if you played in the Bridgetown Club and the Union Club with the same cards for money, you had a specific protection under the law for gaming in the clubs which were not formed for that purpose alone.

The Act also, as I said, exercises some measure of control over gambling activities. Again, in the regime of the Democratic Labour Party, the concept of approved national organisations was introduced into the law. These were sporting organisations mainly, and they were given a general licence to raise funds by means of gambling activities. This led in the end to some abuses at the end, I believe, of the year 1981, when it was discovered that the Government — the Comptroller of Customs was the Government's agent for dealing with gambling — basically had no control over what form of gambling was instituted by the approved national organisations and cannot object to particular forms which in themselves are not illegal as long as they are not carried on in an illegal way.

10.20 a.m.

The means by which that was controlled was by recourse to the law of the common gaming house. That particular law, Mr. Speaker, is a blunt instrument rather than a sharp one. It is a negative instrument. In all probability, it could have been used against the Minister of Housing for permitting Marine House to be a bingo hall, which it was for a long time, I believe, in the 1960s and the 1970s. It probably could have been used against the Roman Catholic Church for holding bingo games to raise money to build the Catholic Church in Maxwell. Like St. Michael's Cathedral and St. Mary's Church, the Roman Catholic Church was built out of the proceeds of gambling. A sweepstake was authorised by Parliament to raise money to rebuild St. Michael's Cathedral after the hurricane. Those praying in St. Michael's could perhaps look up at the ceiling and give thanks to the Lord that the whole generation of Barbadians were inspired to buy the tickets and enable the Church to get the Cathedral built. But, again, I am not being critical. I am merely pointing out these facts.

This law might prove to be a somewhat blunt instrument in dealing with international organizations, and the Act is therefore taking the opportunity of bringing charity gambling under the control of the Gaming Committee, which is an independent committee of officials, the Solicitor General, the Commissioner of Police, the Comptroller of Customs and other officials, that is intended to maintain control over all aspects of gambling.

In future, if the Turf Club introduces a game that is thought undesirable, there will be a procedure by which the Gaming Committee will be able to handle them. If there are problems with the Amateur Athletic Association, the Swimming Association or any one of the approved national associations, there will be a procedure by which the committee will be able to control them. But we are maintaining that privilege of carrying on lotteries – this is Part VI of the Act – for their funds, and I would want to reply to the honourable Member by drawing his attention to Sections 40 45.

First of all, it has to be understood what is meant by "lottery". The definition of lottery in this Act covers anything that would reasonably be thought to amount to a casino operation, because a lottery really means playing a game of chance – it does not mean conducting a sweep-stake. I will draw honourable Members' attention to page 5 of the Bill, which says:

" "lottery" includes any game, method or device whereby money or money's worth is distributed or allotted in any manner depending upon or to be determined by chance or lot, held, drawn, exercised or managed whether in Barbados or elsewhere;". That really covers all games of chance.

Section 40 says: "No person shall conduct a lottery except in accordance with the conditions specified in this Part." Section 41 gives a long list of offences committed by any person conducting a game of chance in Barbados, and (f), for example, would cover any circumstances in which somebody opens a casino, using any premises, causes or knowingly permits any premises to be used for purposes connected with the promotion or conduct of a lottery.

The conditions under which any lottery can be held in Barbados, and under which anyone will, in the future, be allowed to hold a game of chance, are to be found in Sections 43, 44, and 45. Section 43 relates to particular entertainments. The right honourable the Leader of the Opposition will remember that when he was in residence at Culloden Farm, that blackjack tables were brought to Culloden Farm and operated in connection with raising money for the sending of a representative of Barbados to the Miss World Contest in London. Whether that was legal then or not, I do not know, but it will be possible as I understand it, for such an activity to be carried on, as long as the conditions of Section 43 are carried out, the main condition of which is that no such game of chance can be held for private gain.

If you read Section 43(2)(a), it will be observed that the whole proceeds of the entertainment, after deducting the expenses for printing tickets and the expenses, perhaps, for organizing it, an amount not exceeding \$100 for buying prizes in the lottery, shall be devoted to purposes other than private gain. So

nobody is allowed to make money out of what you can call a Section 43 – Entertainment. In other words, you can hold a church fair, bazaar, a dinner or a dance, and have a game of chance attached to the activity for specific prizes not exceeding the amounts of the prizes in the lottery, as long as the proceeds do not go into anybody's pockets. I think that can be fairly well understood by Members. No Member can possibly believe that a licence to hold a bazaar, sale of work, fete, dinner, dance, fair or other entertainment could be a licence to open a casino. It is a one-shot operation.

Section 44 repeats the law relating to sporting and cultural purposes and approved national organizations. It says that the Minister responsible for Sport can declare an organisation to be an approved national organisation for the promotion of sports or games, and the Minister responsible for Culture may, by Order published in the *Official Gazette*, declare an organisation to be an approved national organisation for the promotion of religion, education or the arts and culture. Such approved national organisations may organise games of chance for the purpose of raising funds for any religious, charitable, educational, sporting, artistic or cultural activities, or otherwise for the promotion of the welfare of the community or any part thereof, subject to the following conditions: – the organisers will have to tell the Gaming Committee of their intention to organise a lottery; they will have to give the Gaming Commission a description of the structure and operation of the game, including the purposes for which the money is to apply and the period over which the game is to continue; and they have to undertake to make returns to the Comptroller of Customs showing what has happened to the money.
10.30 a.m.

It may appear unusual, Mr. Speaker, but at present there is no obligation on the Turf Club to make any return as to what happens to the Let's Go to the Races money. There is no obligation on the Barbados Cricket Association to make any return as to what is done with the Instant Money, at least not in the form in which this operates here. We are now taking a new power to give the Gaming Committee authority, if it is not satisfied with the operation of any gaming activity carried on by an approved national organisation, to suspend the activity pending an enquiry into the conduct thereof. Of course, it goes without saying that approved national organisations will not be able to conduct lotteries by which any individual will gain.

Section 45 gives permission to any group of residents in Barbados, any three or more, to organise a lottery for the purpose of raising funds to be used for any religious, charitable, educational or recreational purposes for the promotion of the welfare of the community subject to certain conditions. These conditions are that they must have the prior approval of

the Committee, that they must undertake to declare the purposes for which the proceeds of the lottery are to be applied, that they must give a bond to the Committee for payment of such amount represented by a percentage of the gross receipts that the Minister of Finance may by order prescribe, and that is a lottery duty, and they must pay the Committee within fourteen days any duty which has been prescribed, evidenced by a statement of account certified by a qualified accountant. And again, under Section 45 no organisation may organise a lottery for private gain.

Mr. Speaker, some honourable Members are complaining that there is a little too much noise from the Lobby.

Mr. SPEAKER. The Leader of the Opposition has just made a complaint, and I have asked the Marshall to look after that.

Rt. Hon. J. M. G. M. ADAMS. I am grateful to the Leader of the Opposition for protecting the interest of Members in here by his complaint.

I have addressed that part of the Act because that is really the only part of the Act with which the honourable Member for Christ Church West Central dealt in his speech. Just to go over the others, Part I relates to the Gaming Committee, that already exists in law. Part II and Part III are about clubs. It is complicated, but I think that if the honourable Member reads it, he will understand that they do not extend gambling to club premises. They really do not. I know the honourable Member for St. Michael West Central, with his lack of legal knowledge, seems to think that Part II and Part III allow the opening of clubs for casino purposes, but the honourable Member who has spoken, with his legal knowledge will, I think, well understand that they cannot so apply, because if he looks at Section 14, he will realise that the sort of gambling is restricted to games in which everybody has an equal chance, and the essence of a casino game is that the casino has an edge: $1\frac{1}{4}$ per cent in the case of dice, $1\frac{7}{8}$ per cent in the case of blackjack depending, on how many zeros are on the wheel and 3 per cent in the case of Roulette. If he reads that section, he will realise really that all they allow is the playing of cards and backgammon. This actually tightens up the law, because as I conceive it, it was probably possible before to play games in private clubs that did not have to be played with a machine, without incurring the threats of the law.

Part III contains certain restrictions about providing credit for gambling, which are standard conditions. Part IV relates to betting on race tracks. Part V relates to pool betting and book making, all under the law. I have outlined Part VI. Part VII relates to gambling machines which is the present law. Part VIII consolidates the law

relating to gaming debts and consolidates the parts of the gambling and gaming Acts which are at present the law. Part IX is the Minister of Finance's special interest, all duties on gambling.

In Part X, we have in the end re-enacted some of the present law relating to gambling in public places other than dominoes. Dominoes have a specific protection in Section 72(2). We are going to forbid gaming on the highway as such, but it will not any longer be illegal to play cards under a tree away from the highway or in somebody's private premises, and Part X has general powers. So it is really, as I understand it, only Part VI to which honourable Members could be applying their attention.

I see that honourable Members are paying some attention to Part II. Section 7 is the operative part. I say that for the interest of the honourable Member for Christ Church West Central. The essence of Section 7 is that gambling in clubs is restricted to games that do not offend Section 7. Section 7(1)(a) effectively forbids chemin de fer. I do not know who plays it, but that involves playing or staking against the bank whether the bank is held by one of the players or not. It probably also forbids blackjack.

Section 7(1)(b) and (c) forbids the playing of roulette, because the nature of the game of roulette is such that the chances in the game are not equally favourable to all the players, since the zero on the wheel effectively means that persons who bet on the black or the red on the upper third and the middle third and the bottom third do not have the same chance as the bank, because the zero is excluded from that. I do not know how interested honourable Members are in these things. I do not play roulette myself, except under the utmost compulsion, and thank God I have never in my life wagered I would pay more than \$10 on a roulette table, but I am familiar with the game.

That section is the section that forbids a casino to be opened in a club. The words "there shall not be a casino in a club" are not used because 'casino' is not a term of art. Casino is an emotive expression rather than an easily definable term. Nobody would think that Mr. Eyre Hoppin is to be penalised because he has something called Greens Casino, because we well know that it is a different sort of thing; nor could the honourable Member for St. John be accused of misbehaving if he visits the Sealy Hall Casino, because the Sealy Hall Casino is not a place, so far as I know, which is embraced within the meaning of 'casino' as expressed by the honourable Member. But honourable Members can satisfy themselves — if you ask anybody who knows about gambling legislation — that Section 7 of the Act actually forbids casino gambling in a club. Do not be misled by the honourable Member for St. Michael South Central (Dr. R. C. Haynes). Indeed I must tell you, Mr. Speaker, that although we are passing

Parts II and III with very elaborate provisions, I would be very hard put to say what gambling can actually take place in clubs under these sections. As I see it, it would only have to be bridge or poker, games, in which the chances are the same for all the players. I cannot see that any other games could be played on private or club premises other than those two.

10.40 a.m.

In concluding my answer to the honourable Member, this relates to Part VI and approved national organizations. For many years a number of these organizations carried on blackjack games in hotels in Barbados for the benefit of the funds of the organization. I know of the Amateur Athletic Association, the Lawn Tennis Association and the Barbados Amateur Football Association. There may be others. I know that games are carried on in the Hilton Hotel, Rockley Resort and at the Marriott's Resort.

In the flurry and furore that attended the opening of a number of premises that looked like what the popular imagination of casinos look like, those games were closed. The organizations concerned have suffered an enormous loss in funds. One organization informed me that its members used to go to a hotel every Tuesday and Thursday night, run a small blackjack game for the benefit of the guests, and it used to make \$1 000 a week for the benefit of the organization. They have lost this income and it means great hardship to the organization. It was unable to carry out some of the activities which it used to carry out formerly.

The Barbados Hockey Association made representation to the Government for permission to be allowed to organize a blackjack room in a hotel. They stated to the Government that the standard of hockey in Barbados is much higher than the general public realized, that we were among the three or four best hockey playing countries in this hemisphere, and that reduction of their funds would make it impossible for Barbados to train and send teams to the Pan American Games and the Caribbean Games which are held from time to time. I have also had specific representation made to me by the Amateur Athletic Association that it would like to re-open its games in hotels in order to raise funds for its members.

I would have been very hesitant formerly, Mr. Speaker, before this Act was passed, to accede to any such request. The reason is that the Betting and Gaming Committee has no authority, under the present law, to insist on accounts being supplied, and it basically has no control over the disposition of the funds.

I am not a hypocrite in this matter of gambling, and therefore I am not going to pretend that all went well when we had the proliferation of the games rooms

in 1981. Some of them, like the Hockey Association, kept a keen and careful eye on the games that were being played in their name, they checked up on their account and were going to insist on making sure that the Hockey Association benefitted from the activity and not some private person organizing the game, and merely giving the Hockey Association a rent, so to speak, for using its name.

I should like to say that I am very indebted, and I think the whole Cabinet, to the determination on the part of the honourable Deputy Prime Minister, the honourable Member for Christ Church East Central, who always insisted that we should never have any games rooms in which an organization is merely having its name used in return for \$1 000 or a couple of thousand dollars a month, but the real profit was being made by private people. He has always insisted that the organization has to be the residuary beneficiary of the fund, with the hotel or wherever the activity is carried on getting its benefit from increased sales of liquor or whatever and a modest rent reflecting the use of the premises, the air-conditioning and the electricity, but that the organization at all times had to be the money maker.

The way we have passed the Act now will allow us to let the organizations open games rooms on condition that only the organizations get the money from the games rooms. I have therefore told the Amateur Athletic Association that I will give them an undertaking that they will be allowed to re-open their operation, which hardly impinged on the life of this country. I dare say that honourable Members are hardly even aware that the guests at the Hilton can go and play blackjack two nights a week for the benefit of the funds of the Athletic Association, I believe the Olympic Association has benefitted as well. I have given an undertaking that, subject to their satisfying the Gaming Committee, the Comptroller of Customs, the Commissioner of Police, the Solicitor-General, representatives of the Ministry of Finance, representatives of the Ministry of Sport and the others, the Government will put no barrier in their way. Of course, this applies to other organizations which can satisfy the members of the Gaming Committee that their games are run for the purposes stated in the Act — religious, educational, cultural, sporting, community welfare — and not run for the benefit of anybody's pocket.

The Committee will consist of the Comptroller of Customs, the Commissioner of Inland Revenue, the Commissioner of Police, the Solicitor-General and five other persons. You will find it in the First Schedule. I am hoping that among the five persons whom I will appoint, a representative of the churches of Barbados will find it possible to accept nomination. I have discussed this Bill with the Council of Churches in Barbados on more than one occasion — it has been circulated to them — and they

have made comments very similar to those made by the honourable Member for Christ Church West Central. I pointed out to them that their comments perhaps rested more upon public statements about the Bill rather than in the context of the Bill itself. I have given them a reassurance that this Bill is not intended to be any vehicle for casino gambling.

We can expect that a few of the organizations, the Barbados Olympic Association, the three As, the Football Association and the Lawn Tennis Association will re-open small scale gambling, not on a casino basis, which, formerly, for a number of years, they operated for the benefit of their funds. I recall mentioning this to the Council of Churches when Rev. Saunders was its Chairman, and asking them directly whether they would object to this. I do not think I am misrepresenting the proceedings when I say they did not say, "Yes", they did not say, "No". They said they were against gambling, and that they were not going to give any approval to any form of gambling that existed in Barbados or that did not exist in Barbados. But Mr. Saunders did say that they had gone along for years without even being aware of the gambling in hotels carried on by these associations. I have no doubt, Mr. Speaker, that under the careful control of the Gaming Committee that Barbadians will not have cause to complain of any abuses by the sporting organizations of the privileges, granted to them – under the previous regime, let us remember, but not objected to by us – to conduct gambling operations in the country.

10.50 a.m.

The Bill consolidates the law of gambling in this country. It extends the control of the Gaming Committee to the approved national organizations. Section 7 effectively forbids the opening of a casino in Barbados under the guise of a club. It forbids the carrying on of typical casino games in club premises, licensed premises or registered premises in Barbados. Far from giving a license to casinos, Section 7 effectively prevents their operation in Barbados in the sense adverted to by the honourable Member. It brings all of the enactments relating to gambling under one head, and it repeals the Betting and Duties Act, the Gambling Act, the Gaming Act and a portion of the Vagrancy Act. It is a control measure – that is exactly and precisely what it is.

I would just say for the benefit of honourable Members that at the time when the Act was circulated to the organizations, churches, Chamber of Commerce and others for their comments, Section 78 contained a clause – I think it may have been then clause H; I cannot remember which, – authorizing the Minister to give exemption from the provisions of the Act. I believe that it was on the basis of that clause that the honourable Member for St. Michael South Central (Dr. R. C. Haynes) made a public statement to the effect that this Bill was

the same as Bills in other parts of the world – I think he may have instanced the Bahamas – under which casino gambling was authorised. Now the honourable Member often makes statements that cannot be justified with regard to the facts, and the honourable Member is not hesitant sometimes to make a statement which is true only in his imagination, rather than an objective analysis of what he is talking about. But on this occasion I cannot fault him, because he is undoubtedly correct in saying that the Bill would have provided a vehicle by which casinos could have been brought into the island.

How the Bill went out with that section, I do not know, because I have never wanted the power to grant casino licences in this country. You can underline that with a three-line whip. I have seen how that power has destroyed Governments in the Bahamas and damaged Governments in other parts of the world. I have read of accounts of gambling activities in other parts of the Caribbean, where such a power existed, that would make your hair stand on end. Honourable Members will recall that when Sir Stafford Sands was Minister of Finance in the Bahamas, and he had the power, subject to Cabinet approval, to grant exemptions from the gambling laws in that country, that evidence was given at a Commission of Inquiry that his law firm accepted a fee of US\$500 000 dollars to prepare an application to him, the head of the firm, as Minister of Finance, for an exemption licence for, I think it was the Mary Carter Paint Company that wanted to open a casino in the Bahamas, and as Minister of Finance he granted the licence. As a result of that Commission of Inquiry, he was driven from public life in disgrace, and he bought a house in Spain where he now lives.

Asides.

Rt. Hon. J. M. G. M. ADAMS: He is dead? The honourable Leader of the Opposition is telling me that he is now dead. He may have died without honour, but I think he died with a lot of money in his pocket.

There is no country on earth which can entirely guarantee that the political process will never be subverted by giving a Minister the individual right to license casinos. I say that without hesitation. I do not believe that the honourable Member for St. John, and I know for myself, would have been corrupted by casino operators. But you cannot speak forever, and you cannot justify putting so much power in the hands of an individual to give people the license to make millions. If there is an argument against casino gambling, the argument would have to be against the possibility of enrichment that it produces. That, to my mind, is the strongest argument, and that is why this Government has rigidly turned its face against allowing casinos in this country and against allowing gambling activities for private gain. You will read this Bill through and through and you will see

that the only way that an individual can make money from gambling is by going and betting or playing cards. Read this Bill through and through and there is no power in any individual to organize a gambling activity in such a way as to make a lot of money for himself, no new power at any rate because undoubtedly bookmakers can call the odds in such a way as to insure that they do not lose, and the one-armed bandit operators, although they are diminishing, some will make money and some will lose.

I referred to that section in the Bill because, undoubtedly, it could have misled people who saw the draft, but that section has been removed. There is now no power, such as exists in the Bahamas, for the Government, the Cabinet, or a Minister to give anybody an exemption from this Bill. Not even the Gaming Committee can give it. They will not be able to say to an overseas group, "Do not mind the Betting and Gaming Act, we will give you a licence. We will give you an exemption." This being so I hope that the honourable Member for Christ Church West Central will be put at ease. I see him talking to the honourable Member for Christ Church West who I know was privately suggesting

he did not mention it to me, but I got the message that perhaps the Bill should specifically contain a clause saying that nothing in this Bill shall be taken to permit the introduction of a casino. I would like to give both honourable Members the assurance that a careful study of the Act, especially Section 7, which has been said by the draftsman to cover all casino games, and especially the omission of any general power to give a licence of exemption from the Act, is sufficient to satisfy them both that the genuine fears of casino operation for private gain in this country will be removed by the passage of this Bill, and to satisfy them that the legislation is tight enough to make it clear.

11.00 a.m.

There is no legal definition of a casino. To forbid casinos involves some circumlocution, and the circumlocution is contained in the drafting of Part II and Part III of the Act, which regulate activities in clubs. I draw to the attention of two honourable Members that previously the law was that a club not started for the purpose of gaming, a gentleman's club such as the Bridgetown Club, could allow gambling within the four walls of the club accessible only to members, and that gambling might very well have included casino type games. Now, the new law is, effectively, that only games in which all the players have equal chances will be permitted in clubs. I think the honourable Members will understand that in those circumstances we have not only not introduced casino gambling by this Act, but we have actually closed one of the loopholes by which it could have been introduced, and will give their support to the Act.

In conclusion, Mr. Speaker, I just want to say that the scheme of the Act is structured to respond to the feelings of Barbadians. The Government does not want to get too far ahead of public opinion. I myself have understood the feelings of Barbadians about casino gambling. The churches are against it, the general public perhaps is against it, and it would be wrong of any Government to move too far ahead of public opinion in a matter such as gambling.

There are people who have strong views about it. The opinion of those people, even if they are in the minority, must be respected. Those who were against daylight saving time were in a minority, a small minority too. There was a majority among the supporters of both political parties, as discovered in a poll by the Barbados Statistical Department, much in favour of daylight saving time, more among the Dems than among our supporters, as it happens. But people felt very strongly about it and the Government therefore decided not to continue with it.

Gambling is one of the social issues on which the voice of the people must be heard. I do not want it to go on record that I am against gambling. I am not a hypocrite and I am not going to say so. I believe that gambling, properly controlled by Governments, is an extremely effective way of raising money both for the revenue and for organisations within society that need funds.

I also believe that no tourist industry in the western hemisphere is going to be viable within the next few years unless it contains some element of gambling. Visitors come to Barbados and they want something to do in the evenings. They want to swim during the day and go about the country and they want activity at night, and not all of them want to dance endlessly in discos or drink endlessly in bars, and I believe that we will have, sooner or later, to face these particular facts.

But I believe that such entertainment by way of gambling does not have to be provided by one of the multinational casino chains or provided by a local entrepreneur making millions out of a casino operation. I believe that the sporting organisations of Barbados can generally be relied on to be decent, sensible and honest in their handling of their members' funds and their fund raising activities, and therefore, in saying that I am prepared to sanction the re-opening of some of the hotel entertainments by the sporting organisations, I am not only giving those organisations and their members the opportunity to raise funds, I am also giving visitors to the island an additional attraction at night. I think that the interests of our tourist industry and of our cultural and sporting organisations will well be served by this.

The travel agent who asks what there is to do in Barbados at night, will be able to say well at the Hilton there is a games room where you can have a little flutter, or however they care to put it. What I think is the sensible Barbadian compromise that we are introducing by this Bill — and I really am calling on both parties to support it — is that the little flutter, the gaming, will not be carried on to private property, neither will there be an outflow of foreign funds to foreign casino promoters, nor will there be undue enrichment of any local Barbadian entrepreneur.

Properly organised and run, and with the general support of the public, we can provide the entertainment without providing the evils. I cannot believe, Mr. Speaker, that the Mafia is going to penetrate an organisation headed by Mr. Noel Symmonds, or Mr. Austin Sealy or Dr. Norris Procope. I am calling their names to say they are good and decent people who can be relied on by all Barbadians not to compromise the interests of the sporting organisations with which they have been so worthily associated over the years voluntarily, doing their bit for the sports in which they are interested.

Just as the Barbados Turf Club can run the Let's Go To The Races and the Cricket Association can run the Instant Money, activities which appeal mainly to Barbadians, I think that we can give these other organisations the opportunity to run a card table at a hotel and to draw some money from the visitors to the island to support our sports and our culture within Barbados. I myself will be very happy to go and lose ten or twenty dollars on those tables, knowing that the money ultimately is going to a good cause. They need not expect that I am going to bet anymore than that, because I am well aware of the odds in favour of the games that they are likely to promote.

So, Sir, without doing offence to the principles of those who think that gambling is an essential part of society — because there are people who feel you should not try to stop people from enjoying themselves — or doing offence to those who feel that gambling is destructive to the society, and especially casino gambling, I present this Bill for the approbation of the House. For those who are very religious, I will say this. The Bible nowhere forbids gambling. Indeed the drawing of lots is prescribed in five separate places in the Bible for the determination of disputes, and the drawing of lots is a lottery. God prescribed the lottery to govern the inheritance of land, I say to certain honourable Members and to the Church.

The Roman Catholic Church in Rome has always said that Roman Catholics do not have to be against gambling, that gambling in moderation is not a sin. The Methodists Church, traditionally the most hostile to gambling, I read in an extract, is now reconsidering its

position towards games of chance at Methodist fairs and other activities. The Anglican Church has never been against gambling, except in small societies such as Barbados. The Anglican Church, when the Bible was the same as it is today, could have opened a lottery to rebuild St. Michael's Cathedral, I repeat, and I have no doubt would in those days have used any other form of gambling that had then been invented for the worthy purpose of raising a House of God.

I would like to congratulate a number of people who have brought this Act to fruition. It is not normal to name civil servants by name in the House, but I do think that honourable Members would want to know that the official in the Ministry of Finance who is responsible for the Gambling portfolio, who has, to my knowledge, read the literature, by his own convictions, perhaps, and not necessarily in favour of the activity, travelled to Europe to look at these things and given a great deal of trouble in the matter is Mr. Nigel Harper. I think honourable Members would wish to know that, because this Bill represents several years of labour, several years of meeting the Church, of consulting organizations, of looking at legislation and many, many long documents, which had to be divided by 10 before they could be submitted to Cabinet, on the philosophy of gambling, its theory and the circumstances in which it can be morally and socially justified.

11.10 a.m.

So, Mr. Speaker, I presume that the speech made by the honourable Member for Christ Church West Central concentrated on the only issue with which the Democratic Labour Party was concerned. I can take it that his general approbation extends to the consolidative work that has been done on the law on gaming, and I therefore have every hope that, having received the assurance of the Government, the Act is not intended to open a way to the import of casinos into this country, the Opposition will find it possible to support the efforts of those who have brought the Bill into the House, the Bill which I now propose be read a second time.

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

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

Hon. L. S. CRAIG: Sir, before this Bill goes into Committee, in the absence of the Chairman of Committees who is in Canada on a CPA visit, I would like to move that the honourable Member for Christ Church West (Hon. H. deB. Forde) be appointed to act as Chairman for today's sitting.

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

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

On motion of Hon. L. S. CRAIG, seconded by Hon. L. R. TULL, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called.

Hon. L. S. CRAIG: I propose to take this Bill in Parts. I think this will speed up the process.

I beg to move that Clause 1 stand part.

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

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

Clause 2 was called and passed.

Part 1 was called.

Hon. L. S. CRAIG: I propose to move that Parts I to II be taken collectively.

Asides.

Hon. L. S. CRAIG: Sir, if you have plans on debating any aspects of the Parts, I will call them separately; otherwise, I will do them collectively.

Asides.

Hon. L. S. CRAIG: I beg to move that Part I stand part.

Rt. Hon. E. W. BARROW (St. John): Mr. Chairman, the right honourable Member for St. Thomas made a good introduction as the speaker winding up on behalf of the Government, while the motion for the Second Reading was put by the Leader of the House.

First, I should like to say that there are two disadvantages. You have to be a gambler to understand this. I say that without any compunction or fear of contradiction, because I honestly do not understand it, although I was to some extent enlightened by the assurances given by the right honourable Member for St. Thomas. My other regret is that Your Honour is in the Chair. I do not think that you are a gambler, but perhaps you would have been able to highlight some of the parts of the Bill which concern Members on this side.

We are taking the Bill in Parts and therefore I do not intend to make a second reading speech. We have

been given the assurance that the word "casino" is a term of art, as we in the legal profession all know. The honourable Member is quite aware, although he may not have done Italian in his finals, that there is a difference between a "casino" and a "ca-si-no". One is a "maison de tolerance", and therefore the word "casino", with its spelling being the same, would not normally appear in legislation.

We are also given an assurance that a game in which members do not have an equal chance will not be allowed. I thought that if there were six or seven of us who were staking money on roulette, all of us had an equal chance at losing. It is true that we do not have an equal chance of winning, but we have an equal chance of losing. The odds are usually weighed in favour of the banker or the person who is operating the game. In Barbados, that person is known by the popular term, "medici". I do not know if it comes from the Bible, because the only slight reference to that, I think, is in the Apocrypha, which has nothing to do with gaming, apart from the Medici, the famous family in the Borgias. "Medici" is also a beggar, but "medici" in Barbados is the man who runs a game of chance. Apart from that person, in whom the odds are slightly weighed, I would say that everybody taking part in a game is there on equal footing; they at least have an equal chance of losing.

11.20 a.m.

We are told that Clause 7 of the Bill, which is in Part II, is a complete prohibition against casino gambling, but we were also told that there was a clause which both the honourable Member for St. Michael South Central and your good self, the honourable Member for Christ Church West, thought was a rather — I should not like to use the term "obnoxious" objectionable clause, because it gave the Minister of Finance the power of dispensation to which the right honourable Member himself has adverted, although he disclaims any knowledge of how it got into the Bill at all so I do not see how the right honourable Prime Minister can criticise either yourself or the honourable Member for St. Michael South Central for being apprehensive that the draft Bill as it then stood could not be abused, not necessarily by him, but by some other less enlightened person.

My real difficulty about the Bill is twofold. First, I do not understand it. We are given some interpretations here today. One understands that there is going to be gambling in hotels and that chemin de fer and roulette are not going to be permitted. Of course, the Bill does not say so, but we think that that comes under the prohibition of games in which the people who are taking part will not have an equal chance. That is an interpretation which has been given us by the right honourable Member for St. Thomas.

One difficulty is that I only have a limited experience in playing games of chance, as the honourable Member has quite rightly stated. There are two games: one is a very highly organised gambling game, of which there are very few skilled operators in Barbados, and that is one Chinese game called mahjong, which the Chinese play for very high stakes and with great proficiency — I cannot find any partners to play this game — and the other is backgammon. I know a little about poker, but I do not claim to be in the class of the Leader of the House, and I do not play poker because I cannot afford to.

I am not basically against gambling. I am not against casinos *per se*. As a matter of fact, I would say that I would much sooner see casinos, controlled as they are in Puerto Rico and even in the Bahamas, than the one-armed bandits in Baxters Road and places to which poor people and the working class people have access and frequently lose all of their weeks wages. If we had casinos which were properly controlled and to which only visitors to the island had access, I would not have very strong feelings against them, but I think the dangers of casino gambling is all the unsavoury side effects which could arise out of casino gambling.

We are going to have some kind of watered-down casino gambling in any hotel which is approached by one of the sporting organisations in Barbados. I take it that they are going to allow blackjack, which is an ordinary game of chance which we know as twenty-ones, rummy, I suppose — I do not know if that is a game of chance — and poker perhaps, but no chemin de fer and no roulette. I think if that is going to be the case, then it is a very good thing that no outside operators would be allowed to benefit from these operations.

Rt. Hon. J. M. G. M. ADAMS: On a very short point of explanation of what I said. We have only had applications for black-jack. That is all the sporting organisations want to run. I did not ever hear of any of them running roulette until 1981, and I have never heard of one of them running a chemin de fer game. They have only spoken of a black-jack table, because if the honourable Member observes, they have an exemption. He is really speaking, I think, to Part II rather than Part I.

Rt. Hon. E. W. BARROW: It may be true that I am speaking to Part II, but my problem is that I do not understand any part of the Bill, so I am speaking at large. You really have to be a certified accomplished gambler to understand this Bill. I hear terms like 'medici' about the street, but I really do not understand gambling. I told you I know about backgammon, and I like mahjong because it is a picturesque game, but I do not play it for money. That is my real difficulty, so I take it

that Your Honour will allow me a little latitude. The Leader of the House suggested that we take all the Parts together. I resisted that because I feel that it is better to give us an opportunity to look at it as other Members speak at different parts, so I should like to apologise for that.

As I understand the presentation made by the right honourable Member for St. Thomas, we are going to have gambling, and not one casino but several instant casinos in nearly every hotel that chooses to apply under the auspices of a sporting organisation in Barbados.

I should just like to clear up some small points. The Democratic Labour Party did not introduce off-track betting or racing services in Barbados. What we did was to tax them. We could not find any provision in the law whereby they could be declared to be illegal, and since several prominent members of the Barbados Labour Party, including former Government Ministers, seemed to feel that there was nothing particularly objectionable about racing services, we decided that the best thing to do was for the Government to get some kind of tax, as we got taxes from the Turf Club Sweepstakes. We put on a tax, which has been increased from time to time both by the Democratic Labour Party and by the present dispensation. As a matter of fact, certain licence fees have also been imposed. But as you will remember, Mr. Chairman, the racing services were really started by people like Vernons and Littlewoods as offshoots of well established British organisations, for want of a better term, even before the reform of gaming and betting took place in the United Kingdom. So this was exported into Barbados. We could find nothing illegal about it.

I do not wish to go into a long debate about the West Indies Hospital Fund now. I know of no member of the Democratic Labour Party who said that he was going to become a millionaire out of the West Indies Hospital Fund. If one goes back to the Estimates when that fund was operating, one would find that, apart from stamps, and the like, which were bought in thousands of dollars, a considerable amount of revenue was paid into the Treasury. I do not really want to go into that now because that is finished, but I should like to assure honourable Members that it was brought to the House, debated and passed in good faith as a means of raising additional revenue for laudable purposes, as some of these organisations now come to raise money for what could be considered to be laudable purposes.

As I said before, it is clear that the purpose of this Act was not to consolidate the law relating to gaming and gambling, but also to give legality to the efforts being made by various organisations to raise money without offending the statute law or the common law of this

island. If the profits from gaming will enure to the benefit of charitable, religious or sporting organizations, we on this side would have no objections. But I cannot entirely leave it to the interpretations given by the right honourable Member for St. Thomas to go to sleep with a certain amount of equanimity this evening, or any other evening, on the assurance that there is not going to be casino gambling in Barbados.

11.30 a.m.

He said that his interpretation is that Section 7 precludes it because it would be permitting games in which all the people taking part would not have an equal chance. Not knowing enough about gambling, I cannot say that that is a good interpretation. That is my problem.

Let us say that six Members of the House go outside when the House is adjourned and a game is started and one Member says: "This is not a game in which each of us has an equal chance, either of winning or losing", I would ask, "Who is the person that has the unequal chance of winning?", because something would have to be wrong with the game. I do not think there are any games in which there is more than one person playing in which each person does not have as equal a chance of losing or winning as the other persons sitting at the table, except that the person who is the banker, of course, always has some kind of wealth.

There is a song by a gentleman who is a Country and Western singer – I cannot even remember his name now – which goes:

"You got to know when to hold them,
Know when to throw them,
You got to know when to walk away,
And you got to know when to run."

That seems to me to be the essence of good gaming, to know when to hold on and when to go.

As I said before, I am not an expert, but we are now going to have gambling in hotels in Barbados. It is not going to be done under the aegis of foreign multinational operators, but it is going to be done by licences issued to sporting, religious or charitable organizations. As far as I am concerned, that is acceptable, but I do not want to be told subsequently, when other kinds of operations start, that there is a loophole in the law, and that the law does not specifically prescribe the operation say, by the Hilton Hotel or Marriott's, Sam Lord's Castle, or some hotel down on the west coast of a full scale casino. I should like to make my position clear.

Finally, Mr. Chairman, I am completely neutral, except for the unsavoury aspects of casino gambling. If it were left to me, I would much rather control casinos

than one-armed bandits which carry away working class people's money.

Hon. L. S. CRAIG: I share the concern of the right honourable Member for St. John. You may not know this, but long before I ever gambled in my life, the right honourable Member for St. John had labelled me as a gambler. I say this for the first time. That was because he knew that I was very friendly with a man by the name of Dan Trotman who was a gambler. You remember Frank Walcott playing as "Turn Down Romey." In the first centre card you would believe that Nelson talked. God Bless Maurice Jones in his grave. Lorenzo Williams, "Sleepy" Smith, Sonny Holder and I used to hang out there, long before I ever even touched a card. I never had any interest in gambling. I am a gambler now, and a real gambler. Do not fool yourself about that. But I believe you saw in me the makings of a potential gambler – and also a potentially good politician.

Laughter.

Hon. L. S. CRAIG: Sir, I would not be any part of any casino gambling in Barbados that would attract any sort of Mafia interest. I have been to Caesar's Palace, to Las Vegas, the Bahamas, to Paradise Island, to Curacao, England and to Atlantic City. What you see in those places is a room almost as big as the entire building here, where there are black-jack tables, baccarat, machines, dice tables and things of that nature. I do not envisage that type of thing here. What I envisage, and I believe what this Bill is calling for, is a games room maybe with two black-jack tables, as they had before. There are machines already in Barbados.

I have met a number of travel agents who have come to Barbados, and the first thing they ask about is if we have gambling. Clyde Jones, your very good friend, the photographer – run with the hares and hunt with the hounds, that is Clyde Jones – is now a travel agent in Brooklyn. He told me that he has had to fight to get people to come to Barbados because many of them ask this question. "After swimming, then lunch, then going to the Island Inn, then the Pepperpot, when it was around, then you go to Sandy Lane" – and you see one show over and over and over again, you are tired of that – "after seeing Harrison's Cave and having a drive around the country, what else?" I have been into hotels here and seen people asking if there are any games. They asked if there were any dog tracks, because they know that it is part and parcel of their vacation.

I do not envisage any large scale gambling that would attract the Mafia. Do you believe that the Mafia would be really interested in a total of twenty-four black-jack tables if they were spread across the country and a hundred machines? They are not interested in that sort

of monkey money. The Mafia is a big operation. This is small change. Do you think that BDS \$100 000 a month or something like that would attract a Mafia organization?

This talk about the Mafia is nonsense. I hope that the Opposition would drop such talk from their mouths. They talk about it just as they continually talk about a Boundaries Commission when they know they voted against it. Forget those things. Stop trying to fool John Public that there is any crookedness in elections in Barbados. I believe that we have one of the finest election systems in Barbados. Since we could preserve that, I have no doubt that the people who are going to be involved in whatever little games rooms they have, would be able to assist the struggling, sporting organizations in Barbados.

Take for example, the Barbados Softball Association, with Joe Connell as its Secretary for almost thirty years. They have been going abroad as ambassadors to Canada, the United States and England playing softball cricket and introducing it to those places. How do they get there? They have to be walking around town asking the Bridgetown merchants. They have to have a little barbecue. And they have to ask the politicians for a donation in order to travel. The Caribbean Cavaliers who have to depend on Caribbean Airways to give them a free passage. Many of them have to pull their pockets, because they are not only going to play a game, but to be ambassadors of Barbados.

I welcome this Bill, and I am very glad to hear the sentiments expressed by the Leader of the Opposition in support of the Bill. I hope that he would draw to the attention of the Member for St. Michael South Central that impressions are dangerous. It only shows the difference in leadership. You are mellow now. Maybe in your thirties, you might have been rugged, aggressive and wild, but because of your being mellow now, you were able to produce the cou-cou punch to knock out the youngster.

11.40 a.m.

They do not know when to step into the ring. I had warned him repeatedly — do not go there and fight the old war dog unless you are sure that you can knock him out. He told me that he could beat him on the floor. I said okay. He did not know that the old dog was in the States getting his batteries recharged to come to put the punch in him. Well, that is the end of him now politically, because I know you are a dangerous and spiteful sparrow. You do not pick one fruit to fill your belly — you pick all the fruit and destroy the entire crop, so he is gone through the eddoes for keeps.

I am happy to hear your sentiments this morning. When the member for St. Michael South Central comes back, he will not be able to rage and rant, and create

impressions. He should have heard a well-balanced speech by a statesman, of which this country can be justly proud, in the evening of your years.

Hon. H. B. St. JOHN: Mr. Chairman, the provisions of this Bill have been carefully studied by me personally and by those in the Ministry who are interested in these features as they impact upon tourism. I also want to make it very clearly known that the bringing of casinos through the back door would not find favour with me or, I believe, with the vast majority of Barbadians. My own belief is that, like South Australia and other states which have studied very carefully the heritage of legislation which they had on their Statute Books, which was derived from the common law of England and various Gaming Acts enforced in their territories by virtue of the fact that they were settled territories, a fundamental distinction has to be made between proprietorial gaming and the regulation of charitable activities which raise money for their objects by means of lotteries or other approved games. This Bill deals with that. If you want casinos in Barbados, the only way that it can be done legally and acceptably is if a Casino Bill is brought specifically to the House of Assembly. Let us get that straight. South Australia came to that conclusion. That is a legitimate conclusion and we in our Ministry have sent for the whole report of the Commission and the legislation which was passed there. If the public in any community wishes to tolerate casinos through its legislation, they must bring a specific Bill so that the Legislature and everybody knows the regime that is going to be introduced or not introduced.

It is vitally necessary, because we all know Barbados, that the Committee which is appointed, as set out here in Part I, has been designed and formulated in such a manner, that its functions have been set, the composition of the committee is there, and the powers of the committee is there, because it is that committee that the community will be looking to ensure that the fundamental objectives of the Bill are carried out, namely, only to authorize and ensure that charitable organizations derive money from this. I have no reason to believe that the Commissioner of Police, the Solicitor General, and the other people who are on this committee will allow themselves to be perverted, nor do I believe that the Amateur Athletic Association, the Swimming Association, and others would pervert the purposes for which they are being given permission.

When I became Minister of Tourism, hotels like the Hilton and Sam Lord's had black-jack nights. When the issues were raised not so long ago the hotels themselves, as well as the Association, were in grave doubt as to whether their activities were properly sanctioned under the law. I believe those activities were carried on in Barbados for many years, and because of the nature in which they were undertaken, and the people involved, no one raised any questions.

I also want to make it clear that the legislation as it is here will have to be monitored. Do not let us fool ourselves that it would not have to be monitored. Because although we may now know the existing officers of the associations, sometimes some aberrations will occur electorally. Not only in politics does these things happen, but sometimes in these organizations general meetings take place in which only a few people attend and a representative group of management arises.

So, like the Leader of the Opposition, I am supportive of the idea of permitting under the regulations as set out in the Bill the sporting organizations and the charitable and other organizations the opportunity to raise money. But I am not in favour of proprietorial gambling under any guise in Barbados now. I do not believe that this community is ready for it. I do not believe that the alleged benefits of proprietorial gambling are such as is alleged. I have heard a lot in some countries about the great benefits of a massive devaluation. The only benefit that has taken place there is that they have gone further down the scale. If they feel that the introduction of casinos will do better for them, then let us wait and see what their experience is. As for the others who feel that they must follow pattern, let us wait and see. I am one of those who believe that you should not, in matters of this kind, fly in the face of strongly-held opinions, because it is not necessary.

Thank you, Sir.

Rt. Hon. E. W. BARROW: The whole idea of having separate organizations looking after their individual activities is laudable in one respect. But I am wondering whether the Government should not consider, in view of the disparity in the scale of operations which may go on, whether there should not be a pooling. Let us take Let's Go To The Races. We were informed by the Prime Minister sometime ago that the income derived from that activity could be as high as \$900 000 a week. Someone running a black-jack operation in a small hotel, may not be able to get in more than \$500 a week. The Softball Association comprises a lot of under-privileged people. I do not see any of the large prosperous hotels giving them access to their gaming rooms, and I am wondering whether the time has not come for there to be a pool; since the Government is giving out the licences, whether the money should not be all put into a pool and to each be given according to his needs. If the Turf Club needs to import thoroughbred horses, you would have to give them a little more money. But if the Softball Association wishes to go to Taiwan or Peking, they may not be able to raise that kind of money by their own activities, and they could have some.

11.50 a.m.

There is something else arising out of the remarks made by the honourable Member for Christ Church East

Central about these committees. It was drawn to my attention not long ago that the people handling Let's Go To The Races had decided unilaterally to cancel one of their drawings. I looked at the tickets which they sold and there was a provision on the tickets, which constitutes a contract, whereby they could postpone any drawing, say put it back a week or two, but there was no provision in the ticket which, in my opinion, constitutes a contract between the purchaser of the ticket and the operators of the Let's Go To The Races, whether it be Cave Shepherd or the Turf Club itself, for them to unilaterally cancel a drawing for which people had already bought tickets. In investigating the matter further, I discovered that the Turf Club had appointed a committee to run Let's Go To The Races and that committee had appointed a sub-committee, and the sub-committee had then appointed agents, who had then farmed out the whole operation among their immediate circle of friends.

I do not have to tell you, Mr. Chairman, that it is a well known principle of law that *delegatus non protest delegare*, and I wanted to know how the Turf Club Committee, which was supposed to run the whole operation, had subcontracted this out without reporting back to the central body, and that subcontracted body had in their turn appointed certain individuals without any advertisement or anything like that. When I tried to pin down the responsibility for this cancellation, I found that I had to follow a whole chain of command all the way back down the line, neither of whom had the authority to carry out the action which they did, which really amounted to a fraud on the public.

If you tell the public you are going to have a drawing on the 13th of August when they buy tickets, and I scratch out my numbers and I can see my numbers; and somebody else complains that they cannot see their numbers, give them another ticket. But they cancelled the whole operation, and nothing on the ticket says that they could do that. They said they reserved the right to postpone a drawing — they did not say that they had the right to cancel any operation. I think that this committee is going to have — I am speaking now about the Gaming Committee or Commission — is going to have its work cut out. Maybe this is stage one, but I think the Government should actively consider the disparities in revenue to which I referred.

Recently I read my report — I suppose the honourable Member got his too — of the Barbados Cricket Association. When some years ago I went to an Annual General Meeting of the Cricket Association, of which I have been a life member for as long as since I was a school boy, I believe, and Mr. Frank Walcott and I suggested that it would not be right for the Cricket Association to expect the Government of Barbados of which we were then members, the Labour Party Government, to write off \$20 000 which they borrowed — and

we objected particularly to this being written off because the money was lent to the Cricket Association to build a pavilion for the public and they used it to build a pavilion for the Pickwick Cricket Club — they adjourned the meeting and called us Bolsheviks, and the next Friday afternoon down at Kensington they brought down a lot of superannuated ladies in buggies, as the honourable Member for Christ Church East Central remembered, to outvote us on this thing of paying back the money to the Government.

When I received my Annual General Meeting Report the other day, I noticed that the Cricket Association now has \$2 million in the bank, and I had to give some money, not much, about \$20 to \$30, for one of our athletes to go down to the Southern Games in Trinidad the other day. Could that be right? It is true that he came from St. John, but he said that all they had was their passage money and the hotel was \$40 a day, and they had to raise this money privately. A lot of our athletes go to Pan American Games, Southern Games and others. They are picked up about four or five days before the event, nobody knows what type of diet they have had for the past six months, whereas the Americans have already started to train their athletes for the 1988 Olympics. Does the Cricket Association really need \$2 million in the bank? Does the Turf Club need \$1 million a week?

If we are making it possible for these people with impunity to raise money, we have to look at the ability of the smaller people to do the same thing, and we will find that there is a tremendous difference in the potential which the small people, like the Softball Association, the athletes and people like that have in raising money compared with these high-powered and highly organised associations. We must consider the idea of pooling and Government appointing a Committee, properly comprising of the representatives of all the organisations, to share out the money according to the need as it arises.

Rt. Hon. J. M. G. M. ADAMS. Just before the honourable Member rose to speak the honourable Leader of the House was saying to me that there are a lot of organisations, and what will happen if they all go to a hotel, is that you will have all these places, so why not make them get together, even in groups, and pool, so that they will go and get a good location and share the funds. So the sentiments expressed by the honourable Leader of the Opposition are sentiments which have some support on this side. Nonetheless, I believe that history shows that in Barbados, it would be very difficult to get organisations together along the lines that honourable Members have both suggested. I think the idea is an excellent idea, and if it were practical, the Government would give it all its support from now.

Certainly the Government has considered more than once the question of a national lottery, as the Royal

Commission on Gambling has suggested, in which the money would be shared out to sporting organisations according to their need. The difficulty is that I do not know how you will ever get the agreement of the Cricket Association and the Turf Club. How will you get the Cricket Association to put its hand in the bank and share out \$72 million. After all, they have never offered to repay the written off amounts the Government advanced them over fifty years when they began to make money. Or how you will get the Turf Club to give up any of the \$30 million a year or more that they gross from the Let's Go To The Races. They quarrel and quarrel endlessly at the taxation I imposed in the last Budget.

It is an ideal, however, to which we are working. I think I am correct in saying that there are 37 approved national organisations. I would not be surprised if ten or twelve of them within the next year or year and a half would seek to approach a hotel and seek to involve themselves in the games room. Theoretically, all 37 will approach hotels and involve themselves. Nothing could stop two or three going to the same hotel. The Softball Association might not be able to obtain the attention of Hilton or Paradise. The Softball Association, the Dominoes Association, the Road Tennis Association and one or two others might very well get together and collectively have the manpower to convince a hotel that they can man an operation, and therefore there would be a little subsidiary.

The Government certainly will direct its efforts towards this. However, I have to some extent set my face against giving the Government the authority to choose between organisations or choose between hotels. I am sure beyond any peradventure that if the Government has to make a choice between whether Sandy Beach or Sandridge or the Hilton or Marriotts is to get a big or small gaming operation, that will cause endless trouble to a Minister of Finance. I am sure that the honourable Member sitting down opposite would not wish to have to make that choice, neither the honourable Member for St. Michael South Central, nor the honourable Member for Christ Church East Central.

12.00 noon.

We believe that it is better to give people a general right and let it be limited by the operations of the market-place, even in such an area. What we can do is to exercise Government's influence in the direction of the pooling arrangements, and we can also tax — and I fully intend to do what is not at present done, to exercise the general power of this Bill to tax any little gaming room operation that is run by a sporting club. The big clubs will pay more tax, the small clubs will pay less, and the Chairman of the National Sports Council has already insisted to me that any new revenue that arises as a result of this Bill be assigned to the Council, which

already has the machinery of allocating it for needy causes between the sporting organizations. So the undertaking which I will give in the short-term is that the taxing power will be used to ensure some element of equity between the needs of the different organizations.

The other point which the honourable Member made is also very well taken. It is undoubtedly a fact that there is no general power at the present time to supervise the way in which an approved organization runs its lottery. Section 44(2)(b) does say that "if the Committee is not satisfied with the operations of the lottery on the basis of the returns submitted under paragraph (a), the Committee may order that the operations be suspended pending an enquiry into the conduct of the lottery and the approved national organisation may be present and represented by attorney-at-law at any such enquiry." And paragraph (a) says that all the organisations have to make periodic returns on the operations of the lottery so that the Committee may determine if it is being conducted in accordance with its purposes. But if its purposes are in fairness to the public, as set out in the remaining part of that section, the holding of the proceeds after deducting the expenses, the printing of tickets and such, I have no doubt that the Committee will now be able to exercise such supervision over the running of the lotteries as is desirable in the general interest of the public.

Honourable Members may observe that no sanction is placed in Section 44 other than a suspension of the lottery. The ultimate sanction is the power of the Minister responsible for Sport to revoke the status of the organisation. It is, at present, the only sanction that we have and the only means by which the Government can exercise any control, but we have never really felt it possible to revoke, say, Turf Club status on the grounds that we did not like it. We did not like the fact that you never knew if the prizes are unpaid, just to take an example. The Turf Club was under no obligation, in the days when it had a sweepstake, to pay the prizes, or to search out the people who did not claim their prize, and nobody knows, as far as my memory affords, how much money the Turf Club has in unpaid prizes.

All of these matters are matters which this Act will deal with. I give the honourable Member the assurance that the Minister responsible for Sport will now be able to exercise the ultimate authority on the basis of an enquiry conducted by the Gaming Committee so that he can have evidence and cannot be accused of arbitrary revocation of a status that might very well bring him before the administrative tribunals that we have set up for abuse of power. But the point is well taken, Mr. Chairman.

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

Part II was called.

Hon. L. S. CRAIG: I beg to move that Part II stands part.

Rt. Hon. J. M. G. M. ADAMS: In seconding it, I would just say that broadly speaking, Part II really applies to hotels and so on. I think that is the easiest way of explaining it, because it excludes clubs and it excludes places where you go to play the one-armed bandits.

Honourable Members may notice that they can gamble as much as they like on a domestic occasion at a private dwelling. If you choose to play Monopoly with the children for real money, Part II will not prevent this.

Hon. L. S. CRAIG: So far it really only gives you a chance to organise a poker game in your house at nights, which is already being done, and you can find them all over Barbados any time at night — in the best homes, too! The children are sleeping and the poker barking.

Asides.

Hon. L. S. CRAIG: I do not know if it is played at Ilaro Court. It is a large and stately dwelling. It has good facilities to have a game there.

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

Part III was called.

Hon. L. S. CRAIG: I beg to move that Part III stand part.

Rt. Hon. J. M. G. M. ADAMS: In seconding that, I will point out that Part III refers to clubs. Clubs are registered under the Liquor Licence Act. This is largely taken from the English law. Again, who can state what these things are meant to prevent, but it seems to me that Part III will principally prevent clubs from being started for the purpose of playing cards and no other purpose.

In other words, Part III really limits gambling. It can only, as I surmise, be poker or bridge. It limits it to the members. The general public would not just be able to go in and deal with these things. Part III, perhaps, applies to situations that have not fully materialised in Barbados. It is a protective section to stop gambling clubs from arising and making it easy for members of the public to go in.

Honourable Members will notice that there is an exemption for bingo clubs. You can start a bingo club. But you will have to be very familiar with gaming legislation to make your way through the whole jungle of Part III. It effectively controls all the abuses that

experience has shown in the United Kingdom arise in respect of gambling clubs.

There are a few things that, again, probably do not apply to Barbados. You cannot stay in one club and go into another. The wiring up of the different clubs together got too popular in Britain, and for some reason it was found not to be desirable, and we have preferred to take the British experience to handle the bingo situation and the card playing situation.

Marine House can be used for bingo after Parts II and III are passed without any risk of the police coming to snatch the money and the cards.

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

Part IV – was called.

Hon. L. S. CRAIG: I beg to move that Part IV stand part.

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

Rt. Hon. E. W. BARROW: Mr. Chairman, in Part IV, Clause 31(2) states that if after seven years the prize money remains unpaid, it shall revert to the funds of the organiser. I should like to see an amendment, whether it is accepted now or at a later stage is a matter for the Government, that after three years any money which remains unpaid should be paid to some central authority such as the National Cultural Foundation or the National Sports Council. The National Stadium needs upgrading. I do not see, having made a profit out of the operation, why unpaid money should revert to the particular organisation after seven years.

I will ask a rhetorical question. Do you seriously believe that, without impeaching the integrity of any officers of these organisations, they will show on the books at the end of seven years, money which has not been paid out? Somebody will go in there and sign for that money. When a former Member for St. James, Mr. E. K. Walcott, was connected with the Turf Club he allowed me to go in there and have a look at their books. There were vast sums of money in the Turf Club which had not been paid out, in those days relatively large sums, between \$300 000 and sometimes \$700 000 when the largest prize was \$52 000, and I made certain suggestions to him about how the money should be disbursed.

I do not think that organisations themselves should have this money. They have already made their profit, and therefore this is a splendid opportunity for the Government to say at the end of twelve months – in most countries like Canada it is twelve months – that

they must pay over the money to the Accountant General, and any time within three years after that anybody who presents a ticket will be paid by the Government, so you have the money guaranteed by the Government. Then, after the passage of three years, that money should revert to the National Sports Council. In other words, the Government would guarantee payment of the prize money up to three years, but at the end of one year when their books are audited, all unpaid money should be paid into the Treasury somewhere, to a suspense account, to the National Sports Council. This, I feel, would be a most equitable way, but if you leave this money for seven years, they would find somebody to come along with a ticket.

I am not thinking of any particular organisation, but when you are handling money like \$900 000, God knows how much unpaid money there is at the end of a month inside there. Sometimes tourists come here, people buy tickets and throw them one side and cannot find them, they never find them at all, and that money is there accumulating interest – and you are asking them to hold that money for seven years. That is putting a strain on their honesty. That is how I feel about it, and I think we ought to have some more flexible mechanism whereby the money would revert to the National Sports Council or some such organisation. The Government could always guarantee payment within a reasonable time if you do turn up with a ticket and they are satisfied that it is a *bona fides* ticket. I am sure the Government would not lose money.

Rt. Hon. J. M. G. M. ADAMS: To tell the truth, I really wish I had had the benefit of that suggestion while the Bill was being prepared. Certainly the point that the unpaid prizes should be paid to the Accountant General for custody is a first class point. I think it is a very good point indeed. It is true, I suspect, the prize winner would have as much difficulty getting the money out of the Accountant General as any firm in Bridgetown when cash flow difficulties occur. But I think it is a sound point and one which, although unfortunately I do not think we could move in an amendment to cover it on our feet, is one we must take account of and must give consideration to. I give the honourable Member the assurance that we will look at that right away, and if perchance the Cabinet adopts the principle in time to deal with it in the Other Place, we will come back with it. I think the honourable Member has made a suggestion on which we should start work at once, let the Accountant General hold the money and let it be distributed other than to the organisers at some point, because you really do not want to give organisers of lotteries any incentive for there to be unpaid prizes.

It is sometimes alleged, whether truthfully or not I do not know, that organisations have sweepstakes and raffles, and the raffles sometimes are for cash prizes, a

weekly draw, and when 90 per cent of the tickets have been sold and the \$10 000 prize has not yet been won, and the remaining 10 per cent of the tickets will only bring in \$8 000 if they are sold, but you know the \$10 000 prize is among them, they stop selling. That is an allegation that is regularly made. I do really think that what the honourable Member has suggested would have the effect of removing the incentive to avoid payment of prizes and it is one to which we must give serious consideration. I thank the honourable Member for that suggestion.

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

Part V was called.

Hon. L. S. CRAIG: Mr. Chairman, I beg to move that Part V stand part.

Rt. Hon. J. M. G. M. ADAMS: I beg to second that.

Rt. Hon. E. W. BARROW: Mr. Chairman, Clause 33(3) says:

"The Postmaster-General may on a warrant in writing under the hand of the Governor-General open or cause to be opened any postal packet received for transmission by post to a destination outside Barbados which he suspects to contain any money or valuable thing attempted to be sent out of Barbados in contravention of this section, and any such money or valuable thing found therein shall be forfeited."

I have two objections to this section. In the first place, I do not think the office of Governor-General should be dragged into the provisions of the Gaming Act. That objection is not a personal one. Even if you were Governor-General, Sir, which we may yet see, I would still have the objection.

The second thing is that I believe it is essentially an exchange control function, and it should be done under the Central Bank Regulations relating to exchange control, not by any warrant of the Governor-General. We are not in the habit of using the office of Governor-General for criminal offences.

Under the Post Office Act — and even you have misquoted this on one occasion, Sir, I think unwittingly — if the Postmaster-General suspects a postal packet, let me use a generic term, of offending the Post Office Regulations, the Postmaster-General can send for the addressee and open the packet in the presence of the addressee if he is given information by the Commissioner of Police or some other person like that. The Governor-General is not invited to intervene in that. It may be currency, it may be explosives, it may be something

dutiable, but the point is that the Postmaster-General has to do this in the presence of the addressee.

In the event of things being exported outside of Barbados, the name of the person who is transmitting the particular postal packet may not be available. It would have to have on the name of the addressee, but you cannot send to New York or England to ask the addressee to come and see this package opened. In any case, we have to improvise some other device whereby if this is a proper function of the Gambling Committee and an offence other than exchange control — and I do not see how it could be other than exchange control — that the office of Governor-General is not dragged into the provisions of this Bill.

12.20 p.m.

Rt. Hon. J. M. G. M. ADAMS: The right honourable Member is absolutely right in pointing out the error which he has drawn to our attention. We copied from the original Pool Betting Act, which was passed some twenty-five years ago. At that time, the Postmaster-General could only open a packet on the authority of the Governor-General. Since then, in the Post Office Act, we have changed that to Minister. It just happens that this is an occasion where this Bill does not fall into it.

The Attorney-General and I have consulted and wondered which Minister it should be, whether it should be the Minister responsible for Post Office or who. We think that the Minister of Finance is the correct person, because the Minister of Finance both deals with exchange control — the Minister of Finance is the exchange control authority and is delegated this authority by the Governor of the Central Bank — and he is also the control authority for gambling. So if you say the Minister of Finance, we believe you would cover all the possibilities. My only reservation would be if you should say, "which the Postmaster-General reasonably suspects". But the Attorney-General tells me that, "suspects" undoubtedly imports reasonableness.

The normal way you would know, and the normal way that we do know, because this is an operative section, is because this is constantly before the attention of the Comptroller of Customs and the Postmaster-General. Effectively, the sending of the money outside the country is only to pools which are registered as having an agent in Barbados. So if you suddenly start to see letters addressed to Kregg's Pools in Birmingham and you know that there is no registered agent for Kregg's Pools, you stop those letters and return them because you know people would be sending money out of the country to an unregistered pool operator. That is really the way in which the system operates. The Postmaster-General has a list of all the authorized pools operators, and letters addressed to those pools, and those pools only, are allowed to pass through the post.

It is an important section, Mr. Chairman, and I am glad that the Leader of the Opposition has assisted us in this. I therefore beg to move that the words, "Governor-General" be deleted and the words, "Minister of Finance" be substituted therefor in Section 33(3).

Mr. M. A. KING: Mr. Chairman, there is one other concern which needs to be raised about this matter. In the Post Office Act, it says that if the Postmaster-General "has reason to believe that any postal article contains materials in respect of which an offence is being committed or is being attempted to be committed, or if he is requested to do so by the Commissioner of Police or by any member of the Police Force not below the rank of Inspector, he may require by notice in writing the attendance at the post office of the addressee of such postal article or of some agent deputed in writing by such addressee and of the person, if any, who made the request"..... "and such postal article shall then be opened by the addressee or his agent in the presence and the officer of the Post Office deputed for that purpose."

I think that whatever provision is being made in this legislation in respect of the powers of the Postmaster-General to open postal packets, the safeguard should be included that that should only be permissible in the presence of the person.

Rt. Hon. E. W. BARROW: I think I had pointed out the difficulty of invoking the provision in this section, because this section has obviously been devised to guard against parcels being received into Barbados where the addressee is in Barbados. This is a case where you are sending postal packets outside of Barbados, where the law does not necessarily stipulate that the name and address of the sender has to be on the package. That is why I said that since the Post Office Act clearly relates to parcels coming in, could we not use the provisions of the exchange control where you are not supposed to send anything out?

If you look at the mischief which is being guarded against, we are guarding against money being sent out to people who may have bought tickets here in Barbados, may have won money, and the money is being transmitted without exchange control permission. That is why I say that the Central Bank would be the appropriate authority. Or alternatively, it is somebody running a little operation here and sending money to their principals in England or elsewhere, where, again, it is an exchange control problem.

I really should not like to see the Minister getting involved in this. Let us make it the Postmaster-General himself or the Commissioner of Police or somebody not below the rank of Inspector, as we have precedent for in the Post Office Act, rather than the Minister. If the

Minister gets information, let him call up Mr. Durant and tell Mr. Durant, "I have some information here, would you act on it?" I feel it would be better that way, because the risk of approbrium against the Minister would be removed, if we follow the wording of the Post Office Act. But I really feel it is an exchange control matter.

Mr. M. A. KING: I just rise, Mr. Chairman, to support the representation just made by the right honourable Member for St. John. I appreciate the difficulty which relates to the opening of packets which emanate from Barbados where the address of the person sending it is not necessarily known. But I do wholeheartedly support the view that the Governor-General should not be involved. I should not like to see the Minister involved in it myself. I would prefer that the Postmaster-General deal with this, or some other public official of the authority to deal with the matter.

In this matter, the general provisions within the Post Office Act, the Commissioner of Police or any member of the Force not below the rank of Inspector would be a person so authorized with the Postmaster-General to deal with the matter. I think it is at that level that the matter should be dealt with.

Rt. Hon. J. M. G. M. ADAMS: I am just a little bit worried about the warrant. I think that the debate has revealed that the Chairman of the Betting and Gaming Committee is the best person, because this relates to an offence under this Act. It relates to an offence of sending money out of the country to a pool betting organisation abroad, so you cannot use the addressee provisions which we have. It is narrower than exchange control.

In all probability, there is already provision in the Exchange Control Act for the Central Bank to examine the transmission of money outside Barbados. I cannot speak from certain knowledge, but I imagine that we have some means of dealing with that. In any case, that would be a question of an offence, and we can deal with that.

But this particular thing relates to pool betting only, and I would be satisfied with the words, "Chairman of the Committee" instead of, "Minister of Finance". I signed a general warrant for payment of money out of the Treasury after April 1 every year and perhaps, "warrant under the hand of the Minister of Finance" is a slightly grand expression for what we are after. I would accept instead of, "Minister of Finance" in my amendment and instead of "Governor-General" just, "The Chairman of the Committee". So the Comptroller or the Postmaster-General will report to the Committee what they suspect. The Chairman of the Committee will write a warrant in whatever form the lawyers think fit to authorize the Postmaster-General to seize the letters that are going abroad to an unregistered pool.

Mr. CHAIRMAN: I think then that the right honourable Member is suggesting to withdraw the first amendment.
12.30 p.m.

Rt. Hon. J. M. G. M. ADAMS: I beg to withdraw the first amendment. My seconder, I am sure, agrees, and I would beg to substitute for that amendment that the words "Governor-General" be deleted and the words "Chairman of the Committee" inserted.

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

The question that Section 33 be amended by the deletion of the words "Governor General" and the substitution therefor of the words "Chairman of the Committee", was put and resolved in the affirmative without division.

Part VI was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that Part VI stand part. I have dealt extensively with Part VI already. I do not think it is anything that I can add.

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

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

Part VII was called.

Rt. Hon. J. M. G. M. ADAMS: In begging to move that Part VII stand part, I will take the opportunity of stirring up a hornet's nest and addressing the House very briefly on the subject of gaming machines.

We have not had a debate on gaming machines for a long time. (I, like the Leader of the Opposition, think that a casino is in fact far less likely to erode the conditions of the ordinary people than gaming machines). Gaming machines were legalized in Barbados because they were here and they were very strictly limited as a result of the legalization. I have not had the opportunity to report to the House since the Royal Commission on Gambling had its say on gaming machines. I think the House should know that we have carried out the suggestions of the Commission over which Dean Crichtlow presided to a very considerable extent. Those suggestions were that we phase out the gaming machines which were operating in the smaller shops in areas where they were close to residential districts or where they might be attractive to school children, even though school children are forbidden from playing them, and that we attempt to concentrate machines in arcades and in hotels.

It is a matter of some difficulty if a shop is relying on two gaming machines to assist in its operations, to

revoke the licence for those machines. What we have done is that when the licences fall in, we have discouraged any replacement of machines in the undesirable locations. Speaking off-hand, I can only remember the granting of a new licence for two machines in shop premises on one occasion, and that was an occasion where there was an application to open an arcade which was marginal. It was really a toss-up whether we should allow an arcade in that district or not. We felt that although we should not allow an arcade at that time, no harm would be in allowing two machines, as the district had become a place of resort rather than a place where local residents would be beguiled by having this facility that was not formerly present.

The number of one-armed bandits has been very strictly controlled, and I would really like to thank the Comptroller of Customs for the rigidity with which he has enforced the rules. We now have the situation which we had always envisaged, that, gradually, the machines would be moved from less favoured locations and concentrated in places where people go to, especially visitors.

We have placed no difficulty in the way of putting machines in the hotels, and at the moment I am contemplating some relaxation as to the number of machines that may be placed in hotels of different classes. Some hotels have made representations to me that four machines are too few, and that they want six or eight, as the case may be. Since I am sure that all of us are agreed that the best possible people to play the one-armed bandits are the tourists and the hotel guests, I think the House will have little difficulty in agreeing with the Government in its accommodating hotels by allowing them to have larger numbers of machines.

These machines will necessarily have to come from the pool of machines that already exist in the country, because where we allow a new arcade to open, as a new arcade has been allowed in Tudor Street, we do not allow it to bring in any machines. So if a man opens an arcade, or if a hotel, like the Hilton, opens a machine room, it has to bring the machines off the street from other places in Barbados. We are satisfied that this is working well, and that the machines are being placed a little nearer to those points where people will go to look for the machines rather than being dispersed in neighbourhoods where the machines will attract those who would not otherwise have played.

One member of the Council of Churches, I recall, when I said — because I have discussed this matter with him on more than one occasion — that the Government had decided not to allow anymore machines in the Nelson Street area, said "Why not? The Nelson Street area is already a resort of sinners, and you should not object to their having a chance to play the machines" or words to that effect. In fact, Government did not want any more machines in the Nelson Street area, because we find, on

the advice of the Commissioner of Police, that the Nelson Street area may be a resort also for criminal elements, and we do not think that we should encourage concentration of one-armed bandits in places where criminals are customarily to be found.

There is very little else that I can add, except a word on the economics of the bandits. It seems to me that the Government has found the right level of taxation for the one-armed bandits. An appropriate level, I have always considered, would be a level at which some of the bandit operations would make money and some would either be very near the margin or would lose money. I think that to increase taxation more, you may destroy the purpose for which the whole Act was created; have taxation too low, and you will let the operators make too much money.

Since the Budget in which the arcade fee was raised and the machine fee was also raised, we have seen a number of bankruptcies in the bandit business and a number of operations in the less viable localities closed down. I think Oistins and Speightstown have seen frequent collapses of bandit businesses because they were not making money. Even in Bridgetown, we have seen one or two cases where bandit arcades have failed. Again, I am sure that honourable Members will agree with me, in the circumstances, that that is an indication that the Government is charging neither too much nor too little. Some businesses can stay open particularly the hotel businesses, where we would like to concentrate the machines, but the businesses on the street are finding it more difficult.

12.40 p.m.

Other than that, Sir, I must say that I have always advised people not to play one-armed bandits, that a machine that pays out 90 per cent of what it takes in is only a machine where you will take a little longer to lose your money. If you put in \$100 you get back \$90; when you put back in the \$90 you will get back \$81; when you put back in the \$81, you will get back \$72; when you put back in the \$72, you will get back \$63 or \$64 and so on; and if you play for an hour and put in the whole \$100, and then put in all that you get back and continue, you will be without \$100 in exactly the same way as if the machine was only giving back 50 per cent, except that you will be without the \$100 in a much shorter time. One-armed bandits, to my mind, are something to amuse you only, and I am very sorry for those people who put too much money into them, just as I am sorry for those people who spend all their money on liquor or who go and lose all their money playing poker, or who give their money to people for one purpose or another and then find the purpose unsatisfied and are left holding nothing.

My saying that I am not against gambling does not prevent me from agreeing with the Leader of the

Opposition that one-armed bandits are perhaps the least satisfactory way of trying to make money through gambling. It is amusement only; the economic effects of the spinning of the wheels are in the long run all that you get when you put money into the bandits. But just as we do not forbid the selling of alcohol in Barbados, because there are people who are alcoholics, we do not forbid the one-armed bandits in Barbados because there are people who are banditaholics. We make it more difficult for them – we limit it and we make sure that the taxpayers get their bite out of it in the end.

I am not going to call any individual names, but there have been very well known names bandied about in the House and otherwise in connection with the bandit business, and some Members of the House are probably well aware that those who were accused of becoming millionaires overnight have proved as fallible as anybody else, have ended up losing all their money one way or another in their bandit operations and are back to square one at ground level like the rest of us. Those of us who only lost five or ten dollars at a time are in no worse position than those who found themselves losing \$700 000 or whatever, as the case may be.

The one-armed bandit legislation was always regulatory, not exhortatory and not intended to encourage. It remains so, and it is now to be found in Part VII of this Act rather than in a private Act of its own. It is to be found with all other gambling activities where it properly belongs.

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

Parts VIII and IX were called and passed.

Part X was called.

Hon. L. S. CRAIG: I beg to move that Part X stand part.

Mr. CHAIRMAN: Before the Leader makes the motion, I would like to draw his attention to Clause 81. There seems to be a typographical error in the word "respect".

Rt. Hon. J. M. G. M. ADAMS: I am obliged to the honourable Member. In seconding it, I was just going to repeat that the practice of dominoes is so widespread in Barbados that we thought it necessary to have an exemption to allow you to play dominoes on or near the highway and even to make a little bet in respect of the game, because we really do not think that dominoes is a game that in any way should be made difficult for Barbadians.

In respect of Clause 81, I thank Your Honour for what Your Honour has pointed out, and I would ask that the letters "respect" be deleted and the word "respect" substituted therefor in the first line.

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

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

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

Part XI was called and passed.

The First Schedule was called.

Rt. Hon. J. M. G. M. ADAMS: Sir, in moving that this be the First Schedule, I would state that I would be happy to invite, if it so wishes, a representative of the Opposition to sit on the Betting and Gaming Committee. In due course I will direct that the officer who sends out the letters for appointment of the Committee write to the Leader of the Opposition and ask if there is any person he cares to nominate for me to appoint as a member of the Betting and Gaming Committee.

It is obvious that the political parties in this country could be much happier if this were a bipartisan matter. But there is another consideration based not in political self-interest in the widest sense, but in the narrower sense. It is perhaps a very good idea in something as sensitive as a Committee which has any power to license gambling for the Committee to contain watchdogs, to put it as brutally as it can be put. One party in power, let the other party have a man on the Committee so that your actions are restrained by his presence. It applies to all political parties. I believe it is in our general interest not to have a political committee controlling gaming in this island; not to have politicians of one party or whatever in any committee dealing with something as sensitive as gambling.

I am going to ask the Barbadian Christian Council, I am going to ask the Opposition, and obviously I will ask the sporting organisations, perhaps the National Sports Council itself rather than an organisation, because you do not want an organisation to be sitting in the position of a judge in its own cause. But I really think that I should ask the Opposition to help the Government make this as far as possible a non-partisan body protective of the public weal and of politicians' good names. If you have politicians from both parties, they can watch each other in respect of whatever may be thought to be going on in the Betting and Gaming Committee.

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

The question that this be the First Schedule to the Bill was put and resolved in the affirmative without division.

The Second Schedule was called and passed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.
12.50 p.m.

On separate motions of Hon. L. S. CRAIG, seconded by Rt. Hon. J. M. G. M. ADAMS, the Bill was read a third time and passed.

SANITATION SERVICE AUTHORITY (AMENDMENT) ACT, 1984

Order No. 8 was called — To move the Second Reading of a Bill to amend the Sanitation Service Authority Act, Cap. 382.

Hon. L. S. CRAIG (St. James North): This amendment is primarily to increase the membership of the Sanitation Service Authority. There were originally seven persons, and it is proposed that it now comprise of no less than seven or more than eleven other members.

I do not think that this should cause any debate, and I beg to move that this Bill be now read a second time.

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

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

On motion of Hon. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, Mr. SPEAKER left the Chair and the House went into Committee, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Clauses 1 and 2 were called and passed.

On motion of Hon. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

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

IMMIGRATION (AMENDMENT) ACT, 1983

Order No. 10 was called – To move the Second Reading of a Bill to amend the Immigration Act, Cap. 190.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, this Bill has been before the House a long time, because Cabinet was giving consideration to a number of matters relating to it, and I must confess that I am under what is obviously the mistaken impression that I already introduced it to the House. I think that the Bill may very well have come to the House in the last session, been lost in prorogation and has now returned to the House. I therefore do not propose to speak at great length, because I think the House has been heard already on the matter.

The main purpose of the Bill is to give statutory authority to the Immigration Review Committee, which has the right of hearing appeals against Ministerial Orders relating to immigrants. We do have a Committee in operation under the chairmanship of, I think it is the honourable Member for St. Michael West Central. I know that sometimes it advises the overturning of one of my decisions, but I like to operate independently, so I have never gone too far into their operations, motivations or even personalities.

We do have this committee in operation, and people do apply to it for a review of their immigration status from time to time. We want to give it statutory authority. The new Schedule will provide that a Minister shall be the chairman other than the Minister responsible for Immigration. When I was the Minister, my choice fell upon the Minister responsible for Labour because I thought that after the Minister for Immigration himself, the Minister responsible for Labour perhaps has the most interest in the granting of work permits and other immigration matters within the country.

We are also providing that the Solicitor-General be the ex officio member, and that there be two other members. I appointed the members a long time ago. I really cannot remember them. I remember Mr. David Shorey. He is Chairman of the National Housing Corporation. That is one purpose of the Bill.

Another purpose of the Bill is to change the definition of "dependent", and I will have to say a word about that in relation to our policy set out in Clause 5 of the Bill. We believe that general permission should now be given to dependent children, and dependents should be defined as eighteen. So if immigrants come here with a child under 18, that child under 18 should be allowed to become an immigrant. At present immigrant parents may have school age children and each child has to apply for a student visa and pay \$50 even if it is only going to

primary school. We think that we should try to regularise that situation.

Anybody who follows the Official Gazette will in fact notice that the largest number of applications received by the Immigration Department in Barbados for anything is for student visas. We get more applications for student visas than for work permits, citizenship, permanent residence or for immigration. The student visa business has turned out to be a very large business. When the honourable Member for St. John points out a million dollars – I think it is under \$2 million – that we are getting from immigration; he may care to take note that one of the principal contributors to that revenue is the education business in Barbados, from the 200 students at the St. George's Medical School right down to St. Lucian children aged six who want permission to come to school in the city. We get a number of applications every day, and of course at this time of the year there is a really very large number, as the school terms are just opening.

Another very important section relates to the status of immigrants. We still have a proliferation of classes of persons resident in Barbados. We have a permanent resident, we have immigrants, and we have another status called resident and work. That is a slightly less than immigrant but allows you to stay in Barbados and work for a period. We do not normally give it for less than three years, but occasionally we give it for a year if we are not sure whether the person should be an immigrant or not. We have people who reside in retirement, we have visitors to the island and of course we have students.

It is not intended to make any difficulties for persons who are permanent residents. I view the status of permanent resident as being virtually co-even with that of citizen, except that the individual concerned very often does not want to give up citizenship of another country which does not allow dual citizenship. Permanent residents cannot become Members of the House of Assembly, and there are one or two other things they cannot do, but I would not wish to harass permanent residents. You are dealing sometimes with Americans who have been settled in Barbados for thirty years, and I think that their status should be permanent; they wish to be American citizens and perhaps to receive a Social Security pension in Barbados and not be interfered with.

Immigrants, however, are a different matter. When Senator Trotman was Minister for Immigration, he did an enormous amount of work categorising persons who entered Barbados. He introduced into Barbados a classification of occupations. This was done in consultation with the unions. It contains hundreds and hundreds of names. We now have a complete classification based on the International Labour Office's classification of all persons

wishing to come and work in Barbados, and I think, too, that Senator Trotman should be congratulated in that he virtually trained the Immigration Department to categorise people who come for work permits, so that everybody falls into a class and that class can instantly be referred to in the printed legislation. Every class of worker has his own code number, each code is separately taxed, and the work permit fees separately set out for each sort of person.

Rules were also introduced for immigrants. When somebody applies for immigration status, there is a form which is in use in the Immigration Department and we mark everybody according to criteria which have been established by the department. A number of points is given for each of the criteria. I understand that the Chief Immigration Officer would prefer the criteria and the number of points given to each to be confidential, but perhaps the immigrants are made aware of the ultimate results. I think there is a grand total of 100.

I have never known any immigrant getting 100 points. I believe that to get 100 points you would have to be a person in an occupation for which there is an enormous demand in Barbados and no Barbadian whatsoever trained to fulfil it. You would probably have to speak French, Spanish, German and Russian, certainly four languages, you would have not to have children of school age, you would have to be a certain age yourself, and you probably would have to bring a certain amount of money to Barbados as evidenced by a certificate from the bank. There is a cut off point; I think you have to get 65 points. I noticed recently that somebody got 75 or 78 points, which surprised me, because that is the highest number I have ever seen given to anybody on the basis of skill and everything else. If you meet these criteria you may go on a quota that we informally operate in the department. The quota is that we allow in normally 20 immigrants who have no previous connection with Barbados. That is the maximum number, and that includes their families, a year. I can hardly think of an occupation that springs to mind, but I imagine that, since we have so greatly expanded the operations in St. Philip South at Woodbourne, in all probability the profession of petroleum engineer might very well have a very high rating for immigrant status and we might prefer to have an immigrant here and that the NPC employ him rather than have somebody coming in under technical assistance and be paid an enormous tax free salary and all the rest. I think I have recently given immigration status to an architect, because we still do not have enough architects in Barbados.

The drawback of immigration status is that sometimes you might give somebody immigration status and then in a year or two you discover that he is not really the right person for Barbados. Well we control this by being very, very sparing in giving it out, but on one occasion,

somebody was permitted to be an immigrant because he had a great deal of money and had other qualifications. He brought money to Barbados and was setting up in business in Barbados. He stayed for a little time on a work permit, we recognised he was not a person collecting money and sending it out of the country and he seemed to have some sort of commitment to Barbados. Then one day he had to deal with the Comptroller of Customs and he offered the Comptroller of Customs \$500 to do a favour for him. The Comptroller of Customs was very angry, the more so because the man, having offered him the envelope and he refused it, then placed the envelope in his car. The envelope was handed over and the police were called in, and we realised then, when we sought to get the man out of Barbados, that we had no power so to do.

1.10 p.m.

We thought of asking the Governor-General to make an Order under his special reserve powers for the expulsion of the man, the sort of order that was visited upon Carmen Baily, whom the Leader of the Opposition will readily recall to mind. But we decided against involving the Governor-General in what was basically a political matter. It would have been better, perhaps, if the then Governor-General had not been involved in the Carmen Bailey matter either.

So we have this clause which contains the criteria that will allow us to remove immigrants from Barbados. The first section is a standard one, it is the one where he resides out of Barbados for over a year. That is standard in everything now. The second refers to the Schedule of the Act, and that turned out to be an omission, one which should have been pointed out in the past. The Schedule of the Immigration Act sets out classes of persons who are not permitted into Barbados, paupers, vagrants, professional beggars, idiots, imbeciles, evil-minded persons, epileptics, prostitutes or persons whose behaviour offends public morality or who seek to enter Barbados to engage in immoral sexual acts. I myself have argued against Cabinet on that. I really think it is a bit much if a man wants his girlfriend to visit him in Barbados, that — she might be told at the airport that she is seeking to come to Barbados to engage in sexual acts. The Attorney-General tells me that that is no longer the interpretation that would be given to that section.

In the very important section, it turns out that we did not have any power to expel an immigrant under this section:

"Persons who are or have been at any time engaged or reasonably suspected of being likely to engage in the unlawful giving or using the offering or exposing for sale or buying of or the trading or the trafficking in any drug or have been convicted of an offence under any enactment related to dangerous or narcotic drugs."

It does seem to us that we do not have the power, if an immigrant comes to Barbados and then becomes a drug trafficker, to revoke his immigrant status. We are also now seeking to take powers against certain types of political offenders, people who spy against Barbados, people who seek to overthrow the Government, people who advocate the assassination of anybody or the unlawful destruction of property, and others of that ilk. These people will now have their status revokable.

I need hardly point out that if there are persons in high places who are trafficking in drugs, as we hear so frequently from the representatives of the police — they say these things but they have never told us who the people are — they too will go. The people who I have got out of this island personally, from my own knowledge, on information that they were dealing in drugs, I have had to tell the police. They have never given us any information at the Immigration Department that anybody is suspected of trafficking in drugs or that there is reasonable evidence to support it. So I really do not know who are these people in high places.

At least now, if, let us say, somebody has come here to work in a hotel, has settled in Barbados, become an immigrant, and is found to be involved in trafficking and any such thing, we will have power to deal with the individual. This also extends to cases where anybody gives false information or withholds material facts to obtain the status of immigrant, or if they offer any gratuity, bribe or other inducement or interferes with any public officer in the execution of his duty.

I mentioned one case. I will mention another case. Somebody who, I must say, is known personally to me — he was my client at one time, but I could not allow that to stand between me and what I conceived as my duty — was convicted in the courts of having broken the Customs Regulations and the Customs Officer was acquitted of having received the bribe. The offence for which he was convicted was not one of the prohibited offences, so what could you do? The man just had to go through and have his status in Barbados that he sought under the provisions of the law. That will also now be covered.

I dealt with this at some length because I would be an idiot if I did not know that immigration is one of the areas where a lot of pressure can be put on the individual concerned to help foreigners. I am sorry that the honourable Member for St. Michael West (Mr. B. M. Taitt) is not in his place today — I know that he is out of the island on parliamentary business — but I think he can give you chapter and verse on the fragility of the status of immigrants in any country. We think that this would give some protection to the public in respect of these matters.

There are one or two other matters which honourable Members will see in other Parts of the Act, and in

Clause 10 they will see that I was able to persuade the Cabinet not to have too wide a prohibition against what used to be described as "immoral sexual acts." You never know, in all circumstances, when a provision of law may be abused.

I have one or two amendments to offer when the Bill goes into Committee.

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

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

Rt. Hon. E. W. BARROW (St. John): There are certain aspects about this amendment to the Immigration Bill which I feel constrained to draw to the attention of Members of the House. In the first place, there have been several complaints, particularly from the United Kingdom, that persons who wish to bring their children down here have been informed by the High Commission that they have to submit their applications for passports well in advance, and that those applications have to be sent down to Barbados, because they have no authority to issue passports in the United Kingdom. I do not know if the same thing applies to the Consul-General in New York. Most of the complaints I have had have come from England.

I have had telephone calls on the occasion of a lady's mother dying and her wanting to bring her two children down here. She could not bring them because they refused to issue a passport to the lady, who is Barbadian born, on the grounds that all applications for passports have to be submitted down here. This happened last year. Since then, I have had a lot of complaints in this respect. That is one thing which I wish to draw to the Minister's attention.

Mr. Algy Symmonds was the High Commissioner in London at that time. I do not know if they were submitting applications down here, because Mr. Symmonds could not be found. I do not know whether they were playing tennis that particular week.

I must tell Members of the Government what people are saying. They are saying that Americans are coming down here on driving licences and birth certificates. They are also saying that they produce the birth certificates of their children up there, and children of Barbadian descent are prohibited from coming to attend the funerals of their relatives because of these formalities which have been imposed. They were told that it was being made easier for Barbadian children to be recognized, when in truth and in fact, they are making it more difficult for Barbadian children to be recognized.

1.20 p.m.

There had been a promise when I believe the acting Chairman of Committees was Attorney-General, that, under Section 2(3) of the Constitution, the same provision would be made not under the Immigration Act but under the Constitution, where the children of Barbadian-born mothers would automatically become citizens of Barbados under the Constitution. According to the statistics that I have seen 70 per cent of all are children born in this country – their parents have not been married – therefore, you are denying citizenship to more than two-thirds of the population who should be able, in the same way that we have changed the Succession Act to make it possible for the children of unmarried mothers to inherit not only from their mothers but their fathers as well, to have citizenship. I do not see why the children of Barbadian-born mothers should not automatically become citizens under the Constitution of Barbados, which would save all of this rigmaroll. It does not matter where a Barbadian is born, if his father was born in Barbados, then under the Constitution he is a citizen of Barbados. It is not so, as far as I know – I cannot find the amendment anywhere that was promised – whereby the child of a Barbadian-born mother becomes on the appointed day a citizen of Barbados. This is a genuine complaint which has been made. I am still receiving complaints about people having to travel to Barbados because of an emergency and who cannot bring their children with them. You should look into that.

I have to speak very frankly. I am not going to call any names, I think it would be invidious of me to call names of people, but I know of cases where people who are not Commonwealth citizens, people who, from my information and belief, have been members of Fascist organizations in Germany have been given citizenship of Barbados, permanent residence and, ultimately, citizenship after having been here a few months. I have several reports, and I think the Prime Minister is aware, that there are several accusations that there are persons, not the Chief Immigration Officer, but persons not unconnected to the whole process of immigration in Barbados, who have been accepting money from people in order to give permanent residence and work permits and matters of that kind. It is a very serious matter.

I overheard a conversation at the bar of the Paradise Beach Hotel. A gentleman was complaining that he had been living here for seven years and his work permit was not renewed. He has not paid me any money. He did not even know that I was listening. I have no brief for the gentleman one way or the other. I do not know why his work permit was not renewed. But another gentleman who had been in the island five months said, "How much money did you offer them?" He said, "I did not offer them any money." The other fellow said: "Look, I have got my work permit and I have only been here five months." I heard that.

Asides.

Rt. Hon. E. W. BARROW: So both of them are lying? The gentleman who had been here for seven years had to leave. The one who claimed that he had only been here five months is still here in Barbados walking around – and not doing anything particularly useful, as far as I can see.

When this kind of thing is being mooted, it leaves....

Rt. Hon. J. M. G. M. ADAMS: If the honourable Member will give way – all the honourable Member or any honourable Member, or anybody has to do if they have any evidence that an immigrant has said that he paid an immigration officer – not that he paid him; to have evidence that he paid him, the evidence will go to the Commissioner of Police – evidence that he had said that he paid him – just let me know because I have a strict rule that anybody who ever says that he has paid an immigration officer, a Minister, or anybody – I cannot help the lawyers; they pay lawyers huge sums of money, the lawyers are the ones that benefit – anybody who is not a Barbadian that advises anybody to pay or says that he paid, out goes he.

Rt. Hon. E. W. BARROW: The honourable Member might be losing a lot of people. I overheard the right honourable Member for St. Thomas tell the honourable Member for St. Michael West out there in the lobby after an adjournment of this House one day, that he knows three persons in the Immigration Department who were taking money and that he intended to get rid of them. He did not call any names, but I wonder if he has got rid of them yet, because I have not seen any big reshuffling going on since he made that statement. I overheard the honourable Member himself say that, so I am not really talking off the top of my head. But this is commonly known in Barbados. I am not prepared to attack people on the floor of this House. If I had the names and I was in a position to back them up with affidavits, I would have gone to the honourable Member and presented them.

Asides.

Rt. Hon. E. W. BARROW: Why did the Prime Minister not go to the police with his? Why are you asking me?

Asides.

Rt. Hon. E. W. BARROW: I said if I had affidavits I would go to the Minister. I would not go to the police.

(Hon. H. B. St. JOHN: Go to the police!)

Mr. SPEAKER: Order please.

(Rt. Hon. E. W. BARROW: I am not calling anybody names.)

Asides

Mr. SPEAKER: Order please. The honourable Member for Christ Church East Central should recognize that you are not allowed to shout across the Chamber. You will have ample time to make your speech from a standing position.

Hon. H. B. St. JOHN: I apologize to Your Honour, but this reckless irresponsibility is characteristic of people who have no character themselves. They like to besmirch other people's character. Let them go to the police with that.

Rt. Hon. J. M. G. M. ADAMS: If I just may add to what I have and what the honourable Member has said, the honourable Member is perfectly correct in that I did say to the honourable Member for St. Michael West that I knew of people at the Immigration Department who took money. But the honourable Member cannot possibly know all the personnel at the Immigration Department, all seventy of them, so how does he know whether there has been a reshuffle or not?

In the case of one of the three people concerned, an inquiry was carried out. The Chief Immigration Officer investigated thirty-seven charges of bribery. He found that there was strong evidence to support twenty-two of them. He recommended that the man be removed immediately from the department. The recommendation was sent to the Permanent Secretary — who did absolutely nothing about it! When I enquired about it some months later, I discovered that. All three people who I had in mind at the time are no longer with the Immigration Department. But it is a very difficult matter, I must tell you, to prosecute the people, because an immigration officer, who himself drew to our attention that a very senior immigration officer was involved in this, found great difficulty working in the department afterwards, because the other immigration officers felt that they owed some loyalty to this very senior officer, who is an ex-policeman.

1.30 p.m.

The Immigration Officers are under constant monitoring by the Chief for any evidence at all of this. And I must say that since I have resumed the portfolio a year ago or whenever it was, but certainly this year, I have found no evidence, and I mean none, of corruption within the department. The bad eggs seem to have been weeded out and the department is better motivated now than it was before.

Rt. Hon. E. W. BARROW: Mr. Speaker, I will not be long. I wonder what the honourable member for Christ Church East Central

Aside.

Rt. Hon. E. W. BARROW: You cannot attack me for it, I was only quoting the Prime Minister. You can attack him.

Aside.

Rt. Hon. E. W. BARROW: It is a different man now.

Mr. SPEAKER: Please, please. Will the honourable Member please address the Chair and do not carry on a conversation across the floor?

Rt. Hon. E. W. BARROW: I said that last year I overheard that conversation. Maybe one of the three persons that accepted the bribe was one of the three persons the Prime Minister got rid of. Why does he want me to go to the police? I said I am not going to the police unless I have affidavits.

The point is that the situation exists, and it is bad for the reputation of Barbados. I do not feel happy about Nazis coming in here and getting work permits when respectable citizens, people who have made a contribution to Barbados, cannot get them. That is all I am saying. Therefore, we have to watch this department very, very carefully.

When I spoke about being an industry, I was not only speaking about the volume of revenue which the Government was receiving, I was referring to the fact that I was aware that there were people, rotten eggs as he described them, in there who are making an industry out of immigration, which is bad. I am glad that the honourable Member has not been irrational like the Member for Christ Church East Central.

Certain remarks made at this stage by Rt. Hon. E. W. BARROW, were ordered to be expunged from the Record by the Speaker.

Rt. Hon. E. W. BARROW: The point I am making as a Barbadian is about children of mothers in the United Kingdom particularly — I have had no complaints from the United States, I have a lot of complaints particularly from London and Reading — about the difficulties of bringing their children down here. There is a body of resentment being built up over this, and the Government comes under criticism, not the Opposition, because they complain to me and probably to some of our other members. They seem to feel that if they get in touch with the Opposition that the matter will be ventilated, and this is what I am doing now.

The other point that where you get strangers coming into the country, and where people are willing to do anything to stay in Barbados — I think it was the

right honourable Member for St. Thomas, unless I was dreaming, who mentioned that somebody put something in a car — this shows you what people are prepared to do. They do not want particularly to contribute anything to Barbados; they find living here fairly easy, and they would do anything to stay. Therefore, we have to be eternally vigilant about the calibre of people that we put in the Immigration Department, and we should make the machinery such that it would be administered impartially and not at the kind of whims and fancies even of a Minister or of a Senior Immigration official.

I have nothing but the highest praise for the Chief Immigration Officer and his Deputy. I have known them a long, long time, from association with the law courts and the Public Service, and I have heard nothing but praise coming from people about the way they carry out their duties. But there are other people who have been drafted in there and engrafted in there from time to time whom I do not have this knowledge, or could give such an assurance. Therefore, I am very glad that the Prime Minister is aware of the situation and is not attempting to regard my observations as a personal criticism or something that I must run to the CID with. I do not go to the CID with anything, even when people break into my house, so I do not see, why I would run with that.

Hon. L. S. CRAIG: Sir, I have a very small contribution to make, because I have been exposed to the Immigration Department in the absence of the Prime Minister and his Deputy. It is a strange department, and I will tell you why it is strange. When the Member for St. Michael North (Mr. P. M. Greaves) was Minister of Home Affairs, there was widespread talk across this country that he used to receive money from people

Rt. Hon. E. W. BARROW: I really object to that. The honourable Member cannot get up and make that allegation.

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

Hon. L. S. CRAIG: He did not let me finish what I was saying, Sir. I am not throwing any aspersions on the honourable Member. I am saying that this is something said about anybody at all that seems to be connected to the Immigration Office. I have heard this, but I never believed it.

What I will tell you is that Indians in particular are very, very difficult people to deal with, especially with this immigration business. I do not want to say any more on that, but there is a particular doctor of whom I have a lot of doubts. I drew it to the attention of the Prime Minister. The problems you have in the Immigration Department with Indians coming into Barbados are

the most difficult. I discussed it with the Chief Immigration Officer as well. Some of them come in and go and register at Sam Lord's Castle for two days. They say they have come on a vacation for two weeks, then they disappear, and they all look alike, so it is difficult really to determine them.

There are several problems around the Immigration Department. I remember that when Dr. Caddle was Minister of Home Affairs he brought down the hammer not on the Indians, on the Syrians and an Englishman called Baker and it was said he brought down the hammer on them because they would not pay out. It is just an unfortunate situation, and as a matter of fact Baker was put out of the country because he said that. So when you hear these things around the bar, as my colleague said, go to the police.

I met a man one night at the Hippo Disco who asked me whether something would have been going to Cabinet the next day. As a matter of fact, he said it was going to Cabinet the next day and he wanted to give it his support. I asked him how he would know what was going to Cabinet. Now, I am a Cabinet Minister and he was telling me it was coming the next day! That is why I say this thing about Cabinet secrets is a big joke nowadays. From the time you start to prepare the Cabinet Papers, a photocopy can be in your hands. They call it high technology. Before I could even approve the Cabinet Paper, you have it.

I will say this for the first time. I had a little duel going between the Member for St. Michael South Central and myself with letters — I am sorry he is not in his place — because he made this charge about corruption and the Immigration Department in here already. I wrote him and told him to let me know the person or persons, that I was prepared to do everything in my power to deal with the persons. He wrote me back and told me he thought when he opened the envelope that it was a cheque I had sent to him for services rendered over the years. That was his reply and those are the sort of wild charges that are made about people around the Immigration Department.

1.40 p.m.

There are bad eggs in every walk of life. You have good police and some bad ones. You have good immigration officers; some of them are bad. There are good civil servants, some of them are bad. There are good politicians and some of them are bad. The electorate decide that. I just wanted to put my little finger there in the pie to let the honourable Member know that this is something said all along once you are involved in Immigration. Pay some attention to it, but do not always jump to the conclusion that there is corruption in such departments.

I believe that my colleagues on this side and the public know there is no corruption on this side. I heard all sorts of nonsense about a bus and the BMC money. The public does not believe you in that respect. They see integrity in this side.

This bird here on my left has a quick ear. He knocks about Baxter's Road and he is up at Sam Lord's Castle and people like carrying news to him, so my colleagues have to be very careful. They have to walk a tight rope with him. I know whom I am dealing with. For more than twenty-four years now. I know the individual, so I do not think that you have any fear of any corruption within the ranks of the Government. I would say in all fairness that you have bad eggs and you have good eggs and you cannot oversee everything. But my colleague, the Deputy Prime Minister, made it very clear. If you have any of these problems, report it to us or to the police.

This would save the good name of all politicians, because, as you know, politicians are supposed to be the worst things. They are not to drive motor cars. They are not to wear proper clothes. They are not to buy deodorant. But the Governor of the Central Bank can get big money, the managers of the hotels can draw big money. The Press can say anything about the politician within the limits of the law. They can write anything or say anything at all about a politician. If the politician has to react, you hear that you have to keep the Press free. The Church can get up and preach anything about politicians. As you have to attack, not the priest within the church but some of the church leaders, you hear, "Do not fly into the face of God". That is the sort of attitude you have, but even within the Church and within the Press, we are all human beings, prone to error.

The Press can write anything. Listen to VOB to something called Bus-stand Cabinet. I heard them castigating the businessmen in Bridgetown on a discussion to do with sports. They made some of the most scathing remarks about people who work voluntarily in the sporting organisations, actually implying that they are rip-off people. Yet, when you call on the very public to support their heroes and bring around a hat to collect money for a benefit, you know what they put in it? Nutshells, plums and ackees!

Mr. SPEAKER: Let us get back to the Immigration Bill, now.

Hon. L. S. CRAIG: That is what I am dealing with, Sir. This involves people. This is part of the society in which we live. So when I hear about corruption in the Immigration Department, as the charge has been made, I have to support my colleagues here, because the first thing you hear is that it is the politicians — and remember that you are one.

Aside.

Hon. L. S. CRAIG: I know you did not say politicians. What I am saying is that you will soon hear that the Opposition charged the Government with corruption. That is the point which I am making. I never said that you have charged the Government. The Member for St. Michael South Central has. That is his wild stupid, foolish charge; he cannot help making it. I did not say that you charged them. You are balanced in thought, sometimes. You do not always hit on all six cylinders, but you are hitting on them today. Maybe it is because of the absence of the honourable Member for St. Michael West. Get him out of your sight once and for all! That is why I sent him to Canada! Look how relaxed you are, a comfortable old gentleman!

I support the Bill.

Hon. H. deB. FORDE (Christ Church West): I think it is good to have an Advisory Committee or a Committee of Review, but I believe that people who make representations to the Committee would be much happier if they could, either in person, or by their representatives, whether it is the legal agent or otherwise, appear before the Committee, because they sometimes get the impression that their letters are treated in a standard form manner and rejected almost summarily.

I also wish to endorse the point made by the right honourable Member for St. John. I myself have also had complaints from persons overseas, some of them Barbadian citizens, because they have been born overseas and they probably live overseas, who have had to come to Barbados to get their status regularized. Were it not for the help of some of our officers in our Consulates, Embassies and High Commissions abroad in giving them a temporary passport, they would even have been confronted with greater difficulty.

There is one particular case where the lady concerned was born in Panama of Barbadian parentage, lawfully married. Before I became a Minister, I prepared the application for her and she was granted Barbadian citizenship, as she was entitled to, and yet, up to last year the matter was still being finalized. She had to put in another application, and I was told that the reason for that was because there was a period when permissions were being granted, but there have been no records.

It is unfair that persons like that have to pay twice and should be penalized in those circumstances. I believe it is a matter that the Minister should look at. The fact that the Immigration Department may have lost its past records, or may have no credibility in what former officers did, should not be used to penalise Barbadian citizens and other persons who have proper immigrant status here.

The third point relates to a number of persons who did not take the opportunity of the amnesty to regularise their status in Barbados. My constituency has a high proportion of non-Barbadian residents. Many of them have failed, through lack of knowledge or fear, to come forward in time. Indeed, Mr. Speaker, if you read the *Gazette* and look at the residence of a lot of the people, you will see that quite a high proportion come from the constituency of Christ Church West. But they have been good corporate citizens, they have lived here, their children have gone to school here, and sometimes they find it a little bit difficult to get those permissions. I would ask the Minister, although the principle of amnesty is not being opened at large, to give consideration to those who have genuinely been here for a long time and who have established a proper residence in Barbados.

The fourth point I wish to make relates to a particular incident. There is a lady who was allowed in Barbados for a period of time, and she resided here for about seven months. She came in as a visitor and then her permit expired. In the meantime, she became pregnant and established a relationship with a man. Although she was here during that period of her pregnancy, she was asked to leave — otherwise, she was going to be deported back to Guyana.

I believe that humanitarian considerations must apply in those circumstances and that she should have been permitted to have her child here, particularly as the child is a Barbadian child. I hope that the officers in carrying out their law — I am not saying they were not within the law — will sometimes temper the law with a certain amount of duty and humanitarian consideration. 1.50 p.m.

Finally, I am glad to see that in the prohibitive category of persons who would not be allowed immigrant status in Barbados will now be those who sexually abuse children, as stated in the proposed change to the Schedule. Sexual abuse in the Caribbean and elsewhere is on the increase, and it is rampant here in our country. On an appropriate occasion when that issue becomes a Bill or a Resolution I will have an opportunity to debate that at large, but I should like to draw particular attention to that provision in the amendment before the House and to say that it is a very valuable and far-sighted amendment.

Rt. Hon. J. M. G. M. ADAMS: The first point, about the children in England is well known to me. It is no fault of Mr. Simmons, and the Leader of the Opposition was not the only person who is aware of the issue. Senator Trotman and I actually toured England at one time addressing groups in a number of places and answering questions, and we understood what the issue was. It was explained to us. It is much more complex than the honourable Member perhaps imagines.

First of all, British Airways will often not accept Barbadian children because they are not sure whether children will get into Barbados and will have to be sent back at British Airways' expense prematurely, those without a passport, and so they tell them they have to have passports.

The process of getting a passport if you are a Barbadian living in England is a matter which has been generously informed by the substantial colour prejudices that have overtaken the Home Office in Britain in the last thirty years. It is a very expensive and complicated process. It can cost up to £200 for a Barbadian to obtain a passport. I am not alone in saying that it is a matter of deliberate prejudice. Many members of the Labour Party have said that the Home Office charges amounts far in excess of what it should to coloured immigrants in Britain to obtain status in Britain as a means of discouraging them, and I make the accusation quite deliberately. This dissuades many Barbadians from getting British passports for their children, which would allow them to travel. Those are the ones who obviously were not born in England, because we are talking about maybe being born in Barbados and having to get birth certificates and all of that. The parents are often simple. They do not realise that a passport is necessary to travel with; and even if they do realise it, they think that a passport is something you should get very easily.

We always have to have at the forefront of our attention the fact that, not very long ago, an attempt was made to provide false Barbados identity papers for an Israeli citizen. This is a well-known device in espionage circles. I have said so already in here. You try to find somebody who died in another country and you adopt his papers for a spy that you wish to place. It is very, very popular. The Russians comb the United States for identities that they can use for their agents. When I mentioned this once, I was told why was I limiting it to the Russians, that Barbadians in New York have been known to adopt the identity of Black people in Georgia and Alabama and obtain Social Security documentation on the basis of adopting an American identity. So it is not only done for espionage purposes, but we had this situation where an Israeli claimed to have been born in Chapman Street, Bridgetown in 1925, and to have been taken to Israel at a very young age and adopted a Jewish name, and all the rest. He had the support of a Justice of the Peace, who said how he appeared before him; he had the support of a lawyer, a member of our party marginally at the present time.

We investigated this. The identity that he sought to adopt was that of a person who belongs to a reasonably well-known family, the family itself includes lawyers and hoteliers. When we investigated further, we discovered that the Justice of the Peace had given a false

affidavit. He was deprived of his justiceship for that. The lawyer escaped because his name was actually so peripheral to the whole thing that there was nothing to deal with. In the circumstances, we realised that you just cannot give a passport to everybody who produce a Barbados birth certificate and says this is my birth certificate.

Here in Barbados, for all I know, some English person, Guyanese person, American person, may have produced a birth certificate to the Passport Office and obtained a passport on the basis of that. I personally wonder how we would be able to stop it, and therefore we have to be a little more careful than we were in the past. If the honourable Member, who is a man of 60 or 65 or whatever his age is, carried in to the Immigration Department a birth certificate of somebody born in 1920 and said he has lived away from Barbados for many years but this is my birth certificate, my parents were so and so, and present all the information and ask for a passport, I believe he would get the passport. It is only people who have lived in Barbados for a long time and therefore who can be asked for an ID card and produce a photograph and so on – even they probably can manage to get a false identity – so the honourable Member must bear with us if we check birth certificates a little more carefully.

I can go on at great length. People produce documentation at the High Commission in London saying they are resident in Barbados. I have seen one of these documents myself bearing a forged signature of a Police Inspector saying that the person was a resident in Barbados – and he had never been to Barbados in his life. I have copies of it. The Police Inspector who forged the stamp in the passport falsified the date to a day before which that stamp was in existence and then signed his name to it. That passport was produced on behalf of an Indian boy at our High Commission in London. Do not blame us if we check.

On the bribery charge, I would like to support what the Deputy Prime Minister has said. Anybody who has evidence that any foreigner or Barbadian has ever bribed an immigration officer or any public servant, Customs Officer, policeman, anybody at all, has a duty to go to the police with it and at the very least make the department concerned aware of it.

I think the honourable Member has a duty to tell me who he heard at Paradise bar say that he got a work permit after five months by bribing somebody. It does not have to be true that he bribed them. If the honourable Member tells me, I will believe that he heard a man whom he can identify to me say that he has bribed somebody, I will revoke his work permit. If anybody is walking about truthfully or falsely saying that he bribed

somebody to get a work permit, he is not somebody I want in this country.

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

2.00 p.m.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I can really go into Committee now, but I would rather take lunch and then go into Committee when we return, Sir.

I beg to move, Mr. Speaker, that this sitting be now suspended until 3.00 p.m. today.

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

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

2.02 p.m.

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

We will continue with the Immigration Bill.

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called.

Rt. Hon. J. M. G. M. ADAMS: Do we deal with the arrangement of Sections before Clause 1 starts? I want to change the arrangement of the Sections.

Aside

Rt. Hon. J. M. G. M. ADAMS: In Clause 1 then, Sir, I want to delete the date, "1983" and substitute therefor, "1984".

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

The question that Clause 1, as amended, do now stand part was put and resolved in the affirmative without division.

Clauses 2 to 6 inclusive were called and passed.

Clause 7 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that the following be inserted as Clause 7:

The marginal note-

"Amendment of section 13 of Cap. 190
7. Section 13 of the principal Act is amended by inserting therein immediately after subsection (7) thereof the following as subsection (8):

"(8) The Chief Immigration Officer may detain a person mentioned in subsection (6) pending the making and execution of a deportation order."

I beg to move that that be Clause 7.

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

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move that Clause 7 do now stand part.

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

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

Clause 8 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 8 be Clause 7 on the printed Bill.

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

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 8 do now stand part.

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

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

Clause 9 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 9 be amended to read as Clause 8 on the Bill.

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

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 9 do now stand part.

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

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

Clause 9 was called and passed.

Clause 10 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 10 be amended to read as Clause 9 on the Bill.

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

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 10 do now stand part.

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

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

Clause 11 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 11 be amended to read as Clause 10 on the Bill.

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

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 11 do now stand part.

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

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

Clause 12 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 12 be the former Clause 11 on the Bill.

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

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move, Sir, that Clause 12 do now stand part.

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

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

The Third Schedule was called and passed.

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. L. S. CRAIG, Mr. CHAIRMAN reported the passing of one Bill in Committee with amendments, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. L. S. CRAIG, seconded by Rt. Hon. J. M. G. M. ADAMS, the Bill was read a third time and pass.

RESOLUTION TO APPROVE THE BORROWING EQUIVALENT TO U.S.\$11.0 MILLION FROM THE INTERNATIONAL BANK FOR RE-CONSTRUCTION AND DEVELOPMENT (WORLD BANK)

Order No. 18 was called – To move the passing of the Resolution to approve the borrowing of an amount in various currencies equivalent to U.S.\$11.0 million from the International Bank for Re-construction and Development (World Bank) for the purpose of assisting in the financing of the Road Maintenance and Rehabilitation Project of the Government.

Mr. M. A. KING (Christ Church West Central): On a point of order, Mr. Speaker: This Resolution forms part of a number of Resolutions and other matters before this Honourable House as a supplement to the Order Paper, the Papers in respect of which were circulated only recently. In fact, I got my Papers in connection with these matters only this morning, with the result that certainly I am not in a position to review any of the matters which are now before this Honourable House in connection with the several matters raised on the Supplementary Order Paper.

I wonder if there is any urgency on the part of Government to require that these matters which are now on the Supplementary Order Paper be dealt with today?

Hon. L. S. CRAIG: Sir, I really cannot accommodate my colleague, who I can see is the senior Member on that side on this occasion. Notice was given of these matters, I think, on Tuesday. Today is Friday. You can appreciate that there is a degree of urgency in respect of this. I really cannot accommodate him today. I am trying to get off as much work as possible, so that the renova-

tions of Parliament can continue. I must plead with them on this occasion.

Mr. M. A. KING: Mr. Speaker, may I continue to make the point that I was making?

The honourable Member for St. James North makes the point that notice of these matters may have been given on Tuesday. The fact is that we on this side – I do not know whether honourable Members on the other side got their Papers earlier – got our Papers in connection with these matters only today. Some members got them as they came into the House this morning. If we are to perform the functions for which we are here, to debate the issues which are before Parliament, we need to have an opportunity at least to read the matters and study them, and be in a position to make contributions. 3.10 p.m.

This is not a matter of accommodating us. If he feels that this is how the business of Parliament should be conducted and he wants to proceed with them irrespective of whether we have had time to consider them or not, that is his prerogative. He has the numbers, he can do it, but we think that in the interest of dealing properly with the matters, in the interest of an effective debate, and in the interest certainly of good Government, we should all have an opportunity to study the matters so that we can contribute sensibly to the debate, if we feel so disposed.

Mr. SPEAKER: Notice of the matters were given on Tuesday, and it was indicated then that the Chamber would be sitting today in an attempt to complete as many matters as possible which were necessary for the smooth operation of Government, as obviously this Chamber and the Other Place will not be able to function within the next three or four weeks due to the renovations which have already been approved and which are behind hand. I would implore the Leader of the House that he do only those matters which are of extreme urgency to Government so that there will be smooth running of the Government, and which, at the same time, would work undue injustice to the Opposition.

If there are any criticisms to be made, possibly it is a result of the fall down of other agencies, probably the printery or the staff of Parliament, that might be responsible for the late delivery of these various documents. We will have to take the blame ourselves. We will have to look into that to see how best we can make arrangements to service the documents in circumstances like these that might occur in the future.

I hope the honourable Member will fully understand because there is a certain amount of liberty on the part of the Government to expedite its business. I will certainly not allow Government to run out of hand and do things

to create embarrassment to the Opposition, but in these circumstances, I am forced to allow the Leader of the House to proceed. But if there is anything that you feel very strongly about, I will certainly deal with that when it arises.

Hon. L. S. CRAIG: Sir, I did indicate that these are relatively urgent matters. I cannot do anything more at this time. I would give you my wholehearted support, but I think you appreciate the position.

Number 18 please, Sir.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, technically, this does not relate to my Ministry, but I have to introduce it as the Ministry of Finance is responsible for obtaining funds from the international agencies. I do not want to trespass on the territory of the Minister of Transport and Works, but it is only fair to point out to all honourable Members that this particular matter comes before the House both as a matter of importance and as a matter of urgency.

If there is one cry that you have heard from motorists in Barbados and people who use the roads in the last ten years, it is that the roads are getting worse. You do not hear the same complaints about the Transport Board. Since 1976, when the government nationalized the bus companies and presided over something like a three-fold increase in bus services in Barbados, so that buses now run to country districts up to a late hour at night rather than stopping at 8 o'clock, and buses run on routes that never saw buses before, and the whole mini-bus system has been revolutionized by the giving of between 100 and 200 mini-bus licences, you do not hear the same complaints about the buses. That is my considered opinion. I do not hear the same complaints. We paid for this improved bus service the sum.....

Asides.

Rt. Hon. J. M. G. M. ADAMS: I hear an aside from our benches the sum of \$14 million dollars a year. That is a lot of money, but we are trying to give a good public transport system.

These buses, the new buses and the mini-buses, have joined the other 20 000 vehicles that have come onto our roads since 1976 — big buses, big 40-tonne trailer trucks in Barbados — there are actually hundreds of trucks of 16 tonnes and over in Barbados, huge oil tankers, container trucks — and our roads are simply not built for this kind of traffic. The Government recognized that we can repair some of the existing roads satisfactorily but that we will have to build new roads, hence the Spring Garden Road

and the road which will go from the Spring Garden area to the airport; hence the Checker Hall to Greenland Road, a special service road needing special conditions. That leaves us with the ordinary highways of Barbados, the tenantry road programmes, the subsidiary roads and all the residential roads of this island.

The Ministry of Transport and Works, as long ago as Harold Griffith's time, drew up the schedule of something like thirty-five roads or sections of roads, covering every constituency in the island, which were in urgent need of repair or rehabilitation. It was something like twenty years since a road was entirely built in Barbados when we came to power. The habit of rebuilding roads entirely, digging them up, relaying the foundations and creating something that was a repaired road only because it was in the same position as the old road had been, that idea has been lost entirely. The very good social purpose was pursued of doing tenantry roads and minor roads because people were demanding better services in the tenancies.

In the 15 years of the Democratic Labour Party's rule, and the last few years of ours before 1961, nothing was done except the tenantry roads. The major roads were neglected. They do have potholes. The principal contributor to the potholes in the roads is the Water Authority. There were some 54 000 water services when we came to power. There are now 73 000. The extension of the water services means that all the main highways in Barbados have been dug up many times — you dig them up first to put in one main; then they dig them up again to put in the subsidiary mains; and then you go down the side roads and you dig up the side roads to do away with the old straight feeder lines going to individual houses to put in yet more mains; to do away with the banjo springs, as they call them. So the waterworks is responsible for about 40 per cent of the potholes, but that gives little comfort to members of the public who have to drive over both that 40 per cent and the other 60 per cent, which is occasioned by the wear and tear of the roads. So we discussed this with the World Bank.

The roads in Barbados first came to the World Bank's attention when they looked at our plans for building the Speightstown By-pass, when they said that this would be the most expensive stretch of road built across level land anywhere in the world. Our engineers and technicians argued with them and told them that Barbados may be flat, but there are a lot of problems relating to the building of the roads because of the underlying sub-soil and such factors. This was when, perhaps that for the first time, the Ministry and Waterworks began to hear how you had to build to certain standards — you build something to the standards of a one-year storm, you build others to the standards of a five-year storm. Some roads like the Oistins Road, because of its business and residential character, had to be built to the standard of a 20-year

storm; it has to be able to withstand the flood of the sort that you only get every 20 years in Barbados. All of this has made it clear to everybody that you need more than just a little barbergreen on the surface to improve the road system of Barbados. So we are borrowing a sum of money from the World Bank for a general road rehabilitation programme in the island.

I do not want anybody to tell me that we should be spending this money on housing and not on roads. We tried to borrow money for housing. The World Bank said that Barbados is already a well-housed country and that they were not lending us money for housing, but they will lend us some for improving the services to houses – and that is also true of other international agencies. They have lent us some money to be spent through the electric company for finishing off electrification, and they have lent us this money for the roads. 3.20 p.m.

The project consists of three main components. The first is road maintenance and rehabilitation of 64 kilometres of primary roads. The Minister of Transport and Works, who I do not observe to be in his place, will have the list of the roads to be repaired, and honourable Members, I am sure if they ask him, will have the opportunity of seeing what they can tell their constituents this beneficent Government is doing for their benefit. The honourable Member for St. Philip South (Mr. H. A. Blackman) will see that funds from the Transport Levy have been advanced to improve the road entrance into St. Philip South from the Christ Church boundary even before we have got the World Bank money.

The second component is a highway safety programme, which will include the improvement of all the major road sections, will improve road alignment sidewalks and will buy equipment. Again, a lot of this work has been started with the assistance of funds from the Transport Levy.

In my opinion, I have never seen any of my taxation measures which have so immediately brought the exact and precise results for which they were intended as the Transport Levy. The Transport Levy has done a lot to improve the bus service in this island by buying new buses. It has done a lot already to improve the roads by rebuilding Bridge Road, by building the roundabout at Belmont Road, by barbergreening and improving roads all over the island, especially in Bridgetown, and what the Leader of the Opposition said on one occasion in here, that he is sure that what they do is that they spend the money voted and when it runs out they then turn on to the Transport Levy. I have little doubt that that is indeed the work scheme of the Ministry of Transport and Works; see how much the levy is going to produce in any given month and decide they are going

to barbergreen Barbarees Hill rather than let the money rest too long in the Treasury, or as the case may be.

I am very glad to know that they will soon be starting work on the roundabout at the junction of Culloden Road, Collymore Rock and Pine Road, and that Collymore Rock is intended to be widened into a two-lane highway from that roundabout straight into Bridgetown. I understand they will be moving back the Convent wall and the wall at Enmore and building pavements. That is a very important area for school children – it has the Convent, it has St. Gabriel's, it has St. Michael's – an area that definitely needs some rehabilitation and one which will need a much better road system to absorb the traffic which will now be thrown on to Highway 6 when the Spring Garden to the airport road is completed.

But the highway safety programme which includes the improvements, the alignments, the sidewalks, is not only going to be important for Highway 6. It is also a major component of the Government's plans to put Barbadians back to work again, because the roadworks give a lot of employment when carried on under the safety programmes, the building of concrete sidewalks and the realignment of road junctions. I am sure that honourable Members opposite, now that they understand that this is a component of road improvement and employment opportunity, will understand why we view it as a matter of urgency.

The third component of the project is what is called "the institutional strengthening" of the Ministry. The Ministry of Transport and Works cannot handle the works programme which has been drawn on it with the existing structure. I have one official – he was an official of the Prime Minister's Office, a tried and trusted Project Manager, proven in the Polytechnic, proven also I believe at CARIFESTA, and now working as Project Manager in connection with these roads – who is the Project Manager for spending \$60 million on the road from Black Road to the airport, and also the Project Manager for spending \$22 million on the road from Checker Hall to Greenland – and he is doing that for one salary; not even the top salary in the Public Service. He is like a Minister, doing two or three people's work without any extra pay, because Ministers are the only people in Government who can be called on to do a job that a man is paid forty or fifty thousand dollars a year to do on an acting basis without getting one cent extra for it.

We have public officers in the Ministry of Transport and Works stretched out like this. They have to attend the same number of meetings, they have to deal with all the petty things involved in controlling a work force of over 2 000 people, and at the same time they have to be constantly answering to Ministers for the major new projects with which this Government is transforming the

face of the island, and I think that the Ministry does need strengthening. I think the engineers need more pay, and they need more of them; the surveyors need more pay, and they need more of them; and I think they need some strengthening at the top also.

That is my introduction of the programme for my part, as Minister of Finance. It remains only to draw honourable Members' attention to the Addendum to the Resolution where they will see published the terms and conditions under which the money is being lent. The back of the Resolution gives all the details. We are paying one half per cent above the cost of what the World Bank calls "qualified borrowings." That means borrowings from borrowers who are in our status in the World Bank. We do not get the most concessionary terms, but we are still getting some concessionary terms.

In conclusion, Members may want to know that I strenuously resisted the proposal of the World Bank to graduate Barbados from borrowing membership on the grounds that we are now too well off. They offered me any number of programmes if I would consent at the end of that time not to borrow any more. I met with the President and the Vice President. I did not care for the Vice President at all. He wanted to push Barbados, as a tiny Third World country, around. I instructed all of our officials on no account agree to any programme of graduation by the World Bank, and I am glad to say that the Bank has now had a legal opinion indicating that a country could not be graduated from borrowing without its consent. Barbados will therefore continue to submit projects to the World Bank for financing and have every expectation that if the projects qualify in their own right, we will continue to have a World Bank programme.

We have submitted not only this programme which has been approved, but we are also making a submission for an educational programme to have, I think it is a third World Bank loan for education. The emphasis this time will more be on primary than on secondary schools. I think I detect in the correspondence which the Ministry of Education sends me to from time to time, a wish to rebuild all the primary schools in Barbados that are more than twenty to twenty-five years, because I see that they have on their list every single country school and many of the urban schools as well that have not yet been rehabilitated. I have every expectation that they will carry out successful negotiations with the World Bank for yet another instalment of replenishing the primary school system in this island.

3.30 p.m.

I recommend this Resolution to the House. It is going to deal with matters that have long been the subject of public complaint. There was complaint when there were 10 000 drivers in Barbados. There are now something

like over 100 000 people with driving licences in Barbados, and I believe that those 100 000 people need a better deal than we are able to give them. We want to give them a good deal but we cannot because of the condition of the structure of the roads. They deserve a better deal and this loan will enable us to give them that better deal.

I beg to move that this Resolution do now pass.

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

Mr. M. A. KING: Mr. Speaker, I cannot quarrel with the objectives for which the borrowing of this money is designed, to improve the whole road network system in Barbados and the rehabilitation of highways. The problem about the repair of the roads and highways of Barbados is a problem which people all over this country have been concerned with in recent times. I think all of us know the very dilapidated state into which the roads of this country have been allowed to fall over the past few years.

The right honourable Member for St. Thomas, I believe in his statement made the point that it needs to be said that the Democratic Labour Party was responsible for the lack of repair of roads, but I think everyone knows of the action of maintenance, certainly on the major highways and on the secondary roads, is a thing which has assumed greater importance to the people of this country only within relatively recent times. In our time we had a regular routine programme of road repair and maintenance, but it seems that in this day and age the Government is more concerned with building the large modern highways, and tends very seriously to neglect the very essential and important critical function of maintaining the existing road stock.

One only has to drive any part of the country with a car to feel the regular potholes which you have to contend with as you go along. Only recently in one of the motor rallies which took place this year, I think it was the June Rally, you heard drivers saying that this was one of the most difficult rallies they had to drive in because of the very bad state of the roads; and when they compared it to the conditions of the roads throughout the years as far as they were concerned, the roads of Barbados have never been in such a bad and dilapidated state as they are in now. This can only be the result, I suggest, of gross neglect on the part of the Government, the Ministry of Transport and Works in particular, in neglecting and failing to adequately prepare the existing road network in the community.

I am concerned also about the neglect which is evident in the approach to tenantry roads. There is not a lot of attention paid to them, certainly not the kind of attention which needs to be paid to tenantry roads,

because, despite the fact that we in this country would have advanced a long way in this century, we find that there are still a lot of persons who live in tenancies who have difficulty in getting access to their homes through want of good roads.

In the constituency which I have the honour to represent, there are still a number of tenancies, some of which are subject to the Tenancies Freehold Purchase Act, where there are, in fact, no link-up roads. The persons who live in those tenancies are still using the old cart roads of years past. Areas like Boarded Hall, Lower Greys, Edey's Village and Frere Pilgrim are still tenancies where people have to walk over rough terrain; and those persons who have the fortune to own a car, in rainy weather they have to leave their cars some distance from their homes in order to get to the places where they live.

I would expect that in this programme which is about to get underway for the maintenance and the rehabilitation of the road system in this country, some serious attention will be paid to the problems of those persons who still live in the tenancies, to ensure that in those cases where tenants do not have roads available, roads are put in and easy access made for the people.

You also find in some of the roads which are clearly Government roads — the Vauxhall Tenantry Road, for instance; in Sargeant's Village the Brown's Gap Road which is still a tenantry road, although it is called Brown's Gap — that water flowing over the roads has caused serious problems in those areas, and those roads need a lot of attention being paid to them. So I hope that when the Minister of Transport and Works indicates the programme of works that I can see a substantial number of roads in the Christ Church West Central area in particular, and in the Christ Church area in general, benefit as a result of these borrowings.

I can understand some of the urgency in getting this Resolution through Parliament, because clearly there is a lot of work which had to be done on the road system all over the country. I imagine that the Government would want to spend a lot of time and pay a lot of attention to getting the road works programme in the St. Peter area, for instance, well underway, and I am calling on the Minister of Transport and Works as a matter of urgency to deal with the road problems of St. Peter. There is need for street lights all over that constituency. There are problems concerning the development of the recently built highway.

Mr. SPEAKER: The honourable Member is well aware that we are dealing with a Resolution to approve the borrowing of \$11 million for road construction. I see nothing dealing with street lights in that Resolution.
3.40 p.m.

The honourable Member is well versed in Parliamentary procedure and should not use a document which has no validity in this Parliament.

Mr. M. A. KING: I am not using any document, Mr. Speaker. When the right honourable Member for St. Thomas opened his debate, he talked about the problems of highway improvement and highway safety; and in the Addendum to the Resolution, we talk about the objects of the project being to improve the road network of Barbados through the execution of maintenance, rehabilitation and highway safety works. I am suggesting, Mr. Speaker, with respect, that the problems of lighting highways is a problem directly connected with the safety of highways.

If we talk about the new highway in St. Peter, there is clearly a problem about the absence of lights on that highway and the problem of safety in respect of children crossing on that highway. So if we talk about lighting of that highway, I imagine that that would relate to road safety.

I trust I am not straying outside the terms of the Resolution.

Mr. SPEAKER: I think the honourable Member has strayed down to St. Peter before the time is ripe.

Mr. M. A. KING: Mr. Speaker, I am talking about the problems of maintenance of roads all over the place. Although I represent one constituency, I am one of those politicians who believe that one should not necessarily address the problems of specific constituencies. If we are dealing with road works and the problems of highways all over the country, we have to address the problems of highways all over the place, and those of us who have travelled in Barbados recently would have discovered the terrible state of the roads in Boscobelle and the attention that needs to be paid to the roads in Boscobelle, Indian Ground and in Black Bess. Serious problems need to be addressed in relation to roads in St. Peter, and I am urging the Minister of Transport and Works, as a matter of urgency, to address the problems of the repair and maintenance of the roads in St. Peter, and to consider the safety factors.

We understand the need for urgent attention to be given to this critical aspect of work. The right honourable Member for St. Thomas said that the Waterworks was probably responsible for about 40 per cent of the pot-holes in the roads and 60 per cent was a result of normal wear and tear. I think it is going to be important as a continuing exercise that the roads not be allowed to get in the situation where major road repair works have got to be done at any one time, but that maintenance be done on a routine basis annually. We should never find ourselves in the position where at one time we have to

borrow this sum of \$US11 million to do road maintenance and repair work. We should be doing road maintenance work as a matter of course on an annual basis and keep the road stock and the road quality in the country up to a reasonably good standard.

While we have no quarrel with the objects for which the money is being borrowed, we are concerned about the continual borrowings which the Government is indulging in, laudable though the purpose be on this occasion. We are concerned about the level of debt which the country is being committed to as we go along. The public debt of the country is now exceedingly high, by any standard. The public debt is now more than \$900 million at this time, and every additional \$1 million borrowed is a matter which we have to be concerned about, because succeeding generations have to pay and repay the loans which we are getting – and I note that the repayment of this loan is going to start some time in 1987. We seem to be borrowing for every single thing under the sun, and we would hope that, from here on in, a thing like road works maintenance would be a matter of continuous attention, rather than allowing the roads to fall into a state of dilapidation then to have to take such drastic steps to deal with the problems.

In summary, Mr. Speaker, we hope that in the programme which will follow, attention is given to a wide cross-section of roads throughout the community, and that excessive attention is not paid to any one particular constituency or district, because politicians tend to be accused of dealing with separate constituencies when dealing particularly with the problems of road maintenance. I suggest that we should have notice of the programme, we should be given an opportunity to make submissions on roads which are to be repaired, and we express the hope that in the plans a wide cross-section of the country will be served by the programme and that roads all over the community will benefit from this exercise.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, I listen sometimes with amazement at the inconsistencies in the speeches that are made by honourable Members on the other side. The honourable Member was for a long time in his speech vehemently advocating that you must do the roads in St. Peter – and you must do them now. A little later he said that you must not pay too much attention to any particular constituency. He said he was a politician that did not advocate any particular request being made for his own constituency. Nevertheless, I want it to be clearly understood by the Minister of Transport and Works that the constituencies in Christ Church, including the one that the honourable Member represents, must be done, because they form an important part of the network of roads, and are an integral part of the productive sector in Barbados.

3.50 p.m.

I also hope that the Minister will reorganize the supervision in the Ministry of Transport and Works, because I have seen public money being wasted because of the lack of co-ordination between those who are paid to be on the site, those who are paid to deliver the materials and those who are paid to supervise. I believe that many more roads could be done in Barbados for the given amount of money that is spent if we were firmer and tougher with the defaulters and the people who do not give a fair day's work for a fair day's pay.

Every politician in Barbados would like to see every road in his or her constituency built to the highest standard and maintained to the highest standard, but we have some problems. I can illustrate my point with the road from the airport to Bridgetown, Highway 7. Every time an oil truck passes there with the oil from Woodbourne in St. Philip – especially of late, we have had it more regularly, because more oil is being pumped – the pipes between Oistins Plaza or Mackie's Plaza and where the cinema was at the junction and Bay Street leak. Only three weeks ago, in no less than four places, the pipes in those roads gave way because of the weight on the roads. No one can criticize this Government for that.

The fact is that those roads were built at the time when it was not envisaged that there would be such weight passing over them – the pipes are obviously near the surface. A week ago a matter of days ago in some instances, the Water Authority dug up the road in order to repair the pipes. The thing about the leak was that you only saw it late at night. You would see a big spot of water in the road about 3.00 o'clock in the morning and you did not understand what it was; by daytime, it was a pool. As traffic passed, it moved over and you went along. We are faced with many of those problems.

I do not have any quarrel, and I do not see how anybody could have any quarrel, with the borrowing of this money. The quarrelling is going to come if the money is not used in a manner in which all Members of this House feel that a fair distribution has been made with respect to the tenantry roads programme. So do not come in here and tell me that St. Peter must get roads right now. St. Peter is entitled to get the roads done, but they must stand in the line of priority just as anybody else.

You had fifteen years to deal with St. Peter. Since we have been dealing with it, we put a big by-pass road; Tom Benn Gap, Miller's Road. We have put a big playing field in the Boscobel area. There is the Speightstown Fishery Project, the consultants for which have already been appointed. Two weeks ago we picked the site. Millions of dollars have been spent down there. Look at the Coleridge and Parry School on top the hill, with a lovely vista and major extensions, and the Alexandra School with major extensions.

What is the honourable Member talking about? That is not a parish of neglect. It was a parish of neglect during your time, because the Democratic Labour Party had a spite for St. Peter. The Barbados Labour Party has given it a lot of attention in the short period of time that we were in power. We shall continue to see the works brought to fruition within the context of the money that we have in Barbados.

Now, let us get it straight. The honourable Member cannot advocate that you must not borrow, he cannot advocate that you must not tax and at the same time say that you should spend more. You cannot say those kinds of things — not in here. It is all right to do that down in Boscobel about 11.30 at night when there is nobody around to answer you. But when you come in here and you make those statements, you will be answered.

I want the Minister to understand very clearly that all Members of this House feel very glad to support this Resolution. But they expect that the work will be organized, that the maximum economic benefit and the maximum value will come from the expenditure, that as many main roads in this country, as is possible, will be surfaced, and the repair of tenantry roads fairly distributed, starting off of course with the constituencies of those on this side which will be done within the next eighteen months to two years.

Mr. H. A. BLACKMAN (St. Philip South): Mr. Speaker, the honourable Member who just sat down was very eloquent, and I had to wonder whether the second by-election campaign had started already.

First of all, I have to thank the honourable Minister of Transport and Works, because after repeated requests in here from me about the Train Road and Marchfield Road in St. Philip, both of them have been repaired. I should also like to say that after many requests in here about the buses being stopped from going through Gemswick, formerly Pennyhole, the buses are going through Gemswick again. I should like to put on record the thanks and gratitude of the people of St. Philip South for those things.

However, there are two other roads in St. Philip which need attention, and I believe that these roads were mentioned to the relevant Ministry, even before I mentioned the Train Road and the Marchfield Road. One of the roads is at Burke's Land in Kirtons. I have a letter here from the Ministry of Transport and Works which has been signed by a lady for the Acting Permanent Secretary at that time, and it said that

"Consideration would be given to the request to repair the road when the 1982-83 road programme is being planned."

I believe we are into 1984-85 and I should like to ask the Minister what plans he has for that road at Burke's land?

There is another road in Rices — and these are the two roads that I am getting complaints about — which goes towards the Sunrise Sports Club building and is used by a lot of people. I think that a letter was, in fact, sent to the Ministry of Transport and Works, and I think it was signed by more than forty people who used this road. I do not believe that up to now the road has been fixed, despite the fact that they have been told by letter that the road would have had attention in the 1982-83 programme.

Another thing, Mr. Speaker, concerning the minds of the people in St. Philip is the erosion to the road at Crane. I do not know for certain if I am addressing the relevant Minister, but since the road going down to the Crane has totally disappeared after a certain point, I believe this might be relevant to the Minister of Transport and Works.

4.00 p.m.

In the Estimates for this year, funds have been put aside for the establishment of a lifeguard station at the Crane. I believe, and I have stated it in here before, that before you put up this lifeguard station, the beach and road at the Crane should be fixed, because as Crane Beach is at the moment, no one can use it. So I am asking the Minister, if he has any information, to make it available to us as to what are the plans as regards to Crane Beach.

I believe that, as my colleague has stated, road building and road maintenance should not be a political affair, it should be country-wide, and I believe that, as the honourable Member for Christ Church East Central (Hon. H. B. St. John) has said, the proof of whether this will be a good programme or not lies in the fact that all of us should be able to see that at least we have got something done in our constituencies because of the borrowing of this money.

I would like once again, to thank the Minister for the work he has done in St. Philip South.

Hon. H. deB. FORDE (Christ Church West). Mr. Speaker, my colleague, the honourable Member for Christ Church East (Hon. Dr. R. L. Cheltenham), in a sotto voce manner said that this is likely to be a pothole debate. So may it be, but I must point out, as a politician of some thirteen years vintage in this House, that constituents expect their respective representative to have some of the basic amenities in the constituency properly looked after during their representative term of office in

the House. With the abolition of Local Government, there is no other national mouth-piece for the persons who reside in various areas and lack these amenities, except the Member of Parliament. That is why on an occasion such as this, when the subject matter of the debate relates to road improvement and the expansion of roads, it becomes necessary for each one of us to speak very forcibly about the position of the roads in our own constituencies.

I welcome this programme, because I believe that the major highways of Barbados have long since outlived their usefulness. I will not argue, as some of my colleagues have argued in the recent by-election, that it was not necessary to construct the Speightstown By-pass, that the money should have been concentrated on tenantry roads. I believe that that is a non sequitur. Major highways are extremely necessary to the economic lifeblood of Barbados. We have moved from the donkey cart days to a position where we have in excess of 56 000 vehicles on the road, one vehicle per family. That is a very serious strain on the existing road resources, particularly when some of those roads have not been built to withstand the weight of the vehicles which now traverse them. Therefore, I believe that successive Governments, not only our Government, ought to have paid regard a long time ago to realigning and refurbishing the major highways of Barbados.

The Spring Garden Highway was an absolute necessity. Whether it was the concept of the Democratic Labour Party or the Barbados Labour Party is irrelevant. We must all agree that it is already making a tremendous contribution to changes that are necessary in this country. It could not have been built out of the annual resources of Barbados. Our taxation system, the expansion of the Public Service, the expansion of public welfare and the expansion of the social system in Barbados have a very heavy cost on the revenue which is generated by taxation and other means, and therefore, capital expenditure in Barbados, of the order called for, must come from foreign borrowing, particularly the foreign component of this expansion. In that respect, I believe that money spent on the Spring Garden Highway and the Speightstown By-pass Road is valuable money well spent. I believe very strongly, unlike some of my other colleagues on both sides of the House, that this generation cannot pay for the total development of Barbados. We must borrow at as good rates as possible, and the cost of repayment must be spread over a period of time such that future generations, who will have the benefit of these developments, will shoulder some of the burden. It will not be fair to ask a fifty-year-old lady from Forde's Road or Hart's Gap to pay the levy, to carry the full cost of the Spring Garden or the Speightstown By-pass, so that people who are going to use it twenty-five years from now will not be shouldering any part of their cost. I do not believe in that. I believe that you must borrow

now, repay as much as we can repay, but some of the future cost must go to those who are coming after us as well.

The major part of the expansion from this loan will traverse the constituencies of myself and my learned colleague, the honourable Member for Christ Church West Central (Mr. M. A. King). We both are going to have dislocation. Houses are being removed from parts of Sargeant's Village and Rendezvous Hill, which will affect both myself and my friend, and I understand that part of the relocation will take place at Bartlett's Tenantry and in Simmons' Land. I believe that the Government has had the experience, starting under the last Administration and continuing under ours — they acquired the land and we carried out the project — of removing people to new locations, such as those who were moved from Emmerton to Clapham Park. I wish the Minister's assurance that the relocation of those residents from the areas which I have mentioned will be done in such a manner that their conditions will be better and improved, and that they will have the sort of amenities that should now be in every home in Barbados. I want to see the basics of water, light, proper toilets, good fencing, improvement of their housing conditions, and I am telling the Minister that, in my experience, if these things are in, those persons are prepared to buy the spots to which they are moved, they are not prepared to merely remain tenants. I am on behalf of the residents of these areas who are being affected sounding a warning that I do not want them to be rushing around and carted out of their homes without knowing where next they are going, or not getting any improved conditions.

Sir, I think you have had the experience of going through my constituency when you were Minister of Transport, but it has been very difficult for me to convince some of your successors that Christ Church West is a constituency in which there are areas which are just mud tracks. The honourable Minister, after I wrote him, explained to me, whether jocularly or otherwise, that he thought I represented a middle-class constituency. Perhaps, he conceived of Christ Church West as Navy Gardens, Blue Waters and that area.

4.10 p.m.

I think, Sir, you had the experience of coming to my constituency when you were a Minister on a rainy morning — I did not arrange the rain, but the good Lord was kind to me — and having your car stuck. I would like to give the Minister a similar welcome. I think that his advisers ought to know that between Rendezvous, Goddard's Supermarket, and Amity Lodge, other than for Brewster's Road, we have some eight hundred people who have no roads at all. They walk in pure mud. Some of them have to take two pairs of shoes if it is raining to come on to the highway, and it would shock people to know that this happens. In fact, when that part of the

constituency was added to mine in the last election, a few months before the election, I started to canvass this area and found that there was no lighting in the area. There is no proper water system. You see almost three or four inch pipes going through. You went around there with me, Sir, and you started doing some of the work. This is right in the very Rendezvous. The Terrace is above, Amity Lodge is above, and you have well over 700 people, going close to 1 000, without the basic amenities in that part of Christ Church.

That is not all, Sir. When I won in 1971 — and the honourable Members will be conscious of this — I was shocked to find that Bonnetts had no basic amenities. Between 1966 and 1981 I managed to persuade my colleague, the Leader of the House, to visit with me. We did a survey, and 54 per cent of the people in the area had no running water in their houses, and no light. Most of them were single parent homes. We were able to correct that to some extent by building a new housing area and improving the area.

I want to tell the Minister of some of the areas. If he goes into Forde's Road, he would be shocked to find what it is like there. My learned friend, the honourable Member for Christ Church West Central, talked about the old cart roads, the white roads. There are parts of Forde's Road and parts of the very Dayrells Road in which we have not got the white cart road. I personally have had to spend a few thousand dollars to repair a road, to put in a cart road, next to the Gospel Hall in Dayrells Road, because I could get no reaction when I first came in this Parliament to get anything done in that road. I pulled my pocket and got Mr. Bostic from Rockley New Road to fix it. That is why I speak very strongly on these matters, because I know the difficulty.

There was an old lady, the late Mrs. Simmons, who I think the honourable Member for Christ Church West Central knew too, because we were both running for that part and he beat me very badly in Rockley that time; he would recall both Mr. Percival Simmons and his wife who are now dead. I remember when I went to their house for the first time. She said, "Mr. Forde, I hope you will not be like another of the politicians, because I have had a promise from Mr. Talma, I had it from Mr. Goddard, I had it from Mr. Lynch, I had it from Mr. St. John and I had it from Mr. Morgan. I hope I will not get it from you and never see it accomplished, that I would die before I get the road here finished." That was finished during your time, Sir, and the old lady died some months after that road was put in.

My colleague, the Leader of the House, says there is a housing area in Christ Church. That is true. I got it because the Christ Church constituencies I believe are now more densely populated than even the St. Michael constituencies. The honourable Member for Christ Church

West Central, the honourable member for Christ Church East Central and myself have the fastest growing constituencies in this island. There are now over 10 000 constituents in Christ Church West, in a small land area, and therefore it is a mistake to believe that they have not got needs.

In Dayrells Road, Godding Land, Clarke's Avenue, Brathwaite's Gap, there is pure mud. I am complaining on the floor of the House, because whenever repairs are attempted in my constituency, it is a little patch work. I have written to the Ministry of Transport and asked why, if they are repairing a road in Balmoral, they cannot also barbergreen it at one time. At Amity Lodge they are now doing patch work and as soon as the heavy rains come, it is gone. That is a waste of time and money. It is not proper to do that sort of thing. If you are going to spend the money this way, do not spend it at all.

I am seriously urging on the Ministry that they should aim to provide at least eight tenantry roads in each constituency in Barbados every financial year. Honourable Members should not have to come in here and vie in order to get things like these done. I am not even begging because I made my position clear. The people of Christ Church West pay the Transport Levy per square mile they pay more than anybody else in Barbados — and I demand — I am not asking, I am not begging — I demand proper services for my constituency from the Ministry, and I am going to continue to flood that Ministry with letters, because I will, if necessary, pile them all on the floor of this House one day to show that I am not getting any benefit of any significance in that constituency in relation to tenantry roads.

I am not the only one who has this grouse. I know of other constituencies — like Drax Hall in the constituency of the honourable Member for St. George South — which have the same complaint. I believe that we have, if necessary, to borrow money to attend to the serious problem of tenantry roads. The great tragedy is that it is always the man at the lower end of the economic ladder, he is not in the Terrace, he is not in the Drive, he is not in the Crescent — he is always in a Gap, and he cannot get basic facilities.

When I came into politics they billed me as a conservative, for political purposes, but I believe that when it comes to social conscience, I think I have as much, if not more than, as members in this House. I would pull my pocket, if I had all the resources, to do the roads in my own constituency, because I think the people deserve it. Whilst I know that the Minister himself has had problems in his own constituency

Asides

Hon. H. deB. FORDE: I am not saying the Minister has not got problems. I am conscious of that. I do not

know if he has barbergreened everything now. What I want to say is that they must not have in that Ministry the concept that the Christ Church constituencies are middle class or any such foolishness. They have as much need, if not more, as some of the other places.

Sir, I want to say a word about St. Peter in relation to the loan, not about lights. I believe that the Government has spent money well in the northern parishes, and we have on hand the project for building a highway from Greenland to Checker Hall. I think that is a very vital project. It is necessary to open those areas to economic development, and I stress it. I think, though, that we give the wrong impression if it is made to appear that this Government has not done quite a bit in St. Peter since it came into power only eight years ago.

In relation to roads, I have seen the benefit of the Government's work in St. Peter. I understand they also plan to do other roads shortly in St. Peter. I would not want my friend, skilful politician and advocate though he is, to then turn around and accuse the Government of only doing the roads at this time in view of an upcoming by-election, a second by-election. I hope I do not hear that. Unfortunately, since the abolition of Local Government, and I think sometimes because of the disparities in the District Councils, we have not had the impetus on tenantry roads as we ought to have had.
4.20 p.m.

I am concerned about the long term manner of physical development in Barbados. If we open various areas and only have six houses on a hill, and the Government eventually has to take all of the services and maintain them, it is bad. I think we have had development that has not been consistent. We have not had the best physical planning in the development of various areas. I would like to see done what was done with the people in Springhead.

It would have cost much more to have taken water and electricity to the people in Springhead in St. James than to have brought the people and given them a model development in Sion Hill, as was done by the honourable Leader of the House in his own constituency. And if you look at the Sion Hill development which was done in the last eight years – I believe, Sir, you were in the planning of that as well – it is a development that one can feel proud of, just as if you look at the Clapham Park development, started by the honourable Member for St. Michael West Central (Mr. P. M. Greaves) and continued by us. Those are what I call model developments. So hand in hand with this loan, I wish the Minister's assurance that a site and services programme is going to take place so that when we are having re-alignment of roads, people are moved where the services happen to be and their position can be upgraded.

I hope to hear from the Minister his proposals for treating all of us. I am not only begging for myself. I have great needs, but I do not believe that my needs are the only needs, and therefore I always say to my constituents that they cannot expect everything to be done, having regard to the fact that there are some other 230 000 more Barbadians expecting equal treatment. I am not selfish, but I do get very concerned when I find that I am not getting my fair due, and it is about that that I have spoken.

I am sure that this is not a pothole debate. Major road development must continue, at least for the balance of this century, if we are to tackle the very serious problems of roads in Barbados.

Rt. Hon. E. W. BARROW (St. John). Mr. Speaker, it is rather unfortunate that we have to go to the World Bank to repair roads in Barbados. From the early days of local Government administration, the responsibility for road repairs used to be divided, not always equally, but certainly between Local Government and the Central Government. We had an institution known as the Central Road Board and we had the Vestries in the respective parishes – these carried out a certain amount of road repairs – which from year to year would submit to the Central Government their priorities in so far as the construction and repairs of roads in Barbados in their respective parishes demanded.

The roads in Barbados have been allowed to deteriorate over a period of years. They have been so neglected that we now have to go to the World Bank to do something which is more of the nature of a domestic chore than a capital development programme, and for this we must blame the present Administration. No matter how spectacular you may consider the contracts awarded to overseas contractors for the Pine Road Development, other matters adumbrated in the Physical Development Plan are gradually coming into focus. People who drive motorcars, ride bicycles and walk on the existing road system here in Barbados have for years been complaining about the serious deterioration which has taken place over the past eight years, and I should like to enjoin the Government not to be afraid to come in here in the Estimates under Non-Recurrent Expenditure to make sure that there is a sum there designated for the maintenance of the road system in Barbados. They should not have to wait on the tender mercies of the World Bank or any other international institution before we can bring the road system back up to the level of safe maintenance to which we were accustomed before. That is all I wish to say on that subject.

I wish to ask the Minister of Transport and Works if he is aware that everything on, above and below the railway line, which commences here in the Fairchild

Street Market and goes all the way down to Belleplaine, is vested in the Government of Barbados. There was some discussion earlier in this debate by the honourable Member for St. Philip South on the train line in his constituency. There have been rapid encroachments in various parts of the country, particularly in the Carrington Village area, on what used to be the surface of the railway line, and I do not think that the Ministry has been vigilant enough about these encroachments.

Certainly long after the railway ceased to function, I used to enjoy walking on a Saturday morning from Bridgetown.

Asides.

Rt. Hon. E. W. BARROW: I could not ride in those days. The present Governor-General was my Scout Master, and he used to walk along the railway line, sometimes as far as Sunbury in the parish of St. Philip. Now, it is very difficult. When you get to places like Rouens, parts of the railway line have actually disappeared.

I wonder if the Minister is aware that there is a gentleman, using bulldozers and earth levelling and earth moving equipment, operating in the parish of St. John, who is levelling or doing some other destruction to the railway line in my constituency, starting in the vicinity of Glenburnie and going down to Martin's Bay. Quite a lot of earth moving has been done — I will tell you his name in a moment because it is not anything, I am prepared to give information — and I want to know if he is doing it with the Minister's permission. He claims that he is putting in a train which he and some other overseas investors are buying from one of the sugar plantations in Guyana. He has some kind of half way house; not in the sociological sense, but a half way house where the people will stop and get refreshments, and he is going to charge the people for using the Government's railway line.

My constituents want to know from the Minister whether he is aware of this development, because if the rights, the way-meal, the easement of whatever it is to that railway line is now going to be divested from the general public, we feel that some Resolution should have been brought in here giving this particular proprietor the right, or easement, I call it, or way-meal or whatever it is to the particular gentleman. The gentleman's name is Mr. Hunte, and he used to operate bobcats and other earth moving equipment. I cannot be more specific than that. I cannot remember his first name. There are so many of that tribe that I might call the wrong name and malign one of my good friends.

This is going on now. I went down yesterday and I checked it out myself. I want the Minister to go down and see that another part of Government's property is being expropriated. If the Minister has an understanding

with the gentleman, just let us know, and all we want you to do is to come in here and let us discuss it and say whether this is in the best interest of Barbados. If the Minister does not know about it, I am bringing it to his attention, and I would invite him to ask the gentleman to desist from destroying the beauty of the St. John landscape and destroying the property of the Government and people of Barbados.

Hon. V. L. JOHNSON rose.

Mr. SPEAKER: Is the honourable Minister winding up on behalf of the Government?

Hon. V. L. JOHNSON: Yes, Sir.

Mr. SPEAKER: Is there any other honourable Member who wishes to make a contribution?

The honourable Minister may proceed.

Hon. V. L. JOHNSON (St. Michael West Central): Mr. Speaker, I have paid careful attention to all that has been said in respect of the Resolution before the House, and I would like to give the House a more detailed briefing on the purpose of the Resolution than the honourable Minister did when he spoke. The purpose of this Resolution is to acquire permission of the House for the borrowing of \$11US million, which will form part of the total cost of financing a project estimated to cost approximately \$40 million over the period July 1984 to 1988.

The nature of the rehabilitation is fairly comprehensive. It is not merely road repair. The honourable Member for St. John (Rt. Hon. E. W. Barrow) said it is unfortunate that we now have to go to the World Bank to do what he described as "domestic chores", but it is more in the nature of a general upgrading of the road facilities in Barbados, of a magnitude that we have not really undertaken in recent times, certainly not in my memory. We have done general highway rehabilitation as a routine measure in the Ministry of Transport and Works from its inception, and we still continue to do routine road maintenance, pothole mending and that sort of thing, but what we have in mind in this particular exercise is far more comprehensive.

One of the major components of the project is to do with general highway safety, and that is becoming an urgent matter. As honourable Members have mentioned, the roads in Barbados were not designed to be utilised in the way they are now being utilised, it was not contemplated at the time of the original designing of the roads that the class of vehicles that are now operating would be using these roads. The consequence of that is that with higher speed limits, with wider vehicles and with roads that have remained essentially the same, we

have been encountering a fair number of problems with respect to negotiating corners and roads that have very limited sight lines.

We have started on a part of this rehabilitation work in the area of the Springer Memorial School. Those members who are familiar with the Springer Memorial School realise that it has a very large student enrolment, and that the students are on evenings and mornings having to compete on the roadway with buses and trucks and motorcars, which constitute a very serious safety hazard for those children. In order to alleviate some of that problem or all of it, we have decided to provide a footpath within the boundaries of the Government House wall. In other words, the children will be moved off the Government Hill road altogether and will be placed on a footpath inside the general confines of Government House. They will be walking on what is now Government House boundaries, on what will be a secure pedestrian walk. We believe that this will alleviate some of the suffering that is bound to ensue if we permit the situation that now obtains to obtain for much longer. In order to avert that class of tragedy, we have decided that it is expedient and urgent that we upgrade that section of the Government Hill road as a matter of urgency, and that project has already started, and that is part of the rehabilitation works that will be financed from our own resources locally.

In addition to Government Hill, most of the major highways particularly Highway 2A will be upgraded. The entire stretch of highway between Warrens and Mile-and-a-Quarter will be upgraded. We will strengthen the roadway with a mixture of bituminous and concrete product in order to reinforce the road bed in a way that would better accommodate some of the larger vehicles that now operate on that highway. There are three dangerous bends and gullies, and we are going to be realigning these bends in a way that would provide for greater pedestrian and traffic safety operating on Highway 2A.

On Highway 1, one of the major causes of concern for a great number of years has been the intersection with Highway 1 and Bridge Gap. Bridge Gap has a very narrow entrance that is a very dangerous exit on to Highway 1. We believe that it is now necessary for us to open up Bridge Gap on to Highway 1 and improve the turning radius so that Bridge Gap will be able to become useful as a secondary exiting point on to Highway 1, and on to the Westbury Road without the present dangers that inhere in that particular situation.

Moving further north, we propose to upgrade the junction with Yearwood Road and Highway 1, Brighton. At the Brighton wall it is proposed to step in again to provide a pedestrian footwalk between Brighton Road and the Carlton Supermarket, because we have observed

that a number of children going to St. Stephens School and Ellerslie School has to use that roadway, and it is a very dangerous exercise indeed having to walk against the wall with all those big vehicles fighting for road space. So we are going to improve road safety there by providing a pedestrian footpath and we will improve the existing junction of Yearwood Road and Highway 1 at Brighton. In other words, that entire section will be upgraded so that we will have safer exit and entry points on to the secondary roads.

Another dangerous point on Highway 1 is Johnson Road in the Fitts Village area, right next to Jordan's Supermarket, that point where the big sandbox tree is. It is a very dangerous corner indeed — there is absolutely no sight line. One has to come out of that road and come out praying that there is nothing coming, and in order to avert what I am sure would be a fatal accident at that point, we propose to remove some of the wall at that house adjacent and open up that highway so that the sight line will be improved and the traffic existing from Johnson Road will be able to come on to Highway 1 with greater safety.

Part of Highway 1 upgrading will also include the area of the Road View cemetery wall. The cemetery wall as it is now does not provide for the kind of sight distance that we would need coming off the new Speights-town By-pass. We are going to remove the cemetery wall and take back, in order to accommodate traffic exiting from what might be regarded as that new, semi-high speed by-pass.
4.40 p.m.

I heard the honourable Member for Christ Church West Central talking about the need to do roadworks in St. Peter as a matter of urgency, I should like to tell him that it does not require the prospect of a by-election in St. Peter for us to carry out what we regard as necessary road improvements. The Barbados Labour Party Government has developed a plan, and in that Development Plan, we have anticipated the kinds of things that need to be done in a five year period, and we have a fairly comprehensive grasp of what needs to be done, as a matter of urgency in some respects and as a matter of good, forward planning in other respects.

With that in mind, therefore, the Speightstown By-pass Road will be extended so that in the area where one comes into the Six Men's area, the Sherman's Shipping Bond area, that very dangerous corner will be straightened. Plans have already been drawn — they will be taken to the Planning and Priorities Committee not too long from now — engineering works done and relocation studies gone into for the extension of the highway going past Heywoods, by-passing that very dangerous bend that is now existing in that Sherman's corner and, generally, realigning the road in a way that would allow for smooth

flow through the Six Men's area. All of this has already been planned and is only now awaiting the execution stage, and this also form part of this particular programme which is now before the House.

Somebody, not too long ago, made the observation that the intersection of Church Street with the Speights-town By-pass is a dangerous intersection. When I came to the Ministry of Transport and Works, approximately eighteen months ago, we looked at that intersection and we determined that, as it now stands, the potential for accidents is far higher than we would like to see it. I have therefore already approved the posting of traffic signals on that junction in order to improve safety, because I myself have been witness to a number of accidents in that area.

If I had been Minister responsible for Transport and Works at the time when the Speightstown By-pass was to be executed, I would certainly have acquired some of the land that now belongs to Oldham in St. Peter in order to provide for greater safety. Sometimes we allow considerations of what we sometimes describe as "human compassion" to encroach upon matters of good engineering judgment. Even though we could have seen that that would not have been a safe situation, unfortunately, we have allowed that road to be built without providing the kind of sight distance that would be necessary when one is exiting from Church Street on to that By-pass Road. That is therefore going to be corrected by traffic signals.

If I may just, while I am in this area of St. Peter, touch on some of the points that were raised by the honourable Member for Christ Church West Central, I should like to tell him that the Government has already undertaken general road improvement in the area of St. Peter. The By-pass Road is but only one example. We spent a substantial sum of money in St. Peter long before there was any prospect of any by-election. Nobody could have foreseen the prospect of a by-election at the time when we approved and started the programme of rebuilding what is known as Tom Bend Gap. It is a very major piece of work indeed in the parish of St. Peter. That road was in a very bad state of repair at that time. We built a section and substantially upgraded what existed. What we now have there is a very improved barbergreen surface costing in the area of about half million dollars. We have spent a very substantial sum of money to upgrade the entrance to The Whim in St. Peter — again long before any thought of a by-election entered anybody's mind. That road was improved and finished well before the by-election. Those persons who are able to bring objective judgement to these matters know that it is not possible to do the engineering work on a road project of that magnitude, and to execute the project, within any short period of time.

I should like to give the assurance to all persons who might be interested in these matters that the Government has a very systematic way of going about its business in respect of road rehabilitation. I know that all the honourable Members in here would like to see us do work in their area, but the resources of the Government will not allow us to do everything that needs to be done. One of the classic examples of that is that, in my own constituency, I will have to forego some of the things that are glaringly in need of being fixed. I will have to by-pass those and ask my constituents to wait until I have had a chance to get around to them, because we have so many other things that will occupy our attention.

I mentioned that one of the components of this road rehabilitation programme was highway safety. In addition to that, we have a component in for what is described as "institutional strengthening." The Ministry of Transport and Works has been much maligned over the years, and with some justification, because of the level of inefficiency with which our programmes are executed. One of the unfortunate things of the Ministry's structure is that we have a manpower component, very large numbers of people, which includes persons who have to work all day in the sun. Some of them are not in the best possible health, and others touch the bottle a little bit, and as a consequence, they spend a good portion of their time resting, rather than working. It turns out that we have to spend far more money in our highway programme than we need to spend, because we do not get value for money in so far as the work in concerned. But yet, we have to be fully conscious of the social responsibility of the Government.

There is an easy way to do it. We can buy machines and put the machines to do much of the work that men now do. But in order to replace men with machines, we have first to dislodge people. I do not think it is possible, at this stage of our development, to contemplate the prospect of dislocating large numbers of people, even though they are only marginally productive, in the interest of the level of efficiency that we would anticipate. We had a great deal of talk with the World Bank when we were negotiating this loan, because they felt, coming from a developed society, that we had not been paying enough attention to this aspect of it. We had to argue very long and very hard. We told the World Bank that we are conscious of our problems and that they will have to understand that we are men who understand the Barbadian situation far better than they do, and in the circumstances, therefore, we would have to allow for a fairly substantial human input where they may have preferred to see larger machinery input.

What we have been doing in recent times to help improve the efficiency of the Ministry is to give some of our projects out to private tender, because the private

contractors are able to do work in much shorter times than we are able to do it in the Ministry. You would have seen that the Barbarees Hill resurfacing and the White Park Road resurfacing up to Bank Hall is being done by private contract. It is with this consciousness that we need to improve and become more efficient as a Ministry, that this institutional strengthening component has been included in this project, part of which calls for a Materials Handling Section.

4.50 p.m.

Much of the materials that are paid for in the Ministry of Transport and Works never reach the sites; in many cases, they never leave the quarry. In order for us to better manage those resources that we have to purchase, and on which we have to depend for our road building, we have to have a greater monitoring of the materials that flow through the Ministry. Therefore, the department has been set up under a Superintendent of Works, assisted by an Assistant Superintendent. Those gentlemen are responsible for the qualities of the Ministry. Their job is to monitor every single load of marl, sand, grits or bitumen that passes through the Ministry in a way that will tally with the quantities that are required before a project begins. One of the things that I have instituted is that, before a project, the Ministry's quantity surveyors and engineers have to design a programme, and having designed it, the design has to be accompanied by a bill of quantities that will let us know in advance what the project is estimated to cost and how much material is expected to go on that site, so that we can more carefully monitor the materials component of our works programme.

In addition to this materials aspect, we have to take a close look at the accounting of the Ministry. The World Bank has required that we provide, to their satisfaction, an accounting system, and I think it is Peat, Marwick, Mitchell & Co. which has been chosen to carry out that aspect of our programme. So the Ministry over the period of this project will be able to incorporate into its own accounting structure some of the accounting measures that the World Bank itself would regard as adequate and suitable for a Ministry that spends the amount of money that our Ministry spends. In that respect, therefore, we will expect that over the period of this loan, the Ministry of Transport and Works will have improved itself in its material handling duties and in the accounting for its projects.

The Government has already started some of the other projects that are going to fall into the ambit of this loan — we have mentioned some of the major ones already — and honourable Members in discussing this matter raised some questions about dislocation and that sort of thing. There will be no dislocation of any consequence occasioned by this particular project, but honourable Member mentioned the Industrial Access

Project, and I think the honourable Member for Christ Church West (Hon H. deB. Forde) and the honourable Member for Christ Church West Central (Mr. M. A. King) are concerned about some dislocations to some of their people when this road passes through their area.

It has always been the policy of this Government — as a matter of fact, the Minister of Finance has stated it repeatedly in very forceful terms — that under no circumstances must any house be moved as a consequence of a road realignment or road improvement programme, or any other programme, without making certain that those persons so affected are materially better off than they were when they were removed. A classic case in point can be seen on the Bridge Road, where the new bridge was built. There was an old lady living below the bridge level, and when we attempted to move her house from behind the bridge in a more acceptable location, we discovered that the house was not in a state that would allow us to put it back up with any assurance that it would stay up for any length of time. We have provided a new house for that old pensioner. This is not a welfare house. This is a very substantial property that can be seen as one goes down on to the new bridge-way on the left hand side of the road. That old lady has been particularly graceful in accepting the discomfort that went along with building the Bridge Road Bridge at a time when she was in the way of all our works, and we felt in the circumstances that she had in her declining years to be afforded and accorded a level of comfort that would constitute humane feeling on the part of this Government.

All houses that are moved will get waterborne facilities where there were none before. They will get fences where there were none before, and they will get secure groundsills where there were none before. I would like to give assurance to all honourable Members that if any of their constituencies are affected by the Industrial Access Road realignment, in each case it is the intention and policy of this Government to make sure that those persons so affected are not any worse off and, as a matter of fact, are better off than they were before.....

Asides.

Hon. V. L. JOHNSON: Mr. Speaker, the honourable Member is telling me to come out of the sun. But I have to deal with the points raised by the honourable Members and make sure that they are all touched.

The honourable Member for St. John mentioned the railway line in St. John. I am aware that there is a gentleman down there who has been doing some unauthorized works. It was brought to my attention only last week, and subsequent to that information coming to my attention unofficially, I received a letter from the gentleman in question stating that he would like to carry out those works — I understand he has almost completed

what he intended to do – and we are now investigating to see what kind of authority he had for going on. As I understand it, he is proposing to put a road in along the train line and then charge admission to persons seeking to go into that area where the train line runs from Glenburnie on down to Martins Bay. So we are looking into that.

Sir, I believe that the Members have a general idea of what the purpose of this loan is for. There is also a component in it that will provide for the provision of trucks and other vehicles that will be necessary in the execution of this project.

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

Hon. L. S. CRAIG: Sir, I have a few measures to give notice of, and I hope to do them in all of their stages. I will have a word with Members on the other side.

Mr. SPEAKER: If the honourable Member intends to give notice of new measures to deal with them in all of their stages, I would rather that these notices be given now and then we take the recess and come back so that the members of the Opposition will have some time to look at them.

GOVERNMENT NOTICES

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

A Resolution to grant the sum of \$7 492 000 from the Consolidated Fund and 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. 4, which form the Schedule to the Resolution.

A Resolution to grant the sum of \$111 111 from the Consolidated Fund and 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. 5 which form the Schedule to the Resolution.

A Resolution to approve the borrowing of \$3 551 850 from the Royal Bank of Canada (London) for financing the purchase of the property at 263 Tottenham Court Road London W.I, to house the Offices of the Barbados High Commission and other associated bodies.

A Resolution to approve the borrowing of \$1 710 150 from the Barbados National Bank (London) for the purpose of refurbishing the property at 263 Tottenham Court Road London

W.I, to house the Offices of the Barbados High Commission and other associated bodies.

A Resolution to grant the sum of \$1 399 135 from the Consolidated Fund and 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. 6, which form the Schedule to the Resolution.

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

I also propose that the Bill be now read a first time.
5 p.m.

FIRST READINGS OF BILLS

On the motion of Hon. L. S. CRAIG, seconded by Hon. Del. O. BRADSHAW, a Bill to amend the Stamp Duty Act, Cap. 91 was read a first time.

Hon. L. S. CRAIG: I will seek to deal with these measures in all their stages later today.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I beg to move that the sitting be now suspended until 5.20 p.m.

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

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

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

ANNOUNCEMENTS

DETERMINATION OF ELECTION PETITION

Mr. SPEAKER: Before we proceed with the usual business of the day, I have an announcement to make. I am in receipt of a letter dated 1984–09–07, which reads as follows:

“Sir,

OWEN SEYMOUR ARTHUR Petitioner

vs

SYBIL FRANCES PHILLIPS First Re-
LEACOCK spondent

and

PETER TIMOTHY

Second Re-
spondent

I have the honour to forward herewith, in compliance with section 46(1) of the Election Offences and Controversies Act, Cap. 3 of the Laws of Barbados, a Certificate as to the determination made on the 6th day of September, 1984 by the Election Court in respect of the abovenamed Election Petition.

I am,
Sir,
Your obedient servant,

W. R. DOUGLAS
Chief Justice."

The other document reads:—

"No. 912 of 1984

IN THE SUPREME COURT OF BARBADOS

ELECTION COURT

IN THE MATTER OF THE ELECTION OFFENCES
AND CONTROVERSIES ACT, CAP. 3 OF THE
LAWS OF BARBADOS.

AND IN THE MATTER OF THE REPRESENTATION
OF THE PEOPLE ACT, CAP. 12 OF THE
LAWS OF BARBADOS.

AND IN THE MATTER OF AN ELECTION FOR
THE CONSTITUENCY OF SAINT PETER HELD
ON THE 19TH DAY OF JULY, 1984.

BETWEEN:

OWEN SEYMOUR ARTHUR Petitioner

And

SYBIL FRANCES PHILLIPS First Re-
LEACOCK spondent

And

PETER TIMOTHY Second Re-
 spondent

Before: The Right Honourable Sir William Douglas,
Chief Justice
The Honourable Mr. Justice Williams and
The Honourable Mr. Justice Husbands.

CERTIFICATE

The above Petition coming on for hearing on the 4th, 5th and 6th days of September, 1984 and the Court having taken evidence and heard Counsel on behalf of the parties, the Court determined that the election held in the Constituency of Saint Peter on the 19th day of July, 1984 was void.

The Court further ordered that the Petitioner and the First Respondent should have costs against the Second Respondent, in each case certified for two counsel, the Petitioner and the First Respondent undertaking not to proceed with the enforcement of the order against the Second Respondent personally.

Dated this 7th day of September, 1984.

W. R. DOUGLAS
Chief Justice."

and it is signed by Mr. Justice Williams and Mr. Justice Husbands.

Therefore, in accordance with section 46 subsection 5 of the Election Offences and Controversies Act, Chapter 3 of the Laws of Barbados — the House of Assembly shall order that the Certificate and report be entered into the record of these proceedings, and direct that the return made to this Honourable House be altered to reflect the decision of the Election Court.

On behalf of this Honourable House, I so direct that those steps be taken.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that a Message be sent to His Excellency the Governor-General for the issuing of a Writ for an election to be held in the light of the Certificate you have received.

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

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

BORROWING OF TREASURY BILLS NOT EXCEEDING \$100 000 000

Order No. 23 was called — To move the passing of the Resolution to approve the borrowing by the issue of Treasury Bills further sums not exceeding \$100 000 000 to pay off at Maturity Bills already lawfully issued and outstanding.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, from time to time it is necessary to come to

the House to authorise an increase in the amount of Treasury Bills issued in this country. It happens in all countries. I observe that President Reagan has had to go to Congress to ask for the American national debt limit to be raised to one trillion dollars. In Barbadian terms, that, I believe, would be a billion dollars, so we are still, remembering that America has a thousand times more people than us, somewhere behind American debt levels.

Be that as it may, a total of \$325 million in Treasury Bills has been authorised for issued by Parliament. At the present time \$323.7 million has been taken up, leaving space for the issue of only another \$1.3 million in Treasury Bills. As honourable Members will recall, our financial programme for this year is that current revenue will be just over \$611 million and current expenditure, including the civil servants' salary increase, is \$602.3 million. Capital expenditure was budgeted at \$195.6 million, although we will surely not spend that amount.
5.30 p.m.

The Estimates estimated a total of \$133 million in projected financing, which was identified as follows: foreign loans — \$26 million; loans from the banking system and the National Insurance Corporation — \$48 million, debentures — \$28 million; and Treasury Bills — \$35 million. To take up that \$35 million in Treasury Bills will be impossible unless we increase the Treasury Bill limit, and we will, in fact, probably need it this month, because July and August are the worst months for cash flow for the Government. For this reason, we urgently need to pass this Bill.

I am asking for \$100 million because you do not like having to come back to Parliament every six or eight months to increase the Treasury Bills. At the same time, I do not like to ask for too much, because Parliament, in my view, should have regular access to debating time on matters concerning the national debt. This new limit will accommodate the requirements for the remainder of this financial year and will leave room for further issues of Treasury Bills during the next financial year.

It is estimated that the overall public debt will increase from \$818.5 million at the end of 1983 to \$860 million at the end of 1984, which is an increase of 5 per cent. I think that this is a reasonably modest increase in the public debt. I myself feel that it may be perhaps restricting expenditure a little bit to attempt to hold ourselves down to so small an increase, but the better opinion may be, perhaps, that if the Government wishes to expand its investment in its capital spending programme, it would be better to have a small increase in taxation, particularly to accommodate salary increases for public workers, so as to make existing funds available for the capital works programme. But time will tell.

The honourable Member for St. Michael South Central (Dr. R. C. Haynes) who will on this occasion, I understand, be understudied by the \$40 million economist, the honourable Member for St. Philip South, keeps complaining about the size of the foreign debt. The foreign debt is expected to increase by no more than \$200 000 this year because the increase in foreign loans, which are all project loans so far contemplated, is being matched by repayments of earlier foreign loans. It is understood that the debt will go from \$340.3 million to \$340.5 million during the course of this year, but its proportion to the overall debt will fall from 42 per cent to 40 per cent. On the debt servicing of the foreign debt during the course of this year, we are expecting to pay \$70 million in interest and \$36 million in amortisations.

Our export earnings this year are expected to be \$626 million, up from \$512 million last year, and our net earnings from tourism are expected to go to \$463 million to \$480 million. That is what we receive from tourism minus what Barbadians spend on travel abroad. That may be a little bit modest, since, so far this year, the increase in the number of tourists is running at around 10 per cent, and it just looks as though we will get back to almost the levels of 1980, even if not to the levels of the record year 1979, in the number of tourists coming to the country. Certainly in the first half of this year we have already had the second highest number of tourists to ever come here in those months.

The debt service of the foreign debt, which was 8.5 per cent in 1983, is expected to rise to 9.7 per cent in 1984. That includes all the components of debt, and it still remains very modest.

Mr. Speaker, that is the background to this Treasury Bill increase. It only remains to say that yesterday the Cabinet had an economic session with the Governor of the Central Bank, and arising out of that session the Central Bank has agreed to guarantee a borrowing in another area as long as it gets a Government guarantee, for which I give informal notice that I shall be applying to Parliament in due course. This will be a housing loan of \$10 million to be made available to the Barbados Mortgage Finance Corporation to provide housing mortgages for the many Barbadians who need such. The Central Bank will underwrite this loan and undertake to take out any portions of it which are not sold to the general public. This is the first time that the Central Bank will be underwriting a housing loan, and I hope that honourable Members will hang their heads in shame, having heard Dr. Blackman's admirable answer to all of his critics at the topping out ceremony of the Central Bank Building a couple of days ago, and having seen that the Central Bank, which so far has been extremely public-spirited in its support for programming in industrial and tourism loans, will also now be supporting the Government in its housing programmes by underwriting as much

as \$10 million to the Barbados Mortgage Finance Corporation. We expect this money will be available before the end of the year so that we can see our thrust in housing for 1985, which we hope to get underway early in the new year.

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

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

Mr. M. A. KING (Christ Church West Central): Mr. Speaker, the right honourable Member for St. Thomas has indicated that the money is required to pay off Treasury Bills which have become due to the tune of some \$35 million. I should like to know when it is expected that the remainder of the \$100 million in bills in respect of which all that money is to be paid; in other words, when are they expected to mature.

Rt. Hon. J. M. G. M. ADAMS: Treasury Bill mature every month. I am not sure how many are maturing this month; \$28 million, \$30 million is the amount that mature every month. Perhaps \$28 million will mature this month and we will ask for \$35 million.

I notice in today's Central Bank's edition that in the funds at this time last year, the Central Bank was holding, I think \$65 million in Treasury Bills. This year it is only holding \$56 million, so perhaps the Central Bank would likely be taking up a few more Treasury Bills. This time in 1981 I believe it was holding \$120 million. This is the process known as printing money, but the number is about \$30 million a month. It varies by the month.
5.40 p.m.

I support that, in theory, the \$100 million will be needed by the end of the year to pay off bills that will mature between now and December, but we will issue the new bills as the time passes. Of course, it is only new issues which bite into the \$100 million. In all probability this month we need more than the \$1.7 million which is available to us. We may need an extra \$5 million or perhaps \$7 million, so we will take a bite starting this month, but the overall amount should last up to the end of next year.

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

**RESOLUTION TO BORROW \$3 551 850 FROM
ROYAL BANK OF CANADA (LONDON)
FOR PURCHASE OF PROPERTY**

Order No. 38 was called – Hon. Minister of Finance, to move the second reading of a Resolution to borrow the sum of \$3 551 850 from the Royal Bank of Canada

(London) for financing the purchase of the property at 263 Tottenham Court Road, London W1 for the Barbados High Commissioner's Office and other associated bodies.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, I am really very grateful to all honourable Members for allowing notice of this Resolution to be given and for it to be dealt with in all its stages today. I am particularly grateful to you.

The situation is that the Government of Barbados is a lessee of a property in Upper Belgrade Street, running off Belgrade Square in London, which was acquired during the last regime and which is perhaps familiar to all honourable Members. The lease is expiring, and the Government has for some time been considering alternative arrangements for housing its High Commission in London.

A property was offered to us by our estate agents which seemed too good to be true. It is not situated in a diplomatic area. I believe that the only embassy which is near to it is the Cuban Embassy, but it is still very much in the mainstream of London, and as far as Barbadians who live in Great Britain are concerned, it will be much easier to get to than Upper Belgrade Street, which was not situated near any underground station.

This property is right on Tottenham Court Road in a very fast developing area. There are two new skyscraper properties built on the other side of the road, the new Post Office tower is within very easy walking distance, and on the other side of Tottenham Court Road there are a number of vacant sites which have been earmarked for development. So I think perhaps this is one of the fastest growing parts of London; it certainly is a part in which property values are not by any means falling, because smaller older properties are being rapidly demolished to make way for new skyscraper blocks.

The property offered to the Government is intermediate between small, older and skyscraper. It is a solid five storey building, a corner building at 263 Tottenham Court Road which formerly housed a branch of Lloyds Bank. It is already provided with separate elevators going to different parts of the building, the ground floor already has very substantial display space, a huge banking hall and large display windows. There is a mezzanine floor let into a part of the banking floor on the ground and there is a great deal of other space. I think it is 14 000 square feet as compared to the present 8 000 which we occupy in Upper Belgrade Street and perhaps a thousand at Bruton Street, which Caribbean Airways occupies.

The Government intends to move all its agencies and the office of Caribbean Airways into this building. The Tourist Board will be able to have a ground floor display location where hundreds of thousands, if not millions, of people will pass everyday and see the names of

Barbados. The Barbados National Bank will also be opening banking premises on the ground floor where previously they have occupied the basement of the building in Upper Belgrade Street. The High Commission's office will be much larger and the top floor of the new premises, while we do not intend to convert it into a flat, will offer some rest and changing facilities.

Since the building will have its own lift, every floor will easily be used, while at present at Upper Belgrade Street, there being no lift, access to third and fourth floors is a good deal more difficult. I went and inspected this property along with the estate agents and looked at the plans for conversion. I had to put in a word for my part of the premises, namely, the Barbados National Bank — I think they were going to hide this away in the first plans which the Ministry of Foreign Affairs had prepared — but I think we should give Barbadians some indication that the Government does have a branch of their bank in London, especially since it is the savings of Barbadians which are partly making possible this purchase.

We are borrowing £1 350 000 from the Royal Bank of Canada, but we have borrowed otherwise from the Barbados National Bank itself for the deposit on the property, which it has raised out of its overseas assets, in other words, out of the savings accounts which it holds and out of assets which it held in New York. The Barbados National Bank is also putting up the sum of £500 000 for refurbishing and conversion of the property. I think that the whole operation is a tribute to the increased sophistication of our financial institutions in these last few years. That the BNB should have assets out of which it can finance the Government buying premises in London in which it can share means that the BNB is going to increase its income in Britain because the Government will have to pay its interest just like any other client, although in the first rates of interest which they demanded of us they were trying to treat their own Government like one of the wellknown Third World defaulters rated #120 by the international banking institutions and charge us 3 per cent over LIBOR rates to borrow the money. We have come down to reason now with the BNB, and the Royal Bank of Canada has charged us a margin much more in keeping with Barbados' relative stability in financial terms of 1% over LIBOR, which at present stands at 10 7/8%, along with the 1/8% which the Royal Bank itself will have to pay if it is making a sterling loan in London under the Bank of England's own rules.

I do really think that we could not have waited for a better time to buy the building. If we had sought to buy a new building two years ago, instead of \$Bds 3½ million that we were borrowing, we would have to be borrowing Bds\$5 million to get the same building. During that time perhaps property values have not risen very

much in London, but the pound went up to \$5 at one point, but it is down now to \$2.60. I do believe that we have got a bargain and that with the help of the BNB we will convert that bargain into a building in London of which Barbados can be proud.
5.50 p.m.

Barbadians who go to England will be right in the centre of a tourist district, close to the eastern end of Oxford Street, close to the Post Office Tower, quite close to Trafalgar Square — you can walk down to Trafalgar Square from this domain; they do not mind walking for the eight to ten minutes, and they will be able to see the name Barbados — the Barbados National Bank, the Barbados Board of Tourism, a big picture of what we have to offer, and Caribbean Airways as well to tell you how to get there.

I should like to congratulate those in London, especially Miss Lolita Applewaite, who has just yesterday been appointed a Permanent Secretary and who will be coming back to Barbados. She is the first woman Permanent Secretary.

Applause.

Rt. Hon. J. M. G. M. ADAMS: I should also like to congratulate Mr. Symmonds, the then High Commissioner, and all the others who have had the energy to pursue this particular exercise in London.

I beg to move that this Resolution, which is very urgent, Mr. Speaker, do now pass.

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

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

BORROWING OF \$1 710 150 FROM THE BARBADOS NATIONAL BANK (LONDON)

Order No. 41 was called — To move the passing of the Resolution to approve the borrowing of \$1 710 150 from the Barbados National Bank (London) for the purpose of refurbishing the property at 263 Tottenham Court Road, London W.I. to house the office of the Barbados High Commission and other associated bodies.

Rt. Hon. J. M. G. M. ADAMS: I have already spoken on this, Sir, and I beg to move that this Resolution do now pass.

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

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

THE LAND DEVELOPMENT DUTY (RATE OF DUTY) ORDER, 1984

Order No. 19 was called – To move the passing of the Resolution to approve the Land Development (Rate of Duty) Order, 1984.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, I much regret having to tell the House that, as a result of an oversight at the time when the Heywoods-Speights-town area, the Deep Water Harbour extension area and the Spring Garden –Fontabelle areas Land Development Orders were made, no rate of duty was placed upon the sales of land covered by the Orders.

This oversight has only recently come to my attention, as Minister, when I sought to find out how many sales there had been and how many collection of duties there had been in these areas.

When the Land Development Duty Act itself was being amended a number of years ago to remove the Betterment Levy, my view was that I would normally always charge the maximum rate of Development Duty, which is 50 per cent, and this is the rate which I have fixed.

I therefore beg to move, Sir, that this Resolution, which will approve that rate for these three areas, do now pass.

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

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

THE SPECIAL DEVELOPMENT AREA (ST. BARNABAS ROAD) ORDER, 1984

Order No. 24 was called – To move the passing of the Resolution to approve the Special Development Area (St. Barnabas Road), Order, 1984.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, I am making a new Order in respect of St. Barnabas.

St. Barnabas Road is a lovely road. You drive over it and you look down into the St. George Valley. I think it is one of the most sublime roadscapes that exists in Barbados, whether by day or night. I travel on it a great deal more that I used to since I have moved to Ilaro Court.

It will be as necessary to enforce a land development regime for St. Barnabas as for anywhere else,

especially since the road is going to be connected to Warrens in one direction and the airport in another. This will make land alongside it even more valuable.

I have already made the Order, and I am now asking the House to approve it. The specific base date is 1 April, 1984. This will be the date from which any sales will pay duty, since the road was deemed to have been completed on 31 July, 1983. Therefore, sales which go up to 31 March, 1994 will be covered by this Order. The rate of duty will also be 50 per cent.

It is necessary for us to pass these Orders because it was a condition of the Loan from the Inter-American Development Bank that the Government passes Special Development Orders so as to allow a gain to the taxpayers, a portion of the increase of the value of land adjacent to the new road.

I beg to move, Sir, that this Resolution do now pass.

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

Mr. M. A. KING (Christ Church West Central): Mr. Speaker, St. Barnabas is now being made into a special development area. True enough we have a good road in that area, but an ancillary facility in the vicinity, in the form of proper street lighting, is certainly needed in the St. Barnabas area, because when one drives that road at night, it appears that, as you come over the hill and approach the roundabout and the roads in the vicinity, the absence of street lights in that area presents a hazard for the total housing area and for the motorist as well.

Since the area is now being declared a special development area, and clearly the rate of duty applicable thereto would be of concern to the land owners in the area, proper street lighting facilities should accompany the development of that area. I wish to urge that the Government pays special attention to that, at this time.

(Hon. DeL. O. BRADSHAW: I am the representative. I know the area.)

Mr. M. A. KING: I wonder why the representative did not make that point.

(Hon. DeL. O. BRADSHAW: You do not play at every ball.)

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

PROPERTY TRANSFER TAX (AMENDMENT) ACT, 1984

Order No. 36 was called – To move the Second Reading of a Bill to amend the Property Transfer Tax Act, Cap. 84A.
6.00 p.m.

Rt. Hon. J. M. G. M. ADAMS: Sir, 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. L. S. CRAIG, seconded by Hon. L. R. TULL, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee on this Bill.

Clauses 1 and 2 were called and passed.

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

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

FINAL APPROPRIATION (1983-84) ACT, 1984

Order No. 22 was called - To move the second reading of a Bill to grant an additional sum of money out of the Consolidated Fund and appropriate the same for the service of the Island for the Financial Year ended 31st March, 1984.

Rt. Hon. J. M. G. M. ADAMS: Sir, we have known situations where there is a debate on a Final Appropriation Bill. I hope that this will not be one of them. This is the Final Appropriation Bill 1983-84. We have met all of the criticisms of the honourable Member for St. Michael South Central (Dr. R. C. Haynes) regarding bringing the Bill late to Parliament. They used to bring it four years late, we only bring it four months late. It is not even four months, it is not late at all now.

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

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

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. L. R. TULL, Mr. SPEAKER left the Chair and

the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee on this Bill.

Clauses 1 - 4 inclusive were called and passed.

The Schedule was called and passed.

The Preamble was called and passed.

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

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

DEFENCE (AMENDMENT) ACT, 1984

Order No. 21 was called - To move the second reading of a Bill to amend the Defence Act, 1979-25.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir something like the Defence Act will always require amendment as you meet new situations, and we have had one or two situations. One thing we have discovered is that the Defence Force does not have the protection which the Police Force has, namely that persons shall not wear uniforms or parts thereof which so closely resemble the Defence Force uniforms as to deceive the public. The Police Force has full protection, the Defence Force has some protection, but camouflage uniforms have never been protected, and there was an incident where persons became alarmed as a result of seeing certain people in camouflage uniforms, which they took to be the uniforms of the Defence Force. The Chief of Staff and other officers obtained the agreement of certain retailers of cloth in Bridgetown not to sell anymore of the Defence Force camouflage uniform material. In fact, the Defence Force had to buy up all the camouflage material in Bridgetown, but they now wish to avoid this kind of situation in the future.

6.10 p.m.

It may be all very well in the United States, where if in New York you see a man walking down the street in camouflage uniform, wearing a red beret, you know that the Red Berets are not stationed in New York, you know that they are 1 100 miles away at Fort Bragg or wherever. But in Barbados, in such a small island, I really do have a feeling that there is some danger of deception just as there would be with any police uniform. If four

men wearing camouflage uniform and green berets come up to your house, you might very well admit them, thinking that they are members of the Defence Force, and I really would be glad if the Force could be given this protection in all the circumstances.

Two other sections of the Bill are connected with the first one. One is increasing the amount of money which has to be paid by a member of the Force if he buys himself out — the maximum amount of money — if he buys himself out very soon after training and the period of service which is required after training. Again, these are very similar to the bonds in the Public Service. If you are in the Public Service and you get training leave, you are customarily bonded to return and work out your training leave, and it is the practice in all armies where you are not normally, when you sign on, allowed to resign, to allow people to buy themselves out.

An examination has been made of the cost of training a member of the Defence Force. It amounts to approximately \$4 000, and we therefore are saying that if you retire from the Force at a very early stage, you have to repay a part of that. We are raising the amount you have to pay to half, which is \$2 000. It is not a great problem, but some people do buy themselves out of the Defence Force, and some people, perhaps a little frivolously, have sought to buy themselves out. You do not make it difficult for them to leave from the training, but we think there may be some inducement for them to stay once they have been trained.

The pension section, which is complicated, really affects a comparatively small number of persons at the moment, but it has created some difficulty. It has created a difficulty for the former Chief of Staff who has never, I believe, got the complete pension emoluments to which he is entitled, and I look forward to his being able to have his pension recomputed and a really substantial amount of back pay, whatever it amounts to, added to his pension. It also relates to present and future Chiefs of Staff.

Unlike most public officers, the Chief of Staff can be removed at will. I do not think that anybody would wish to see the Governor-General remove a Chief of Staff, and the Chief of Staff then suffer enormously in financial terms. In Britain a Field Marshal is paid a salary for life. In the Soviet Union I saw recently that they still had on strength about four years ago no less than 1400 retired Major Generals, a Major General being a Divisional Commander, the Soviet Army having no rank of Brigadier and having a very, very large army. They happen to have an exceptional number of Generals, and all of them were being paid their salaries for life.

It is in the nature of a soldier's work that he may rise suddenly to great heights, and then perhaps, if he survives, he finds that his services are no longer needed. Therefore, Sir, the new section 226B allows the Chief of Staff, if he is removed, to be deemed to have retired at the age at which he is removed, so that he will get Civil Service accretion of office terms.

We also think that we do not need soldiers to do all the work which is at present being done in the Defence Force, that much of the work can be done by civilians, and we need statutory authority for the Defence Board to employ such civilians and to pension them under the Pensions Act and Pensions Regulations as if they were civil servants.

I do not want to have a long debate on Defence, Sir, but I may mention that in many of these matters the Defence Board finds that there are problems. This Bill arises out of the fact that quite often in the Defence Force we have had to deal with the buying out of soldiers. Quite often on the Defence Board we have been hearing of the different pensions problems which can arise, and we are also considering the question of civilian employees from time to time, and this would really facilitate the work of the Defence Board.

In all the circumstances, Sir, I beg to move that this Bill be now read a second time.

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

Mr. M. A. KING (Christ Church West Central): Mr. Speaker, earlier in the course of this day's sitting I raised the question about dealing with all these matters at a sitting like today, and I certainly had no problem dealing with the matters which were urgent. I wonder what urgency there is dealing with a matter like the Defence Act which we have not had time to study. In it you have provisions where the Chief of Staff is, I suppose, in a similar position as the office of Prime Minister, where on retirement, irrespective of how long he serves, he gets his pension. These are matters which need study, and I am urging that at this time further consideration of this Defence Bill be postponed, because I see nothing urgent about it which needs to be dealt with and completed today, so that we can study the full implications of it.

There are money Resolutions being dealt with. You say that money is needed to be voted to pay wages and salaries, and to get the Government projects on stream, but what is the need to rush this one?

Rt. Hon. J. M. G. M. ADAMS: On a point of explanation. I thought it was obvious in my speech. These are matters which are coming up at the Defence Board all the time. We have people who are seeking to be bought out, we have the pension of the former Chief of Staff to

consolidate, and we have civilian staff that we are waiting to employ. In fact, there is a civilian staff there whose position we want regularised. We will surely have another opportunity to debate Defence.

Mr. M. A. KING: On a point of order, Mr. Speaker. We are in the position where we are here having to take the assurances of the right honourable Member for St. Thomas on all these issues. What function are we serving as a Parliament if we are not given time to study the issues and debate them? Are we to take his assurance on every issue which comes before us? After all, we are in an adversarial context. The whole purpose of Parliament is that we debate issues. If we are to sit here and accept the assurances of the right honourable Member on every single issue, we serve no useful purpose. We may as well not been here.

Mr. SPEAKER: If the honourable Member is making an objection, I would have thought that that objection would have been made when the item had been called, because I told the honourable Member that if they felt strongly about any matter which was called by the Government, they should have indicated. The honourable Member allowed this matter to be dealt with in Second Reading and only waited until the Minister sat down then to raise his objections.
6.20 p.m.

Rt. Hon. J. M. G. M. ADAMS: I understand the honourable Member, Sir. We have more urgent things that we can do instead. The Establishments Supplementary is very, very urgent.

I would second the honourable Member's motion.

Mr. SPEAKER: This has happened in this Chamber before. I have made a careful research in May's Parliamentary Procedure. A member of the Opposition is never entitled to move further consideration of a Public Bill. If the honourable Member wants to do that, he will have to move such a Resolution.

Rt. Hon. J. M. G. M. ADAMS: I seek to withdraw the motion that has been already seconded, and I move that further consideration be postponed, but take note that I have completed my speech.

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

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

Order No. 17 was called – To move that the House resolve itself into Committee of Supply to consider the grant of sums of money for the service of this Island.

Hon. L. S. CRAIG: Sir, I am going to do No. 17, as well as the one which was given notice of today, the one for \$1 399 135. We will do both in Committee.

On motion of Hon. L. S. CRAIG seconded by Rt. Hon. J. M. G. M. ADAMS, Mr. SPEAKER left the Chair and the House went into Committee of Supply, Hon. H. deB. FORDE in the Chair.

COMMITTEE OF SUPPLY

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

I understand that the right honourable Member for St. Thomas wishes to proceed with the Resolution. If there are no objections, the right honourable Member may proceed.

SUPPLEMENTARY ESTIMATES 1984-85 NO. 6 – \$1 399 135

Rt. Hon. J. M. G. M. ADAMS: Sir, this is a very urgent matter indeed. Since the Estimates for last year were prepared, there has been some expansion of the Public Service.

First of all, in the Customs I have created a new position of Assistant Comptroller, an extra one; three Senior Customs Officers; three Customs Officers I; three Deputy Comptrollers of Customs; four Assistant Comptrollers of Customs; – we are increasing the number of Deputy Comptrollers from one to three, and the number of Assistant Comptrollers from one to five – and a Driver/Messenger. All of these posts have been created.

In due course, a new structure will be established. In the short-term, however, we can only deal with this by creating temporary posts. They are being occupied by existing established officers. But the sums of money needed to pay them have to come from the Establishments Board. We are saving money on their Civil Establishments salaries, but you have to pay them on a temporary post.

In the Prime Minister's Office, there has been a new Clerk/Typist; Telephone Operator; two Steno-Typists; a Senior Training Officer for six months; a Special Assignments Officer and also an Assistant Supervisor of Emergency Services to bring certain CERO things up to date.

In the Ministry of Information and Culture, there is a new Director of Communications, people who look after the community centres and a maid.

The entire licensing apparatus of the police, licensing of motorcars and driving licences, has been transferred to the Ministry of Transport and Works, as has been the Parking Assistants and Supervisor of Car Parks, so you have a Chief Licensing Officer, a Deputy Chief, an Administrative Officer, a Senior Vehicles Examiner, a Senior Transport Inspector, a Transport Inspector, Clerical Officers, Senior Testing Officers, five Testing Officers, an Engineering Student, an Accountant, and an Assistant Accountant. Most of these people are policemen who have gone over to MTW. Their salaries are being saved at the police, but you have to pay them from the Establishments Board.

In the Registry, there is a new Deputy Registrar, a Cook and a Maid. Legal Affairs has nine Legal Trainees. There is a Statistician.

Asides.

Rt. Hon. J. M. G. M. ADAMS: We have had to pay them without a vote. I heard they finished last Friday, but they have to be paid. They have got their salaries, I hope.

At the prison, the demands of the prison have had to be met by creating fifteen temporary posts of Prison Officers to take care of the large increase in the prison population, at a cost of \$152 000. There is a principal Prison Officer and two Senior Prison Officers.

We have new people at Agriculture, Establishments, Planning and Finance, and we have also established a new service at Town and Country Planning. We now have a building inspectorate to carry out the inspection provisions of the Town and Country Planning Act and we have had to employ four Building Inspectors at a cost of \$61 000 a year.

The situation with the police is really the most urgent of all. The police have a number of Constables in Grenada, and they have lost a number of people to the Ministry of Transport and Works, Constables, Sergeants and Inspectors. The police cannot employ any more people than they have on their Establishment, and these officers who have gone to Grenada are still on the Establishment, so are the ones who have gone to MTW. It may be legally possible, and we are investigating this, for an officer who is seconded from the police to a temporary post at MTW to have his place filled, but it is not possible to do it with the ones who are in Grenada. 6.30 p.m.

The Commissioner of Police has represented that he must have a number of policemen. He wanted fifty. While we investigate whether the ones at MTW can be replaced, I have decided to give thirty temporary posts of police officer.

This is a real departure. You do not normally have temporary policemen, but the Commissioner of Police is going to swear them in as, I think special constables.

Asides

Rt. Hon. J. M. G. M. ADAMS: I hear the Minister for Police telling me fifty. But twenty will come from filling the MTW posts, thirty will be temporary posts. He will swear them in as special constables and put them through a crash course at the Police Training School. They would not be on the road for some time, but he wants them available for beach patrol and matters of that sort in time for the tourist season. He wants thirty people to protect the visitors to Barbados, St. Philip South, Christ Church East Central, Christ Church West Central, St. James North, Christ Church West, St. Michael and St. James South. If we do not do it now, he really will not have time to recruit and train them for the tourist season, and if we do not pass this money really by the end of this month, even if we could recruit them, they would not be able to get any pay, nor will many of those other temporary staff I mentioned be able to be paid.

A lot of people have worked very hard to bring this Resolution to the House today because the problem with the police really only arose in its most urgent form you can very well say this month, this week decisions were only finally taken, and I really thank honourable Members for dealing with this matter in all its stages today. This will allow all these things to be done up to the end of the current financial year, and the size of the supplementary does not represent an increase in Government expenditure, because many of these posts being paid are held by officers for whom a salary is voted somewhere else but which they cannot draw, and I therefore beg to move that this Resolution do now pass.

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

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

SUPPLEMENTARY ESTIMATES 1984-85

No. 3 - \$75 898

On the motion of Hon. Miss. B. A. MILLER, seconded by Hon. L. S. CRAIG, the Resolution was passed.

SUPPLEMENTARY ESTIMATES 1984-85 No. 4

Head 74- Ministry of Agriculture, Food and Consumer Affairs was called and passed.

Head 77 - Ministry of Foreign Affairs was called and passed.

SUPPLEMENTARY ESTIMATES 1984-85 No. 5

On the motion of Hon. L. S. CRAIG, seconded by Hon. DeL. O. BRADSHAW, the Resolution was passed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. DeL. O. BRADSHAW Mr. Chairman reported the passing of four Resolutions in Committee of Supply and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. L. S. CRAIG seconded by Hon. L. R. TULL, the Resolutions were read a first and second time and agreed to.

Hon. L. S. CRAIG (St. James North): Mr. Speaker, Order No. 30.

Mr. M. A. KING (Christ Church West Central): Mr. Speaker, this is one of those matters which we on this side strongly urge should not be dealt with on this occasion. It is an amendment to the Education Act, and it certainly has serious implications.
6.40 p.m.

Hon. L. S. CRAIG: If the honourable Member would give way, Sir; I have appreciated your co-operation all day. I think we have worked quite well. But in light of the re-opening of school on Monday, this is very, very important to the Minister. It is one of the Items which I intended doing very early in the day, but I thought of getting some of the money Resolutions out of the way.

I would ask honourable Members to appreciate the urgency of these two items under the name of the Minister of Education.

Mr. M. A. KING: Mr. Speaker, I was making the point that.....

Hon. L. S. CRAIG: I explained to you that in light of the re-opening of school on Monday, it is very important to the Minister.

I indicated to her earlier in the day that I would have had them done, and they should have been done. I hope you would appreciate this.

We gave way to you on the postponement of the Defence Act. I think we can agree on some form of reciprocity on this occasion.

Mr. M. A. KING: Mr. Speaker, I have raised the point that this matter has come before this House as a result of a Supreme Court decision in this matter.

There was a section of the Education Act which obviously created problems.

Mr. SPEAKER: The honourable Member must not debate the Bill.

Mr. M. A. KING: I am not debating the Bill, Sir. I am trying to explain to you why I consider that this matter should be postponed. It is when we proceed with matters like this in a hurry, without having time to study them and to bring to bear the necessary debate, that we run into the kind of problem which led to the problem in the first place.

It is up to the honourable Members on the other side if they want to rush through matters in this form and fashion. We do not have the numbers. We cannot stop you from doing them. All we are suggesting is that, in the interest of getting legislation properly on the Statute Book, proper time should be given for full consideration of those issues so that you could get the best input from all sides. If that is not required, it is up to honourable Members on the other side.

It appears to me that none of us, by virtue of having these amendments at the last possible opportunity, would be in any position to make any substantial, substantive and effective contribution to a debate on a matter which must be of tremendous importance to all of us in this community.

Hon. L. S. CRAIG: Sir, I am quite sure that we on this side have listened to the honourable gentleman quite carefully. You may not be aware of how important it is to the Minister. If she errs, or if an error is made, we on this side have collective responsibility, and we have to share that responsibility.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I would urge upon Members that we go to dinner now. I can assure you that the Minister is quite anxious to have this matter done.

I beg to move, Sir, that this sitting do now stand suspended until 7.30 p.m. this evening for dinner.

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

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

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

EDUCATION (AMENDMENT) REGULATIONS
1984

Order No. 30 was called – To move the passing of the Resolution to approve the Education (Amendment) Regulations, 1984.

Hon. Miss B. A. MILLER (City of Bridgetown): Mr. Speaker, this Resolution to amend the Education Regulations arose out of certain omissions and anomalies which are contained in the Education Act of 1982, some of which are well known to us.

The amendments are necessary in order to make clear provision for the Minister, in relation to the admission and transfer of pupils in public schools, to provide for the designation of an appointed day for the transfer of assets and liabilities from the former governing bodies to the Crown, and to provide for the preservation of certain terms and conditions of service of teachers who hold permanent appointments with the former governing bodies.

Without going into particulars -- there are only just two sections before us -- I think it is quite in order to ask that this Resolution do now pass.

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

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

EDUCATION (AMENDMENT) ACT, 1984

Order No. 37 was called -- To move the Second Reading of a Bill to amend the Education Act, 1981--25.

Hon. Miss B. A. MILLER (City of Bridgetown): Mr. Speaker, this Bill to amend the Education Act will, among other things, make provision for the admission and transfer of pupils.

We have had to amend a few sections of the Act, so as to make it very clear, beyond any doubt, beyond any peradventure, what the functions of the Minister will be in relation to the admission and transfer of pupils in the public schools, and particularly in the secondary schools in Barbados.

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

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

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

On the motion of Hon. Miss B. A. MILLER, seconded by Hon. H. B. St. JOHN, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 10 inclusive were called and passed. 7.40 p.m.

On the motion of Hon. Miss B. A. MILLER, seconded by Hon. Dr. R. L. CHELTENHAM, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. Miss B. A. MILLER, seconded by Hon. Dr. R. L. CHELTENHAM, the Bill was read a third time and passed.

STUDENT REVOLVING LOAN FUND (AMENDMENT) ACT, 1984.

Order No. 34 was called -- To move the Second Reading of a Bill to amend the Student Revolving Loan Fund Act, Cap. 54A.

Hon. Miss B. A. MILLER (City of Bridgetown): Mr. Speaker, this Bill would amend the Student Revolving Loan Fund Act, generally speaking, in order to extend the area of eligibility for loans from the fund.

I think it is fairly well known that the Government entered into an agreement with the Inter-American Development Bank in 1977 which saw the establishment of the Student Revolving Loan Fund. We have signed another agreement on February 1 of this year for a second loan in the sum of US\$2 million to continue the Student Revolving Loan Fund, and under this extended Loan Fund, the very scope of the operation of the fund has expanded. The fund will in this second tranche become available to a number of students to whom it was not available before, students from the Samuel Jackman Prescod Polytechnic and the Barbados Community College and those in the Skills Training Programme, under the National Training Board will all now become eligible to receive loans.

The ceiling of income of parents and guardians has also been extended so that a greater number of people will become eligible to receive these loans as well. The interest rate, of necessity, has varied somewhat. Formerly it was fixed at 5 per cent per annum, now it may be fixed by the Management Committee of the fund between 6 per cent and 12 per cent with higher rates applying to under-graduate and graduate study programmes.

We have also changed the method of accessing the maximum family income ceiling from gross income to disposable income, that is your after-tax income. I do believe that this will make the Student Revolving Loan

Fund generally accessible to a far greater number of people and embrace a number of other institutions, some of which have already made application, where formerly the students would have never enjoyed this privilege.

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

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

Hon. H. deB. FORDE (Christ Church West): Mr. Speaker, my qualification for speaking on this Bill is that I am, perhaps among Members of the House, the guarantor of the largest number of loans under the Student Revolving Loan Fund, so I have had on several occasions to go to the Ministry in order to assist many persons seeking loans.

Aside

Hon. H. deB. FORDE: The Minister reminds me from her seat that they enforce whenever there is a failure to honour the obligations. I have been most fortunate in that those persons for whom I have stood as a guarantor have all been honouring their obligations promptly to the fund. I also think all are qualified and are used in their respective careers — a few are still studying — and have used the money sensibly.

I am aware of the constraints under which the Inter-American Development Bank has placed the operation of this fund. I simply wish to ask the Minister what possibilities exist for persuading the bank to expand the qualification criteria for those who wish to use the fund. At the moment there is a certain discrimination against children from middle income homes, in fact, the lowest scale of the middle income homes, because of the qualifying 'ceiling' placed on the fund. There have been ways of getting around this. For instance, if a person is working for a year, that person will qualify on his or her own income without having to use the parents' income as a guideline. But I have known of several deserving cases where the incomes of father and mother — they may be just schoolteachers and not very high in the teaching service, they may be working in supervisory capacities — are aggregated for the purpose of the student qualifying for the loan — there are several deserving cases of which the Ministry itself must be aware — so that young people have not been able to obtain loans under the scheme in order to pursue their various areas of study.

I welcome the extension of the fund now for the purpose of the people wishing to study at the Polytechnic and at the other tertiary institutions in the island. Probably if we can get a non-partisan approach to the subject, we should in the future give very serious consideration to expanding the loan system to our university as well, so that those people who benefit from education

will appreciate the money being spent on it and will in the future have some obligation to pay it back in order to create a revolving fund for other people coming after. Perhaps it is too much to hope that this will happen, but I do hope that in the long term plans of the political parties, we can envisage a position where money is readily available to those who really want to use it for paying for the cost of their education, rather than the cost being a direct and constant cost on the taxpayers, with some people who do not use this opportunity properly not repaying anything at all to the system. There are several other people who wish to benefit from this fund, and I trust that the criteria will in due course be changed to accommodate them.

7.50 p.m.

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, Mr. SPEAKER left the Chair and the House went into Committee. The Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee.

Clauses 1 to 9 inclusive were called and passed.

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

ORDER NO. 20 — RESOLUTION TO APPROVE THE SPIRITS REGULATIONS 1984 AND THE SPIRITS (AMENDMENT) REGULATIONS, 1984

Hon. L. S. CRAIG (St. James North): Sir, this Resolution in the name of the Prime Minister is almost straightforward. The Addendum speaks quite clearly for itself. It is just to make certain amendments in the Regulations.

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

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

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

SHIPPING (INCENTIVES) (AMENDMENT)
ACT, 1984

Order No. 32 was called -- To move the Second Reading of a Bill to amend the Shipping (Incentives) Act, 1982-39.

Hon. L. S. CRAIG: Sir, this Bill certainly has a few amendments in it. It is more or less to repeal section 13 of the 1982 Act.

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

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

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

Mr. CHAIRMAN: The House is now in Committee on the Bill.

Clauses 1 to 3 inclusive were called and passed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, 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. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, the Bill was read a third time and passed.

SUSPENSION OF SITTING

Hon. L. S. CRAIG (St. James North): Sir, this brings us to the end of Government Business for today, and I beg to move that this House do now stand suspended until Tuesday, September 11, at 12 o'clock noon.

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

Hon. L. S. CRAIG: In so doing, Mr. Speaker, I would like to thank the Member for Christ Church West (Hon. H. deB. FORDE) for his assistance in the Chair today as Chairman of Committees. I have no doubt that he has brought his legal knowledge and his scholarly approach to bear in the Chair, and I would like to thank him very much for being away from his very busy legal schedule. I would also like to inform him that I expect to see him here at 12 o'clock noon on Tuesday, and I am quite sure that he, as a true stalwart, will rise to the occasion once again.

Though I know they were off for quite a while — they had quite a long break — I would like to thank the staff of Parliament for the extra hours which they put in. Believe me, I know they have always shown that degree of co-operation to Members of Parliament.

Sir, I want to thank you and the Clerks and I look forward to having another interesting day on Tuesday. I will expect my colleagues to be here at 11.30 a.m.

The question that the sitting be suspended until Tuesday, the 11th day of September, 1984 at 12 o'clock noon was put and resolved in the affirmative without division, and Mr. SPEAKER suspended the sitting accordingly.
8.05 p.m.

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

Hon. L. S. CRAIG: Mr. Speaker, Order No. 21 was postponed for further consideration. I believe that we can do this item now. I beg to move that it be the instant Order of the day.

Mr. SPEAKER: We now resume debate on Order No. 21.

DEFENCE (AMENDMENT) ACT RESUMED

Hon. L. S. CRAIG: I beg to move that this Bill be now read a second time.

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

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. DeL. O. BRADSHAW, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee on this Bill.

Clauses 1 to 9 inclusive were called and passed.

The Schedule was called and passed.

On the motion of Hon. L. S. CRAIG, seconded by Rt. Hon. J. M. G. M. ADAMS, 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. L. S. CRAIG, seconded by Hon. DeL. O. BRADSHAW, the Bill was read a third time and passed.

Hon. L. S. CRAIG: Order 28, Sir.

RESOLUTION TO APPROVE PART XV OF THE
ROAD TRAFFIC REGULATIONS, 1984

Hon. L. S. CRAIG (St. James North): This Resolution, Sir, has been another step in the right direction. You, Sir, and I are well aware of the fact that the Government is doing everything in its power to make travel on the road safe, and whatever we can do to make the motorists and the pedestrians happy in relation to traffic in this country, we are prepared to do.

I beg to move that this Resolution do now pass.

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

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

THE ROAD TRAFFIC (AMENDMENT) (No. 2)
ACT, 1984

Order No 33 was called – To move the Second Reading of a Bill to amend the Road Traffic Act, 1981-40.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Sir, it falls to me to move that this Bill be now read a second time, because its provisions relate to insurance provisions.

The Government is well aware that the law on motor insurance needs tightening. We have been investigating the possibility of setting up a motor insurance bureau so that persons injured by the driving of an uninsured driver can still collect from the insurance companies in Barbados collectively, and there are other aspects of the law which need revision in the light of modern experience.

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

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

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. DeL. O. BRADSHAW, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee on this Bill.

Clauses 1 to 4 inclusive were called and passed.

On the motion of Hon. L. S. CRAIG, 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.

On the separate motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. L. S. CRAIG, the Bill was read a third time and passed.

Hon. L. S. CRAIG: Sir, I have a supplementary Notice Paper from which I would like to give notice of a few items. I should like to do it now.

Mr. SPEAKER: If there are no objections, leave is therefore granted. The honourable Member may proceed.

PAPERS LAID

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

The Annual Report on the Immigration and Passport Department for the year ended 31st December, 1983.

A Statement of Account of the transactions in rum in the several districts of the island for the period April to June, 1984.

12.10 p.m.

Mr. SPEAKER: I think the honourable Member has a Resolution before the Chamber.

GOVERNMENT NOTICES

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

A Resolution to approve the compulsory acquisition of land at Westbury Road, St. Michael, for the purpose of expanding and upgrading the Westbury Schools.

COMPULSORY ACQUISITION OF LAND AT GALL
HILL, CHRIST CHURCH, RE CHRIST CHURCH
FOUNDATION SCHOOL

Order No. 25 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at Gall Hill, Christ Church, for the extension of the Christ Church Foundation School.

Hon. A. TRUSS (St. Michael Central): Mr. Speaker, this Resolution seeks to institute proceedings for the compulsory acquisition of land adjoining the Christ Church Foundation School for educational purposes.

The governing body of the Christ Church Foundation School has, for a very long time, recognized that the teaching of agriculture should be a subject added to the school's curriculum. They have been unable to achieve this because of the unavailability of suitable land. The Minister of Education considers that the teaching of agriculture in the school to be of prime importance, and has given support to the governing body's proposals for the introduction of the subject in the school's curriculum. The Resolution therefore seeks Parliamentary approval for the compulsory acquisition of the said piece of land from Eldica Jones to facilitate the introduction of an Agricultural Science programme for the Christ Church Foundation School.

I beg to move that the Resolution do now pass.

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

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

COMPULSORY ACQUISITION OF LAND AT THE BELLE AND WATERFORD, ST. MICHAEL FOR VARIOUS MATTERS

Order No. 26 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at the Belle and Waterford, St. Michael, for highway construction and improvement, for agricultural, industrial and housing development and also for a sewerage scheme.

Hon. A. TRUSS (St. Michael Central): Mr. Speaker, this Resolution seeks to ensure that the Government takes certain proceedings of importance with the provisions of the Land Acquisition Act for the compulsory acquisition of land of Belleview Estates 1979/80, also known as the Belle Plantation.

The decision to acquire this property was taken after it had been brought to the attention of the Government that Belleview Estates Limited was heavily indebted to the Agricultural Division of the Barbados National Bank. According to the bank's records, Belleview Estates Limited was, at the 31 August, 1984, indebted to the bank to the sum of \$1 687 120. 81. Compulsory acquisition of the property was considered to be the best course of action for the Government to take so that it would be able to circumvent the lengthy procedure of the bank foreclosing on the Estate, or putting it up for auction, buying it and then selling it to the Government.

The land being acquired from the Belleview Estates comprises of a total of approximately 448.7 acres. In order that we can take immediate possession of the estate, the bank is making arrangements to put it into receivership until the property is formally vested in the Government. The Barbados Agricultural Development Corporation will then be appointed to manage the agricultural land until a final decision is taken on its future disposition.

I beg to move, Sir, that this Resolution do now pass.

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

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

COMPULSORY ACQUISITION OF LAND AT LYDIA HILL, CONTENT, ST. THOMAS

Order No. 27 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at Lydia Hill, Content, St. Thomas, for the provision of recreational facilities and for road development.

Hon. A. TRUSS (St. Michael Central): Mr. Speaker, this Resolution seeks to acquire a parcel of land at Lydia Hill, Content, St. Thomas from Dunscombe Estates Limited for the provision of recreational purposes.

Lydia Hill, in Content area, is at present devoid of any such facilities, and it is therefore proposed to utilise the land for the development of a playing field with the provision of hard courts. The catchment area for these sporting facilities is expected to include Porey Spring and Rock Hall, where no such facilities exist.

I beg to move, Sir, that this Resolution do now pass.

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

Hon. H. deB. FORDE (Christ Church West): I am really glad to see that the lands are being acquired for recreational purposes. I believe this is something that should happen in most of the areas where there are no such similar purposes, and I am sure I will have a similar undertaking from the Minister of Housing and Lands and his counterpart, the Minister of Sports, that lands will be acquired for similar purposes both for Rendezvous and those people in Ventnor Gardens.

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

PUBLICATION IN THE OFFICIAL GAZETTE OF
A NOTIFICATION DECLARING THE ABANDONMENT OF THE COMPULSORY
ACQUISITION OF LANDS AT
TUDOR STREET AND
SOBERS LANE

Order No. 29 was called – To move the passing of a Resolution to approve of the publication in the Official Gazette of a notification declaring the abandonment of the compulsory acquisition of lands at Tudor Street and Sobers Lane.

Hon. A. TRUSS (St. Michael Central): By Resolution No. 76 of October 3, 1980, Parliamentary approval was given for the compulsory acquisition of the following three properties at Tudor Street and Sobers Lane – the property known as Youth Town situated at the corner of Tudor Street and Sobers Lane, the property south of Youth Town on Tudor Street and the property situated to the east of Youth Town. The legal process of these acquisitions were never completed since action thereon was halted to allow the Government to consider alternative sites for locating the proposed Youth Centre.

Firstly, the site suggested was Murphy's Pasture. This site was linked to Cat's Castle Development. On that particular score, the final decision was never made. The Community High School premises in Barbarees Hill, St. Michael was then considered, and it was thought to be an ideally located site for the youth complex for the City. It would seem to have more adequate room for both outdoor and indoor sporting, and it was proposed to use this site for the project. This was therefore referred to the Cabinet for further consideration. However, at its meeting held on July 28, 1983, Cabinet concluded that the property which formerly housed the Community High School should not be acquired for the purpose of providing a youth centre, but that consideration should be given to providing a larger grant to the YMCA to enable it to improve and expand its facilities so as to meet the purposes that would be expected to be met by this centre.

12.20 p.m.

As a consequence of this decision, therefore, Mr. Speaker, it was necessary to abandon the acquisition of the three properties at Tudor Street and Sobers Lane, St. Michael, and let them revert to their respective owners. These owners have already been informed by the Government that they are no longer proceeding with the acquisition of their properties.

I beg to move that this Resolution do now pass.

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

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

TENANTRIES FREEHOLD PURCHASE (AMENDMENT) ACT, 1984

Order No. 35 was called – To move the Second Reading of a Bill to amend the Tenancies Freehold Purchase Act, 1980–53.

Hon. A. TRUSS (St. Michael Central): Mr. Speaker, this Bill to amend the Tenancies Freehold Purchase Act, 1980–53 is basically very simple. Section 31 of the Act makes provision for a tenant to be relocated from an unsuitable lot by his landlord to another lot which is considered to be suitable for purchase, on the certification of the Chief Town Planner.

What has happened is that there are certain tenants on plantation tenancies who were relocated by the landlord from a site, specifically speaking, in St. Andrew, which was lacking in facilities, to a site at Indian Ground in St. Peter prior to the proclamation of the Tenancies Freehold Purchase Act, but because they were not living on the present lots during the qualifying period, they could not be considered qualified tenants. Section 31 of the Act therefore is being amended to remove this impediment.

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

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

Mr. M. A. KING (Christ Church West): Mr. Speaker, since the passing of the Tenancies Freehold Purchase Act and other legislation in recent times relating to tenancies, there seems to have been a lot of confusion creeping into the law as to what is the exact position of tenants who occupy land by virtue of their tenancy. There was a time when there was clarity in the law, where five or more persons who occupied land as tenants had security of tenure by virtue of the provisions of the legislation which granted security to them. But since the passing of the new legislation in relation to the development of tenancies, there seems to be uncertainty creeping into the law where there is doubt as to whether where there are two tenants on the land now, the fact that there are two tenants on the land creates a security in favour of those tenants. There seems to be a concept that the law, by implication, has been amended to reduce the requirement for protection from five to two.

It is not good for there to be uncertainty in the law. No one has yet, I believe, taken the matter to court for an interpretation, and perhaps that is the only way where the matter will be clearly defined, but the citizens of this country, of any country, should not be put in the situation where they need to have to go to litigation to have their rights, particularly in relation to tenancies, where the tenants themselves might not be persons of

very great means. It is not entirely in their best interest, particularly where the cost which could be awarded against the losers in the Supreme Court can be so high and demanding on them. In my view, where legislation tends to create difficulties and uncertainties in the law and it tends to creep into the consciousness of people who are affected by it, it seems to me that an effort should be made to look at the legislation anew, see what difficulties are created certainly by the definition section in the Tenancies Freehold Purchase Act and in the other bits of legislation which relate to the protection of tenants, and try wherever possible to provide protection for the tenants, and provide certainty in the law so that people will know precisely what their rights and obligations are.

One of the problems which arises as a result of the uncertainty in the law is that landlords who own land adopt an attitude that they are not going to too easily let their land out to tenants, because they do not know if they are going to get it back — and in what circumstances they are going to get it back. You find that where landlords have lands available, and we know that there is a great scarcity of land for house spots these days, landlords tend to be very cautious in making their land available to tenants. So I am urging that where problems arise, and I believe there certainly are problems in relation to this aspect of the law, that efforts should be made, at the earliest possible opportunity, to come to grips with them and clear up the particular areas as soon as possible.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, the Democratic Labour Party's attitude to the Tenancies Act has never ceased to amaze me. From the very outset they were opposed to the option to purchase being granted to freehold tenants on plantations and on the other tenancies. From the very outset, therefore, they viewed the Act as an object for attack on each and every occasion that it came before this House.

This revolutionary piece of legislation that was introduced by this Government has already endeared itself to the people whom it was intended to benefit. Much more than 3 000 spots have been surveyed, a very large number of people have got their conveyances, whether the conveyance has been closed by deed or it has been closed by an equitable conveyance, because there are a number of people who have paid their deposit and since they are in possession and they have paid the deposit, there is no way at all that you can get them off.
12.30 p.m.

The Government took a long and hard look at the deplorable situation which was in existence in Barbados, in which we had a large percentage of the housing stock in this country, comprising of wooden houses, on land belonging to someone else. People who would

love to improve their conditions were being frustrated in this laudable objective because of the fact that they did not have the necessary freehold. So we passed the Bill. The Member cannot, at this stage, attempt to convince any significant portion of Barbados that this Bill has worked any hardship on anybody. It has great benefits. There are one or two landlords in an around Bridgetown, in and around Oistins Town, in and around Speightstown who have been quarreling, but the significant thing about the landlords who have been quarreling about this Bill is that most of them are people who do not reside in Barbados, or if they reside in Barbados, they are people who have no responsibility at all in relation to ownership.

Mr. M. A. KING: Sir, the point of my submission was not that the Act was working hardships on people because of the fact that there is a landlord and tenant relationship. I was saying that there is uncertainty about the renting of lands. I was making the point that landlords who have lands to rent are reluctant to rent their lands because they are not sure what the position is.

All I am saying is that one is crying for greater clarity in the law so that one knows clearly what the position is. I am not saying anything about hardships, and I am not decrying the existence of the legislation. The honourable Member should not set up arguments in the way he wants to set them up and then try to knock them down. He always does that.

Mr. SPEAKER: The honourable Member must only make an explanation. Thank you.

The honourable Member may continue.

Hon. H. B. St. JOHN: I am very glad that the honourable Member is such a belated convert. I know that my speech would have invoked a statement that he is in favour of it. I should like to know how he would explain his present position with the fact that they voted against the Bill when it came up. That blatant inconsistency will have to be explained at some time in the future.

The Government's concept is that the era of private landlordism in relation to tenantry spots has no place in the twentieth century. What we are trying to do is to ensure that those tenancies that are in existence now are placed in the position in which a fair deal is given to both tenant and landlord.

In the urban tenancies, there is no uncertainty. A landlord is entitled to get the market value of the land for his lot in an urban tenancy — discounted of course, by the cost of the water, roads and lights, if he has not put them in. We are not being unfair in the urban tenancies to any landlord. We are not creating any uncertainty in the minds

of landlords. A landlord can get the full value of the land. What uncertainty are you talking about?

The responsibility for the provision of house spots is the responsibility of developers and the Ministry of Housing. The thrust of the Government's housing plan has only now dawned on the other side. The Government recognized that there is a reluctance on the part of people to pay the Government rent. Rather than taking taxpayers' money and complete buildings and let them to people who would not pay rent, the Government decided that it would shift its policy and provide sites and services projects for people who wish to help themselves knowing, of course, there is a section of the community that one has to provide for because they would be unable, financially, ever to own a house. That is the responsibility of the Government in housing estates. But, having regard to the fact that there was so much rented land around, both in the country and in town, the Government tailored the Tenancies Act to cater for the two different situations. I cannot see any uncertainty. The only uncertainty which we have got is in the minds of the Democratic Labour Party as to whether they should support it or not.

The law is very clear. If you are in an urban tenantry, and there are two or more tenants, you are entitled to this statutory option to purchase. What I should like to see is the Housing Authority exercises its power to declare an area a developed area in respect of many more tenancies in the urban area, so that they can go in with a scheme, approved by the Town and Country Planning, and put in the necessary roads, water and light. No landlord should be thinking of developing a tenantry any more, because it is known that if you are going to develop a tenantry today, you have to have minimal standards, which are acceptable to the Town and Country Planning, relating to the provision of roads, water and light and a minimum lot size. So I do not see how, if you look at the legislation in the scheme, and the pre-existing law, the difficulty could arise. I certainly would not advise anybody to talk about creating a tenantry today, unless you are doing it with the sole understanding that you have to sell the people the land and that you have to comply with Town and Country Planning.

There may be a few individual cases where some old ladies or old gentlemen who own some land and they love their particular grandchildren — although the grandchildren may be living abroad and have no interest in Barbados; they may send back a little five pounds now and again — and being of good, old Barbadian stock, they feel they have to pass the land from seed to seed. It hurts them in their hearts that they have some people on the lands and they would like to get them off before they leave and go to the great beyond, in the expectation that these children would come back home, and when they do they would

have a spot. I have seen one or two of those cases, but there cannot be 100 such cases in Barbados in which this so called hardship is experienced, not when there are thousands of people who are benefitting under this Tenancies Act. If there are a few cases, I am positive that the Ministry of Housing would be able to deal with these individual cases of so-called hardships.

He must not get in here and promote in the minds of the people outside the idea that the Tenancies Act has brought hardship to Barbadians. The people do not believe that. Our duty is to proclaim from the rooftops in here, out there and everywhere that this is a great piece of social legislation. Has the Press not picked it up fully enough yet?

Few other countries in the Caribbean who have our history had the courage to defy an Opposition. We had the courage to defy an Opposition. What is more, we are going to put the Opposition to the test again. The honourable Minister of Housing has pointed out that there are a few cases of hardship in which people have been living on the land by way of family relationship and they want to exercise the option to purchase, and although the landlord may be willing, one or two obstreperous members, sometimes of the same family, who are the real tenants, might not want it. We are going to bring an amendment to allow *de facto* tenants to exercise the same option as if they were the renters, and we will put the Opposition to the test. Let the Opposition vote against that amendment. By voting against that amendment, you will block out 3 000 or 4 000 people from getting the benefits of the Tenantry Act.

12.40 p.m.

What, Mr. Speaker, is really troubling the honourable Member is this. When you take the Tenantry Freehold Purchase Act, the Housing Credit Fund, the thrust of the Government in sites and services and bring those three together, you have a wholistic idea of the impact of these pieces of legislation and devastating consequences they will have a little later on.

Mr. H. A. BLACKMAN (St. Philip South): Mr. Speaker, the honourable Member once again did not respond to what my colleague said, but, in his usual manner, threw out statements and then proceeded to cut them down. My colleague stated that there was a lot of confusion in the minds of landlords and tenants in Barbados and this is a fact. I am going to give examples.

Before I get to those examples, I would like to clear up one point. The honourable Member keeps saying that the Opposition votes against Bills and Resolutions in this Honourable House.....

Mr. SPEAKER: I do not think the honourable Member made such a statement.

Mr. H. A. BLACKMAN: He kept saying we voted against this Tenantry Act.

Mr. SPEAKER: That is quite different.

Mr. H. A. BLACKMAN: I should like to make the position of the Democratic Labour Party quite clear. If the members of the Democratic Labour Party go through a Bill or a Resolution and in this Bill or Resolution there are clauses which are not clear and which can be shown to be misleading or confusing, we take a position that we cannot support that Bill or Resolution. If it is unconstitutional, we do not support it. We are not like certain persons in other places who decide to stand up and speak for forty-seven minutes against a Bill and then vote for the Bill. We do not operate at that level. If we are against a Bill or any clause in the Bill, we vote against it.

The honourable Member who just sat down said no landlord should think of developing tenancies, and he even gave reasons. He said because he had to put in certain amenities and comply with regulations. The honourable Member does not seem to take into consideration the poor people of this country, because when the honourable Member makes that statement, he is speaking strictly to the middle income persons in this country. A poor person who has a little money to put up a little house somewhere cannot go and purchase land. He is looking for some place to rent to put his house. So when the honourable Member is saying that no landlord should think of developing tenancies, what he is telling those poor persons is that they should go and buy land in order to put their house up, and there are many poor people in Barbados who cannot buy land. Instead of saying that no landlord should think of developing tenancies, I believe that landlords should be encouraged to develop these tenancies in order to help the poor people in this country.

I will give examples about the confusion that is in the minds of people about this piece of legislation. I know of a lady in Woodbourne, St. Philip, who was living on a piece of land since 1947, and who was made to move last year or year before. At the beginning of her troubles she went to see quite a few lawyers in this island — I would not call any names, some over there and some over here — and she still had to move.

Recently in Charnocks, a gentleman who owned the land, apparently realizing what this legislation was going to do, sold the land. It had on it quite a few tenants. The person who bought the land, after he realized that he was holding the bag, sold it to another person, and what has transpired is that the tenants have been told, after running up and down, that they will have to pay whatever the landlord asks, because the landlord who bought

it did not know that there were tenants on it. This is what they were told.

Asides.

Mr. H. A. BLACKMAN: I am trying to show you the confusion. The honourable Member says that there is no confusion. If tenants are going left, right, and center to lawyers all over the place and still end up on the wrong end, there has to be confusion. If there was no confusion there would be no need of running up and down — it would be clear. So do not say that there is no confusion. All the honourable Member, my colleague, has said, is that you should look at this piece of legislation to make it more clear for both landlords and tenants to understand what is happening.

Thank you, Mr. Speaker.

Hon. DeL. O. BRADSHAW (St. Michael South East): Mr. Speaker, I heard the honourable Member for Christ Church West Central (Mr. M. A. King) drawing to this Honourable Chamber a matter which has occupied the attention of some people who have, obviously been misled by members of his party. There is no doubt in my mind that since the Opposition party did not support this Bill that every opportunity will be taken to allow people to become confused, or even for them to confuse the people themselves.

I am very surprised to hear the honourable Member say that there is confusion as to whether five tenants living on a piece of rented land or two persons constitute a tenantry or not. That has been the sort of argument put forward by persons on the other side. The honourable Member ought to know that the Act is quite clear on this. It says in the Tenantry Freehold Purchase Act, 1980 in the definition of that Act, that

A tenantry means:

“(a) plantation tenantry;

(b) an area of land that is sub-divided before or after the commencement of this Act into lots or letting as sites for chattel buildings to be used as dwelling houses whether the land is vested in the Crown, Statutory Board, or in other persons but does not include land adjoining.”

12.50 p.m.

It is my contention, and I am fortified in this view, that any two lots or more than one lot of land that are tenanted constitute a tenantry, according to this Act. It is quite simple. There should not be any confusion as to whether the old law applies or whether the five tenants had to be renting to constitute a tenantry. Under the Tenantry Freehold Purchase Act any two lots constitute

a tenantry, and I would go as far as to say that it does not include if the owner of the land has a tenant living adjacent to him. That does not constitute a tenantry at all. Both of those lots have got to be rented or sublet in order to qualify under the Tenantry Freehold Purchase Act. There should not be any doubt in anybody's mind at all.

Government has been trying to protect those persons who have rented for a number of years, as many as 50 years, and the landlords in the end giving them notice. We feel that that is unfair. Tenants have got to be protected, and this Government maintains that this Act sets about to protect the tenants from those unscrupulous landlords. It is not a question of a landlord being sympathetic to a tenant and proceeds to rent him a piece of land and after a period of time he would call upon the person. If a landlord is going to let a piece of land to a tenant and he knows that his children or some relative or he himself would want to use the land at a later stage, he should make it quite clear to the tenant before it is rented. But it is not fair after allowing the person to rent it and not explaining to the person, then to give them notice to quit after some period of time.

There should be no doubt in the honourable Member's mind, or in anybody's mind, as to what constitutes a tenantry under this particular piece of legislation. It replaces the old tenantry qualification.

The other point I would like to make, Mr. Speaker, is that there are some areas of land that have been acquired compulsorily by Government, the tenants on which would have qualified under the Tenantry Freehold Purchase Act normally, but after the land on which they were acquired by Government they found themselves being resited. I would recommend that those persons who initially were qualified to purchase their lots should be offered the land on which their houses were resited at the same price. In other words, they should have an opportunity to qualify as tenants as if they were allowed to remain on the same land.

The National Housing Corporation or the Ministry of Housing and Lands should offer those persons the same right and they should be able to exercise the same right as if they were living on the lands on which they were resited in the first place. I think that this would be more than fair. I think it would be rather unfair to ask those persons to pay a price for the land in excess of the price which they would have normally had to pay had they been allowed to remain on the land and not affected before the acquisition.

I think that point ought to be taken. I think it is a point which has missed some of the officials in the Ministry of Housing. Several people for instance were

resited from Haggatt Hall, if my mind serves me correctly, and in Checker Hall, and those persons have not been informed that they should exercise the right to purchase at the mandatory price in the Tenantry Freehold Purchase Act.

With that, Mr. Speaker, I hope that those two points, especially the one explaining what constitutes a tenantry, are taken by Members on the other side and would certainly clear up the confusion on this particular matter.

Hon. V. L. JOHNSON (St. Michael West Central): Mr. Speaker, the Tenantry Freehold Purchase Act has been described in here as a revolutionary piece of legislation by Members on this side, and apparently still provokes a fair amount of doubt and uncertainty in the minds of the Opposition who, even though they have had a chance to see the out-turn of this particular piece of legislation, are not yet convinced that it is probably the boldest piece of legislation enacted in this country for many years.

I happen to have been associated with plantation tenancies, and I know for a fact that contrary to the opinion that people would be reluctant to come forward to purchase, once all the preliminaries have been cleared, people came forward with the money ready. I know for sure that there are many people who have been involved with these transactions who have paid in all their money and are proceeding in all respects as legal owners of their property, and a measure of pride has surged through their bones, because not only have the people been enabled to buy the property, but the Government in turn has upgraded the area by providing roads where there were none before, putting in waterborne facilities where there were none before, in order to give full complement to this particular enactment.

We ought to be fair-minded and broad-minded enough to be able to say that this has been something which all persons who were in a position to benefit from this enactment have properly benefited. As a matter of fact, there are people far away in New York City who write letters to landlords complaining that they hear the land is being sold and that one sister is getting her name put down when it should be theirs, and so on and so forth, the same kind of byplay and competition for ownership that one would expect to find in another setting is very obvious and noticeable in this particular situation. This tell me that the people who are immediately affected, and even some who are not so immediately affected, are satisfied that this is something spectacular and revolutionary and they want to get in on the action.

With respect to the urban tenancies, I happen to represent a constituency that has a fair number of those,

and some difficulty has been encountered by some of the tenants of those tenancies because landlords continue to raise rents and take other actions that are contrary to the Act. They are not supposed to charge the tenants additional rents without the benefit of a court ruling, but we have lawyers who are writing letters, I know, to my constituents in Crichton's Land giving the force of law to illegality. I have brought this to the attention of some of the offending attorneys, with the hope that they will desist from creating confusion in the minds of the tenants that they can be charged additional rent even though they are occupying tenancies when the landlord has not taken the time to go to the court to get a court order for the increasing of the rent. I hope that those persons who are in a position to assist in this matter will assist by helping the tenants to become fully conscious of the fact that they are entitled under the law to receive a court order for changing the rent where they are living in tenancies. When there is no court order, they are not to pay the additional rent.

1.00 p.m.

I should like also, while this matter is being discussed and the question of tenancies is being canvassed, to draw to the attention of the Minister responsible for Housing that quite some time ago I brought to the attention of the Minister responsible for Housing, that is over two years ago, parcels of land which constituted tenancies, but which were available for purchase by the Government for the creation of sites and services — One area in particular is the Parkinson area in Fairfield — which will alleviate a great deal of the suffering and congestion that my constituents are now encountering. I hope that the Minister sitting on my right will take note and expedite the matter of the sites and services programme at Parkinson so that the people in that area will be able to benefit from the programme of Government which is geared to providing sites and services in the area where urban tenancies used to exist, because I do recognize that the most urgent problem facing this Government is the question of provision of house spots for people who are ready to build.

There are people in Barbados who have sufficient money to start building a modest house. It does not have to be a \$200 000 bungalow; there are large numbers of people in the middle and lower middle, who have \$10 000 or \$15 000 and who, with self-help, are able to provide housing accommodation for themselves and their family. All they need is a little assistance by way of providing a spot, and I am almost having to hide from my constituents now because I am at my wit's end to provide sufficient accommodation by way of house spots for them. They have the money, they have everything that some people have, they have the lumber put down alongside where they are renting, and we have to try to provide the necessary land so that these persons will be able to get some place to live.

I think that one of the mistakes that we tend to make sometimes in evaluating this need is to conclude that people must have access to large mortgages in order to build houses for themselves. I think that is a fallacy. My own experience has been that there are people who will not require any mortgage at all. I do not know where they get the money from, but they have access to some modest funds and they have people in their neighbourhoods who are willing to assist them and give them some help in constructing a house. I should like to see us start paying attention to what I describe as this "neglected class of people." We cater to the middle class interest of people who want to borrow \$120 000 from a bank and who can go to the Mortgage Finance Company and meet the requirements for that, but we tend not to have in place, in my view, a sufficiently comprehensive programme that would enable persons, like the ones I am now talking about, to get on with their programme.

I hope that the Government would continue its business of finding little spots where four houses or ten houses can be put, not necessarily looking for huge 100 acre sites, but small pockets in the urban area, so that what is now slum and derelict housing will give way to improved, modern contemporary facilities that would alleviate some of the housing problems that we are encountering in Barbados. I should also like to commend the Government for the foresight that prompted the passage of the Tenancies Freehold Purchase Act in the first place, and for the initiative that they have shown, and the amending of the legislation, to provide for these persons who have been displaced, who would otherwise have been disenfranchised if this amendment was not brought to the House, and I commend them further on the initiatives that they have shown in respect of the sites and services programme. I only urge the Minister that we look at the implementation stage so that my constituents will have access to Parkinson and Fairfield, which have been in the works for quite a long time.

Hon. H. deB. FORDE (Christ Church West): Mr. Speaker, I believe that my friend, the honourable Member for Christ Church West Central, was seeking information as to the status of persons who may not be on land where there are five or more tenants. There is no doubt that legislation existing prior to 1980 prevented landlords from ejecting off their tenancy persons who had been renting that tenancy for a period of years. The tenancy was defined as where there were five or more house spots. That law has been consolidated into the Tenancies Freehold and Purchase Act, so where there are five or more spots let out for housing to tenants, you cannot eject them without an order from the court. Where there are less than five house spots, it is still possible to eject those persons, but only in circumstances where the tenants do not exercise their option to purchase the land.

It was found that there were several people who had been ejecting tenants who may have been on the land for more than twenty or forty years, and it was not possible for the Government to provide, within the resources then available, alternative house spots for these persons. It was felt but reasonable that where the person wanted to exercise an option to purchase, they should be allowed to do so, or the landlord, faced with the exercise of such an option, would have the opportunity to relocate that tenant to a place that may be more suitable to the landlord's purposes, from a developmental point of view, while assisting the tenant in obtaining a house spot.

It is obvious that any legislation will throw up one or two difficult cases, and the difficult cases have occurred primarily where the land is probably an area of land owned by a family who would wish to give a house spot to one of their children who may be getting married or may have obtained some money to look for his own housing. In such instances, it has been my experience that the Ministry of Housing, through the National Housing Corporation, has tried to assist, because it has recognized that any bit of legislation, particularly legislation on such a revolutionary nature, will create some difficulty.

I am very disappointed with one columnist in the newspaper who considered this legislation as the beginning of a socialist state, whatever that may mean. We have to have some conscience in our community and recognise that there are still many people who are not land owners and who wish to own not acres and acres of land, but at least the land on which they have placed their houses. Both parties, when they have formed the Government of the country, have recognised this and have gone about providing security of tenure for tenants.
1.10 p.m.

In 1955, the Barbados Labour Party Government passed the Security of Tenure Act which gave security of tenure to, principally, all people on agricultural holdings, and to some extent those on residential holdings. That legislation was strengthened further, I think it was in 1963, by the Democratic Labour Party in the Tenancies Control and Development Act, and the legislation has been strengthened much further by the Barbados Labour Party with the Tenancies Freehold and Purchase Act. I believe it shows a conscience on the part of the legislators to recognise a social difficulty and to have provided some answer to that social problem. Obviously there will be hard cases, and we must seek in implementing the Act to deal with those hard cases and to take into account the feelings of the few people, and there are not many, who may want to make sure that a particular piece of land goes from seed to seed. I believe that in the Act, 1954-80, there is enough scope to allow the Government to take account of those hard cases.

I wish to use this opportunity to talk about some of the other problems which are still occurring in relation to tenancies in our country. I am glad to hear the Deputy Prime Minister say that 3 000 lots have already been surveyed. I believe that we need to press on urgently with the surveying of the lots not only in the plantation tenancies, but in the other tenancies as well. A good deal of the delay in giving security of tenure and giving a conveyance to the tenants has been due to the lack of proper surveys of the particular tenancies. Despite the effort we have made to provide the conveyances in the schedule to this Act, sometimes legal problems delay the implementation of the Act, and there is some doubt still, and I believe the honourable Member for Christ Church West Central is right about this doubt, as to whether it is necessary to get Town Planning permission for the subdivisions under this Act, and perhaps when the Government takes another look at the legislation they may clarify this carefully, particularly where there are existing tenancies.

The other problem is occurring because some of the existing lots are not within the prescribed minimum for a lot. At one stage the prescribed minimum under the Board of Health was 2 400 square feet, then it was moved to 3 600 square feet and it has gone as low as 1 600 square feet. In addition, in some of the tenancies, particularly the urban tenancies, people have tended to put a second house on even a prescribed lot of 3 600 square feet, so you will find that while beginning with one tenant you will end up with two houses on 2 400 square feet or 3 600 square feet, and this in itself is fraught with a lot of problems. There are problems from the public health point of view, from the point of view of noise and from the point of view of physical development. One of the reasons why this Act has elaborate provisions for relocation is to take care of that sort of problem.

There are some urban tenancies that I think really need being attended to very urgently. In Eagle Hall, for instance, I think we have got to the stage where it should be possible to convey to those tenants who wish to buy the land, even if the landlord is not able to put in the infrastructure. This can be discounted in price, and the Government could later, when its resources allow it, put in the necessary infrastructure. In my own constituency, I have the problem in Medford Land where the spots are too small. There is no doubt that the Government has to have a very comprehensive and positive sites and services programme to cope with the relocation of tenants from tenancies where there are too many people.

I am happy to say, Mr. Speaker, that in at least one tenancy, Thomas tenancy in Forde's Road, with the assistance of the lawyer for the landlord, Mr. Lionel

Greenidge and myself have now been able at least to get the agreements for the subdivision of that tenantry under this Act at a reasonable price, to the benefit of my constituents. I wish I could say the same, however, for the National Housing Corporation and the Government. There is no doubt that several people in Clapham Park who are tenants within the meaning of this Act are anxious to purchase their lots. Some of them have gone ahead and converted their chattel to wall, building in the usual Barbadian way from the back to the front as their financial circumstances allow, and I am again reiterating and begging the Government to see that the National Housing Corporation or the Ministry get on with the sale of the houseslots in Clapham Park to the tenants in that area.

It has been my understanding that the price would have taken into account the time at which the tenants were relocated there, and that some credit would be given for the rents which they have paid to date, and again I am asking about this. We have formed a Home Owners Association in that area for this purpose. Many of the tenants have written letters – I have drafted the letters for them myself. I have written to the Chairman of the National Housing Corporation, I have written to the Permanent Secretary in the Ministry of Housing about it, but I am afraid that almost three years of writing have not brought home any successful result from the Ministry. There is no reason why Government departments should take so long on a matter like this. For one thing, the Government would have its cash flow problems at the Housing Corporation eased. Here are people willing to pay the Government money in order to help the Government, and I do not know what is the real reason for the delay.

The other point I should like to make is that Government has a lot of land. Sometimes the Government does not itself know where even its own tenancies happen to be, and there are houseslots still available which should now be sold, if the Government is to be able to have a pool of funds in order to get on with other development. So whilst the legislation has several good features, eventually its test must be in the execution of the legislation, and perhaps there is need for a Government unit managing Government property, having a list of all the property Government has, setting out very simple procedures for transfers of property, particularly in tenancies, and making sure that this legislation is implemented rapidly.

I think that when the history of our country is looked at dispassionately, this type of legislation will not only be considered revolutionary, I think, more important, it will be considered as the type of legislation which has brought about social development to achieve cohesion in the society rather than a lack of

cohesion. We must not be like some of the South American Republics where most of the people are landless. I think we have to ensure that most of our people, if not all, are able to own at least the few square inches of Barbados on which to put their houses.
1.20 p.m.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, this Tenancies Freehold Purchase Act is, very essentially, a piece of Barbados Labour Party legislation. With great respect to the honourable Member for St. Philip South (Mr. H. A. Blackman), he was not in the House when it was passed, and he has missed the point in seeking to explain how the Democratic Labour Party came to vote against it. His speech perhaps could be addressed to any constitutional change, because what he was saying was that it was against the Constitution, so, therefore, you are against it. You could as well argue that the Prime Minister appointing judges was against the Constitution, so they should have voted against it as well. But no, they brought a constitutional amendment to provide for the Prime Minister to appoint judges, and voted against it.

The point about the Tenancies Freehold Purchase Act is that it may have been against the Constitution. We, as a conscious act of policy, decided to pass it in the form required for a constitutional amendment. We had the numbers, and we did so. It really mattered not whether the Opposition voted in that direction or otherwise, but the Leader of the Opposition said that he was against forcing people to sell their land in those circumstances, and led his Party to a vote against the Bill. They are the circumstances.

The Act, undoubtedly, has given rise to problems. When one deals with something like tenancies that have been in existence since the 1840s, you are dealing with a series of anomalies that would overwhelm any legislation, however well conceived in the first instance. Some of these anomalies have already been dealt with by the House, and most of them have been dealt with in speeches by honourable Members so far. You, first of all, get the problem of the person who is the tenant not being immediately available to exercise the option under the Act. You then get the problem of the informal subdivisions. You then get the problem of the person who is a tenant on one part of the plantation and is moved to another part. You get the problems of planning permission. Can you possibly allow somebody, for example, to cut off a mere 800 square feet of land and exercise rights of ownership over it? You get the problem where someone is tenant of half an acre, three quarters of an acre, or one acre, and there is no easy demarcation between the house spot section and the working land section. You get the problem of people who are tenants

of house spots on one location and work agricultural land in another location.

Some of these problems have been dealt with by legislation. Some have been dealt with by the exercise of common sense. I think, for example, of the surveyor employed by Barbados Shipping and Trading for its tenancies, Mr. Harold Went, to whom the Government owes a great debt for the valuable ideas which he has put forward. I believe they are ideas which have led to the facilitation of many tenants in the constituency of the honourable Member to whose speech I am referring. He brought forward ideas of surveying an informal sub-division one time where there was one tenant and the family had gradually sub-divided the tenancy over many years into five pieces. Mr. Went suggested to the Government that he be allowed to survey the five sub-divisions, six boundaries, at one time, and pay for it out of the levy so that it may be dealt with and have the conveyances made under the legislation, as if there were five separate tenancies.

All of these problems have gradually been dealt with — but other problems still come in. We are trying to deal with some of these other problems today, as well as problems mentioned by the honourable Member for Christ Church West.

The last thing to come up is that there were tenancies in the process of sub-division at the time the Act came into force. The Cabinet has had a difficult balancing position to take. There are people who paid one dollar per square foot, for example, at Bulkeley, Branchbury — there may be other locations — and the Cabinet considered at first it would be unfair to those people who paid one dollar to allow people who had not bought to get the land for ten cents per square foot. Therefore, we excluded those tenancies for which previous sub-divisions schemes were made from the Act. But that turned out to be unfair to many of the tenants who just did not have the dollar, but might have had the ten cents.

I am pleased to announce that the Cabinet has decided that in all sub-divisions which are carried over, the Government is now intending to schedule the tenancies so that future sales would be at the ten cents, rather than the dollar or more, and the Government will reimburse, in appropriate cases, all those tenants who have paid the dollar per square foot to the plantations. We were particularly considering the sub-divisions at Branchbury. You would be pleased to hear this. We will reimburse those tenants at Branchbury who paid the commercial price for the property with the difference between the Tenancies Act price and the commercial price.

You can take this as an announcement, but a more formal and detailed announcement will appear in due

course. We are prepared to consider doing the same for everybody who could reasonably have expected that they would have benefited from this after the proposal had appeared in the Barbados Labour Party's manifesto.

If other problems arise, I urge honourable Members, the right honourable Member for St. John or any other honourable Member, to write to the Ministry of Housing and point out the problems. We are prepared to correct them by legislation. For if there is one thing that can be said about the Tenancies Freehold Purchase Act — notwithstanding the opinions of the honourable Member for St. John and Dr. Leonard Shorey, who said, in effect, that it was the first step to communism in this country — it is that there is an immense amount of good feeling towards this Act and what it can do for the countryside. Honourable Members only have to go through Drax Hall, the biggest tenancy, to see the way the tenants have grasped the provisions of the Act.

I hear the honourable Member for St. Philip South saying that there are many people in this country who want a piece of land to rent and cannot afford to buy it. The honourable Member seems to be unaware that one fifth of the funds available under the USAID programme for housing are available for land purchase in all these circumstances. We really do not want to see Barbados continue to be a land of tenancies. There are funds available for the purchase of plantation tenancy land. A fund was set up at the Barbados National Bank for that purpose and for other tenancy lands, in US dollars.

Maybe we are a very poor country and these people cannot afford this. But I must tell the honourable Member for St. Philip South that no application has ever been made for a loan to purchase plantation tenancy land from the fund at the BNB. All the land which has been purchased, that I know of, has been bought cash by the tenants. So while it is important that we bear in mind that we are not a rich country, there is no point underselling ourselves. Plantation tenants have shown that they are able to purchase at the price set by the Government, and purchase cash and not burden the land with a mortgage for the relatively small amounts.

1.30 p.m.

I see very few instances — in fact, I know of none — where a plantation tenant has had to get a title in order to do the improvement that you see them doing; in other words, to have the title to carry to the bank and mortgage the property to build a house. The cash reserves available to plantation tenants, their own reserves and, I suppose, cash sent by relatives from abroad, appear very satisfactory to build their houses, as Barbadians tend to do, from the back, leading to a complete stone house in the fullness of time.

We know that Barbadians want house spots. This morning, bright and early, while I was still in my pajamas,

the Acting Minister of Housing telephoned me and asked me which I wanted first, fifty houses built in Christ Church West Central or the house spots in Gall Hill put up for sale. I told him to get the roads put in at Gall Hill and let us see if even by the end of the month we can start advertising the house spots for perhaps \$1.00 a square feet cheaper than the going price in the area. But the Ministry of Housing will set the price on the basis that the Cabinet decided sometime ago — If I remember correctly, the expenses of cutting up the spots, putting in the roads and providing the services plus 20 per cent to cover the overheads of the National Housing Corporation and once we start the revolving fund, we will be able to carry on developing other spots.

I believe that the house spot areas that the Government is looking at are Gall Hill Christ Church and Parish Land, also in Christ Church. In St. Michael, the Acting Minister of Housing has probably told the Minister of Transport and Works that this morning we agreed that the land at Wavell Avenue should be serviced as soon as possible and the spots at Wavell Avenue set up for sale. There is also land in Spooners Hill, land at Mahaica and other parts of Green Hill, and at Walkers, St. George. I also consider that on the land acquired by the Government in connection with the Speightstown By-pass, a major operation should be carried out there, by Battaleys; that the houses whose old pailings now back on the modern highway should be pitted up and turned around just like their neighbors are and properly landscaped; that the spots in the areas of land that the Government has bought there should be cut up, and on the other side of the by-pass no time should be wasted in converting the land acquired for a playing field and other facilities, by the Alexandra School; that should be done as early as possible; and the spots, which can be used, which, in other words, have good drainage, should be identified and also cut up.

I do not think that anybody can complain about the way that the Government has handled the development of relocations. From the relocation of the Constitution Road spots, the spots at Sion Hill, the spots at Clapham, the Government has always had certain solid principles that they relocate people and improve as they relocate. This is what the Government is dedicated to. Never forget — I will remind honourable Members, like the honourable Members for Christ Church West Central and St. Philip South — that when we came into power in 1976, there was a directive over the hand of the honourable Member of St. Michael North (Mr. P. M. Greaves) that if people who lived in Chapman Lane did not have a water toilet that they were not to get a water toilet in Clapham — they were to get dry pits in Clapham. That was one of the first decisions that we had to overturn, and it still informs the Government's policy to this day.

We have added other provisions. We have said that we do not want to see any more galvanized pailings alongside the highway. I made the Housing Authority take down the galvanized pailings on the St. Barnabas Highway and build neat concrete walls. Anybody can go and see those walls. It was galvanized there before and I said that it had to be removed and a proper concrete wall put up and a proper landscaping done for the people. At the roundabout at Hall's Road, I cannot understand why the relevant Ministry does not move the last of the houses, which has an old closet and some old boards and pailing backing on what the people themselves had made a very pleasant little development on that end of Ellis Village.

All of that is part of the Government's policy for tenancies and tenantry development, and I am glad to see that we have been able to get this principle over, even if the knowledge of the principle has not yet got through to honourable Members on the opposite side. I very much hope that the House will find it possible to support this Bill, and I am glad that the time that I spent in my speech has enabled the Leader of the Opposition, with the assistance of the honourable Member for Christ Church West Central, to find out exactly what he has said when the Opposition voted against allowing plantation tenancies in this country to be cup in ten cents a square foot to the people who have lived on them.

Rt. Hon. E. W. BARROW (St. John): Sir, the honourable Member is quite right. During the time he was speaking, I was able to check the records.

Certain remarks made at this stage by the honourable Member for St. John were ordered expunged from the record by Mr. SPEAKER.

1.40 p.m.

Rt. Hon. E. W. BARROW: Mr. Speaker, the Tenancies Freehold Purchase Act was Order No. 4, which was called, and it is on page 4281 of the debates of this Chamber. The person who moved the Second Reading of the Bill was the Honourable Leader of the House and he gave a long introduction and was followed by the Prime Minister on that occasion.

Mr. SPEAKER: I think the honourable Member had better clarify the reference made to Members on the other side, because when you say "Leader of the House", you might be misled as to who is the actual Member.

Rt. Hon. E. W. BARROW: The honourable Member who is now the honourable Member for St. James North (Hon. L. S. CRAIG) introduced the Bill.

Mr. SPEAKER: You had better make reference to *Hansard* as it is reported in *Hansard*.

Rt. Hon. E. W. BARROW: But they are reported by name, Sir.

Mr. SPEAKER: But in this particular case, since you are reading from *Hansard*, you are entitled to quote *Hansard*. Therefore, you had better refer to the reports as they are recorded in *Hansard*.

Rt. Hon. E. W. BARROW: On the page which I mentioned, Sir, page 4281, the honourable L. S. CRAIG introduced Order No. 4 and moved the second reading of that Bill. It was seconded by the Prime Minister, Mr. J. M. G. M. ADAMS, as follows:

"Mr. Speaker, in rising to second the second reading of this most important piece of social legislation, I should like to thank all those who have finally brought it to the floor of the House."

The date of the debate is the 23rd September, 1980.

People in public life wish from time to time to score points, but people who are holding office in this country, I maintain, should always try to preserve a level of honesty and integrity and should not make statements which would tend to give the general public or anyone coming after the impression that something has taken place which has not taken place, or *vice versa*.

I do not want to quote the debate *in extenso*, but a Mr. M. C. C. WARD — I did not know they were the gentleman's initials before — spoke next and then I spoke. I then quoted the Bill which had been introduced in 1964 by the Democratic Labour Party Government and said:

"In 1962-63 the Ministry of Agriculture, in pursuance of the avowed declaration of the Democratic Labour Party, instituted a comprehensive survey of the plantation tenancies in Barbados. Mr. James Cookston King was at that time the Permanent Secretary in the Ministry of Agriculture, and the result of that survey disclosed that there were some 4,900 acres of plantation lands which had been rented out in tenancies."

I went on to explain the whole disposition of plantation tenancies in the particular way in which they had developed. What I was trying to establish was that this was no new social legislation, that there were innumerable difficulties which up to today have not been overcome — and I will try in the short time which is at my disposal to adumbrate certain of these difficulties. It does not mean that we should not attempt social legislation, but I was merely trying to point out that in our haste to be as neutral as possible, to try to capture people's imagination, no proper planning inputs had gone into this legislation, because we were now relieving the plantation owners of the necessity to put in roads, water and electricity, which normally they would have to do on any application for subdivision of these tenancies, and all you were doing was selling people

isolated house spots all over the place, to put the whole thing in a nutshell. Anybody who wants to read the debate can do so, the date has been given.

I further pointed out at that time that what we were doing was a transfer payment, if everything was effected, of some \$18 million from the pockets of the poor people in Barbados into the pockets of the plantation owners as a result of this legislation, which in itself is not necessarily a bad thing, but do not let us fool ourselves that the plantations were not benefiting, because some would be getting three cents a quarter, 15 cents a week and that kind of thing for that kind of land. Furthermore.....

Asides.

Rt. Hon. E. W. BARROW: Would you let me finish my discussion? I have a short time. Can I continue without interruptions, on this very lengthy subject?

I gave the whole history of the Democratic Labour Party as part of our manifesto in 1961 on the sale of land to the tenants of plantation tenancies. I pointed out the insurmountable difficulties. I also pointed out, it was a transfer of \$18 million from the pockets of the poor into the pockets of the not so rich, but certainly the grateful plantation owners.

(Rt. Hon. J. M. G. M. ADAMS: \$18 million?)

Rt. Hon. E. W. BARROW: Eighteen million. If you take 4 900 acres and multiply it by 43 516 square feet at even 10 cents a square foot, you will see that it comes out to about \$18 million. That is provided that every square foot was sold. I did my homework on this at that time.

What happened then was that there was a Clause 36 to which I drew attention, which said:

"To prevent uncertainty, Section 16 of the Constitution is altered by this Act to any extent necessary to insure the constitutionality of this Act."

As a lawyer, as a constitutionalist of long standing, I said that this was a left-handed way of altering the Constitution of Barbados without warning to the people that the Constitution was being amended. It was not that we were opposed to the principle of the Bill, difficult as the Bill is and its limitation up to today, but we said that you should not alter the Constitution in this way, that you should come with a constitutional amendment.

When the second reading of the Bill was put by His Honour the Speaker, this is the principle of the Bill being decided now by the second reading, this is what happened:

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

"Hon. L. S. CRAIG:

(He is the bright boy, you see, he is the one who is so sharp. He is trying to put the Opposition on the spot now when we have the courage of our convictions)

"Mr. Speaker, I am calling for a division in keeping with the provisions of the Constitution."

All of a sudden now he is the big torch bearer and the upholder of the Constitution. So the question is put.

"Ayes: Rt. Hon. J. M. G. M. ADAMS; Hon. H. B. St. JOHN; Hon. L. S. CRAIG; Hon. H. deB. FORDE; Hon. C. L. BOLDEN; Hon. L. B. BRATHWAITE; Hon. L. R. TULL; Hon. Miss B. A. MILLER; Mr. ALLEYNE....."

(he is not honourable?)

".....Dr. CHELTENHAM; Mr. SISNETT; Mr. JOHNSON; Mr. WARD; Mr. SIMMONS; Mr. BRADSHAW; Mr. ODLE; Rt. Hon. E. W. BARROW and Mr. GREAVES - 18."

"Noes: Nil."

The Democratic Labour Party, they say, voted against the Bill. Now, is not that misleading the island? 1.50 p.m.

When the particular offending clause now on the constitutionality of amending the Constitution came, we asked for a division because we wanted to go on record that we did not agree to amending the Constitution in this particular way and we voted against Clause 16, which said that this Bill is constitutional no matter what the constitution of Barbados says.

"The question that Clause 36 stand part, as amended, was put and resolved in the affirmative, the House dividing as follows:-

Let me give you the "Noes" - I will not worry to give you the "Ayes", Sir - "Rt Hon. E. W. BARROW, Messrs. GREAVES and SANDIFORD - 3." We voted against.

During the discussion on the clause, the right honourable Member for St. Thomas said that he was not amending the Constitution. This is how he managed to persuade - I would not like to say bamboozle - the

non-legal Members of his entourage that he was not amending the constitution - he was only altering the Constitution. I told him it is just as you have dogs and you send them to the vet and you get them altered, and when the dog comes back and cannot do anything with the bitches that parade in front of him, the owner tells him, "you are not altered. You are only amended." He said he was not amending the Constitution, he was only altering the Constitution. He can persuade the honourable Members on that side with that kind of nonsense.

On the third reading of the Bill, having specifically objected to that clause and that way of amending the Constitution of Barbados, something which they made a big fuss about when we introduced 37 formal amendments to the Constitution some time in 1975, which we advertised, and they worked up a big campaign about it, they were altering the Constitution with the stroke of a pen, as it were, in a Bill which did not refer to the Constitution at all. It said: "You shall not amend the Constitution of Barbados in this way." The honourable Member said: "We are not amending the Constitution. We are only altering it."

When the third reading of the Bill came, Mr. Speaker, having made our point on Clause 36, we called for a division again and we voted for the bill again.

Asides

Rt. Hon. E. W. BARROW: On the third reading of the bill on Page 4311.

Asides

Rt. Hon. E. W. BARROW: You are reading the wrong Act. You are reading the Commonwealth Countries Act. Either that or you are not reading. Of course we divided on the third reading.

(ASIDES: Hon L. S. CRAIG: Not according to the Minutes).

Rt. Hon. E. W. BARROW: Do not mind the Minutes. I am reading the debates. The conclusive evidence is in the debate.

Asides

Rt. Hon. E. W. BARROW: You are wrong. I have the debates here, page 4311. Again, you make a poor solicitor. You are always misleading the people you are instructing.

It is page 4311 of the debates. The time was 3.15 p.m.

"On the motion of Hon. L. S. CRAIG, seconded by Hon. H. deB. FORDE, the Fourth Schedule was called and passed".

"On the motion of Hon. L. S. CRAIG, seconded by Hon. H. deB. FORDE, Mr. Chairman reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly."

"On separate motions of Hon. L. S. CRAIG; seconded by Hon. H. deB. FORDE, the Bill, as amended, was read a third time and passed."

"Hon. L. S. CRAIG: Divide, Sir."

"Ayes: Rt. Hon. J. M. G. M. ADAMS, Hon. H. B. St. JOHN, Hon. L. S. CRAIG, Hon. H. deB. FORDE, Hon. C. L. BOLDEN, Hon. L. B. BRATHWAITE, Hon. L. R. TULL, Hon. Miss B. A. MILLER, Mr. E. ALLEYNE, Dr. R. L. CHELTENHAM, Mr. L. SISNETT, Mr. V. L. JOHNSON, Mr. M. WARD, Mr. V. SIMMONS, Mr. DeL. BRADSHAW, Mr. J. ODLE, Rt. Hon. E. W. BARROW and Mr. L. GREAVES - 18."

"Noes: Nil"

That was the end of the Bill!

In other words, what I am making abundantly clear, whether you call it alteration or amendment, is that we did not consider that that was the correct way to do it - and we still maintain that. We did not object to the Bill having the original progenitors of the Bill.

Asides

Rt. Hon. E. W. BARROW: Read our Manifesto of 1961 and you will find out. If you look at the files you will see Mr. J. C. King's examination. Read our debate on the 1964 Security of Tenure Bill, and you will see where we referred to the work being carried out then on the sale and purchase of plantation tenancies.

The only thing that is going on in Barbados now, apart from corruption and that kind of thing, that we on this side cannot claim any credit for, is the Central Bank Building, and we do not want to have any part of that. You could have got another building for \$3.5 million, for Trident House, with 58 000 sq. ft. of land, and you decided to build a castle for Dr. Blackman for \$100 million. Seventy million dollars is just only past the half way mark, because all of us well know that it is going to end up costing \$100 million.

Mr. SPEAKER: Irrelevancies, irrelevancies. We now revert to the Tenancies Bill.

Asides

Rt. Hon. E. W. BARROW: The designs were put to us by Dr. Blackman and the architects.

Mr. SPEAKER: The honourable Member will revert to the....

Rt. Hon. E. W. BARROW: Revert to the Bill.

You should not come in here or go out there to the public and make statements like that which you know are unfounded. You are not doing justice to yourself, to the intelligence of the people in this Chamber or to the community outside. I do not know what you expect to gain by it.

Here is a situation in which we supported the idea of the Bill. You called for a division thinking it was some smart Alec move that you could trap us. But we voted for it, not only then, but on the third reading, which is very unusual. People do not usually call a division on a third reading. To fortify our stance, we voted again in favour of it, and you come in here today and say that we voted against it.

I want to go specifically to what Your Honour enjoin me to. The Bill before us is a very short amendment or alteration. I do not know whether they are altering it or amending it - I am neither altering or amending, but it is merely ensuring that where a tenant is relocated, the period before and after his relocation is cumulative for the purposes of the principal Act itself. So if a tenant spends two years at one place and then he goes to another spot, the landlord cannot come along and say he has only been there for two years so he is not a qualified tenant within the meaning of the Act. In order to dispel any illusions which honourable Members may be suffering from, we are supporting that as well because we think it is reasonable.

This Bill was passed in 1980. The Bill really has not been successful, and I think the reason why it has not been successful is because the landlords have been relieved of the responsibility which, under Town Planning procedure, they would have had to undertake - the proper development of these tenancies.

2.00 p.m.

Take Drax Hall with 259 acres. Before I went out of office, Mr. Henry Drax offered that land at \$1 per square foot. I said, "Pay a dollar when the road to walk in is not a tar road?" I said we could not under any circumstances pay \$1.00 a square foot for the 259 acres of land. That would be, God knows how many, billions of dollars. I cannot do that calculation in my head, but

it would run into millions of dollars for land that they probably were not getting \$500 or \$600 a year total income from. Mr. Mallalieu took Mr. Greaves and myself up there with Mr. Drax, whom I had known for years and years, and he said we could have this land at a dollar.

Drax Hall is nothing to be proud of. People are perched all over the place. When I was the representative for St. George there was no bus service. There was a pond from which people used to dip water. There was no water. There was one pipe down by Ms. Rudder's shop. There is Drax Hall Drop, Drax Hall Woods, Drax Hall Jump and Drax Hall Hope. You walked for miles and miles on what you called a white road. How the road stood up I do not know. The white road used to stand up pretty well, but there were no services at all. The land is now being sold at 9 cents or 10 cents a square foot or whatever it is and there are still no services, although we have got some water in parts of Drax Hall.

What is the definition of a housespot? That is another deficiency in the Bill. I know of a situation that Mr. Went can tell the honourable Prime Minister about, in which, before this Bill was introduced, tenants were told that the owners were going to give them the housespots within access of roads, water and everything else, and they said they did not want it — they would have to pay taxes. They refused to accept the land for free. Up to now, it appears that the tenants are reluctant to go forward.

I know of a case which the honourable Member can take up with Mr. Bert Reece. Three years ago, one of my constituents in St. John wrote a letter to the Ministry and said he wanted to buy a spot of land at Haynes Hill. Mr. Reece did not reply. The gentleman carried out all the procedures under the Act of writing and reporting that he had been unable to get the landlord, who was Mr. Reece, to sell him the land, and up to now he can get no response whatsoever. These are people who want to buy.

The majority of the people are not interested. I said we are a peculiar people. You would think that people are land hungry, but probably they have a basic reservation about taking over housespots and paying taxes, and everybody's valuations have gone up, on land to which they do not have proper services.

What we really need in Barbados at this juncture is overall country planning, not only town planning. We speak about a town planning officer and people forget that he is the town and country planning officer, and Town Planning has been more concerned over development control rather than proper planning of rural

communities, and that is what we need in Barbados, proper planning of rural communities. We want less development control. We need development control, but any functionary can go with a tape measure and measure whether you are within 19 feet of the centre line or without. You do not need a trained town planner to do development control. We can take any boy out of elementary school with a school leaving certificate and put him to do development control but what rural planning is taking place in Barbados?

I said when I first came into this House and represented St. George in 1952 that it was a situation where you seriously had to consider taking people to the services rather than taking the services to the people, and I particularly had in mind Drax Hall. There was no electricity or anything like that, all down by Frenches and Bydemill, and the people were perched on top of a hill like if they were on Mount Blanc in Switzerland. I said, bring the people out to the front road, bring them out to the services, because it would be cheaper in the long run. It would provide employment for lorry drivers, carpenters and everybody else. Up to now we have not succeeded, and when I say "we" I mean all of us, in having proper rural planning in this country, and we are not going to get people in Barbados enthusiastic about buying plantation land unless on that plantation land in rural areas, they are going to have a little piece of agricultural land attached to it, and not some rocky place where not even the sheep and the goats want to graze, on which they can plant a little kitchen garden and have proper services introduced in the areas.

Drax Hall is hopeless. It is so spread out that it would cost the Government a mint of money to begin to reach every tenant in a place like Drax Hall. I speak of Drax Hall because when you go into Welch Village, which belongs to the Government, it is a different kettle of fish altogether, because the services are there. I am speaking about Welch Village under the hill in St. John, of which you are well aware, on the road down to Bath. The services are there, and although it is up hill and down dale, there is a little school, there is a little church, there is water, there is electricity and everything that the people could desire. You are going to have no difficulty in selling land in Welch Village, but those people who are controlling the Government land in that area are the hardest people to comply with the provisions of the law. I hope there is going to be some improvement.

Hon. L. S. CRAIG (St. James North): Sir, I will be rather brief because I think we should go to lunch very soon. I understood all along that the whole idea of bringing about the Tenancies Freehold legislation was to assist a lot of people who lived on plantation lands over the years to own land and thereby improve their living conditions. Repeatedly I am hearing the Member on the other side claim that the Government paid the plantation

for some rock where a goat would not even stand up, and they paid \$18 million. I am hearing this for the first time, this is a new aspect of his contribution. But I think it was really unfair that even if people were paying 3 cents or 4 cents or 5 cents for a housespot over the years that none of these people could build a single water toilet, have baths or anything of that nature on the land. The Government therefore in trying to improve its rural development programme set about to introduce this aspect of legislation.

The Leader of the Opposition said that we had misled the people about the fact that they did not oppose this. They made criticisms of the Bill, which they are entitled to make, but worse of all, today at five minutes after two, the Leader of the Opposition got up and said that they supported the second reading, objected to Clause 36 and voted against it, and then voted with the Government on the third reading.
2.10 p.m.

Would you put all your years in St. John at the disposal of the people now? I am prepared to resign if what you have just said is true. Would you decide to resign?

(Rt. Hon. E. W. BARROW: Yes.)

Hon. L. S. CRAIG: The Minutes of the House of Assembly, Sir.

(Mr. H. A. BLACKMAN: What Minutes?)

Certain remarks made at this stage by the honourable Member for St. James North were ordered to be expunged from the Record.

Hon. L. S. CRAIG: The Minutes are taken as read in here. They are confirmation of what transpired in the House of Assembly. When the Minutes are taken as read and confirmed in here, that is a sacred document of all that transpired in the House of Assembly on the particular day.

Listen to the Opposition. They did not challenge the Minutes, any errors or omissions on that occasion:

"The Bill, as amended, was passed and cited as the Tenancies Freehold Purchase Act, 1980. The House voted as follows:"

Now, this is the Craig he talked about who is a smart Alec that called for a division.

(Rt. Hon. E. W. BARROW: The Minutes are wrong.)

Hon. L. S. CRAIG: The Minutes are wrong and you are confused.

This is on the third reading, Sir.

"Ayes: Rt. Hon. J. M. G. M. ADAMS, Hon. H. B. St. JOHN, Hon. L. S. CRAIG, Hon. H. deB. FORDE, Hon. L. R. TULL, Hon. C. L. BOLDEN, Hon. L. B. BRATHWAITE, Hon. Miss B. A. MILLER, Dr. CHELTENHAM, Mr. M. C. C. WARD, Mr. L. L. SISNETT, Mr. V. L. JOHNSON, Mr. J. G. ODLE, Mr. D. A. C. SIMMONS, Mr. DeL. O. BRADSHAW and His Honour E. E. ALLEYNE 16".

"Abstentions" He just said they voted. Listen to the abstentions.

"Rt. Hon. E. W. BARROW and Mr. E. E. GREAVES".

The Government voted on the first reading, the second reading and the third reading. They abstained. They opposed it. And then you had the gumption to get up in here today and say that you supported the Government. You walked all over the country and told the people that they should not take the land, that it was bad land and that the plantation managers were getting X million dollars in their pockets.

But you had decided to give the very land owners 6 per cent bonds.

Aside.

Hon. L. S. CRAIG: Are you finished with that? No, you did not get your legislation off! This is your manifesto here. Do you not remember? It says

"Operation takeover"

This is all down in 1961. This is twenty-three years ago and you are still battling with this. This is what you said in your manifesto

"The taking over of issues of 6% land bonds by the Government of plantation tenancies and the resale of the land by Government to tenant occupiers."

That was twenty-three years ago, and you were battling with this. In two years we gave the people this revolutionary piece of legislation. As a matter of fact, the New York Times reported it as the finest piece of legislation since the abolition of slavery. That was the prestigious New York Times, but today you are still battling in here with your antiquated ideas. You are still telling the people not to buy the land because it is bad land and all that sort of thing. The people are not confused. You are confused.

There is a unit at the Ministry of Housing and Lands which was set up specifically for the purpose of

advising the people who to go about getting their lands and how much it would cost them. There is a booklet there. It is featured on "Civic File". But, as typical Barbadians, they believe that they must go and give their money to some of these legal consultants in Bridgetown, who themselves do not understand the legislation. They have the people running from pillar to post, and then the people become confused.

I am saying this for all Barbadians to hear. All those who are interested in this project have to do is to go to the Ministry of Housing and Lands at Marine House. There is a desk there and a lady named Mrs. Brathwaite, and other officers ready and willing to advise them as to how to go about this, without putting a cent into the legal rogues in Bridgetown, because whenever the poor people are finished, they will be carrying away more of their money than the land costs.

I am begging them not to go into Bridgetown asking for any legal consultants. Go to the Ministry of Housing and Lands. Leave out the legal rogues, the vagabonds and all the ten cents lawyers down there scrambling. They are a lot of bread and fish people. Do not go to them. Pay seventy-five cents and go to Marine House. All the advice is there at your disposal. I set it up.

(Hon. Miss B. A. MILLER: Do not burst your bosom.)

Hon. L. S. CRAIG: Do not burst my bosom? When Clive Lloyd make a double does he not clap himself?

Mr. SPEAKER: The honourable Member must address the Chair.

Hon. L. S. CRAIG: Yes, Sir. That was a loud aside to my lady colleague, because there has only been one lady in here for a very long time. There may be lady Members on that side. They come in and they go out. Gertz Eastmond and that crowd. You had MP 1, MP 2 was written off, and there is MP 3.

Sir, I believe that other of my colleagues would like to speak on this Bill. I am going to conclude my speech.

SUSPENSION OF SITTING

Hon. L. S. CRAIG: I beg to move that this sitting do now stand suspended until 3 p.m.

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

Mr. SPEAKER: Has the honourable Member concluded his speech?

Hon. L. S. CRAIG: Yes, I told you that, Sir.

The question that the sitting do now stand suspended until 3 p.m. was put and resolved in the affirmative without division, and Mr. SPEAKER suspended the sitting accordingly.
2.20 p.m.

ON RESUMPTION

Mr. SPEAKER: This sitting is now resumed.

TENANTRIES FREEHOLD PURCHASE (AMENDMENT) ACT RESUMED

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

On the motion of Hon. A. TRUSS, seconded by Hon. DeL. O. BRADSHAW, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 - 3 inclusive were called and passed.

On the motion of Hon. A. TRUSS, 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.

On the separate motion of Hon. A. TRUSS, seconded by Hon. DeL. O. BRADSHAW, the Bill was read a third time.

Hon. A. TRUSS: I beg to move that this Bill do now pass and be cited as the Tenancies Freehold Purchase (Amendment) Act, 1984.

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

Rt. Hon. J. M. G. M. ADAMS: Sorry Sir, on this motion that this Bill do now pass, I think I would be very remiss.....

Mr. SPEAKER: I would like to inform the honourable Member that this Bill is now passed. We are now on the citation of the Bill.

Rt. Hon. J. M. G. M. ADAMS: Yes. "I beg to move that this Bill do now pass and be cited....." I am speaking to that motion.

Mr. SPEAKER: This is a rather new one. I would have to take guidance from the Clerk.

Asides.

Mr. SPEAKER: I am informed by the Clerk that there are no provisions in our Standing Orders for any debate on the citation of the Bill. You could have had 15 minutes on the third reading, but we have passed that stage. I deeply regret that I cannot entertain you.

Asides.

Mr. SPEAKER: The Minister is entitled at any time to make a personal statement after we have completed the processes of the Bill.

The question that the Bill be passed and cited as the Tenancies Freehold Purchase (Amendment) Act, 1984 was put and resolved in the affirmative without division.

PERSONAL EXPLANATION

Rt. Hon. J. M. G. M. ADAMS: Sir, I wish to make a statement. I wish to draw to the attention of the House, the fact that the Leader of the Opposition, in a debate earlier today, misquoted a contribution which I had made in a debate in 1980 on the Tenancies Freehold Purchase Act. He purported to read from page 4284 of the debate, Sir, and said that I told the House that we were not amending the Constitution, we were altering it. I would draw to the attention of the House that my actual words were:

"We are not amending the Constitution today....."

Asides.

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

Mr. M. A. KING: On a point of order, Sir. Do I understand the Prime Minister to be making a ministerial statement? Is that what he is doing? I thought he was referring to something we debated earlier today.

Mr. SPEAKER: Standing Order No. 19 reads as follows:

"By the indulgence of the House a Member may make a personal explanation although there is no question before the House; but no controversial matter may be brought forward, nor may debate arise upon the explanation."

If the honourable Member has an explanation to make to this House, I gladly welcome it under Standing Order No. 19.

Rt. Hon. J. M. G. M. ADAMS: If I may continue, my words were:

"We are not amending the Constitution today. We are not even although the word is there, altering the Constitution today."

Therefore, honourable Members will see that my speech was to the exact opposite sense to that which is proposed.

What I did say was that we were altering the Constitution to any extent necessary to protect the Act, and on the question of alteration or amendment, I would draw honourable Members attention to the fact that I read from an opinion from the Attorney General's office as to the reason for inclusion of those words, "alteration in the Act" and the opinion read as follows:

"This alteration or modification is a non-textual modification. That is to say that the actual text of Section 16 of the Constitution is not to be amended but merely overridden for the purposes of the special circumstances of the Tenancies Freehold Purchase Bill, 1980."

I really do not want it to go down on record that I had ever in this House made any statement that we were not amending the Constitution, we were merely altering it.

Mr. SPEAKER: Thank you. That is the end of the personal explanation.

SOIL CONSERVATION (SCOTLAND DISTRICT) (AMENDMENT) ACT, 1984

Order No. 31 was called – To move the Second Reading of a Bill to amend the Soil Conservation (Scotland District) Act, Cap. 267.

Hon. L. S. CRAIG (St. James North): Sir, this is a very, very small matter. It is to make provision for a change of membership of the Soil Conservation Board. The Bill, basically, is to amend Section 2(6). 3.30 p.m.

It is primarily to allow the Senior Agricultural Officer, the Chief Technical Director, the General Manager of the Water Authority or his nominee and the Chief Town Planner to become members of the Board.

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

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

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

Hon. L. S. CRAIG: Sir, shortly I shall be giving notice of a Resolution to supplement the Estimates for M.P. 2. It was written off in an accident and obviously they would have to buy another car outside of what the insurance company would have to pay. I am just giving my colleagues and the House notice that I shall be giving notice of a supplementary within a few minutes in relation to this.

Earlier today I gave notice of a Resolution.....

Mr. SPEAKER: Does the honourable Member intend to finish the Order before the House at this point in time?

On the motion of Hon. L. S. CRAIG, seconded by Hon. A. TRUSS, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Hon. H. deB. FORDE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee on the Bill.

Clauses 1 and 2 were called and passed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. A. TRUSS, 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. L. S. CRAIG, seconded by Hon. A. TRUSS, the Bill was read a third time and passed.

Hon. L. S. CRAIG: Sir, earlier in the day I gave notice of an acquisition Resolution. I discussed it with my colleagues on the other side and they said they had no objection to dealing with it in all its stages today. I now propose to do such Resolution, Sir.

Mr. SPEAKER: The honourable Member may now proceed.

COMPULSORY ACQUISITION OF LAND FOR THE EXPANSION OF THE WESTBURY SCHOOLS

Order No. 41 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Westbury Road, St. Michael for the purpose of expanding and upgrading the Westbury Schools.

Hon. A. TRUSS (St. Michael Central): Sir, this Resolution seeks to acquire this land, which is situated at the corner of 8th Avenue, New Orleans and Westbury Road, to facilitate the Westbury Primary School amalga-

mation project. It is proposed to amalgamate the existing Westbury Infants and Westbury Junior Schools, and it is expected that after amalgamation the roll of the two schools will be in the vicinity of 840 students.

The total land area after this acquisition will be slightly in excess of one acre. The Government is pursuing this because it hopes to reduce the risk of any injury to pupils going to and from the school. In addition to that, the Government has decided that the property situated at the section of Westbury Road and 8th Avenue New Orleans, on the eastern boundary of the school compound, should also be acquired.

The acquisition of this property would not only permit the proposed new access to the school but would allow also for additional facilities to be provided to the school without taking anything away from the existing facilities.

It is a simple Resolution, and the Government seeks to obtain an indefeasible title to it and to compensate the owner. I beg to move that this Resolution do now pass.

Mr. R. E. BRATHWAITE: I beg to second that.

Hon. Miss B. A. MILLER (City of Bridgetown): Mr. Speaker, I am particularly pleased that this acquisition has come before this Honourable House today. Works for the upgrading and expansion of the Westbury Primary School are already underway, and it is very important that we acquire this bit of land so that we have the additional space that we need for the building of additional classrooms at Westbury. We are also hoping that on this very land described before us this afternoon we will see the erection of a couple of hard courts.

Westbury School, as everyone knows, is at the heart of the City of Bridgetown, where land is at a premium. The Wesley Hall Schools, the St. Mary's Schools, all come down to the Westbury School when they need to have a pasture for sporting and other recreational events, and it is very important that we upgrade and expand not only the school building, the actual physical classrooms, but also use what little land we have to provide recreational facilities – and not only for the schools in the west and southern end of Bridgetown, but also for the communities which live around the school.

It is very difficult, for instance, for the people in New Orleans to have recourse to playgrounds outside the city. I have said it many times in here, but I think it bears repeating. The young people in the city cannot go to Queen's Park and hope to play cricket, or football, or basketball at the grounds there. Those grounds are almost exclusively the Spartan grounds, except when Spartan will

be generous enough to allow the boys at Queen's College to share the use of the grounds. The young people in the City cannot go to the West India Biscuit Company grounds. They are very much secured, and even though many pleas have been put in, the management insists that the grounds are for the staff and the workers at that company. The young people in the city cannot go to Kensington Oval. Everyone knows that is the home of a certain cricket club, and it is our national cricket ground, so to speak. So it is very difficult.
3.40 p.m.

When a little bit of land was opened up at the end of Trevor's Way, within hours young people had taken advantage of it, and it is a regular feature when going home, for those who go home on the Spring Garden Highway and have to drive along the Princess Alice Highway, to see young people playing cricket, football and other softball games next to the abattoir. Everywhere there is a vacant house lot, and there are not many of them in the city, it is just amazing how, within a few days, sometimes just a few hours, it can be transformed into a playing area of one kind or another. So I am really very happy indeed that we can have this bit of land. It is not as large as we would have hoped for or as large as we would like, as we could certainly use a great deal more than this, but we are grateful for this land, just about an acre, so that life at the Westbury end of the City of Bridgetown will be a little more pleasurable, especially for the young people.

It is important too, I think, Mr. Speaker, that I should make the point that the Westbury Schools, the Infants and the Junior, are going to be amalgamated. This is part of the entire exercise of expanding and refurbishing. We are going to have one Westbury Primary School at that site, and I hope that with the upgraded facilities, Westbury will, in the near future, be able to make a much better showing than they do now in the Common Entrance Examination. I know that that is a goal of the school and I wish them well in it. I like to think that we, as a Government, and in particular the Ministry of Education, are doing our part towards helping the school to achieve that goal, and I hope that the relationship between the school and the community which lives around it will be enhanced by virtue of the fact that the additional land will help to make the areas which we share larger, better laid out, make them available for a greater variety of sports and games.

Sir, I beg to second this Resolution.

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

Hon. L. S. CRAIG: Sir, earlier I indicated to you that there will be a Notice Paper coming down later in

the evening. I have now received it, and at this point, I would like to give notice of the Items, with the leave of the House and Your Honour, Sir.

GOVERNMENT NOTICES

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

A Resolution to grant the sum of \$130 000 from the Consolidated Fund and 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. 7 which form the Schedule to the Resolution.

A Resolution to approve of the compulsory acquisition of land at Haggatt Hall, St. Michael for housing development.

This will complete our business, Sir.

Mr. SPEAKER: Are there any objections to this Resolution being taken at this time? There seems to be no objection. The honourable Member may proceed.

SUPPLEMENTARY ESTIMATES NO. 7

Hon. L. S. CRAIG (St. James North): Sir, MP 2 car which is the official car of the Prime Minister was involved in an accident and, to use a term, it is written off. I am told that the Government has received a cheque for the car, but to buy another car, they would have to come back to the House to get parliamentary approval.

There is a figure here of \$130 000 with which we are seeking to purchase two cars. The Prime Minister's car was badly damaged in an accident on the 6 July, and a replacement is badly needed, we also need to purchase an official car for the Deputy Prime Minister.

I beg to move that this Resolution do now pass.

Rt. Hon. J. M. G. M. ADAMS: Honourable Members are suggesting to me that I should second it and be silent, but I know the power of the Press to misunderstand and mislead. You only had to read how they reported the speeches of the honourable Member for St. John and the honourable Member for Christ Church West Central on the Gambling Bill to grasp their powers of inperception.

MP 2 was stationary on a road in St. Joseph while I was out of the island and certain tests were being carried out on some equipment it carried. A horse box broke loose after the vehicle which was drawing it, I believe, struck a bridge, and ran into the front of MP 2,

virtually smashing in the front, although it was a soundly built car. The rest of the car was not damaged.

Although the car was bought duty-free, it was insured for its replacement value, and we therefore got \$110 000 from the insurance company which insured the horse-box. They accepted full liability and paid it out as a total loss. To that \$110 000, which has already been paid into the Consolidated Fund, we will be adding \$20 000, and we will be buying two top-of-the-line Mercedes, one to replace MP 2 and indeed to pay for the other one which honourable Members would have seen, MP 3, which I am driving now by the kind courtesy and indulgence of the Deputy Prime Minister, who, although since June has given up his travel allowance in return for a car, has not, in fact, had the car to drive.

I am really very indebted to the Deputy Prime Minister for permitting the use of MP 3 while we wait for a new MP 2 to come from Germany. From next week the Deputy Prime Minister will have MP 3. I will be out of the island, and I am very much hoping that when I return I will have MP 2 back.
3.50 p.m.

The Opposition will be very familiar with MP 1. You do not know they call Mrs. Leacock MP 1. MP by one vote and for one day!

I have much pleasure in seconding this Resolution.

(But this is a money Resolution!)

Mr. SPEAKER: I think we have all made an error. I think that this matter should be dealt with in Committee of Supply.

Rt. Hon. J. M. G. M. ADAMS: My speech will have to stand for Committee. I am supporting the taking of this Resolution today.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Resolution.

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

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House went into Committee of Supply, Hon. H. deB. FORDE in the Chair.

Mr. CHAIRMAN: This Resolution is to grant the sum of \$130 000 from the Consolidated Fund and 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. 7 which forms the Schedule to the Resolution.

Hon. L. S. CRAIG: Mr. Chairman, I beg to move that this Resolution do now pass.

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

Rt. Hon. E. W. BARROW (St. John): Mr. Chairman, I think this is a case of buy one and get one free, according to what the Prime Minister said. It is an out of place speech. I do not mean that it was a bad speech. I do not think that in asking leave to proceed with the Resolution that a second reading speech was necessary. That is all I mean by out of place.

I agree that the Deputy Prime Minister is growing and needs a bigger car. We are not going to oppose his getting a car, but I would like to ask a couple of questions. Is he going to get the telephone too or is that going to be transferred to the new car that the Prime Minister has? I understand that there is a very expensive bit of telephone equipment in one of the cars, one of the two or three - I do not know how many there are now. I know there are three numbers, but I do not know how many cars are attached to these numbers and vice versa. But there is a very expensive piece of electronic equipment in one of the cars. Is the Deputy Prime Minister going to have this very expensive 20 channel or 21 channel piece of telephone equipment, or is that going to be transferred back?

Hon. L. S. CRAIG: If I may just answer.

Rt. Hon. E. W. BARROW: You have the answer?

Hon. L. S. CRAIG: Yes. He is entitled to it. Really and truly, if there is ever a politician in this country that is entitled to such a piece of equipment, it is he, but he is the type of bird who would not want it. I would like seven in mine for when the Sydney Alleynes and you come. But the Deputy Prime Minister would not want it. He is not going to have it, but I believe he is entitled to it.

Rt. Hon. E. W. BARROW: On a point of order; I cannot understand a word the honourable Member has said. I should like to draw to his attention that the debates have to be conducted in English.

Hon. L. S. CRAIG: I can rest assured that it is not your duty to determine if they are conducted in English or not. It is the duty of the Chairman of Committees and the Hansard Reporters.

Rt. Hon. E. W. BARROW: I accept the honourable Member's extra hint. I really did not understand, so I thought he was lapsing into lingo Franco. I do not know if he was answering my query or not, but we did not have a specific vote for the telephone equipment, and I

understand that equipment like that is fairly expensive not only the capital outlay, but also in the monthly rental which one has to pay to the Telephone Company for such equipment.

I heard the honourable Member himself mention over here — he is always drifting over this side; he had better be careful that it is not a permanent drift — that it only cost \$500 a month because on this side they were saying that equipment like that costs about \$700 a month.

We ought to know. It is a small country, and although these sums may appear in these days to be relatively inconspicuous, particularly when they are not debated, one still has to watch every little bit of expenditure. So if you are going to spend two lots of rental on telephone equipment, we just want to know. We are not objecting to the Deputy Prime Minister having a car, but we just want to know what kind of recurrent expenditure is going to be involved in this new acquisition.

Rt. Hon. J. M. G. M. ADAMS: I do not know where the telephone is now. I suppose the Police have it. It is certainly not in MP 3. I thought the monthly amount was \$65. I believe the capital cost of the telephone may be considerable. It is an alternative to having a radio fixed in the car. The MP 50s all had a radio fixed perhaps not with 20 channels, but with 12 or whatever it was, and the telephone is an alternative to that. I do not know that the monthly charge for the phone is very much, and I do not even know what arrangements have been made to replace the telephone in the new MP 2, but equally I do not think that the Deputy Prime Minister has asked for a telephone in his car.

A telephone in a car makes you more of the people's servant than otherwise. It is not a luxury that you have, like something extra to eat. A telephone in a car makes you available when you might not otherwise be available, and it may make you do work when you might not otherwise do work. I will always remember the telephone in MP 2 because one day I was reading the *Nation*, an article by Mr. Tom Clarke, and as I read it I realised that this article had certain financial implications, and the depth of these financial implications was revealed to me yesterday when my lawyer rang to say that the *Nation* was begging, "Did I know that the Prime Minister and the Leader of the Opposition had together this year put a dent in its entire profits to the tune of....." and he laid a very large sum of money, which gave me an idea of how much the Leader of the Opposition has collected. But it was on the telephone in that car that I gave the instructions which led to these operations.

A telephone in a car for a Minister of Government is not an expensive luxury. It enables him when he

has to drive about the country to keep in touch with his office, to ring Government departments and to speak, as I had to speak, to the police and so on. It is true that the telephones are not very private — I was once speaking to the Minister of Education on the phone and a police officer was kind enough to telephone to say that he was listening to it on his HAM radio — but as long as you take care and you do not say anything private on the phone that you would not wish overheard and confine your remarks to doing that part of the people's business which is not a security matter, I think a telephone in a car is a useful thing to have, and if they choose to put it back in MP 2 I will not refuse to use it.

Rt. Hon. E. W. BARROW: I just want to make it clear that I am not questioning the use of a telephone. I was merely asking whether there were now going to be two telephones. That is all.

Rt. Hon. J. M. G. M. ADAMS: We only have one.

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

On the motion of Hon. L. S. CRAIG, seconded by Hon. Miss B. A. MILLER, Mr. CHAIRMAN reported the passing of the Resolution in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

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

STAMP DUTY (AMENDMENT) ACT, 1984

Order No. 40 was called — To move the Second Reading of a Bill to amend the Stamp Duty Act, Cap. 91.

Rt. Hon. J. M. G. M. ADAMS (St. Thomas): Mr. Speaker, this is, in fact, a very urgent Bill, and I apologise to the House that it was not one of the items on the printed Order Paper. It is a budgetary measure, and a very important Budgetary measure, because it provides for the rebate on Stamp Duty to be granted to exporters.

The Stamp Duty Act is not one, where general powers of waiver exist. I have no normal power of waiving Stamp Duty, nor are Orders for exemption from Stamp Duty made. All Stamp Duty exemptions and reduced rates are to be found in the Act itself, and, a scheme such as this cannot be operated by general powers, either prerogative or existing statutory, of the Minister of Finance. But I have given a pledge that persons who import goods or who import raw materials, put them into something and re-export them, will get the same rebate of Stamp Duty that is now at the level

of five per cent, as they get of Import Duty and, in some cases, Consumption Tax when the goods are exported. The section dealing with that is Section 3.

Clause 2 is a control section. Clause 4 again is Budgetary. It raises the commuted duty from five dollars to ten dollars, and it also reduces the Stamp Duty on policies of Life Insurance which were causing difficulties in the insurance industry. It is important to note that those sections are already in operation, and by virtue of the extension of the period under the Provisional Collection of Taxes Act are still embraced under that Act.

I know that the commercial community, especially exporters, will be very glad to see this Stamp Duty amendment. I hope that the Barbados Manufacturers' Association, instead of pursuing the course of what I have called "systematic untruths and denigration of the Government", will have the grace and the decency to come out and thank the Government for providing a rebate scheme which will give them that extra five per cent margin on their raw materials to allow them to remain competitive under the conditions, especially in CARICOM trade, that we meet today.

I expect that before the end of the year, Government may be announcing one or two other control measures relating to taxes and duties. For example, we are hearing so much about how the tourists do not like to pay the eight per cent Hotel and Restaurant Sales Tax that I am thinking of insisting, by legislation, that that tax be included in the price; all Consumption Taxes and Hotel and Restaurant Sales Taxes.

In Europe, the VAT, which corresponds to that, is generally 17 per cent, although I believe some countries still have it at 15 per cent, but when you go to a European hotel, nobody puts on "plus VAT 17 per cent" at the end. By law in England, it must be included in the bill. If the tourists are objecting to it being added on, it can be provided for them not to be aware of it by insisting that it be included in the Bill. That may come before Parliament.

I would also point out that though this could not, in my opinion, be a matter for regulation by Parliament, at least not under present conditions, equally, in Britain, where the Service Charge is 15 per cent not 10 per cent, that is also included in the Bill. When you go to a British hotel, the room rate and the restaurant rate include 17 per cent VAT and 15 per cent service a 32 per cent addition to the bill, but they are priced inclusively.

I am very glad to say that there are a number of restaurants and bars in Barbados, where you and I have been known to meet, Sir, which have a sign on the doorway saying, "Included in the price of our drinks is the

8 per cent Government Sales Tax and service is at your discretion." They are the Ship Inn, the Coach House and one or two other places where the potential irritations and additions to the Bill are recognized. In these places which are aiming to give value for money, and which I can recommend to the general public, they publish inclusive bills and they make the service charge what it was intended to be, a charge where you get good service and you voluntarily pay.

I have departed a little bit from the principle of Stamp Duty. The Budget increased the Stamp Duty from three per cent to five per cent. But since then, the value of the United States dollar has gone up by much more than that two per cent. Imports are still cheaper than they were at the time of the Budget. One therefore has to consider to what extent the Government wants to be virtually indexing the Stamp Duty so as to protect our economy against the flood of cheap imports. It is not only a matter of the consumers, it is a matter of the competition with locally-produced goods.

In many cases, we have left locally-produced goods to the mercies of the market so as to control the prices to make sure that local manufacturers do not push the prices to the skies. There have been many cases where we, at the Import Licensing Committee, have refused to ban imports. The Deputy Prime Minister may remember more than I can remember that they had refused to ban the import of ketchup, nails and numbers of other things. But if our currency continues to appreciate at the rate it is appreciating, and we do pursue the road which we have rejected, of making an exchange rate adjustment, because we think that that would be too heavy a means of dealing with the problem. If we do that, just to maintain the level of locally-produced goods, it may be necessary to look at the Stamp Duty more often than we have looked at it in the many long years of its history.

The Stamp Duty is there to raise revenue, but it also has a protective purpose since we cannot increase our import duties by reason of the CARICOM Treaty. We have now agreed to increase many of those duties and before the end of the year I will be coming to the House with legislation to give effect to the agreements which have been reached at the Nassau CARICOM meeting. Again, the Deputy Prime Minister will have the particular items at his finger-tips and will be aware of how far the ministerial meetings that were held to agree on the details have proceeded and, therefore, how soon we will be ready. But we are pledged to do it before January 1 next year. Indeed, we had offered to conform in October on the first day but the Trinidadians did not agree with that, they wanted it put forward to January. So before January, I will be coming to the

House with adjustments to the rates of tax and charges on imports entering into this country.
4.10 p.m.

I do not want this to come as any sudden shock, unheralded and unannounced. If the Press have been following carefully what happened in Nassau, they would have read the conclusion that some greater degree of protection is needed within CARICOM for CARICOM-produced goods. We have entered into agreements to buy more from our comrades in CARICOM and give protection not only to the things that we produce ourselves, but, in some cases, to things which they produce which we are undertaking to import. Although this is the first Stamp Duty Amendment Bill for this year, it may not be the last. I am only saying 'may' — there is no certainty. But when the Bill comes to the House later this year, honourable Members would at least have had the opportunity of these few words to warn them that they can be prepared for changes in the structure of taxation of our imports.

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

Hon. H. B. St. JOHN: Sir, in seconding this Bill, I think we should understand the principle behind the amendment. It follows a pattern that is in existence in many countries which have introduced either value added taxes, consumption taxes or similar taxes. It is that the exporters of goods which have imported components are not to be placed in an uncompetitive position by having to charge in the cost of the imposts on the imports, which were only designed as an internal revenue raising measure. So one has to give it back. People who buy goods in England will know that at the ports you have a VAT or Consumption Tax reclaiming center. Upstairs at Heathrow Terminal in the Customs Office, you present the sheet with the goods that you have bought and you can reclaim. Barbadians are also familiar with the refunds on duties on certain items in the duty free trade. We only hope that the mechanisms in Customs will work fast to ensure that the period of time that the manufacturers circulating capital is tied up will be reduced.

The Government has increased to a great extent, as was announced during the course of this sitting, the number of positions in the Customs Department in Barbados at the supervisory and management levels. Part of the object of that exercise is to ensure not only that we monitor the so-called illegal imports better, but also that the drawback schemes and this new scheme will be brought into operation. We are really fighting an uphill battle at the present moment, through no fault of our own, because of the fact that our currency is tied to the U.S. currency and it is enjoying a bonanza in

relation to other countries of the world. So we have devised this as one of the packages. I am not going to say too much on the question of the CARICOM trade. That is the subject of a special regime which has been agreed to, and we are hoping that we will be able to introduce that certainly before November 1. The CARICOM Secretariat has circulated the suggested amendments to the tariff headings of the Common External Tariff to introduce the surcharge, which will be common to all of the territories, with the exception of Jamaica, as agreed. The legal officers in Barbados, together with the Officers of Customs from the Ministry of Finance, Ministry of Trade — are only cross-checking the headings — but all of that work is over. So this forms part of a package that we are trying to introduce to implement a common protective tariff.

The last is that, as part of agreements which have been reached with the manufacturers, we will also very, very soon, we hope in the next sitting of the House, be in a position to bring down the Bills amending the Customs Act and amending the Miscellaneous Controls Act to implement certain agreements that have been arrived at to monitor illegal imports in Barbados.

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

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

Mr. CHAIRMAN: The House is in Committee on this Bill.

Clauses 1 — 4 inclusive were called and passed.

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

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

Hon. L. S. CRAIG: Sir, the final Item for the day of which I gave notice is the compulsory acquisition of land at St. Barnabas/Haggatt Hall. I propose to do this now, Sir.

Mr. SPEAKER: There are no objections. The honourable Member may proceed.

COMPULSORY ACQUISITION OF LAND AT HAGGATT HALL, ST. MICHAEL

Order No. 42 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Haggatt Hall, St. Michael, for housing development.

Hon. A. TRUSS (St. Michael Central): Sir, this Resolution seeks to compulsorily acquire a piece of land for the Government's new thrust in the area of housing. The land was surveyed for sites and services and the Government has commenced action in order to allow persons to purchase house spots.

The land being compulsorily acquired belongs to Wonder Bakeries, Mr. C. A. Dowding (deceased), Carlisle Best and Mrs. Ruby Pilgrim. As a matter of fact, the land owned by Mrs. Ruby Pilgrim already has ten lots cut out with all the services in it, two of which have already been taken up, and very shortly the National Housing Corporation will be advertising eight lots for sale at St. Barnabas. At the end of the compulsory acquisition of these several pieces of land there will be room for approximately 28 lots, and these 28 lots hopefully will have very close proximity to the new industrial access highway, but sufficiently off the highway as not to endanger the people who purchase lots and intend to go and live there.

The development proposal for this particular area will necessitate the closure and abandonment of a section of the old Haggatt Hall Road. It has already been decided that the new access road will be through Wonder Bakeries and is desirable in order to ensure the safety of the people who work at Wonder Bakeries and to take the traffic off the main highway.

It may also be noted, Mr. Speaker, that Wonder Bakeries has agreed to an exchange of land that is presently held by Government. So what will happen is that the Government will not pay Wonder Bakeries for their land but will exchange a similar amount of land that is owned by Government. This would give Wonder Bakeries a better frontage and at the same time the land which is being exchanged to Government for that piece of land will be able to be used for housing.

We have seen several compulsory acquisitions today; for the development of a playing field at Lydia Hill in Content, St. Thomas, for a piece of land at the Christ Church Foundation School for the teaching of agriculture, for a piece of land to facilitate the school at Westbury, and at the Belle-View Estates we have compulsorily acquired a piece of land for agricultural development, housing, industrial development and for a sewerage scheme. I think it is also only fair for me to let you know as Speaker, and other Members of this House, that National

Housing Corporation is presently working on a sites and services programme in Lammings, St. Joseph, which already has Town and Country Planning approval. Members will also be pleased to hear that there will be works in Walkers, St. George; Husbands, St. James; and in Gall Hill, Christ Church, in Christ Church East Central. Very soon, hopefully before the end of this month, we will have about 40 lots fully serviced with lights, water, proper drainage and roads for sale to the public of Barbados and we will test the reaction of the public of Barbados from thereon.

It is hoped that as part of this programme that between now and the end of December it would not be too difficult to achieve a sites and services programme of over 1 000 lots which will be fully serviced and made available to the public of Barbados for purchasing. It is the policy of the National Housing Corporation, in conjunction with the Ministry of Housing and Lands, to subsidise wherever possible, as much as possible, the lands made available when compulsorily acquired, particularly if used for housing.

I beg to move, with those few remarks, 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.

ADJOURNMENT

Hon. L. S. CRAIG (St. James North): Sir, this brings us to the end of Government Business. We have done quite a lot of work. I think that we can really be proud to know that this is the biggest Order Paper, I am advised, that has ever come before Parliament at any one time, and we can say that we have done some 48 Resolutions and Bills.

I am very indebted to the Clerks and the staff of Parliament, the Hansard Reporters, and the Press for that matter, for really giving us all the assistance on this side, and to the Opposition who no doubt made their contribution.

I propose to adjourn the House until the 16th of October. During that time repairs will be going on here in Parliament. If I am not mistaken, repairs are now going on, and repairs are going to be done in the House first. I would think that if we have to meet we will have to meet in the Senate, at our request and with the agreement of the President. If any matter should arise – and I hope I am not misquoted on this occasion – and we may have to recall Parliament, we shall do so but

sit in the Senate, but all the matters which Government had to deal with we have dealt with expeditiously.

I wish once again to thank the members of the Opposition, you, Mr. Speaker, the Chairman of Committees, the honourable Member for Christ Church West, who so admirably did the job when called upon at a very early stage, the Hansard Reporters, the Clerks, the staff and the Press for assisting us with this very difficult and big Order Paper which we had.

With those few remarks, I beg to move that this House do now stand adjourned until Tuesday, the 16th day of October, 1984 at 12 o'clock noon.

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

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

4.30 p.m.

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Resolution to approve the compulsory acquisition of land at Lydia Hill, Content, St. Thomas, for the provision of recreational facilities and for road development.

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