
THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION OF 1981-86

HOUSE OF ASSEMBLY

Tuesday, September 24, 1985.

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

PRESENT

His Honour C. L. Bolden, LL.B., (Speaker)
His Honour R. E. Brathwaite, (Deputy Speaker)
Hon. L. S. Craig, (Minister of Information and Leader of the House)
Hon. H. B. St. John, Q.C., LL.B., (Prime Minister and Minister of Finance and Planning)
Mr. L. E. Sandiford, M.A., (Econ.)
Hon. Miss B. A. Miller, (Minister of Education and Culture)
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)
Hon. DeL. O. Bradshaw, (Minister of Labour and Community Development)
Hon. Dr. R. L. Cheltenham, M.A., M.Sc., (Econ.), (Minister of Agriculture and Natural Resources)
Mr. M. A. King, Q.C., LL.B.
Hon. A. Truss, (Minister of Tourism and the Environment)
Mr. O. S. Arthur, M.Sc., (Econ.), (Parliamentary Secretary, Prime Minister's Office)
Hon. D. A. C. Simmons, Q.C., LL.M. (Attorney General and Minister of Legal Affairs)

Prayers were read by Fr. I. M. Harewood.

Messrs. L. L. SISNETT and H. A. BLACKMAN entered the Chamber and took their seats.

Mr. SPEAKER: The House is in session.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, 16th July, 1985.

Hon. L. S. CRAIG: Sir, I beg to move that the Minutes of the 16th day of July, 1985 be taken as read.

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

ANNOUNCEMENTS BY HIS HONOUR

Mr. SPEAKER: I am to announce that I have received the following:

Statements and Accounts for the months of May, June and July 1985.

A Report from the Accountant General for the financial year 1984-85.

PAPERS LAID

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

The Report of the Air Transport Licensing Authority for the year 1984.

The Customs Tariff (Amendment) (No. 7) Order, 1985.

The Customs Tariff (Amendment) (No. 8) Order, 1985.

The Profession, Trade and Business Registration Order, 1985.

The Occupational Training (National Training Fund Contribution) Order, 1985.

The Road Traffic (Road Tax, Registration Fee and Permits) (Amendment) (No. 2) Order, 1985.

The Consumption Tax (No. 2) Order, 1985.

Statement showing Net Customs and Excise Receipts for 12 months ended 31st March, 1985.

Statement showing Net Customs and Excise Receipts for 1 month ended 30th April, 1985.

Report of the Accountant General for the year 1984-85.

Income Tax (Amendment) Regulations, 1985.

Statement of Return of Output of Locally Produced Spirits during the quarter ending June, 1985.

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

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

The Agricultural Holdings (Option to Purchase) Order, 1985.

The Tax on Quarriable Minerals Order, 1985.

Mr. W. O. FRANKLIN entered the Chamber and took his seat.

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

The Road Traffic (Motor Vehicles) (International Circulation) (Amendment) Order, 1985.

Hon. L. B. BRATHWAITE: Mr. Speaker, I am commanded to lay

The Annual Report of the Barbados Industrial Development Corporation for the year 1983-84.

Hon. D. A. C. SIMMONS: Mr. Speaker, I am commanded to lay The Law Revision (Rectification of Omissions) Order, 1985.

Hon. L. B. BRATHWAITE: Mr. Speaker, I am commanded to lay the following:

The Tenancies Freehold Purchase (Fees) Regulations, 1985 and

The Report of the operations of the Barbados Drug Service for the year April, 1984 to March, 1985.

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

The Annual Report and Statement of Accounts of the Barbados Community College for the year 1983/1984.

GOVERNMENT NOTICES

Hon. L. S. CRAIG: Your Honour, I beg to give notice of the following Resolutions:

Resolution to approve the compulsory acquisition of Land at Weston, St. James, for the establishment of a Community Centre.

Resolution to approve the vesting of land at Jemmotts Lane and Bay Street, St. Michael in the Roman Catholic Church.

Resolution to approve the compulsory acquisition of land at Kingsland Plantation, Christ Church, for the construction of a Secondary School.

Resolution to approve the compulsory acquisition of several parcels of land for the construction of the Airport to West Coast Highway.

Sir, I also beg to give notice of a Bill to amend the Stamp Duty Act.

NOTICES OF QUESTIONS

Mr. SPEAKER: Question standing in the name of the honourable Member for St. James South, who is not now in his seat.

Question standing in the name of the honourable Member for St. Michael South re the benefits derived from the military exercises code-named "Exotic Palm".

Mr. B. M. TAITT entered the Chamber and took his seat.

Mr. L. E. SANDIFORD: Mr. Speaker, to ask the Prime Minister and Minister of Finance:

1. What were the benefits and costs to Barbados resulting from participation in the military exercises, code-named "Exotic Palm", held in St. Lucia during September, 1985?
2. Would the Minister agree that participation in such war games has led to the further militarization of the Caribbean region, has pushed back the objective of establishing the Caribbean as a zone of peace, and has diverted resources from full concentration on the very pressing trade and economic problems in the region?

Mr. SPEAKER: Question by the same honourable Member re countries with which Barbados maintains diplomatic relations.

Mr. L. E. SANDIFORD: Mr. Speaker, to ask the Minister of Foreign Affairs:

With which communist countries does Barbados maintain diplomatic relations, and on what dates were such relations established with each of those communist countries?

Mr. SPEAKER: Question by the same honourable Member re number of visits paid to communist countries by certain categories of persons.

Mr. L. E. SANDIFORD: Mr. Speaker, to ask the Minister of Foreign Affairs:

1. Since September 1976, how many visits have been made to communist countries by the following categories of persons officially: the Prime Minister, other Government Ministers, Parliamentary Secretaries, Public Servants and Barbados' representatives abroad?

2. Would the Minister supply the information for each category of person separately in relation to each communist country visited?

FIRST READINGS OF BILLS

On the 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 Stamp Duty Act.

A Bill to amend the Pharmacy Act, 1984-14.

A Bill to amend the Tax on Remittances Act, 1983-22.

A Bill to give effect to the Nairobi Treaty on the Protection of the Olympic Symbol.

ORAL REPLIES TO QUESTIONS

Hon. V. L. JOHNSON: Mr. Speaker, I beg to give notice that the Reply to Question No. 30, asked by the honourable Member for St. Michael North West, is now ready.

I also beg to give notice that the Reply to Question No. 31, asked by the honourable Member for St. Michael North, is now ready.

ORDERS OF THE DAY

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

Mr. SPEAKER: Government Business is now the instant order of the day.

SUSPENSION OF STANDING ORDERS

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

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

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

GOVERNMENT BUSINESS

COMPULSORY ACQUISITION OF LAND AT HALL'S ROAD, ST. MICHAEL

Order No. 1 was called — To move the passing of a Resolution to approve the compulsory acquisition of land at Hall's Road, St. Michael, for the construction of a roundabout.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, this Resolution seeks to bring finality to a matter which should have been dealt with some time ago. The area of land, however, is just 112.60 square metres. Unfortunately, the matter had only reached Section 3 of the Act in terms of acquisitions, and it was not finalized, 12.30 p.m.

One would admit that, in the course of a large number of land acquisitions, it is not impossible to find that a small area or any area of land is left out. In this case, we only came to realize what had happened after an exhaustive look at the files. This matter seeks to right the unfortunate oversight of this situation. It is straightforward. There is no problem beyond the delay in connection with this Resolution.

I beg to move that this Resolution do now pass.

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

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

VESTING OF VARIOUS PARCELS OF LAND IN THE NATIONAL HOUSING CORPORATION

Order No. 3 was called — To move the passing of a Resolution to approve the vesting in the National

Housing Corporation of parcels of land at Lammings, St. Joseph, Spooners Hill and Haggatt Hall, St. Michael for housing purposes.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, I am sure that with the vesting of these parcels of land in the National Housing Corporation, we would be able to see greater activity in bringing things to the final position which they should be brought to in terms of people being able to purchase the lots which they are desirous of having, and for people who have already been on these lots and who were promised to have lands sold to them to get these lands. Since the land is being vested in the National Housing Corporation, the Corporation then would be able to convey.

I need not go into the history of the reason for the vesting of the land in the Corporation since, it is well known that, in matters of this nature, if you had to deal in terms with the Crown in all of these matters, it would take up all the time of the Crown Law Officers. Therefore, the Corporation was assigned, in the first place, to ensure that matters of this nature could be dealt with in a speedy manner with respect to the National Housing Corporation.

The land under consideration is 3.89 hectares, and in this arrangement we are seeking to have a number of lots for the people in Lammings; as well as the construction of terraced units for the inhabitants of that area. Unfortunately, quite a bit of time has elapsed between the start of construction and now, and I am therefore happy to announce, Mr. Speaker, that an assessment is being done now with respect to the work to complete the Lammings site in respect of the terraced units, in order that the tenders can be advertized for the finishing of the terraced units at Lammings. Provision is made in the Estimates for it, and that will be completed very shortly.

With respect to the units at Haggatt Hall, there are ten lots there. We were hoping originally to sell those ten lots to people who were desirous of having sites to put their homes on, but we discovered that, with the proposed construction of the Airport/West Coast Road, it has become necessary for us to have completed units for people to stay in while their homes are being resited. We have constructed seven units there, and they were built by Ideal Homes, after advertisement in the Press. One of the remaining three lots was allocated to a church, one tenant was already there and another person was promised a lot. All of those lots are taken care of.

In Spooners Hill, there are 17 lots which will be on this 10 340.4 square metres. I hope and believe that quite a few people who are now desirous of having lots for sites and services will be able to utilise the service which is there.

I must say that the Government is finding some problems with respect to tenants who are looking for lots to rent. Quite recently, the Ministry of Housing and Lands has undertaken to have discussion with plantation owners who are within easy reach of the City of Bridgetown to discover from them if they have available on their lands areas which the Government can take over and put in sites and services for about 200 to 400 lots, so that people who are in a position to buy land can have their houses resited there. Since the coming into force of the Tenancies Freehold Purchase Act and other legislation which sought to give protection to the workers by way of siting their houses, a number of landlords have become extremely difficult and hard-hearted in terms of allowing tenants to remain on their lands, and are refusing to give rentals to persons. Government is conscious of its social responsibility and is therefore addressing that issue. The main problems are within the Christ Church/St. Michael area and the coastal part of St. James. We believe that with the action which we have just taken, looking at the plantations and the available lands which they now have, and the putting in of roads, water and electricity in those areas, we would be able to find sufficient spots to give to those people who are now without lots to put their homes on.

Barbadians are, by nature, a land-owning class of people, and those who cannot own land try as best as possible to own their homes. In this regard, this Government — all Governments of the day — has tried its best to see how well they can help to make provisions for tenants in this country, and we are looking to see how we can provide for them. The Government, within recent times, for the past three years or so, has been able to provide in the region of 1 500 house lots for lease, sale or rental to people in this country. Not only have we provided that in terms of acquiring lands and dividing the lands, but we have been able to take to the Government's estates as well.

12.40 p.m.

The honourable Member for St. Michael South (Mr. L. E. Sandiford) used to mention this quite a lot. I think there was even a question put down at one stage in respect of Bayville and what-have-you. I am happy to state, Mr. Speaker, that Bayville is today ready, not ready in terms that people are ready to take over, but ready in terms that the people there who have been occupying them for years can now buy. I am particularly happy about that. We have put our muscle into that, and we are making sure that in all of the Government estates where there are single units, or even if there are not single units but the possibility exists whereby the ownership can be divided or sold in some form, this will be done as well. I just thought I would say that briefly in moving the passing of this Resolution.

I do not think that this is a contentious matter, since it is not even dealing with acquiring land. All it

seeks to do is to vest in the Corporation the several pieces of land within the Resolution.

I therefore 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.

TAX ON REMITTANCES (AMENDMENT) ACT, 1985

Order No. 5 was called – To move the Second Reading of a Bill to amend the Tax on Remittances Act, 1983.

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, this is a short Bill. It seeks to extend the area of tax eligibility of certain transactions in relation to remittances to cover a gap in the existing law, and, secondly, it seeks, in relation to remittances for pension funds, to reduce the amount of tax that is now charged on remittances for pension funds.

At the present moment, under the law the only transactions which are eligible for tax are transactions in which remittance takes place to insurers abroad. It has been pointed out to us that remittances from insurance companies and other pension fund agencies in Barbados do go abroad and they do not necessarily go to insurance companies abroad – they may go to investment trusts, they may go to trustees of specific pension management funds – and they are not being charged a tax at the present moment. So it is a little unfair to tax where an insurance company transmits pension funds that it manages to another insurance company, which, essentially, is doing the same thing as where a person who wants to remit to his pension fund in another country, which pension fund is being administered, say, by an investment trust, and that is not eligible for tax. We are equalising that.

Secondly, Sir, the tax at the present moment is one rate. We think that in view of the fact that we want to encourage people to have some degree of comparability of returns, whether you are an insurance company or you are a trust, we should have a reduction in the rate where there is a genuine remittance for a trust fund as opposed to other remittances. We expect that there will be no loss of revenue in that, having extended the area to cover those which were not covered before and reduced it, one would balance off the other. That is the simple object of the Bill.

We watch very carefully, of course, the remittance of pension funds by insurance companies locally, because we would like to encourage more and more investment locally, but there must be in a small community a certain diversity of investment. I do not think that one would

expect that Barbados, with its very small and limited financial market, would provide an opportunity for all the pension fund money that is generated in Barbados. In any event, we still have a problem that there are people working in Barbados who before they came to Barbados had a pension fund in accordance with the laws where they were domiciled at the time and would wish to continue to remit, so there are one or two circumstances which would allow us to allow the remittance of pension funds money. We are conscious of the fact, however, that we should try and keep as much of the savings of pension funds in Barbados. Subject to those two limitations, we do allow remittances.

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

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

Rt. Hon. E. W. BARROW (St. John): Mr. Speaker, I am very glad that an opportunity has arisen so early after the recess to discuss the question of pension funds. I wonder if the Minister of Finance is aware that the Government of Jamaica has an agreement with the Government of the United Kingdom whereby nationals of that country returning to Jamaica are entitled to draw their pensions from the Department of Health and Social Services. I do not know what we are keeping a High Commission up there for, because that is the kind of thing that the High Commission to Barbados – I did not say High Commissioner – should be feeding back to the Government of Barbados, so that Barbados could have similar arrangements, because if a Barbadian who qualifies for Social Security benefits in the United Kingdom comes back to Barbados under the existing regulations, that person cannot draw his pension.

Furthermore, – this is a slightly different aspect, the question of disability – there is no way that the Department of Health and Social Security in England will allow people who are under disability to draw pensions if they leave the United Kingdom. The question of the Social Security benefit has a little twist to it, in that I understand – and I was discussing this in London last week – that if the person qualifies for the pension before they leave the United Kingdom, they can still draw the pension in Barbados. I did not have enough time to check this out myself, but perhaps the Minister of Finance would be able to check out if this is so. I do not readily know whether this is an accurate interpretation of the existing state of affairs, but since the Jamaica Government has been able to negotiate an agreement with the United Kingdom Government in respect of their nationals, I do not see why Barbadian nationals should be discriminated against.

There is no need for me to labour the point, because I think that the Minister of Finance is probably aware of the problem. Let me put it this way, that since I worked in one or two Ministries in England, I have reason to believe that if an approach were made by the Barbados Government some time around April next year they may be willing to talk. I cannot speak for the British Government; I can only say that I have reason to

believe that they will hold discussions with the Barbados Government, and I hope that, in the interest of our nationals, that would be a benefit to this economy if our nationals can retire, with the high cost of living as it is in England today, and come home and spend the evening of their days.

12.50 p.m.

I am now coming to a slightly different matter, the question of pension funds. A few businesses — when I say a few, I am not going to reckon them, but many businesses — a few businesses, whatever expression you like to employ — some businesses in Barbados have closed down during the past twenty-four months. We made a special provision in the Banking Act so that businesses in Barbados, as traditionally they were wont to do, could accept deposits — and that is the definition of a bank — without being subject to bank inspection. But I am wondering whether we should not look at the Banking Act again so that all of these businesses which accept deposits should be subject to some kind of scrutiny from the Central Bank where those businesses have been in receipt of pension funds. Because what has been happening, Mr. Speaker, is that some of those businesses which have collapsed have collapsed with pension funds, and the persons who are supposed to be the beneficiaries of those pension funds are now left without any redress whatsoever. I take this opportunity to mention that.

A colleague of mine in the former Government used to say, "Home drum beats first". In other words, that charity begins at home. It is all right for us to allow pension funds to be remitted to countries outside of Barbados, but we should not allow pension funds to be deposited to risk enterprises and when those firms go into receivership, all the old ladies, the widows and orphans and people like that find that, all of a sudden, their whole portfolios are wiped out and they have no recourse at all. I am wondering whether the Government should not make it a condition that there should be an insurance taken out by all of these businesses when they are in receipt of people's money and that the Government itself should act as an insurer of the last resort.

There is no point in my making a big speech. I just want to get over the points. I have a bad throat so I cannot argue.

Hon. H. B. St. JOHN: I must say, Sir, that the honourable Member has been very perceptive recently. Maybe the recess has given him an opportunity to reflect on what is happening in Barbados.

I want to give the honourable Member the assurance that the Government has already taken steps in the two matters that he has raised. We have negotiated successfully with the Government of Canada an Agreement to allow reciprocal benefits of the Social Security systems,

and we are pursuing a similar line with the United Kingdom. For some period of time this work has been going along and I cannot give a date when it will come to fruition, but these matters are matters that I am sure that politicians both here and in the United Kingdom, just as the politicians here and in Canada, recognize are matters which should be dealt with to the mutual benefit of citizens of both countries who move in either direction. There is still a bit of movement, although restricted, from the developed countries of Canada and Britain to Barbados, in contrast to the larger movement which used to take place between our countries and them, so there is no question about that. We are pursuing it. It is a matter which will be pursued vigorously.

In my own constituency, I have several people who have retired in Barbados after working in the United Kingdom and who are in receipt of their pensions. I think that if you leave the United Kingdom, after you have received your pension and have it determined, you do not have to actually draw it in the United Kingdom, but you can come here and draw it, because periodically, I sign affidavits in connection with this. That does not give us any trouble.

The trouble we have is the question of the lack of mobility of the pension schemes, in that a person who may be forty-eight or forty-nine years old in the United Kingdom may want to return to Barbados and he would want to come and join our Social Security scheme and have an arrangement whereby he could be credited with the amount of the Social Security scheme that he has already contributed to, in the United Kingdom, and add that on to his so that he will get a pension here in Barbados. In short, we want to have some arrangement similar to what used to occur in the past when you were members of the colonial Civil Service and each of the contributing Governments paid a portion of the total pension. We have succeeded in doing something with Canada.

In respect of the other matter, which is a far more serious matter, this has engaged the attention of the Ministry of Finance and of Canada for some period of time. It is an exceedingly serious matter and I must say that I have very strong views on it. I think the records will show that when the Banking Act was being passed, a lobby developed in Barbados, by the business houses in Barbados, to ask for exemption from the stringent provisions of the Banking Act for those firms which, according to them, had from time immemorial been taking deposits and using it as cash flow in their business and have honoured the obligations to the public when they went for the return of the deposits. They argued they were not banks, that they were strong and that they did not need supervision.

I was on the other side at that time, and I well remember that all of the House at that time, both sides

of the House, agreed that at some period of time the situation may change when action would have to be taken. We cannot presume that the business community in Barbados does not produce vagabonds, that would be wrong. Human nature is such that all communities know that there is no special category of person who is in business and that we are not likely to get our proportion of crooks and vagabonds too. Recent events have shown this and I am very disturbed about it, and the Government is going to take steps to ensure that a Protection of Depositors Act is coming into Barbados.

(Mr. H. A. BLACKMAN: Hear, hear!)

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

Hon. H. B. St. JOHN: The Government is profoundly disturbed that the business community itself has not seen the wisdom of a rescue operation for one of their fellow businesses and they do not understand that the message that they are sending out to the public is, "we cannot be relied upon for self-policing."

Lloyds of London, that formerly great institution — they are not great now, they had too many crooks around it — had a very special privilege of self-regulation. The Stock Exchange in England had a very special privilege of self-regulation. The professional bodies all over the Commonwealth had a very special privilege of self-regulation. Barbados has now reached the position where neither the professional bodies can be trusted to regulate themselves, otherwise a lot of the crooked lawyers who carry away people's money would be disciplined. Secondly, none of the business houses in Barbados can be trusted to accept deposits, because when they had one that broke the rules — the Directors carried away the pension fund money — they did nothing about it to rescue it.

The Government is going to have a Protection of Depositors Act. I am very sorry since everybody who wants to carry on that business will be subject to the terms and conditions. They have been proven to be incompetent to supervise themselves. That is the Government's position and that is what we will be doing. I do not mind what resistance we will get. This is one of the areas in which I feel the Government has an obligation to those poor people who save money. What is more, the evidence is very strong. I cannot talk about it, because I hope that the other agencies of Barbados responsible for the Criminal Law, particularly the law relating to fraudulent conversion, will act one of these days. I hope so!
1.00 p.m.

I understand that in one of these businesses there are some people who were led to believe that their pensions were being funded by an insurance company, and in truth and in fact the insurance company was not

receiving any money — but the money was being deducted monthly. This is a very, very serious thing. The Government has no separate and independent power under the new Companies Act to deal with an investigation which normally takes place. The old Companies Act had a procedure. In respect of one of these companies we received a Resolution from the shareholders, but they waited until after the new Companies Act came into operation to pass that Resolution. They should have passed that before.

The Government has not given up, because we are so determined that a standard of ethical conduct is understood among directors and managers of businesses in Barbados, that we are still investigating whether we should not have an independent inquiry other than through the normal Companies Act. It is a very, very serious thing. I think that we should expose all of this. No progress is going to be made in Barbados if we do not understand that, periodically, we are going to get crooks and vagabonds in control of the apparatus of decision making in this country and that they have to be ruthlessly exposed. We have to do that.

We know that in all the professions, no one likes to discipline the other. That is a well known fact all over the world. They do not like to discipline one another. In my profession, everybody's profession — it is exactly the same thing. The same is true with the businessmen, and if you are in a small community, the pressure not to do something is even greater. We have to have a common agreement in the community that there are certain norms of behaviour that have to be exposed, and whoever gets touched with the tar brush will get touched with the tar brush. That is the position, and that is the Government's position.

Applause

Mr. SPEAKER: The question is that this Bill be now read a second time.

Rt. Hon. E. W. BARROW: I would just like to assure the honourable Member

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

Rt. Hon. E. W. BARROW: I would just like to give the honourable Member the assurance that he will have the full support of this side.

Mr. SPEAKER: You can do that in Committee stage.

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

Hon. L. S. CRAIG: I beg to move that Clause 3 stand part.

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

Mr. L. E. SANDIFORD (St. Michael South): Sir, I am just raising a matter — I had better not put it any stronger than this at this stage in terms of information. Clause 3 refers in 3(a) to the deletion of words “pension plans” in the Schedule to the principal Act.

(Asides)

Mr. L. E. SANDIFORD: It is a legal point I am making. I do not know if the Attorney General can follow me, Sir.

In the Schedule to the principal Act, Section 2, which is being amended, reads as follows:

“Remittances to a non-resident insurer carrying on long-term insurance business including health and pension plans.”

I am just asking, for information at this stage, if you delete the words “pension plans”, would you not be left with the words “Remittances to a non-resident insurer carrying on the long-term insurance business including health.” I wonder if that is what is required here and if it makes sense. To me it does not make sense, but I will take advice.

Hon. H. B. St. JOHN: Yes, it does make sense, because if you follow the other, 2(c), you are capturing by the addition of a new provision, because we are inserting immediately after paragraph 2 the following paragraph, as paragraph 3 — “Remittances to a non-resident person administering pension funds.” So what you are doing is treating all pension funds as one category, whether they are by an insurance company or non-insurance company. That is what they want to do. That is what they tell me.

Mr. B. M. TAITT (St. Michael West): Mr. Chairman, I think that the point that the honourable Member has made is valid. But my colleague is raising a question of the actual wording of that sentence, which finishes with the word “health”. You could not have “long term insurance business including health.” I do not think that that is what is intended.

(Asides).

Hon. D. A. C. SIMMONS: I wonder if the honourable Member could oblige me by passing his copy. My copy is deficient. It does not have all the pages of 1983 Act.

Hon. H. B. St. JOHN: I have the original Act, I believe, in my file, and mine would read:

“Remittances to a non-resident insurer carrying on long-term insurance business, including health”.

Asides.

Hon. H. B. St. JOHN: Yes, all we are trying to do here is.....

Asides.

Hon. H. B. St. JOHN: Yes, that is right. The original thing had “and pension plans”. So they have deleted the words “and pension plans.” What it means is that all categories of insurance business, including health, will pay, because if you look at the first section, it says

“other than health plans.” So “health plan” was taken out of the first and put into the second with “pension plan”, and that is in the different category of 15 per cent. Now what we are doing is leaving the remittances for insurance, including health, and now we are putting a new one, a lower rate for the pension plan of 6 per cent, so all three of them have to be read together.

1.10 p.m.

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

Clause 4 was called and passed.

On the motion of Hon. L. S. CRAIG, seconded by Hon. L. B. BRATHWAITE, 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. Dr. R. L. CHELTENHAM, the Bill was read a third time and passed.

PHARMACY (AMENDMENT) ACT, 1985

Order No. 4 was called — To move the Second Reading of a Bill to amend the Pharmacy Act, 1984.

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, the 1984-18 Act was a replacement of the 1894 Act which regulated the pharmacists' body. When the

committee came into being to administer the Pharmacy Act, as most of these professional bodies have their own regulatory bodies, they were asked to look again at the Bill to find out if there was any need for changes in the Bill. A number of recommendations were made for amendments to the Act, such as to Section 16, the power of the Registrar to issue certificates of registration of premises; Section 26, to substitute the word "poisons" for the word "drugs"; Section 29(1), to be replaced by the following subsection:

"(1) Paragraph (a) of section 15 (1) and section 27 do not apply to premises maintained exclusively for storage of drugs or poisons."

I suppose that no matter how perfect an Act seems to be, as you go along you have to be constantly beefing it up in order to get it to what some people believe might be the utopian form of an Act.

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

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

Mr. L. A. WEEKES (St. Michael North West): Mr. Speaker, I agree with what the Minister has said in respect of certain bodies looking at some of the amendments, and I can assure you that my association did give approval to those amendments, because we felt that the issuing of certificates ought to be done by the Registrar rather than by the Council under the supervision of the Minister. We felt that this was a very laudable change, and we agreed with it.

The other two amendments do not pose any threat, since the Act itself has not even been in force and could be tested. I can only hope that this will be the last amendment before the Act really comes into being.

I think with those few remarks, Sir, I am in agreement with this Bill.

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. B. BRATHWAITE, seconded by Mr. L. L. SISNETT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. J. G. ODLE in the Chair.

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 4 inclusive were called and passed.

On the motion of Hon. L. B. BRATHWAITE, seconded by Mr. L. L. SISNETT, 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. B. BRATHWAITE, seconded by Hon. L. S. CRAIG, the Bill was read a third time and passed and cited as an Act to amend the Pharmacy Act, 1984.

Mr. SPEAKER: Mr. Clerk, I think the name of that Bill should be the "Pharmacy (Amendment) Act, 1985." I would rather we recommit that so that we get it straight. Recommit the citation, please.

Hon. L. B. BRATHWAITE: I beg to move that we recommit the citation of that Bill.
1.20 p.m.

Hon. L. B. BRATHWAITE: Mr. Speaker, I beg to move that this Act do now pass and be cited as an Act to amend the Pharmacy.....

Mr. SPEAKER: An Act has been passed to amend an Act.

Hon. L. B. BRATHWAITE: The Pharmacy (Amendment) Act, 1985.

The question that the Bill do now pass and be so cited was put and resolved in the affirmative without division.

PROTECTION OF THE OLYMPIC SYMBOL ACT, 1985

Order No. 6 was called — To move the Second Reading of a Bill to give effect to the Nairobi Treaty on the Protection of the Olympic Symbol.

Hon. DeL. O. BRADSHAW (St. Michael South East): Mr. Speaker, the World Intellectual Property Organization, of which Barbados became a member in 1978, recommended that the Government accede to the Nairobi Treaty. The Nairobi Treaty seeks to prevent the use for commercial purposes of the Olympic Symbol without the authorisation of the International Olympic Committee.

The Bill will give the Government the approval to accede to this Treaty and, hence, comply with the request made by the World Intellectual Property Organization. The Bill is not difficult. It is a very short Bill and that is the gist of this measure before the House.

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 motion of Hon. DeL. O. BRADSHAW, seconded by Mr. L. L. SISNETT, 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 – 11 inclusive were called and passed.

The Schedule was called and passed.

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

Hon. DeL. O. BRADSHAW: Mr. Speaker, I beg to move that this Bill be now read a third time.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, Sir, I crave your indulgence.....

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

Mr. B. M. TAITT: On a point of order, Sir.

Mr. SPEAKER: Are we incorrect in our procedure?

Mr. B. M. TAITT: I think so, but I will be guided by you.

There is a point which I wish to draw to Your Honour's attention. We passed a Bill in Committee, there may have been an error, we are about to pass the third reading, and I thought of a point which I want to draw to Your Honour's attention, while we draw it to the attention of the other side, lest we should made the error. I had not been paying attention at the point when it was happening, Sir.

Mr. SPEAKER: What kind of an error is it?

Mr. B. M. TAITT: May I draw it to Your Honour's attention?

In Clause 6, it says: "Any person entitled to use a mark pursuant to subsection (1)(b)...." but, Sir, there is no subsection (1)(b), so it must be a typographical error.

Asides.

Mr. B. M. TAITT: There is a subsection (1)(b) in 8. I do not know if they mean that 8. It does not say of which section, and I think there would be an

intention to say which section. I am drawing it to Your Honour's attention before we actually pass it.

Mr. SPEAKER: If that is accepted, I would recommend that the Bill be recommitted to Committee, where that would be corrected, and then come back for a third reading. That is provided that it is accepted by the Minister piloting the Bill.
1.30 p.m.

Hon. DeL. O. BRADSHAW: Mr. Speaker, I would wish to have this Bill recommitted.

Mr. SPEAKER: Are you moving a motion now that we recommit the Bill to Committee?

Hon. DeL. O. BRADSHAW: Yes, Mr. Speaker. I beg to move that the Bill be recommitted to Committee.

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

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

Hon. DeL. O. BRADSHAW: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on the Bill.

Hon. L. S. CRAIG: 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 on the Bill, Mr. J. G. ODLE in the Chair.

Hon. DeL. O. BRADSHAW: Mr. Chairman, I beg to move that we recommit Clause 6 of this Bill.

Mr. CHAIRMAN: Clause 6 has been recommitted. We are dealing with Clause 6.

Hon. DeL. O. BRADSHAW: Mr. Chairman, I am sorry about the error.

As the Bill stands, it is subsection (1)(b). I would wish to have those words deleted and substitute instead the words "section 5(2)". I beg to so move.

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

Rt. Hon. E. W. BARROW (St. John): If you keep "under that subsection" then you have to go back, Mr. Chairman, because you are now saying "pursuant to section 5(2)", and therefore you would have to maintain the word "section". But if you put "Subsection 2 of section 5 then you can keep "subsection" at the end. You cannot have it both ways.

I think that the most elegant way to draft it is to say "subsection 2 of section 5"; then you can leave "subsection" at the end. Do you understand what I am saying? "Any person entitled to use a mark pursuant to subsection 2 of section 5 may authorise another person to use the mark; and use by the other person shall be considered as use by the person entitled under that subsection." You will have to change it around to say "subsection 2 of section 5".

Hon. DeL. O. BRADSHAW: Mr. Chairman, I accept the amendment by the Honourable Leader of the Opposition that it should be subsection 2 of section 5.

The question that Clause 6, as amended, stand part was put and resolved in the affirmative without division.

On motion of Hon. DeL. O. BRADSHAW, seconded by Hon. L. B. BRATHWAITE, Mr. CHAIRMAN reported the passing of one Bill with amendment in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

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

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

I propose to move into Question Time at this point in time.

I beg to move that Question Time be now taken.

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

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

QUESTION TIME

Mr. N. K. SIMMONS (St. James South): Mr. Speaker, when "Question Time" was originally put, I was not in my seat, and I am wondering whether it is possible that I can put my question now.

Hon. L. S. CRAIG: Sir, I am dealing with Replies.

Mr. SPEAKER: That is what I said. Question Time has now arisen for the first time.

QUESTION RE WATER MAINS

Mr. SPEAKER: Parliamentary Question No. 30 stands in the name of the honourable Member for St. Michael North West.

Mr. L. A. WEEKES: Mr. Speaker, the question reads as follows:

To ask the Minister of Transport and Works:

1. Is the Minister aware that there is an urgent need for water mains in areas of Hinkson Gap, Danesbury, Black Rock, St. Michael, and Small Land, Bridge Gap, St. Michael so as to reduce inconvenience caused by no water supply to some homes, increased costs of repairing individual broken pipe lines and water wastage?
2. Will the Minister state what plans there are to install water mains in such areas?

Hon. V. L. JOHNSON (St. Michael West Central): Mr. Speaker, the reply is as follows:

"Water mains have already been laid at Small Land Bridge Gap, St. Michael and Hinkson Gap, Black Rock, St. Michael."

Hon. L. S. CRAIG (St. James North): As a supplementary from this side, would the Minister state when were these mains laid? The reason for this is that I would like to find out if the honourable Member is asking about them after they have been already laid or before.

Mr. L. A. WEEKES: Mr. Speaker, as a follow up to that question, I too wanted to be clear on the reply, because ...

Mr. SPEAKER: The honourable Member is not entitled to make a speech, but he is entitled to ask a question.

Mr. L. A. WEEKES: The question I am asking is, is the reply he has given in response to

Mr. SPEAKER: The honourable Member can ask questions to elicit the answer he wants.

Mr. L. A. WEEKES: This is what I want to elicit. The question is, did the Minister lay these mains before June 4?
1.40 p.m.

(Hon. H. B. St. JOHN: That is an old trick.)

Hon. L. S. CRAIG: Sir, it is amazing how the honourable Member asked the question the same day that the mains were laid, Sir. It is only a lot of cheap politics. The 6th July he asked the question, the 6th July they were laid.

(Hon. H. B. St. JOHN: That is an old trick.)

Hon. L. S. CRAIG: Fidel Castro!

(Mr. L. E. SANDIFORD: 4th June.)

Hon. L. S. CRAIG: Castro!

Asides.

Mr. L. A. WEEKES: Mr. Speaker, Sir, ...

Mr. SPEAKER: Order, please. Order, please. Is the honourable Member satisfied with the reply to the question?

Mr. L. A. WEEKES: The reply has not been given, Sir, in respect

Mr. SPEAKER: Is the honourable Member prepared to reply to the supplementary?

Asides.

(Mr. B. M. TAITT: On what date was it laid?)

Mr. SPEAKER: No, no. That was not the supplementary.

Hon. V. L. JOHNSON: The work on this project was completed on the 16th July.

(Hon. Dr. R. L. CHELTENHAM: The same day the question was asked.)

Mr. B. M. TAITT: Supplementary, Sir.

Mr. SPEAKER: Supplementary No. 1.

Mr. B. M. TAITT: Would the Minister indicate when the work commenced.

(Hon. H. B. St. JOHN: Saturday, 15th June.)

Asides.

Mr. SPEAKER: There seems to be no reply to that question. Are there any more supplementaries on this question?

We move to Question No. 31, standing in the name of the honourable Member for St. Michael North.

QUESTION RE QUALITY OF WATER

Mr. P. M. GREAVES: Question No. 31, Sir.

Hon. V. L. JOHNSON: The Reply to Question No. 31, is as follows: "The Minister is aware that the resi-

dents of these areas have been experiencing problems with the quality of their water supply.

"The Barbados Water Authority has obtained specialized equipment to clean out mains where problems with discolouration of water have been encountered. The mains serving Lodge Hill and Clermont have been cleansed."

Mr. B. M. TAITT: Is the Minister aware that there is still discolouration?

Hon. V. L. JOHNSON: No, Sir. The Minister is not aware that there is still discolouration.

Mr. SPEAKER: If there are no more supplementaries.....

Mr. B. M. TAITT: Will the Minister take steps to ensure that such discolouration as exists today is eliminated?

(Hon. L. S. CRAIG: Where?)

Mr. B. M. TAITT: I do not have to answer you. In the area coming from the same reservoir coming down the hill.

Aside.

Mr. B. M. TAITT: He did not say it is not true. He said he is not aware.

I am asking: Will the Minister give the assurance to this Honourable House that to the extent discolouration still exists, he will seek to eliminate it?

Hon. V. L. JOHNSON: If it comes to the Minister's attention that discolouration still exists, the Minister will take what further steps are necessary to eliminate discolouration.

Asides.

Mr. SPEAKER: One more supplementary.

Asides.

Mr. SPEAKER: Supplementary No. 3 from the honourable Member for St. Michael West.

Mr. B. M. TAITT: Will the Minister take the assurance of an honourable Member who is aware that such discolouration does exist and proceed, having been now brought aware, to eliminate the discolouration?

Mr. SPEAKER: Those are two questions.

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

Mr. SPEAKER: You are only entitled to one.

Mr. B. M. TAITT: You choose the one, Sir.

Mr. SPEAKER: You are only entitled to one.

Mr. B. M. TAITT: You choose the one, Sir.

Mr. SPEAKER: You are only entitled to one.

Mr. B. M. TAITT: I will let Your Honour choose that one, Sir.

Mr. SPEAKER: I am not.....

Mr. B. M. TAITT: Disallow the.....

Mr. SPEAKER: I am only to rule.....

Mr. B. M. TAITT: Oh, Sir.

Mr. SPEAKER:..... it is not my prerogative to choose.

Mr. B. M. TAITT: Could you tell me what were the two questions again, Sir?

Mr. SPEAKER: I am not to repeat the questions, but I know there are two.

Mr. B. M. TAITT: Eliminate the first one, Sir, and answer the second one.

Hon. V. L. JOHNSON: Mr. Speaker, the Minister is aware that the honourable Member for St. Michael West has been out of the island for the past four months and, therefore, might not be aware of what has been going on in Barbados during his absence.

(Hon. Miss B. A. MILLER: Stroke! Stroke!)

Mr. B. M. TAITT: On a point of order, Sir: I am drawing to Your Honour's attention that I returned to the country on September 1, Sir.

(Hon. Miss B. A. MILLER: After four months. Stroke!)

Mr. SPEAKER: If there are no more supplementaries, that then brings us to the end of Question Time.

I believe the honourable Member for St. James South is attempting to have *Private Members Notices* re-opened.

Mr. N. K. SIMMONS: Questions Sir. *Notices of Questions*, Mr. Speaker.

Mr. SPEAKER: If there is no objection, leave will be granted to the honourable Member.

Hon. L. S. CRAIG: Sir, this side is going to object because the House was fully notified that it was going to sit at noon.

I recall very well a few months ago, in this very House there were few numbers in here and we were told that the Government benches got pushed about and run out.

This side will not support that. The Member will have to come in here when it is time that such Orders of the Day are taken, Sir. We will not be entertaining him. Let him come back next Tuesday.

Mr. SPEAKER: I take it then that there are objections to *Notices of Questions* being re-opened.

I am sorry. Leave will not be granted.

(*Aside*: I do not believe it. That is co-operation?)

Hon. L. S. CRAIG: You see Castro did not invite St. John, he invited you. You are head of a Government. You went up there discussing debts? I did not know that you have a Government.

Mr. SPEAKER: Would the honourable Member tell me on what.....

Hon. L. S. CRAIG: No, Sir, I rise to adjourn the House, Sir. I was just thinking aloud.

Mr. SPEAKER: If the honourable Member would proceed to that point.

Hon. L. S. CRAIG: I am thinking aloud, Sir. Eugenia Charles or these people were not invited. He and Rosie Douglas! George Odum! These sort of people! All right!

ADJOURNMENT

Hon. L. S. CRAIG: Sir, this brings us to the end of today's sitting.

I beg to move that this House do now stand adjourned until October 1, 1985 at 12.00 noon.

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

The question was put and resolved in the affirmative and Mr. SPEAKER adjourned the House accordingly.
1.50 p.m.

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