
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1986 – 91

HOUSE OF ASSEMBLY

Tuesday, December 16, 1986.

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock, on Tuesday, December 16, 1986.

PRESENT

His Honour L. A. Weekés, (Speaker)
His Honour J. J. Payne, (Deputy Speaker)
Rt. Hon. E. W. Barrow, Q.C., B.Sc., LL.D., (Prime Minister and Minister of Economic Affairs)
Hon. L. E. Sandiford, B.A., M.A., (Econ.), J.P., (Deputy Prime Minister, Minister of Education and Culture and Leader of the House)
Hon. W. O. Franklin, A.I.C., M.I.A.S., J.P., (Minister of Agriculture, Food and Fisheries)
Hon. N. K. Simmons, (Minister of Health)
Mr. D. A. C. Simmons, Q.C., LL.M.
Mr. O. S. Arthur, M.Sc., (Econ.)
Mr. C. V. Walker, (Parliamentary Secretary, Ministry of Education and Culture)
Mr. L. L. Brathwaite, J.P.
Mr. C. A. Neblett, B.A., A.C.M.A.
Mr. R. L. Morris, B.A., Cert. Ed.
Mr. P. J. M. Miller
Mr. R. P. Byer, LL.B., L.E.C.

Prayers were led by Rev. Father Ivan Harewood.

Mr. SPEAKER: The House is in session.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, December 9, 1986.

Hon. Dr. R. C. HAYNES, Hon. P. M. GREAVES, and Mr. E. BOURNE entered the Chamber and took their seats.

Hon. L. E. SANDIFORD Mr. Speaker, the Minutes of the House to which you made reference have been circulated. I beg to move that these be approved as an accurate record of the proceedings of this Honourable Chamber on that date.

Hon. P. M. GREAVES: I beg to second that, Sir.

Hon. H. deB. FORDE and Rt. Hon. E. W. BARROW entered the Chamber and took their seats.

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

Mrs. M. BARKER-WELCH entered the Chamber and took her seat.

ANNOUNCEMENTS BY HIS HONOUR

Mr. SPEAKER: I am to announce that I am in receipt of: The results of the examination of the accounts of the island for the year ended March 31, 1986 together with two sets of relevant Statements/Accounts.

Hon. N. K. SIMMONS entered the Chamber and took his seat.

PAPERS LAID

Rt. Hon. E. W. BARROW: Mr. Speaker, I am commanded to lay:

The Report on the General Elections, 1986.

GOVERNMENT NOTICES

Hon. L. E. SANDIFORD: Mr. Speaker, I beg to give notice of the following:

A Resolution to grant the sum of \$269 357 from the Consolidated Fund and to place it at the disposal of the Government to supplement the

Estimates 1986-87 Part I — Current as shown in the Supplementary Estimates, 1986-87 No. 19 which form the Schedule to the Resolution.

A Resolution to approve the borrowing of the sum of US\$1 924 500 from the Venezuelan Investment Fund (F.I.V.) for the purpose of assisting in the financing of petroleum exploration and development operation of the Barbados National Oil Company Ltd.

A Resolution to approve of the publication in the *Official Gazette* of a notification of the abandonment of the acquisition of land at Six Men's in St. Peter.

A Bill to validate certain charges relating to television licences levied under the Wireless Telegraphy Act.

A Bill to amend the Stamp Duty Act.

A Bill to amend the Profession, Trade and Business Registration Act.

A Bill to amend the Land Tax Act.

Sir, I will be seeking permission of this Honourable Chamber to deal with the Bill to amend the Profession, Trade and Business Registration Act in all of its stages today,.....

Asides

Hon. L. E. SANDIFORD: as well as all of the other Bills of which I have given notice earlier today. They are all budgetary, Sir.

Asides

Hon. L. E. SANDIFORD: All right, Sir, we will try to see that. There is one which I understand has not yet been circulated, but three of them have been circulated. There is one which we would seek to get circulated as soon as possible.

NOTICES OF QUESTIONS

Mr. SPEAKER: In the name of the honourable Member for St. Michael North East, his question dealing with the cleaning and enclosing of an area at Piedmont Park.

Mr. L. L. BRATHWAITE: Mr. Speaker, to enquire of the Minister of Housing:

1. Is the Minister aware that open areas in National Housing Corporation developments,

including Piedmont Park, are presently illicitly used as garbage collection areas and could, in keeping with Government's programme of landscaping and beautification, greatly benefit from immediate cleaning, enclosing and subsequent maintenance as mini play parks for the younger children in the communities where they exist?

2. Will the Minister consider the initiation at Piedmont Park Development of such a programme by Government for the convenience and recreation of the children of that community?

Mr. SPEAKER: By the same honourable Member — multipurpose hard court awaited by the residents of the Hothersal Turning area in St. Michael.

Mr. L. L. BRATHWAITE: Mr. Speaker, to ask of the Minister of Housing:

1. Is the Minister aware that provision of a multi-purpose hard court by Government has long been awaited by the residents of the Hothersal Turning area in Saint Michael?
2. Will the Minister —
 - (a) consider the use by Government of part of the area of the compound of the Friendship Community Centre, where there is adequate land available for the purpose, for the construction of such a hard court, and
 - (b) give a commitment to include such a facility in Government's plans, for immediate implementation?

Mr. SPEAKER: By the same Honourable Member — acute housing problems of the constituency of St. Michael North East.

Mr. L. L. BRATHWAITE: To ask of the Minister of Housing, Mr. Speaker:

Will the Minister initiate an investigation with a view to providing some alleviation of the acute housing problems of the constituency of Saint Michael North East so that the stock of houses and house spots for purchase and renting is at such a level as to satisfy the demand in that area, and in particular, that large areas of plantation tenancies where there is no option to purchase are made available for that purpose?

Mr. SPEAKER: By the same honourable Member, his question dealing with bad drainage and road maintenance at Storey Gap in Codrington, Saint Michael.

Mr. L. L. BRATHWAITE: Mr. Speaker, to ask of the Minister of Transport, Works and Telecommunications:

Is the Minister aware that road maintenance and drainage in Storey Gap in Codrington, Saint Michael, have been left unattended by Government for many years, resulting in a broken road surface very detrimental to residents of the area?

Will the Minister give his commitment to the early improvement to this very unsatisfactory situation?

Mr. SPEAKER: The last question today, the question dealing with road widening and drainage in Lewis Gap, Green Hill.

Mr. L. L. BRATHWAITE: Mr. Speaker, to ask of the Minister of Transport, Works and Telecommunications:

Is the Minister aware of the need for road widening and drainage in Lewis Gap, Green Hill and that the bridge spanning the water course in the said Lewis Gap is breaking away making it very hazardous for vehicular traffic using the road?

Will the Minister give attention to the immediate repair of those roads and the bridge?

12.25 p.m.

Mr. SPEAKER: Question No. 66 by the honourable Member for St. George South re Post of Secretary at the Port Authority.

Mr. R. P. BYER: Mr. Speaker, I beg to give notice of the following Question:

To ask the Prime Minister and Minister of Economic Affairs:

1. Will the Minister state the qualifications required for employment as a secretary by the Barbados Port Authority and the salary for such a post?
2. Will the Minister state whether all secretaries employed by the Authority hold the required qualifications?
3. Will the Minister also state whether it is the policy of Government that staff of the

Authority, at any level and if so at what level, should in any way determine levels of salary at the grade of Secretary?

Mr. SPEAKER: Question by the same honourable Member for the Constituency of St. George South re roads at Ellerton, St. George.

Mr. R. P. BYER: Mr. Speaker, to ask the Minister of Transport, Works and Telecommunications:

1. Is the Minister aware that the roads at Blenman Road, Walker Road, Lowes Road, Crawford Road, all at Ellerton, St. George and Farm Road, St. George in the Constituency of Saint George South were disturbed by the Barbados Water Authority for the laying of pipes for the provision of water to those areas and that those roads have not since been repaired?
2. If the answer is in the affirmative will the Minister state when the said roads will be repaired and also give this Honourable House his assurance that the repairs will be executed without delay?

FIRST READINGS OF BILLS

On separate motions of Hon. L. E. SANDIFORD, seconded each by Hon. M. A. KING, the following Bills were read a first time:

A Bill to validate certain charges relating to television licences levied under the Wireless Telegraphy Act.

A Bill to amend the Stamp Duty Act.

A Bill to amend the Profession, Trade and Business Registration Act.

A Bill to amend the Land Tax Act.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

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

Hon. L. E. SANDIFORD: Mr. Speaker, our time table today is a very tight one. We are expecting that this will be our last sitting before the Christmas recess, and, in order to facilitate the quick and efficient dispatch of our business, I beg to move that Standing Orders 6, 16, 18, 20, 42(5), 43, and 44 be suspended for the remainder of today's sitting.

Hon. M. A. KING: I beg to second that, Sir.

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

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

GOVERNMENT BUSINESS

Hon. L. E. SANDIFORD: Mr. Speaker, Order No. 1.

Mr. SPEAKER: Order No. 1.

Hon. L. E. SANDIFORD: Mr. Speaker, I beg to move that you do now leave the Chair and the House go into Committee of Supply.

Hon. M. A. KING: I beg to second that.

Mr. SPEAKER left the Chair and the House went into Committee of Supply in order to consider a number of money Resolutions, Mr. R. P. BYER in the Chair.

COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee.

SUPPLEMENTARY ESTIMATES 1986-87 NO. 15 PART I - CURRENT

HEAD 34 - MINISTRY OF EDUCATION AND CULTURE - \$42 000

Hon. L. E. SANDIFORD (St. Michael South): Mr. Chairman, this is a relatively simple Resolution. The sum of \$90 264 187 has been provided by Parliament in the approved Estimates under Subhead 10, University of the West Indies, relating to Grants to Public Institutions. That amount is inadequate to meet the demands of a programme which is being proposed, namely a programme at the level of the Masters of Laws Degree in the discipline of Legislative Drafting.

The requirement for persons well trained in the area of legislative drafting is one which we do not have to advocate through any special pleading in this Chamber. As legislators, we cannot do our job effectively, and the Government cannot do its work effectively, unless the laws are properly and adequately drafted, and the purpose of this Resolution is to facilitate the training of persons at a high level in order to perform the functions of legislative drafting.

An amount of \$42 000 is required as part of the contribution of the Government of Barbados towards the funding of the course in Legislative Drafting, which will be pro-

vided at the Cave Hill Campus of the University of the West Indies. Other Governments in the region will be making contributions to this particular programme.

I do not think there is need to be more expansive on this matter, but if Members of this honourable Chamber require any additional information, we will be willing to provide it.

I beg that this Head stand part.

Hon. M. A. KING: I beg to second that.

Mr. CHAIRMAN: The honourable Member for St. Thomas.

Mr. D. A. C. SIMMONS: Mr. Chairman, just a few comments. This course was first started, of course, when the honourable Member for Christ Church West (Hon. H. deB. Forde) was Attorney General, and it has made a significant contribution to legal development in the area. It was my pleasure, as Attorney General, to start to get it revived, and to set in trend the procedures for the restoration of this course.
12.35 p.m.

Since I have left the Ministry, I am not too sure to what extent we have progressed, and I would be grateful if the Minister could tell me, for example, what is going to be the number of students who are going to pursue the course; secondly, whether we have identified a Course Director. Mr. Jim Ryan, who was a Canadian national, was first responsible for the course and there had been some agreement between the regional Attorneys General to have him as Course Director for this new session. I do not know if he is going to be doing it again.

We had also hoped to offer training to persons from the developing African countries and to make the course available to a number of students from Africa. I wonder if those objectives are still being pursued, and to what extent we can look forward to this course meeting the levels that it had met previously.

In short, Sir, all we are asking for is an update as to how far it has progressed, and indeed whether the course started in October or whether we are going to start it from October 1987.

I am obliged, Sir.

Hon. M. A. KING (Christ Church West Central): Mr. Chairman, the course in Legislative Drafting at the University has, in fact, started. I believe it started from the month of October. The Government of the Commonwealth of the Bahamas is now a contributory Government to the programme and Mr. Justice Crabb from Ghana is the director of the course. I thought that a Resolution had come before

the House on a previous occasion where certainly provision had been made for transportation facilities to be provided by the Government for Mr. Justice Crabb. If it has not come before the House as yet, all the facilities are being put in place for Mr. Justice Crabb to be given all the conveniences necessary for him adequately to perform the functions of director of the course.

Any further questions?

Asides.

Hon. M. A. KING: I am not aware that any students are presently in from Africa. Obviously the course is open to students from throughout the region. I do not suppose there will be any restriction on students from anywhere participating in the course on Legislative Drafting. Obviously, it would be in the interest of Barbados and of all the countries in the region to benefit as greatly as possible from their nationals participating in the course.

The question that Head 34 stand part was put and resolved in the affirmative without division.

SUPPLEMENTARY ESTIMATES 1986-87, NO. 16 PART II - CAPITAL

HEAD 78 - MINISTRY OF HEALTH AND SOCIAL SECURITY - \$350 000

Hon. N. K. SIMMONS (St. James South): Mr. Chairman, this supplementary is for \$350 000. I believe that as much information as is necessary for members can be found in the Addendum.

This is for the Geriatric Hospital, which is now 103 years old, or thereabouts. There has been some consistent upgrading of the hospital, but, quite frankly, it has not been done quickly enough, and the work which has been done seems almost to no avail.

I am most grateful to the Minister of Finance for allowing me to have \$350 000 to repair some floors there. They are in such a state that I would not want to work under those conditions. They are saturated in urine and very often the urine seeps through at night, because of the patients, and wet the staff below, and also patients.

This is only a part of what we are really asking for and this will tide us over to the end of the financial year. Really, we are asking for \$1.9 million to do the entire job, but this is what we will use in this financial year.

I do not think that much debate will be generated on this, because nearly every Member here knows the state of the institution and will be happy to see that at least the floors are being upgraded to improve the conditions of work for the workers at that institution.

I now beg that this Head stand part.

Hon. W. O. FRANKLIN: I beg to second that.

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

SUPPLEMENTARY ESTIMATES 1986-87, NO. 17 PART II - CAPITAL

HEAD 74 - MINISTRY OF AGRICULTURE AND NATURAL RESOURCES

Hon. W. O. FRANKLIN (St. Philip North): Mr. Chairman, Head 74, Subhead 21 - Scotland District, Soil Conservation Project, Professional Services. The amount of \$2 616 300 was passed in the Approved Estimates 1986-87 and we now seek the additional sum of \$75 000 to supplement this Head.

Under the Scotland District Programme, the Soil Conservation Unit has been charged with carrying out works in connection with a project by the IADB, and the professional contract was awarded for providing engineering and surveying works. The project called for the appointment of two Engineers and a Surveyor, but, unfortunately, the project was unable to attract a Surveyor, despite the fact that it has been advertised for quite a lot of time, and the engineers that were on the project did not stay on the project very long. As a result, the project has to depend on private consultants for this work to meet the requirements of the IADB.

The work necessary involves two sets of plans, before and after, and presently the costing for surveying is approximately \$2 000 a month. The cost for preparation engineering is approximately \$4 000 a month, and the other cost, for the second engineering project, is about \$8 000 a month. So the vote now needs to be supplemented by a sum of \$75 000.

12.45 p.m.

During the last heavy rainfalls, unfortunately, the Scotland District suffered some additional damage. It is estimated that the damage would cost about \$5 million to repair. The rains were extremely heavy. Some of the damage resulted from the fact that work that was previously done in the Scotland District had not been properly maintained, and this is a problem in the Scotland District - a lot of money has been spent in the Scotland District, but over the last five to eight years, as a result of allocating very small sums of money towards the unit, the maintenance was not properly done. During the last heavy rainfalls these areas that were not properly maintained were affected by the rains and, as a result, as I said, we now have to find an additional \$5 million to effect repairs to those areas damaged by the last rainfall.

I now, Mr. Chairman, beg that Subhead 21, Scotland District Soil Conservation Project — Professional Services — for the sum of \$75 000 stand part.

Hon. L. E. SANDIFORD: I beg to second that.

**SUBHEAD 22 — SPRING HALL LAND LEASE
SCHEME**

Hon. W. O. FRANKLIN: A sum of \$475 000 was passed for this project. We are now seeking an additional amount of \$87 624.

Mr. Chairman, the Spring Hall Land Lease Project, as you know, was an effort to provide lands to farmers in different acreages, going from 15 to 35 acres, with the idea of experimenting with some agrarian reform. The project, to date has not been the success that we had hoped that it would have been.

We have recently had an evaluation carried out by a local firm of consultants, and they have made some recommendations for the improvement of the project. One of the main recommendations are that we should have a look at a subsidiary irrigation system as well as encourage our farmers to go towards drip irrigation. There is also a recommendation that we should provide the houses early o'clock for the farmers so that when they are in there they should be settled, as well as upgrade the management in technical assistance available to these farmers. We are hoping to be in a position to do this very shortly.

In the original allocation, there were two areas of 30 acres, each acreage being separate farms, and with the consent of CDB, it was decided that these two areas should be amalgamated into one farm of 60 acres. Originally a person was selected to carry out this area, but after an examination, it became known that he had neither the experience of dairy farming — he had a small herd, if any herd at all — and after the ADC discovered this, his tenure was brought to an end.

The area is now being awarded to a dairyman. He has gone into it, he discovered that a lot of money that was spent originally was badly spent, because the first person who was selected was not really aware of the requirements, and, as a result, he is now seeking some additional equipment, which is listed as follows:

A Stand-by Generator	\$11 000
A Forest Harvester	14 824
A Wagon	9 100
A Bailer	25 100
A Mower	5 075
A Teller	5 175
	\$71 124

Some of this equipment would be available at BADC to lend and rent to our dairymen. The amount that is being spent has been taken into consideration at arriving at the rate for the concession to the new farmer. Therefore, this amount is needed to supplement that vote for the Spring Hall project.

I ask that Subhead 22 stand part.

Hon. E. E. GREAVES: I beg to second that.

Mr. O. S. ARTHUR (St. Peter): Mr. Chairman, I have no difficulty whatsoever with the sums of money to be spent under Object No. 26 — Professional Services — in relation to the Scotland District Project, but I entered the debate to raise a number of issues concerning the Spring Hall Land Lease Project.

I speak, Sir, against the background as having been former Chairman of the Corporation. It was very interesting that the Minister indicated that a study has been undertaken with a view to having the project improved, and a number of technical recommendations have been made and are about to be put in place to improve things such as the irrigation system, upgrade farmers technical skills and matters of that character.

Mr. Chairman, I want to say that we need to go a little bit further in evaluating the Spring Hall Land Lease Project. I say this from my vantage point of having been Chairman of the corporation responsible for its implementation, as well as a member of the party which first brought it into existence, and I make no secret of the fact that I am not really happy with the concept of the Spring Hall Land Lease Project and I am not really happy with the manner in which the resources — to some extent — have been put in that particular activity.

Mr. Chairman, we are today discussing monies for a dairy at Spring Hall. I recall that when I was the Chairman of the Spring Hall at the Agricultural Development Corporation, that particular matter was a matter that was under consideration by the corporation. I say that, Mr. Chairman, to say this — one of the real problems with the Spring Hall Land Lease Project is the problem that there is too much Government in it. I really cannot think of any equivalent 400 acres of land in the world which has to be managed by a Special Assignments Division of a Ministry, a statutory corporation, a project office, all relating in some way to an international lending institution.

I had that fundamental difficulty with that project when I was chairman of the corporation. I always found that decision making in relation to the use of land at Spring Hall, even the use of resources in that project, really was hamstrung by the fact that there is absolutely

too much Government in it. And if we really want that project to serve the purpose of determining whether Barbados would ever be able to evolve a class of farmer who falls somewhere between the plantation system and the peasantry, by reason of his or her capacity to manage an acre of land that is neither a plantation nor a peasantry plot, it seems to me that we will not ever be able to answer that question unless we find a system of project management which takes some of the present hiatus surrounding Government out of that project.

The project is conceptually useful, and if we are to diversify Barbados's agricultural system, we might, in fact, need to answer the question that the Spring Hall Land Lease Project is groping to find a solution towards. But I do feel that we have to take decisions very soon, not only on the question of irrigation, not only to the question of technical skills to the farmers, but fundamental decisions as to the degree of independence, we are going to allow those farmers to become farmers in their own right, rather than farmers operating under a general umbrella of an international institution, a Government Ministry, a state corporation and a project office.

12.55 p.m.

So that I have a fundamental difficulty with the project, from the perspective fact, Sir, that I do not think that, under the existing institutional arrangement that governs the project, we are ever going to find out how self reliant we can be.

Aside.

Mr. O. S. ARTHUR: I said it when I was Chairman of the Corporation.

I also want to say in relation to the Spring Hall Project that the project has not succeeded in many respects in reaching some of its stated objectives where agricultural diversification is concerned. If we want to find solutions to the question of bringing forward in Barbados a class of farmer who can manage 20 acres of land, it might be better not to put all the farmers on one estate, but to expose the farmers to the various different kinds of ecological and agronomic conditions that pertain in Barbados. I think, Mr. Chairman, that, eventually in Barbados, we will have to depend more and more on farmers operating on a scale that is built into the project concept of Spring Hall, but that you will find in Barbados that agronomic conditions and ecological conditions, even in this small country, vary widely across Barbados. I am not sure that the nature of the project at Spring Hall really would allow a 20-acre farmer to extrapolate from that experience to operate a 20-acre farm in St. John. I think that if we are to perceive of future land lease projects to evolve new classes of farmers and to build up a capacity for agricultural diversification, we

might want to think in terms not of demarcating estates on which we put a group of farmers, but we might want, Sir, to sublet land in different ecological zones in Barbados so that this new class of farmers which we want to form the spearhead of the agricultural diversification thrust, can gain valuable experience in farming under the various ecological and agronomic conditions which this country provides.

I am speaking from the vantage point of being a former chairman of the corporation who understood the difficulties of decision-making when matters fell between ADC, Project Office, CDB and Ministry. We have to re-think this entire project on the straight hand. It was inspired by pure motive, Sir, but as we know there is often many a slip between the cup and the lip. And even though it is a project that my party started, I think I have to be realistic enough to recognize

Asides.

Mr. CHAIRMAN: Order.

Mr. O. S. ARTHUR: that we were more — if it pleases you — identified with the implementation than anybody else, if that is what pleases you, let us rethink it not only in terms of irrigation systems, farmers' skills and so on, but let us rethink it in the broader context.

In relation, Sir, to Object No. 26, I want to use this opportunity to enquire of the Minister of Agriculture exactly what is the Ministry's current position in relation to the Speightstown Fishing Harbour.

Aside.

Mr. O. S. ARTHUR: We are talking about fishing harbours.

Asides.

Mr. CHAIRMAN: We are talking about professional services in relation to the Bridgetown Fishing Harbour Project.

Asides.

Mr. O. S. ARTHUR: The general area, Sir, is fishing.

(*Aside:* Mr. W. O. FRANKLIN: It is all right. I am going to deal with it for you.)

Mr. O. S. ARTHUR: Mr. Chairman, I would be glad if the Minister could explain for us what was the basis for the expenditures of \$19 000 on professional services for the Speightstown Fishing Harbour Project, as in October,

in the light of Government's decision prior to October to abandon the project. Perhaps I should put it in that fashion since we are discussing professional services. I would be very grateful if the Minister could reflect on that particular issue for me.

Generally speaking, I am very pleased that the Minister of Agriculture has at last spoken in this session of Parliament. I was really hopeful, Sir, that he would have broadened his debate to give us a general overview of the situation facing agriculture in this country. There is, Sir, a general air of uncertainty existing in the agricultural sector in Barbados, rather more than a degree of uncertainty, regarding what is Government's exact policy in relation to price supports. The time is coming when the industry has to make its final payment for sugar cane reaped during the 1986 crop, and the absence of a Government policy on price support is putting the sugar industry, in general, in a great position of uncertainty in making its plans for the 1987 planting season. I am advised, Sir, that the extent of support that the sugar industry may need may well amount to \$30 million, and I am wondering by what mechanisms the Government will wish to give effect to its commitment to provide price support for the sugar industry of this country.

I was also hopeful, Mr. Chairman, that the Minister would speak to the question of the immediate prospects of diversification, having regard to the fact that the estates which have gone into diversification in a major way are as exposed to the banking system as estates which have concentrated largely on sugar. I was hopeful that the Minister would give us his thoughts on the immediate prospects for the cotton industry, having regard to the tremendous problems which have been experienced by cotton producers in this country this year because of being put to the necessity of having to plant on multiple occasions, Sir, and having regard to the intrinsic difficulties of their living up to the Minister's challenge to them to provide them with a gift of a processing plant if they could produce three million tonnes of cotton.

So that, in a sense, Sir, I am a little disappointed that the Minister did not see these particular initiatives, such as the Scotland District and the Spring Hall Land Lease, within the Broader frame of agricultural development, and having regard to the fact that this was the first thing on which he has spoken in this House, during this session, that he did not give us his general views of the directions along which the industry over which he presides is to be developed, given the high uncertainty that exists in agriculture as of now regarding the future of sugar and the future of non-sugar commodities in this country.

I, Sir, can support the expenditures for the purposes for which they were intended. I look forward in the very new future to us having a larger debate on agriculture,

given the range of issues which this agricultural sector proposes for the national development of this society.

Thank you, Mr. Chairman.

Mr. CHAIRMAN: The honourable Member for St. Michael South East.

Dr. E. A. SIMMONS: Mr. Chairman, I rise to support this Resolution, and there are some comments I should like to make following the comments made by the honourable Member for St. Peter.
1.05 p.m.

Between the years of 1976 and 1986 there was a systematic destruction of the small farmer in this country — and I am going to give you some details, do not worry — and not only the small farmer in terms of vegetables, but in terms of the people who deal with cows et cetera. But despite the policies of the last Government where the big people in this country have been allowed to monopolize the dairy industry, et cetera, because of the hard economic times, small people have found it necessary to start their own little dairy industry and, indeed, other industries, and I want to cite some examples. In Forde's Road, in the constituency of the Leader of the Opposition, there is a young man there with probably the greatest experiment in Black Belly sheep in any place in the Western Hemisphere, and I hope that my Government will find it absolutely necessary to move in and assist people like Mr. Williams who have started with the Black Belly sheep industry in Barbados. There is no other experiment in the Caribbean in Black Belly sheep that could be tantamount to it. That young man in Forde's Road has about 500 head of Black Belly sheep — the most beautiful animals you could see!

In addition to that, there are some other young men, and I can identify young men in Rock Dundo, St. James, one in my constituency in Mount Friendship, and another one in Bright Hill, Christ Church. These young men, because of hard economic times have set up their own dairy industries, and these young men are so industrious. They have gone ahead and have put up their own automatic milking machines and they are dying to get into the agricultural industry in this country.

I would agree with the honourable Member for St. Peter that the future of agriculture in this country depends on the small farmer. The days of the big plantation, when people will go on the plantation and work, are finished, and we have got to look at the small farmer who is prepared to go into farming on a scientific basis. I have had discussions with some of these youngsters who are prepared to go into agriculture using bio-gas production, solar energy, and technology in wind energy in order to advance farming. As I was saying, if we in this country are serious, we have to look at those kinds of

programmes, because that is where the future of this country lies. We know that the future of the sugar industry is a precarious one — it seems that it is due for certain death. We must move rapidly to look seriously at agriculture, because that is what the future of this country demands.

There are other areas that we must look into. One of the things we must be very serious about is the number of weedicides that are brought into this country, polluting the atmosphere and killing the crops. Only yesterday I was driving through Christ Church and I saw a man with a spray can with a child next to him. Neither he nor the child had on any protection on their face, and he was spraying a couple of weeds in a gutter filled with water. These are dangerous things, and I think that we should look at that very, very carefully.

In addition, we heard the Minister of Agriculture mention the amount of damage that is done by rainfall. I think we should get some expert advice on it — it is done in other countries — so that we can control the damage done by rainfall, and make use of the rain water by building simple dams. It is done in other countries in the Caribbean, and it can be done in Barbados.

We need, however, to look at, when we dam the water, how we will control the spread of mosquitoes and other insects. And while we dam the water, we can start inland fish breeding, and we can also start the breeding of things like shrimps and lobsters on an inland basis. This can be done — it is done in other Caribbean countries — and if we dam the water, we will find that a lot of the damage that is done, let us say, down in St. James, with the water coming from St. Thomas and St. Andrew, we will be able to trough that water and stop the damage, and, therefore, cut down on the expenditure in terms of repairs to roads and property. These are the things we need to look at.

While I am talking about small farming, I want to say this. I know that a lot of the small farmers in this country have approached the Barbados National Bank and that these youngsters with good projects are refused — not refused, but they are promised they would be assisted, to find out, three or four weeks later, that the big boys go into the same plantations, most of them which are in receivership, and they put a hold on those young people's projects. So that where our young people should be moving forward to develop this country, we have Government institutions which are putting blockages in the way of young people of Barbados, most of them in their early 30s and late 20s, who have 20 or 30 years of good productive life and imaginative foresight. There are being blocked by people who really do not have the creativity to carry this country forward, and I would like the Ministry of Agriculture, in conjunction with the Ministry of Finance and other associated Minis-

tries, to look at the forward movement of this country in terms of agriculture, because that is where our future lies. If we take a bold scientific initiative, the country can move forward on an agricultural basis.

So in supporting this Resolution, I would like to say that I agree with some of the comments made by the honourable Member for St. Peter, but I also would like to remind him that a lot of backward motion was made during the years 1976 to 1986.

I thank you.

Mr. CHAIRMAN: The honourable Member for St. Lucy.

Hon. E. E. GREAVES: Mr. Chairman, I just want to make a short intervention in this debate, and it will mainly be from the point of view of the attempt which the honourable Member for St. Peter (Mr. O. S. Arthur) made in trying to rewrite the history of this project and often one comes across these revisionists-historians who would want to, in their own words, at least attempt to rewrite history.

The fact of the matter is, Sir, that the Democratic Labour Party conceived this idea in the 1970s. It was in our manifesto for the 1971 General Election and we acquired the Spring Hall group of estates in 1974. The idea of the Land Lease Project was, in truth and in fact, conceived by the Democratic Labour Party, and the whole question of marshalling of the project funds was initiated at that time. Unfortunately, we did not have the opportunity to implement the programme which we had in mind for this particular project.

It is interesting, however, if one were to read the debates of the House of Assembly when we acquired the estates and subsequently, indeed in the early days of the Barbados Labour Party in 1976, that the then Minister of Agriculture, tried his best to indicate that it was foolishness that we were doing. I remember asking a question on it in the early session as to what the Government intentions were. One got the impression that they had no particular interest in this particular project.

However, we are glad that they saw the wisdom of what we had conceived in this particular project and, therefore, continued with it.

It is interesting to note that the honourable Member for St. Peter, who spoke on this Resolution and spoke on the problems about the numerous governmental interventions in this particular project, as it were presided over this, and his party presided over the setting up of all of this about which he complained. Ten years is a long time for a project. They had an opportunity to do something about it, to revise it, and they did absolutely nothing

about it. He was the Chairman of the Agricultural Development Corporation, under whose responsibility this project fell, and therefore would be responsible for all the encumbrances which he is now complaining about. I have every reason to believe, Sir, that the present Minister of Agriculture and this Government will be looking at this project in an overall way, and we will try to devise an approach which will ensure that we get the best out of this particular project.

1.15 p.m.

Sir, the Minister of Agriculture, in introducing this Resolution, made reference to a number of problems which the farmers have been having. On the question of irrigation, he did not mention that when the project started under the auspices of the Member for St. Peter, the farmers were forced to pay commercial rates for their water. They actually had to get water from the Waterworks main and had to pay commercial rates. No concession was given to them. Luckily, within recent months this particular problem has been alleviated.

The Minister of Agriculture mentioned the question of housing. The Member for St. Peter presided over a situation where houses were built, which for practical purposes, were unliveable. When the rain fell the people who occupied those houses had to look for somewhere to shelter. The houses were leaking badly. You only had to go and talk to the farmers. The complaints were made, but the Agricultural Development Corporation and the agencies of Government which are responsible for this paid no attention at all to the complaints which were made. I took the Minister of Agriculture down to St. Lucy and we went and we talked to the farmers, we talked about their problems, and he recognised the problems in this particular area, and that is also going to be put right.

The question of equipment is another matter which has been raised. All of these are problems which were identified years ago but which the former Administration did nothing about, and this is what we are trying to correct now in this project. I would hope, Sir, that, added to all of that, we will be able to develop the kind of marketing services that would enable the farmers, when they produce, to market their produce in an effective manner.

I have every competence in accepting that the Ministry of Agriculture under the present Minister of Agriculture will see this project come through and will be a pace setter, as it were, for similar projects for the island, and I want to support this particular Resolution.

Thank you.

Mr. O. S. ARTHUR: Mr. Chairman, it is a real pity that, in his intemperance, the honourable Member for St. Lucy did not first of all seek to check the facts

in relation to a project which is falling within his constituency. He has made some rather grand and very loose charges which require immediate response.

The view that the Agricultural Development Corporation built houses for farmers at Spring Hall which were unliveable seems not to recognise the fact that, under the terms of reference of the project, it was the responsibility of the farmers to build their own homes. The responsibility of the Corporation was to arrange the credit and facilitate the access to credit by which the homes were built. I think it is really a bit ridiculous that the Member for St. Lucy, speaking in relation to a project in his own constituency, should come and accuse the Chairman of the Agricultural Development Corporation and the Government of building houses which were unliveable when the houses were built by the tenants themselves.

In relation to the business about our forcing the tenants on the land to pay commercial rates, I want to talk about this issue, Sir, because it raises a question as to what can happen when we put too much government in projects which are supposed to bring out of people a degree of self-reliance.

This House will recall that we, in the last session of Parliament, brought to the House of Assembly a supplementary Resolution for the Spring Hall Land Lease Project, part of which monies was meant for the Government to pay for and to subsidise the water bills of the tenants at Spring Hall. Indeed, Mr. Chairman, one of the real problems that has been experienced at the Spring Hall Land Lease Project has been the attitude of the farmers, to some extent, that, in so far as this is a Government project, 'we must be absolved of the responsibility of paying less for either water or for land.' Year after year, Sir, the Agricultural Development Corporation did in point of fact have to pay the water bills for the tenants at Spring Hall, and we had a situation on that project, as the Minister of Agriculture knows, where the most enormous difficulties were developed around the unwillingness of the tenants even to pay rents for land.

When the Member for St. Lucy speaks in terms of the financial pressures brought on farmers because of having to pay commercial water rates, that is only a theoretical point of view. They had good access to the President, and they were in a position, whenever they had a grievance, to go and complain about things. The reality was that the farmers on the Spring Hall Land Lease Project were in a position where they had their water rates subsidised by the Government for a long period of time.

I must also tell the Member for St. Lucy, because the project is a project that falls within his constituency, that the Barbados Labour Party Government reacted to

the water problem experienced by the Spring Hall Land Lease Project by spending money to develop the irrigation facilities at Spring Hall.

(*Aside:* Hon. E. E. GREAVES: Where are they?)

Mr. O. S. ARTHUR: I said they spent money to develop the Spring Hall project. They came to this House by way of a supplementary resolution as well.

The point about our taking some of the Government out of this project is being missed. You cannot run a project on an 8.00 to 5.00 basis. Plastic Engineers was the company responsible for putting in the irrigation system at Spring Hall, and the Minister of Agriculture knows this as well. I am not sure how well the system is working, but monies have been spent to try to overcome those problems. You really cannot, if you want to employ a new class of small farmer in this country, in my view, have that small farmer relating to a public office which in many cases runs on an 8.00 to 5.00 basis.

There are many problems, for example, of a cultivating nature, which stem from the fact that it would be preferable for that small farmer to be put independent to anybody else, given his own set of small farming equipment by way of settlement rather than have to depend on a tractor driver coming at 8 o'clock in the morning and working between 8.00 and 5.00 on his behalf, because the whole notion of small farming is that the man might want to get up early in the morning and work late at night, and we must rethink the project by taking some of the Government out of it. We ought to reorganise Spring Hall

(*Aside:* Rt. Hon. E. W. BARROW: Your Government has been taken out of it).

Mr. O. S. ARTHUR: I am not concerned with whose concept it was, I am saying that we have to be concerned about the best use of the resources of this country. It might be better for us to reorganise Spring Hall, not to establish a relationship between the farmers and the State, but between the farmers and themselves. What is wrong with having Spring Hall as a farmer's village, where there are systems for the co-operative use of machinery, rather than having the farmers depend upon a project office run by the State in order to have their work done?

There is a reluctance, Mr. Chairman, in this country for us to be reflective even on things that we do. One of the problems with politics in this country is that there is a feeling that once a project is identified with a particular party, no consideration of evaluation can be exercised in relation to that particular project.

1.25 p.m.

Spring Hall ought really to be redeveloped as a farmers' village, where farmers are allowed to do things that farmers do, without interposing between the farmers on an inter-personal basis a large number of state bureaucracies. I really feel that Spring Hall can eventually become a success. I do not care who conceived of the idea, but I really feel that Spring Hall can eventually become a success if we allow the project to be organised along the lines of a farmers' village, rather than an estate, which happens to be owned by Government, on which reside a set of tenants of Government who depend upon Government for cultivation facilities, credit, marketing and the whole range of things.

Eventually, if we were to have a class of small farmers growing out of the Spring Hall experience, that class of small farmers, I hope, would be a class of small farmers who would not see themselves as having the kind of relationships to Government necessarily that we are encouraging at Spring Hall, because the whole essence of the Spring Hall Project really must be self-reliance, and if that small farming class must come forward, it must be a class which embodies the best principles of self-reliance. I am challenging the Ministry, I am challenging my party, your party.....

Asides

Mr. O. S. ARTHUR: All the civil servants with whom I have been related on this Project can tell you that I have complained from the very first day that there was too much of a struggle over turf between the Ministry of Agriculture, ADC and the CDB.

This dairy farm was being planned from 1983.....

Asides

Mr. CHAIRMAN: Order.

Mr. O. S. ARTHUR: We can make a lot of fun about these particular matters, but we must get serious one of these days, and this project is one that can really prove whether there is a capacity for self-reliance in this country or not. How we are going to develop it is going to be important in the future.

The Member for St. Lucy is being intemperate, as usual, in speaking about how we have forced people to live in unliveable houses, how we have forced people to pay commercial rates. They do not square with the facts.

Asides

Mr. O. S. ARTHUR: He is very intemperate, and it is a great pity that the opportunity is not being grasped to approach this project not from the point of view of little technical details, but from its broad concept.

I thank you, Mr. Chairman.

Rt. Hon. E. W. BARROW (St. John): Mr. Chairman, I just want to set the records straight.

Spring Hall was acquired by the Democratic Labour Party Administration, if you would like to call it that, some time way back in 1974, and the elaborate plans were drawn up for Spring Hall. As a matter of fact, I even asked for consideration to be given to the location of an air strip by Harrison's Village — I think I have some knowledge of the constituency, since I happen to be born down there — and I was accused, although it was bought from Barbados Shipping and Trading, of wanting to put down an airstrip to benefit my family's land. I did not see how that could have any relation at all to the project.

I was, therefore, surprised to learn from the honourable Member for St. Peter that the whole project was inaugurated by the Barbados Labour Party. We know that there is a lot of rewriting of history going on now in Barbados, a tremendous amount, for a long time. But if the honourable Member is assuming responsibility for the paternity of the project, he must take responsibility also for everything that has gone on since. We carry responsibility for having provided the funds for buying the 1 800 acres or thereabouts. I cannot remember the precise amount.

In the first place, the selection of farmers was not the responsibility of the Democratic Labour Party, and if you take people who are taxi drivers, who will go to work and come back in the evening at 6.30 o'clock and expect to run a 20 acre farm at that time, naturally you are going to run into difficulty. Then you do a lot of advertising for a Project Manager. You do not need a Project Manager. You need some farmers who will go and work on the land, and who understand what farming is about.

I do not know if the honourable Member is an Agricultural Economist. He probably is, I do not know. I just do not know. All of us who have been exposed to the discipline learned something about agriculture economics, and I think the first thing that we learn about agriculture economics is that agriculture is a way of life. That is the very first thing that you have to understand, and you cannot take taxi drivers and party members and say, 'we have to farm 20 acres, we are going to provide you with this and that and the other,' and expect any project like that to be any kind of success.

To that extent I go along with the honourable Member. But since they were implementing the project, they must take responsibility for anything that has gone wrong with it, and primarily that has to be the selection of the type of people that you put on land like that and expect them to make a success of something that they

are completely innocent of the basic disciplines that are required.

Here today we had an admission that the person who was responsible for the dairy aspect of the project did not know anything about dairying. That is how I understand the introduction by the Honourable Minister. But who chose him? How did he get there? He did not drop out of Harrison's Village or from The Hope. As a matter of fact, the Government did not set a very good example to any dairy farmer by closing down The Hope establishment, which was providing a considerable amount of

Asides.

Rt. Hon. E. W. BARROW: They have not closed it down yet? Well, I see a very small number of cattle down there now.

Asides.

Rt. Hon. E. W. BARROW: Oh, you are only planting?

Asides.

Rt. Hon. E. W. BARROW: There are not many cows. I hear they have transferred all to Greenland, or vice versa, or something like that.

The other thing is this. I have been on some dairy farms in Barbados. I used to send milk to the Pine Hill Dairy. I only had nine cows. One morning the two young men who used to assist me decided it was a bank holiday, and then they had to recover from the bank holiday the day after, and the day after that, and I found it a bit too strenuous to milk nine cows three days running, so I sent my cows down to St. Lucy to Mr. Roy Ward. That was the end of my dairying.

You see, dairying has to be a way of life. All of the time I had these nine cows, I never had any stand-by generator. Barbados is saturated with Light & Power power lines, and I cannot understand how every dairyman, in addition to buying stainless steel tanks to hold his milk while he is waiting for his delivery to be collected, has to go and buy a stand-by generator for \$16 000. I do not understand what this Government is doing providing people with stand-by generators. You can go up to Simpsons Motors right now. The stand-by generator that we had during the election period, which had to be called in to usage on more than one occasion when the supporters of the other side cut our power lines, cost

Asides.

Rt. Hon. E. W. BARROW: I said the other side, whoever they are costs \$800.
1.35 p.m.

So I want to know what dairy farmer — how much de we have in the Resolution? — wants \$11 000 for a stand-by generator. A stand-by generator is something which you only use in cases of emergency. I gave two stand-by generators, a few months ago, to the Premier of Anguilla, from St. Lucy as well. If you had told me, I could have given one.....

Laughter.

Rt. Hon. E. W. BARROW:.....instead of sending both of them. They had four of them down there, and it cost \$300 000 to keep them turning over. I would willingly give one to the whole of the scheme at Spring Hall. So I think that the Ministry of Agriculture better take another look at that. What do you need a stand-by generator to milk cows for?

Laughter.

Rt. Hon. E. W. BARROW: You need a stand-by generator at the hospital in case, in the middle of an operation, the power fails. You need one at the Grantley Adams International Airport, because a plane may be landing and the runway lights give out for some reason or the other. Therefore, we have to go to the expense of buying stand-by generators for those two institutions, if you would call it that. But a stand-by generator for a cow?

Laughter.

Rt. Hon. E. W. BARROW: I think that the whole thing needs looking at again. I agree with a lot of the strictures levelled by the honourable Member for St. Peter. But the problem is that he was in an excellent position to have a close overhaul of the whole system because he not only was Chairman of the Board, he was in some other official position which gave him the authority to make recommendations to the former Cabinet that this whole thing be revised drastically.

Another thing about the building of the houses that happened was that some assistance was going to be given to the farmers, "small f", for the construction of houses and the Prime Minister said that no farmer had any right living in a house built out of concrete blocks. So they went and brought somebody from Guyana to build houses up there out of Guyana timbers. And we make concrete blocks in Barbados!

But the important thing about farming is not the kind of house the man lives in, but what he produces, and I am not satisfied that up to today the Spring Hall

Project has produced anything which has added to the national product of Barbados.

That is all I want to say.

Mr. CHAIRMAN: The honourable Member for Christ Church West.

Hon. H. deB. FORDE: Mr. Chairman, I really do not want to prolong the debate, but I think what has been shown up by the speeches of honourable Member so far is that the House will have to find some opportunity to focus its attention on the question of agriculture.

I agree with the honourable Member for St. Michael South East that perhaps agriculture is going to be the most significant sector of the economy between now and the turn of the century and has to be primed and carefully watched, if we are to make any advance here in Barbados, and I would say, in the Caribbean as well. I do not know of a successful country even to some extent, except Switzerland, although that is a bit of an exception, and perhaps Singapore, which has developed successfully without having placed a tremendous amount of interest on the development of its agricultural sector.

I am happy today to say that on both sides of the House, there seems to be an agreement that agriculture is important and it must no longer be seen from the historical perspective of the slave days. And I would hope that it would no longer be seen either as the Cinderella of the economic factors in our community. It is a pity in a way that the debate is now being bogged down, therefore, on a discussion of the Spring Hall Land Lease Project, as to who was its father and who gave it birth, who was the nurse maid, and who is either going to rear the child or kill it. I do not think that that is really, in retrospect, the important problem here.

The points which the honourable Member for St. Peter was making are valid points. It is obvious that the concept may have been good, but quite a few things have not worked out as those people who conceptualized the project envisaged, or indeed those who have had the problem of implementing this project. I do recall most vividly the tremendous wars that went on between various governmental sectors, and also between the Government and the main funding agency for this project, the Caribbean Development Bank. Indeed, many of the ideas which came from the Government in those days could not be implemented because they ran counter to the concept of the advisers and consultants in the Caribbean Development Bank, which was funding this project. Even the type of houses which had to be provided for farmers was a matter that led to a long discussion, as the Minister of Agriculture would see from his files, between the Government and the CDB, with CDB almost saying that

unless you comply with our terms, as conceived by their consultants, then this project would not go forward. That also applied as to whether you were going to extend the project into importing timber from Guyana for the construction of the houses, or you were going to go for cement.

In fact, in many respects, the Caribbean Development Bank conceived of this project as a sort of research project in order to help it determine whether or not we could produce in the Caribbean the type of farmer in between the main plantation owner and the small farmer who farmed his eighth of an acre or not. Obviously, we have all learnt lessons from that. I believe that we have an opportunity now from those lessons to try to correct some of the things that have gone wrong and not to make the same mistakes in the future, and I believe that the honourable Member, when he spoke, spoke in that vein in a very constructive way. Indeed, both the Right Honourable Prime Minister and the honourable Member for St. Michael South East agreed with some of the views which he has expressed in this debate.

I want to correct a few things though, Sir. The past Government did not close down the Hope, as I understand it. In fact, we have refenced the Hope, new milking apparatus has been put in there and there has been re-herding taking place at the Hope.

Asides.

Hon. H. deB. FORDE: The honourable Member says, "no," he passes there every week. But steps were taken in order to make the Hope again viable and operational.

When it comes to the dairy industry, I think a lot of emphasis has gone into the dairy industry by both successive Governments. I recall the establishment of the Pine Hill Dairy, and I also recall very vividly the emphasis which we have placed in recognizing that Barbados must have a livestock industry, and particularly we must be able to provide part of the beef which we use in this country, not seeking to replace the emphasis which Belize can place in this area, but to save foreign exchange and to provide an alternative for agriculture.

Part of the problem, as the Minister will discover, Sir, is that we have in place several grants and incentives already, but sometimes they do not seem to be used by the persons for whom they have been provided, or, indeed, we do not seem to be able to publicize them well enough.

Only this week I took the opportunity to drive into the Scotland area and also to Tent Bay; first, to check on the development of projects and, secondly, for my own education about what is happening in agriculture. We have

made a lot of progress in the Scotland area, although there are tremendous problems there. I must say that we have made progress in the fruit industry. The number of plants available there, the variety of plants, the emphasis being placed on developing the cherries, the pawpaws and the guavas has been very significant. I know that we have not moved on to the other areas spoken of by the honourable Member for St. Michael South East — into aquaculture, cultivating fish — but I recall that that, too, was one of the projects which the past Administration had started to explore with the Inter-American Development Bank.

1.45 p.m.

No one has spoken about the most significant project that has been started here to assist the small farmer in Barbados. The honourable Member for St. Philip North constituents have been a beneficiary of this project and so has the honourable Member for St. Philip South. This is the Rural Development Scheme. If you drive throughout St. Philip, St. George and St. Thomas, you will find that the Government has gone ahead — and I use "the Government" now not in a partisan sense — the Administration has gone ahead and put in feeder roads to enable farmers to get to their lands and to take out their crops. Irrigation services have been put in. Kirtons and Heddings are two of the areas. They have been developing the process of co-operative marketing. I am not sure how far that has got, but that is one of the projects. There has been a tremendous emphasis, as well, on extension services, and a credit element was built into that project.

I recall as long ago as 1977 talking to the Governor of the Inter-American Bank about the project, to enlist his assistance to help us fund that project, and I must pay a tribute to the assistance given by an outstanding Barbadian, Mr. Charlie Skeete, in helping to push this project. I believe this Government may be going for a second tranche to assist in the project. It is a worthwhile project. I do not really care who is the father of this project, whether it is the BLP or the DLP. The point is that it is a worthwhile project and it is an important project for assisting the small man.

I would like to see it extended not only to the rural areas, but also to the suburban rural areas, such as the area of Forde's Road, of which the honourable Member spoke. It is not remembered that in Forde's Road it is not only the experiment in the Black Belly sheep by Mr. Williams which has been successful. If you look under the area, you will find that Mr. Nurse has one of the best herds in Forde's Road that you could find, and you will find that we are great suppliers of chicken and turkeys for this Christmas as well.

Members believe that my knowledge of agriculture is restricted to what I hear around this table, but it is not so, Sir — I have said before, when speaking about the

initiatives shown by the farmers, that the small farmers of Forde's Road, Sargeants Village and Smith Corner, as the honourable Member for Christ Church West Central will discover, have made the area a very strong farming area. I have said that there is a case for the Government to make lands available, and I said it in the last Administration, to our Government, the Barbados Labour Party Government — it is in the records of this House — some of the Graeme Hall lands, to persons who are looking for an acre or a half of an acre.

I know for a fact that there is no credit available. The honourable Member for St. Michael South East (Dr. E. A. Simmons) is right on this. There is no real credit facility available for a person who wants to go to borrow to put in a drip irrigation system on a quarter acre or half an acre or acre of land. I had the experience in Forde's Road of a young group of men who rented an acre of land at Sargeant's Village and were seeking to get finance for an irrigation system. I had to ask the Caribbean Conference of Churches Development Fund to assist us. I was told by the banking system, by the Development Bank, by the BNB agricultural section, I was told by all of them, that there was no system of assisting. I spoke to the Ministry of Agriculture and I was told it was an area in which no credit was available.

Mr. CHAIRMAN: You have another three minutes to go.

Hon. H. deB. FORDE: I would hope that we would be given an opportunity to look at the whole question of agriculture. As I drive through the country, Sir, from the constituency of St. John — I am now a constituent soon to be registered on the roll of the Right Honourable Member as a voter in that area — I am a little bit concerned, for instance, at what has happened to the yam crop this year. It has had, unfortunately, an attack of disease and the output is not going to be as successful.

I am also concerned about the cotton crop. It is obvious that something has gone wrong with the seeds, which have led to the plants not germinating as quickly, or at the rate expected, and never mind that the honourable Member for St. Michael South Central may have discovered that the 936 funds from Puerto Rico might be available to assist with some \$120 million, the farmers first have to be able to produce that crop, and it is going to take some time. But I agree that it is a crop that we ought to pursue, that we ought to try and assist as much as possible. I hope that in the planning, the Ministry would have learnt from this year's mistakes and we will go on from that.

I am also concerned about what has happened to the melon project, a very well-conceived project. If you look at the ADC's main area at Fairy Valley, you will find that the melons are laying there and have not come

up to size, and the export opportunities for them are not there.

I believe, Sir, that diversification is a worthwhile aim, that we can pursue it in a sensible manner, and once we link it hand-in-hand with development of agro-industries that Barbados can establish non-sugar agriculture on a strong footing to make a significant contribution to the economy of Barbados.

Mr. CHAIRMAN: The Honourable Minister.

Hon. W. O. FRANKLIN: Mr. Chairman, I thank all the honourable Members who have contributed to the debate. There is one item that I need to deal with before I close off this Head — it must be put right — and it deals with the Speightstown Fishing Harbour.

Mr. Chairman, as far back as 1983 there have been a lot of discussions about the Speightstown Fishing Harbour. We ended up with three sites — one was the area now occupied by the Sanitation Services Authority, another was an area on which an unused warehouse now stands, and which is owned by Manning, Wilkinson and Challenor, and the third was the area immediately adjoining the north of the existing fish market. There have been a lot of discussions about the site, and I want quickly to read a comment of some people dealing with this particular site before I finally sum up on this particular matter.

On November 7, 1984, the Senior Superintendent of Markets, in a memo to the Permanent Secretary, Special Assignments, said, among other things:

"It is one thing to provide good facilities for landing fish, it is another to provide commensurate sales facilities. The two must act as a compliment to each other.

"The facility built on site of preference, while not posing any problem to persons with vehicles will certainly disadvantage commuters in that there will be a distance of approximately 400 metres which they will have to traverse to get to the terminal and back to the main road. This will be a detriment to the average housewife resulting in the fall off in fish purchases and a corresponding drop in the Fish Vendors Sales. The combination of these two factors could well influence the Fish Vendors, particularly in the glut period to offer their fish for sale along the streets and in front of business places within the market vicinity. To counteract that, would mean strict policing and prosecution for infringement of the Markets and Slaughterhouses Regulations. These acts will be last resorts; for I know the Ministry would like to see on completion of the project as smooth a transfer and transition there, as we had at Oistins."

The important thing is that he ended up by saying that the site, and that is the Fort Denmark site, was very inappropriate and would end up like the Six Roads Complex, with no persons whatsoever using it.

Now I want to read the minutes of a meeting, and this is important, that was held on November 23, 1984 at the Speightstown Fish Market. This is the most important part of this whole decision:

"The above meeting was convened by the Deputy P.S., Mr. Austin, Mr. Jones of Fisheries and Mr. Walrond, Senior Superintendent of Markets, to solicit the views of the fishermen at Speightstown on the location of the proposed fishing terminal.

1.55 p.m.

"There were about 50 fishermen, boat owners and fish vendors who clearly expressed their preference for retaining the present site near the roadside, and taking in the esplanade. The group included the small party of 5 who had accompanied us on the earlier visit with the Minister and the Deputy Prime Minister."

This small group of five was the group that the Minister, Mr. Cheltenham, and the Deputy Prime Minister said they consulted, and there was a consensus.

"The group included the small party of 5 who had accompanied us on the earlier visit with the Minister and the Deputy Prime Minister.

"When asked why they never represented this latter preference to the Ministers on the earlier visit, they said that they saw no point then in arguing with the Minister over his selection of the site, based on the technical advice he was given on the spot.

"The group now were clear in their minds that the site at Fort Denmark was out of the way, and would be to their disadvantage. They felt that the market site, with minimal reclamation, will provide the space needed. Furthermore, the property across the canal should be acquired to site the vegetable marketing facilities. They also expressed the view that the esplanade seats should be demolished and the area included in the new market facilities, thereby reducing the amount of reclamation required. The view was also expressed that the esplanade was not being used and should be demolished to accommodate the fish marketing facilities."

"The fishermen stated that while they preferred the marketing facilities sited on the present fish market site, they would continue to haul their boats at the secluded spot at Fort Denmark."

"Finally, the fishermen, boat owners and fish and vegetable vendors have requested a meeting with the Minister and the Deputy Prime Minister at the Speightstown Community Centre, where they can express the above views directly to them, concerning the site at the market.

"Submitted pl. for your information....."

It was sent in to the Minister.

"Your note at (80) has been noted. I would await response from Dep. P.S."

It then went right down even to the final selection, when the Cabinet Paper was sent in, and the Cabinet Paper said as follows:

"While the cost of building at Fort Denmark would be \$600 000 in excess of the estimate for building at the esplanade side, the cost of any sequential erosion northward cannot be adequately quantified at the moment."

And then it went on to say:

"The fishermen and vendors" — talking about the distance of the site from the highway, and their prediction that it would be a white elephant — "the decision on this complex must take into account the wider public interest in retaining our beaches to the north of Speightstown."

It must also be noted that the original consultants' choice was also the existing fish market, but when the Cabinet visited the site, we figured that if you took a practical look at a 600 ft. jetty, if you go to Oistins at the moment where the jetty is 150 feet, the difficulties of carrying ice down to that jetty 600 feet, the difficulties of the people getting their fish in from the jetty, as well as the point that any jetty that you notice, the upkeep on a jetty 600 feet would be a tremendous amount of money to the Government.

Go up to the Hilton and see that jetty that was built out of pure concrete and you will notice it is completely destroyed. Go to Oistins and you will see that the jetty has already started to deteriorate. Could you well imagine the upkeep on a jetty 600 feet out into the sea in order for you to be able to carry ice and bring in fish?

We figured that, when we took everything into consideration, Fort Denmark was a bad choice, and the Cabinet of this Administration decided at that time we would abandon it. We are looking for alternative sites, for those of you who want to know, the cost of it is that the engineers have put in a bill for \$40 000, Edghill has put in a bill for \$132 000 — it has not been decided yet — he has given us a bill for \$170 000, and I, as Minister of Agriculture, in consultation with my colleagues, figure it

would be far wiser at this time to abandon the project than to go into a multi-million dollar project that would be a fiasco — not used and with extremely high maintenance costs — and we made the decision at that time. It was not made on any other grounds, and of importance to all of us, if you take Consett Bay in St. John and Skeete's Bay in St. Philip, you will find that we have a bigger landing of fish than at Speightstown. These places only have sheds, and at the time when the decision was made not to do any further work with those but to go to Speightstown, nobody said it was a political decision to go to Speightstown and not do those places that had larger landings. But everybody is interpreting it as a political decision now that we, in the interest of the taxpayers of this country, have made a decision to abandon the project at a site because we were of the opinion that it would have cost the taxpayers a tremendous amount of money in the future as well as it would be a complete failure and a white elephant. The people do not want it.

The question that Head 24 stand part was put and resolved in the affirmative without division.

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. CHAIRMAN reported progress and asked for leave to sit again, and Mr. SPEAKER resumed the Chair and reported accordingly.

SUSPENSION OF SITTING

Hon. L. E. SANDIFORD: Mr. Speaker, I beg to move that this sitting be now suspended for one hour for lunch.

Hon. B. M. TAITT: I beg to second that.

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: When the sitting was suspended, the House was in Committee. To that it shall revert.

COMMITTEE OF SUPPLY

Mr. SPEAKER left the Chair, and the House reverted to Committee of Supply, Mr. R. B. BYER resumed the Chair.

Mr. CHAIRMAN: The House is still in Committee.

SUPPLEMENTARY ESTIMATES 1986-87, No. 18 — \$179 149

HEAD 25 — MINISTRY OF AGRICULTURE AND NATURAL RESOURCES — \$9 149

Hon. W. O. FRANKLIN (St. Philip North): Mr. Chairman, this sum is to pay severance payments to some workers

who were dismissed in 1984 due to the fact that no money was available in the vote to pay them. Subsequent to this, about ten of the workers were re-employed, and the Severance Payment Tribunal has awarded the sum of \$9 148.29 to some four persons. There was no money voted for this and I now beg to move that Head 25 — Current, subhead 3, for the sum of \$9 149, stand part.

Hon. H. A. BLACKMAN: I beg to second that.

The question that Head 25 stand part of the Schedule was put and resolved in the affirmative without division.

HEAD 36 — MINISTRY OF HEALTH AND SOCIAL SECURITY — \$170 000

SUBHEAD 1: GENERAL ADMINISTRATION

Hon. N. K. SIMMONS (St. James South): Mr. Chairman, this is to pay for legal fees, because there is some controversy over the building of the Bridgetown Sewerage Treatment Plant and the Counsel, a Mr. Kannry. He has done considerable work in this matter but so far has not been paid and this sum is to pay for legal fees.

I am just asking that this Head stand part.

Hon. H. A. BLACKMAN: I beg to second that.

Mr. D. A. C. SIMMONS (St. Thomas): I wonder if the Minister could explain, Sir. I had to do with this matter earlier this year. There is an outstanding area of dispute in regard to the Sewage Project in Bridgetown. From all the advice that was available to me, and I took the advice of the Deputy Solicitor General, who had had responsibility for this matter virtually from its inception, it seems as though the Government stood a very good chance of recovering in excess of, I think, \$2 million, if they pursued their rights against Fitzpatrick Construction.

Mr. Kannry had been involved in this matter also from its inception, not as the counsel for the Government, but in another capacity, and he had done a lot of work on the matter and, indeed, I met with him, Mr. Payne, and Mr. Arthur, the Project Manager, I suppose. We went to New York, were briefed and went through all the ramifications, and the Government then decided to pursue the matter against Fitzpatrick.

As I understood it at the time, there was a substantial amount of money in a special vote in the Ministry of Health which would cover these expenses, including Mr. Kannry's costs. I do not know if the Minister is aware of that, but, if he checks, he will find, for example that for the airline passages for the three of us to go to America in January, money came from a special vote in the Ministry of Health.

So I am wondering if there is really need to vote this \$147 000. Perhaps, the Minister has obviously not

had a chance to be aware of all in his department yet, but I think it is worthwhile checking out, because if there are funds available — I was sure there were substantial funds available left back in the Sewage Project vote — the Minister may find that he has a vote sufficient to cover these expenses so that in future you may not have to come for any additional money.

I would wish to offer the Government one little bit of advice in this matter. As the case develops the Government would be in a better position to examine whether they have to continue the matter or not because there was a snag that we found, it must have been about March. Under Canadian Law, Fitzpatrick and Co. may have had a technical defence, not going to the merits, but in relation to jurisdictional matters, and it may be that even if we get a judgement, we may not have been able to satisfy that judgement, and counsel in Canada had been liaising with Mr. Kannry to advise him on the efficacy of proceeding as we had proceeded then. So I just wish to warn the Government to make sure that all the possible technical blockages to successful litigation are cleared away before the Government puts more money into this suit.

Hon. M. A. KING (Christ Church West Central): Mr. Chairman, as regards to the question as to whether there are funds available in the Ministry of Health to deal with this payment of these particular fees or not, I am not in a position to deal with that. Suffice it to say that the request for payment in respect of this litigation has been coming fast and furious to the Ministry of Legal Affairs through Mr. Jack Kannry, and to the Ministry of Finance, and when we checked with the Ministry of Health, we were told that there were no funds available in the vote to meet this expenditure. That was the reason we requested the Ministry of Health to seek a supplementary vote in Parliament to meet the expenses involved in this litigation.

I have looked at this matter, and I am not too sure what is going on in relation to the Canadian aspect of the litigation. Suffice it for me to say at this point that I am not entirely happy with the possibility of enforcement in Canada.

The arbitration proceedings have already been concluded. A judgement, I have been told by the Deputy Solicitor General, who did go to Puerto Rico where the arbitration was done, has been awarded in favour of the Barbados Government. It was an *ex parte* judgement, from the point of view that the respondents, Fitzpatrick and Co., did not appear and respond to the proceedings.

Asides

Hon. M. A. KING: In the vicinity of about \$2 million. The figure which the honourable Member for St. Thomas did mention was approximately that figure recovered in the judgement. But, as he said, it is one thing to get a judgement but the other thing is to enforce

that judgement, and I am a little concerned about the possibility of enforcement.

3.20 p.m.

But these fees which Mr. Kannry is seeking to recover are clearly fees in respect of work which he had already done, and if the proceedings proceeded in relation to Canadian litigation, obviously the expenses would be far more. We were not able to get any accurate assessment of what the litigation in Canada would have cost, and we are, in fact, not proceeding with the Canadian litigation, which had been filed in the Canadian courts in connection with this matter. Mr. Kannry is a person who seems to like litigating. He wanted to file concurrent proceedings in Canada, in New York and all over the place. But when we saw the amount that it was beginning to cost the Government of Barbados, we had second thoughts about it and decided to discontinue the proceedings filed in the Canadian courts, because we could get no clear assurance of what the position would have been in relation to those proceedings.

Hon. N. K. SIMMONS: Mr. Chairman, if I may comment on the question of the raising of funds, I believe it is true to say that this matter originated in the Ministry of Tourism and Environment, as it was at the time — that is one of the problems — and there were no funds made available on the 1986–87 Estimates. So now, it really has fallen in the lap of the Ministry of Health. We believe that some provision might have been made in the Ministry of Legal Affairs, but they say it is not their responsibility, so we have accepted it. Somebody has to show the responsibility and the gentleman has to be paid. That is why we have come for the supplementary.

The question that Head 36 stand part was put and resolved in the affirmative without division.

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. CHAIRMAN reported the passing of four money Resolutions in Committee of Supply, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, the Resolutions were read a first time, a second time and agreed to.

Hon. L. E. SANDIFORD: Item No. 4, Sir.

Mr. SPEAKER: Order No. 4.

FINAL APPROPRIATION (1985–86) ACT, 1986

Order No. 4 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, 1986.

Hon. Dr. R. C. HAYNES (St. Michael South Central): Mr. Speaker, I rise to move the second reading of the Final Appropriation Bill, 1986. It is a very simple and straightforward matter. It is a constitutional requirement under Section 109, Section 5 of the Constitution, which provides that:

"In respect of all supplementary expenditure voted on by the House of Assembly, the Minister responsible for Finance may, at any time before the end of the financial year, introduce into the House of Assembly a Supplementary Appropriation Bill containing, under appropriate heads, the aggregate sums so voted, and shall, as soon as possible after the end of each financial year, introduce into the House of Assembly a final Appropriation Bill containing any such sums which have not yet been included in any Appropriation Bill."

The object of this exercise is to conform with this constitutional requirement. We will try to do so as expeditiously as possible, given the administrative constraints in these matters.

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

Hon. B. M. TAITT: I beg to second that, Sir.

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

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. R. P. BYER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

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. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.
3.30 p.m.

On separate motions by Hon. L. E. SANDIFORD, each seconded by Hon. B. M. TAITT, the Bill was read a third time and passed.

Hon. L. E. SANDIFORD: Item No. 5, Sir.

Mr. SPEAKER: Order No. 5.

HOTELS AND RESTAURANTS (SALES TAX) (AMENDMENT) ACT, 1986

Order No. 5 was called – To move the Second Reading of a Bill to amend the Hotels and Restaurants (Sales Tax) Act.

Hon. Dr. R. C. HAYNES (St. Michael South Central): Mr. Speaker, this Bill seeks to amend Section 2 of the Hotels and Restaurants (Sales Tax) Act Cap. 72A. The nature of the amendment is very simple and straightforward. The present definition of "restaurant" excludes a motor vehicle from being taxed. Consequently, mobile restaurants are excluded. However, there are a number of box cart food operations which would not be excluded from being taxed, because they are not "motor vehicles" in terms of the definition.

Aside

Hon. Dr. R. C. HAYNES: I can only advise that it is not a frivolous matter, that it is.....

Aside

Hon. Dr. R. C. HAYNES: What? All I can say is that I have been advised by those responsible for the administration of the taxation policy of this country, that it is important to have this clarification in the best interest of their administering the tax laws of Barbados.

I, therefore, move that this Bill be now read a second time.

Hon. B. M. TAITT: Mr. Speaker, I beg to second that and reserve my right to speak.

Mr. SPEAKER: The honourable Member for Christ Church West.

Hon. H. deB. FORDE: Sir, just a brief comment. Obviously, the reason why the Minister has brought this Bill to the House is for the purpose of clarifying the position for those who administer the Restaurant and Hotels (Sales Tax) Act. But I believe that if this matter had been tested in the court, the Minister would have been convinced that it was unnecessary to bring this particular Bill before the House. Nobody has ever taxed box cart operations, or mobile canteens, or anything of the sort, Sir. So that if it would satisfy the administrators, then all right, the House would pass the measure. But it really does seem to me a bit of an unnecessary position.

The word "motor" does not mean necessarily that you have to be propelled mechanically. You could be propelled in many other ways as a mobile canteen. Unless there is a specific definition somewhere else in the Interpretation Act or otherwise for a motor vehicle, I would have thought that the matter could have been covered by existing legislation, Sir.

Mr. SPEAKER: The honourable Member for Christ Church West Central.

Hon. M. A. KING: Mr. Speaker, the definition of the "restaurant" in the Restaurants and Hotels (Sales Tax) Act defines restaurant as follows in:

- (b) A catering establishment where food is sold for consumption in Barbados elsewhere than on the premises but does not include a motor vehicle, a ship, or an aircraft.

Asides

Hon. M. A. KING: It says that it does not include a motor vehicle. So that it seems to me that by spelling out that it does not include a motor vehicle, it may include vehicles other than motor vehicles.

The fact is that the administrators of the legislation were in the position where the persons who sold food in vehicles other than motor vehicles found themselves being liable for the tax as a restaurant. So rather than put the people to the expense of having litigation on this matter, we thought the simplest manner in dealing with the matter was to move an amendment to the legislation so as to put the matter beyond doubt, so that there will be no tax on box cart restaurants from hereon in.

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

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. R. P. BYER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 and 2 were called and passed.

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. CHAIRMAN left the Chair and reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, the Bill was read a third time and passed.

3.40 p.m.

Hon. L. E. SANDIFORD: Mr. Speaker, Order No. 2.

Mr. SPEAKER: Order No. 2.

THE INCOME TAX (AMENDMENT) ACT, 1986

Hon. Dr. R. C. HAYNES: Mr. Speaker, this Bill seeks to give effect to the Budgetary Proposals of 1986, and probably I should explain to the House at the outset that those proposals would include those which I intro-

duced on July 15 and those retained in the April Budget presented by my predecessor in office. I shall be as brief as I can be in presentation, but I think I shall try to take the House quickly through the amendments.

There appears to be a large number of amendments and basically they either relate to Budgetary Proposals introduced in my Budget or those included in that Budget from the April 2 Budget, matters consequential on those changes, or an opportunity being taken to tidy up any aspects of the Income Tax Act. All the matters here have been the subject of considerable debate for a long period of time and I do not anticipate any major debate in this area.

The proposals, Sir, basically alter the existing income tax structure to widen the tax bands and decrease the maximum rate of taxable income from 60% to 50%. Total assessable incomes of \$15 000 or less are exempt from the payment of Income Tax. Family allowances have been increased by a minimum of 50%, full mortgage interest will be allowed as a deduction from assessable income.

The allowances for medical expenses have been increased by 15% and the requirement to deduct the first \$20 from these has been removed. In addition, any expense in excess of the medical allowances may be carried forward for two years.

The house owner occupying her or his own home will be allowed the full cost of repairs as a deductible expense, as well as 50% of the insurance premiums. The allowance to be paid in respect of household help or gardeners has been increased from \$500 to \$1 200.

All pensions and severance payments have been exempted from the payment of income tax.

The maximum rate of corporation tax has been reduced from 45% to 35%.

Interest at the rate of 1% per month will be paid on tax refunds not made within six months of the prescribed date of filing.

Also included in the Bill are certain proposals made, as I indicated, by the former Administration on April 2, 1986 to provide incentives for entrepreneurial development, among other measures. They also include the Market Development Allowance to cover operations in the tourist sector, the annual Depreciation Allowance for commercial buildings, the Building Allowance for listed properties of a commercial nature, the proposal relating to investment income to be retained in Barbados by enclave enterprises owned by non-nationals, and the tax credit allowed in respect of qualifying overseas construction projects as well as qualifying overseas professional services.

As I said before, in addition to those measures, the opportunity was also taken to make other minor amend-

ments in order to facilitate the administration of the Act. These include making provision for householders to claim for household help in cases where such services have been provided by a company rather than by an individual, and also authorising the Minister, as was previously envisaged, to prescribe by Order the type of expenditure to be allowed under the market development allowance.

I shall try to indicate to members what the various amendments will be doing in relation to the specific budgetary proposals as far as I reasonably can.

Clause 2(1) replaces the Section of 4(a) as the provision for tax credits has been substituted by the exemption from tax of persons with total assessable incomes of \$15 000 a year or less.

Clause 3(a) deals with the Budgetary Proposals of July 15, exempting National Insurance pensions and all other pensions from Income Tax with effect from 1st January, 1986. The term "pensions" is recognised under the definition "retirement plan benefit" in the Income Tax Act.

The deletion of paragraph 8(a)(iv) of the legislation removes this source of income from being included in the calculation of assessable income. Likewise the new paragraph (f) implements the budgetary proposals in relation to National Insurance pensions.

The amendment at 4(a)(ii) to paragraph 9(i)(u) of the existing legislation seeks to clarify a 1985 budgetary proposal which exempted from Income Tax 50% of royalty payments received by authors.

Section 9 of Division E of Chapter 73 details amounts not included in the calculation of assessable income, while under section 8 of Division D amounts included in the calculation of assessable and specified income and among these are the amounts received in royalties. This is a question of tidying up the Act.

The amendment also ties the definition of an author to that given in the Copyright Act 1982-1, in accordance with the Budgetary Proposals.

The new paragraph (v) is a corollary of the amendments to Section 8 relating to pensions as they are now shown, as exempt income. In other words, this is a sequential change from the earlier change in the Act. It is to be noted that any Social Security received in Barbados is also exempted from Income Tax, which is a provision again carried forward.

Subparagraph (b)(ii) extends similar treatment to pensions other than Social Security pensions. However, annuity contracts, which are of a kind of investment entered into to produce future income by way of return of capital and interest, are not considered as pensions and must be shown as assessable income. If I may repeat that, Annuity Contracts, which are a kind of investment entered into to produce future income by way of a

return of capital and interest, are not considered as pensions and must be shown as assessable income.
3.50 p.m.

Section 10 of the principal Act is amended by making deductions for the calculation of assessable income of disbursements and expenses made or incurred in an income year for the purpose of the production of assessable income from property or a business, subject to Section 12(e), which deals with the market development allowance in the calculation of assessable income.

This section has also been amended by deleting paragraphs (i) (k) and (l). Paragraph (i) deals with the amounts paid as wages to gardeners. Paragraph (k) deals with amounts deposited in Co-operative Societies. Paragraph (l) deals with subscriptions to registered trade unions, statutory associations of employees and political parties. These have been transferred to divisions N(a), in the case of gardeners, and N(b) for the others so that the allowances are altogether in that section of the Act. It is merely a transposition within the administration of the Act.

Asides

Hon. Dr. R. C. HAYNES: Those allowances will all be grouped together, with the exception, unfortunately, of Section 10(2), which in due course we will have to do at a later stage, when we have the opportunity to look at the Act again.

Section 12C of the principal Act is amended by deleting subsection (1), dealing with building allowances on commercial buildings and substituting a new section, and (2), to make a distinction in connection with properties registered with the National Trust, which we allow 10% of the improved value of the property as opposed to 2% in relation to commercial properties. This section has also been amended to define a commercial building.

Section 12D of the principal Act is amended by making provision for the Minister to prescribe the items allowed under the Research and Development Allowance. As you are aware, 150% of actual expenditure may be deducted, and, as I said, there was already in train, before we assumed office, the particular categories of expenditures which would be allowed. In due course that would attract parliamentary attention by ministerial order.

The principal Act is amended by inserting a new section 12E dealing with the Market Development Allowance for the tourist industry.

A new section 12F specifies the type of expenditure to be allowed under 12D and 12E.

The new section 12G deals with tax credit in respect of foreign currency where a person carrying on a business in Barbados derives assessable income in respect of the undertaking of qualifying overseas construction

products or overseas professional services, either by the transfer of foreign currency to Barbados or by payment in Barbadian currency from funds held in Barbados which should be legally remittable from Barbados. In other words, the effect would be the same in respect of foreign currency earnings.

In this section "Common Market" is defined as well as "net foreign currency earnings", "outgoings", "overseas", and "qualifying overseas construction project".

The principal Act is also amended by inserting a new section 14A 1 to deal with income derived from the re-investment of profits earned in Barbados by an enclave enterprise owned by persons who are not citizens of Barbados. This is one of the measures which I included in my Budget from the April Budget.

There is also an amendment deleting Section 36 and substituting a similarly worded section which has been expanded to increase the amounts which may be claimed as medical expenses, or medical expenses deductions, also to make provision for the carrying forward of excess claims for two succeeding years and to make provision for a married woman to claim medical expense on behalf of a child although she is habitually living with her husband. Again, this section is part of a previous arrangement where evidence will have to be submitted that the husband is not meeting his responsibility towards the child.

The principal Act again is amended by the insertion of a new division NA which deals with the allowance for household services in the calculation of taxable income and provision has been made for the performance of these services by a company or a firm. In other words, you can employ the person directly, but if you contract out the services out to a firm, you can still get the benefit of the deduction.

A new division NB has also been inserted to make provision for savings with a co-operative society and subscriptions to Trade Unions registered under the Trade Unions Act, to statutory associations of employees and to political parties represented in Parliament. You may recall that these two divisions were transferred from Section 10 to NB.

Section 37 of the principal Act is amended by deleting subsections 1 and 2, and substituting a section allowing deductions from assessable income of the individual of the actual payments expended or disbursed for the maintenance repairs or prescribed amounts, for example, again incorporating a previous provision where you can get a conversion from wood to wall.

Section 37A of the principal Act is amended to make provision for the actual amount paid by an individual who owns and occupies residential property in

respect of that property as interest on borrowed money. This is the mortgage interest deductible. That is the legal language, I understand, that meets the laymen concept, and the language is the same that is used in the existing Act.

A new section 37A 1(i) has been inserted to make provision for the deduction from assessable income of 50% of the amount paid in respect of insurance premium on residential property owned and occupied by an individual.

Section 37A 1(ii) makes provision for residential property where part is occupied by the owner and part is let.

Section 38 of the principal Act is amended by increasing the amounts allowed in the calculation of taxable income for dependants, and by deleting Section 9, which had limited the amount allowed by an individual over 65 years of age. Perhaps, I should explain that.

You may recall that the allowance for dependant relatives in the past had been increased and a special allowance had been put in place. But it was reduced by \$1 to an amount not lower than \$5 000 for each dollar that the individual exceeded \$12 000. So what is happening here is that the \$15 000 proposal and exempting pensions from Income Tax have overtaken all of this, and, hence, this is necessary.

A new division PA has been inserted to make provision for a basic deduction of \$15 000. Again, this is an overtaking effect.

Section 42 of the principal Act has been amended by widening the tax bands and lowering the 50%, the maximum rate on taxable income. Again, that is a budgetary proposal.

Section 43 of the principal Act has been amended by reducing from 45% to 35% the rate of tax for corporations. 4.00 p.m.

The principal Act has been amended by deleting Sections 48B and 48C, which dealt with tax on severance payments. Severance payments will now be tax free.

Section 52 (2) of the principal Act is amended by increasing the amount stated as assessable income to \$15 000. Again, this is consequential on the previous proposals.

Section 64 of the principal Act is amended by deleting paragraphs (b) and (c) of subsection (1), which

dealt with pre-payments, by deductions, from retirement plan benefits and severance payments. Quite clearly, if you are exempting pensions legally termed retirement plan benefits and severance payments from taxation, then this is a consequential amendment as well.

Section 64C of the principal Act is amended by deleting the word, "bank" wherever it appears in this section, which deals with Withholding Tax on interest payable to resident persons. In the subsection dealing with the Barbados National Bank, Withholding Tax on interest in excess of \$1 000 has been deleted. The reason for this is, I think, quite clear. As you know, Withholding Tax on interest payment of \$6 000 a year or less has now been abolished by the Budgetary Proposals. This just puts that in place. In other words, the exemption in relation to the Barbados National Bank is no longer a legal requirement, because that related to \$1 000, and the Budgetary Proposals would now raise that ceiling to \$6 000. So that comes out.

A new Section 64C.1 has been inserted to deal with Withholding Tax on interest amounting to \$6 000 or more to residents by any bank.

Section 64C.1 (2) deals with an aggregate of \$6 000 or more in an income year. So that deals with the excess over \$6 000 a year.

Section 68 of the principal Act is amended by deleting subsections (2) and (3), which deal with cash rebates within three years of filing being applied against any tax liability. Again, this falls in the area where it is non-budgetary, but the opportunity is being taken to tidy the Act, because it is repetitious in relation to that particular clause.

Similarly, Section 68 (2), which states that repayments under subsection 1 are a charge on the Consolidated Fund and shall be made by the Commissioner out of funds provided by the Accountant-General for the purpose, has been deleted because it is repetitious in terms of that related section of the Act.

This is the 25th point I am making. The principal Act is amended by inserting a new Section 70A to make provision for the payment of interest at the rate of one per cent per month on tax refunds not made after the expiration of six months after the date of filing.

Finally, Section 85 (1) of the principal Act has been amended by deleting the words, "retirement plan benefits and retiring allowances" from the definition of "emoluments". Quite clearly, that is consequential on the fact that pensions are now exempt from Income Tax.

Mr. Speaker, I have tried to introduce these amendments as briefly as possible, and I have tried to take the

House through the amendments in a substantive manner. Any legal problems that might arise in respect of the amendments will be addressed in Committee by my colleague.

Before I move that the Bill be read a second time, there is one amendment to Clause 5, a minor amendment to Clause 10 (1) (a)

(*Aside:* Mr. D. A. C. SIMMONS: Medical, dental or nursing services?)

(*Aside:* Hon. H. deB. FORDE: Section 5. Clause 5.)

Hon. Dr. R. C. HAYNES: — Section 5, yes — which would be moved in Committee. That would purely eliminate the possibility of being able to claim the Market Allowance on two occasions. That is all that would be.

Aside.

Hon. Dr. R. C. HAYNES: I beg to move

(*Aside:* Mr. D. A. C. SIMMONS: The Head which said "calculating" of tax, that is obviously, "calculation".)

Hon. Dr. R. C. HAYNES: Yes. Okay, we would probably do it in Committee.

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

Hon. M. A. KING: Mr. Speaker, in seconding the motion, I reserve my right to speak on the matter.

Mr. SPEAKER: The honourable Member for Christ Church West.

Hon. H. deB. FORDE: Mr. Speaker, as the Minister of Finance has said, the substantive principles behind this Bill have been canvassed enough in this House, and, in fact, enough in the country. So the Opposition on this occasion is not going to renew the arguments that have been expressed vocally and otherwise by both sides of this House, except to say that I am pleased to see that the Minister has carried forward in this Bill provisions which will give incentives to the private sector in a concrete way affecting the overall Government performance. Those incentives had been included, as the Minister quite correctly said, in the Budgetary Statement of the former Minister of Finance, Mr. H. B. St. John.

If people are prepared to use their initiative, given the type of incentives that are there, the private sector, particularly the manufacturing and exporting sector, could go forward in a significant way. And whilst we are all very interested in encouraging the private sector, we

ought to also remind them that they are being given significant incentives which call for corresponding effort on their part and a shouldering of corresponding obligations, and that, therefore, one would expect them to perform properly and effectively. The private sector must not be lulled into thinking that all it has to do is to request more and that that is the end of the day. I wish to make that position absolutely clear, in so far as the Opposition sees the development of Barbados.

Let me say that I am a little bit disappointed with the fact that in following the Proposals, which he is obviously following, we have not yet dealt with the problem of the Barbadian enterprise which tenders on a contract funded by an international agency within CARICOM. If C. O. Williams Construction Company Limited, or Rayside Concrete, or any of the larger firms, provide service in St. Vincent on a tender on a World Bank contract, they are, to some extent, still at a disadvantage *vis-a-vis* foreign companies operating in that area. The term "overseas" is so defined as to exclude gross receipts accruing to such an enterprise operating within CARICOM. However, if the same enterprise operates in Puerto Rico, the enterprise gets the benefit of a reduction of 50% on the gross earnings as defined under the new section of the Act.

4.10 p.m.

I believe that there is a strong case for encouraging in the CARICOM region the expansion of our enterprises — not necessarily manufacturing enterprises, because in this regard we have to look at a greater revision of the Caricom Treaty — for our enterprises which are providing services particularly on foreign contracts. It should be possible for us to devise the type of legal language and mechanism to secure the Caricom Treaty, whilst at the same time encouraging our private service enterprise, in particular, to tender and to perform on such contracts.

Sir, the Income Tax Act is always a bit of a legal maze for several persons, and people are extremely wary to look at this law since it is considered to be an extremely recondite part of legislation. We made some tremendous progress when the Act was reformed and consolidated, I believe, it was in 1968. I am not sure of the exact date, I think it was 1968. But there is now need for a new comprehensive bit of legislation dealing with Income Tax, and I would hope that early consideration is given to that. It is a mammoth task, and I recognise that the department, to do an exercise such as this, would need assistance, but not necessarily outside assistance, meaning assistance outside of CARICOM, because we do not have in the Caribbean, and here in Barbados, experts in the field.

Sir, let me say that I am not asking for a job. I am referring to other experts, such as Mr. Andrew Burgess

at the University of the West Indies, one of the people who is quite good on tax. There are other persons who are authorities on tax in the area. There is in Trinidad and Tobago a former Tax Commissioner who has produced a book on the subject, and I am aware that there are other persons now working on legal tones in this area. But there is a case for reforming the tax laws.

Another thing that bothers me, as a person who practices in the tax field, Sir, is the fact that we have not in many ways assimilated the Income Tax Act and the new Companies Act of 1982, and I can see several problems ahead for us. Although, for instance, under the Income Tax Act we have given certain incentives by way of bonus shares, there is a considerable argument as to whether the effect of the 1982 Companies Act has not wiped out that benefit, and, obviously, the only authoritative way to deal with it is either to get a judicial ruling on the matter or wait for an amendment to come down.

I believe that the philosophy, certainly of the last Administration, and I hope of this Administration, would lead us to encourage investment by way of shares in the equities of companies, and, to that extent, this Administration would want to continue this existing provision. But I must tell the Minister that there is some doubt created by the lack of co-ordination which has not taken place and that there is a need to look at that.

Aside.

Hon. H. deB. FORDE: Well, I am not sure that all accountants and all lawyers are speaking in the same voice, and because there is this area of doubt in an area where you need legal certainty, there may be a necessity to co-ordinate and to make an amendment to the Act, or certainly by way of department practice note the fact that the department is treating bonus shares as still being capable of being issued under the Act and as attracting the incentive under the Income Tax Act. There are also various problems occurring from the amalgamation of companies under the new Companies Act and the effect which this will have on Income Tax liabilities. I would hate to think that a good deal of the time of the department is going to be taken up in looking at these difficult problems rather than administering the Act. It calls for a very deep and considerable thinking and knowledge of Company Law and the Income Tax Act.

The Minister should also be aware, of course, of a recent decision in the High Court in the case of Boulevard Investments Limited and the Commissioner of Inland Revenue, in which — let me express that I have an interest, since I appeared — it was shown to some extent that retained earnings, which have been retained over a period of time and which have gone to reserves, are now

assessable by the Commissioner and liable to tax in the winding up or the liquidation of a company.

But it is not only retained earnings from a trading operation. The effect of the judgment is so wide that if, for instance, there is a capital gain by way of a sale of the property and you do not go into liquidation before you sell but you go into liquidation after you sell, the Commissioner can reach any capital profit which has accrued.

It is my view that the legislators never intended that to be so. But the quirks of Company Law, and it is a quirk of Company Law, are such that until the decision of the High Court on this particular point is changed either by a higher judicial authority, or indeed by legislation from this House, the Commissioner would be entitled to interpret the legislation in that manner, and it would be a pity if we give foreign investors the impression that we are sticking to the technicalities of Company Law in such a way as to bring in, through the back door, a tax on capital gains.

The Minister is as surprised as I am. But our legislation has left out some of the vital words which are contained in the Income Tax Act and the Surtax Act of the United Kingdom, and contained in similar legislation in the Commonwealth, particularly in Australia, and I would advise that the department give early consideration to this matter, because I think a question of policy is involved. Luckily, in this case the judge was able to go on to hold that despite the fact that the profit became taxable because it could be distributed by way of dividends — you can distribute a capital profit by way of dividends — the Minister had not made the relevant Order prescribing the rate of tax so he was not able in such a case to say what tax became exigible and in the final resort the taxpayer, the company in this case, and the shareholders, would not have to pay tax.

If I can clarify it a bit further for the Minister — Company A has a property which it sells because it ceases to carry on business, and after the end of that fiscal year it goes into liquidation, but it has made a profit. Normally Company A is entitled under Company Law to distribute that profit. But it does not do that, it wants to return it to the shareholders. The effect of the judge's ruling is that although the profit is not taxable in the hands of Company A, it becomes taxable in the hands of the shareholders to whom it is returned as part of the assets of one year.

4.20 p.m.

So that it is a quirk of company law, and the English company law as has been developed in some of the English cases, but it is a fundamental question for us as to whether we are going to have a tax on capital gains or not in Barbados. And having heard the court pro-

nounce on the matter, it is a matter for consideration by the policy makers as well as, of course, the department itself.

Sir, I am always mindful whenever we deal with tax matters not only to advert to the substantive changes that we are bringing about, or the textual changes we are bringing into law, but to have a look at the real tremendous problems concerning a department such as this. Despite what we may say, collect the revenue, a large percentage of the revenue of the island is still being collected by direct taxation through the Inland Revenue Department, and the department will continue to need staff, proper working facilities and training as well, and obviously one has to look at ways of improving the department's efficiency.

I am aware of the fact that the department now has open to it a particular counsel in the Ministry of Legal Affairs who can advise on Income Tax matters who in fact is solely available to the Commissioner of Income Tax for a quick review of cases that occur, but there is still additional need for training such persons. I believe there have been proposals for sending one or two counsel from the Attorney General's Office for training, particularly in Canada. There are very good courses both at York University, Osgood Law School, and at the Toronto University in tax matters. Our taxation statutes are mostly modelled on those of Canada, although, to some extent, we have a few provisions from the United Kingdom. I would strongly advise that this is an area which is pursued and that the opportunities being offered for additional training be taken.

I was pleased to see that the Minister, in his statement in Washington to the International Tax News, made the commitment to pursue the negotiation of other double taxation treaties. It is a commitment which the Barbados Labour Party took very seriously, and we negotiated with the United States a very successful double taxation agreement, which has already resulted in benefits to Barbados in providing us with the opportunity to promote very seriously the offshore sector and particularly the service sectors. I recognise that the Minister is going to have difficulty in holding that treaty. Already there are noises in the Congress of the United States that the treaty has given more favourable treatment to Barbados than has been given to Bermuda or indeed given to the Netherlands Antilles, but I think we should hold the United States to that treaty for a reasonable time until, under the terms of the treaty, they can, of course, give notice of termination and the negotiation will have to take place again. But we need to pursue not only the double taxation agreement with the United States, we must likewise pursue double taxation agreements with those other countries to whom we are looking for private investment in particular, some of the European

Economic Community countries, and also renegotiate the position with Japan and with the Scandinavian countries.

The double taxation treaty with Canada is not as favourable as that treaty that we have with the United States, and perhaps in the next set of negotiations we may be able to use our experience to impress on our Canadian friends the need to be more liberal in the tax treatment of income accruing to Canadian enterprises operating within our jurisdiction, or located in Barbados but earning income outside of the CARICOM region. I believe that we should use every negotiating skill to make sure that we get more favourable terms.

I still remain concerned, Mr. Speaker, about the state of the double taxation agreements within the CARICOM region. Although there is an agreement, I think, between the LDCs and the MDCs, the truth is that the agreement really has not worked effectively, and once again we find ourselves in the Caribbean probably being more successful in our arrangements with countries outside of the Caribbean than with countries within the Caribbean region. I have seen the minutes of various conferences within CARICOM looking at double taxation treaties, but what we need now is not a series of conferences, but, rather, concrete proposals and the will to implement those proposals so that we can give a spurt to intra-CARICOM investment and at the same time secure the CARICOM negotiating positions in relation to double taxation treaties with countries outside of the CARICOM region. I hope that this action can be co-ordinated with the Ministry of Trade, so that when we are looking again at the concept of the CARICOM enterprise, we can tie in not only the company law aspects of it but the implications as well for tax and for those enterprises which operate within the region as a whole.

As I said, tax is a subject that appears very recondite, but, if you bring a little common sense to bear on it, it can be easily explained and understood, and the Minister will be no doubt pleased to hear that he was reported in full in *International Tax News*. I do not know if he is a subscriber, but if he wishes to borrow my copy at any time, being a subscriber to *International Tax News*, he can have it, Sir. More and more I thought he sounded like the former Minister of Finance, Mr. Tom Adams, who had a special flair in this area and whose expertise on double taxation matters and on the offshore sector was well known. I was indeed pleased to see that the Minister has now taken up the words and carrying on the mantle of someone who had a vision in this respect.

Hon. L. E. SANDIFORD: Mr. Speaker, I wonder if the Member for Christ Church West is indicating his deep admiration for our Minister of Finance at the same level as he admired the former Prime Minister, Mr. Tom Adams.

Hon. H. deB. FORDE: I admire, Sir, the manner in which, since he sits in the chair, he is reading with great

care and learning almost by rote some of the statements of the former Prime Minister. He is becoming a good pupil in some respects, but not in all, I regret to say, Sir. I think perhaps he has the same aspirations; whether he will achieve is a different matter, Sir.

I want to say that, in this area of the offshore sector and the tax implications for it, we must always be on our best guard to ensure that in the negotiations we have the best advice available, and I really could not let this opportunity slip without really praising and thanking those of the private practising sector — the various accountants, the lawyers, the people in trust companies — who helped, and particularly the former Minister, Dr. Cheltenham, who I think had some responsibility for and helped in the negotiations.

4.30 p.m.

It goes to show that if we put our efforts together, that even in dealing with big countries, with greater resources and a wider area of expertise, we can negotiate more skillfully, or as skillfully as they can.

Mr. D. A. C. SIMMONS: Mr. Speaker, Sir, just briefly. I am grateful to the honourable Member for Christ Church West for informing me, and the House, that, in effect, he lost the Boulevard matter in substance, as I promised him he would lose. I am happy that the work that I did on that case, the advice that I gave and the dealings I did succeeded in making him lose the case.

Asides.

Mr. D. A. C. SIMMONS: He won it on a technicality, but the essential point about the capital profit and the deeming provision, — I told him early o'clock that he would lose on that.

I have a number of reservations about the Bill, which I am not going to go into today, but I wish to draw particularly to the Minister's attention at page 6 at the top 12E.(1). We were talking about taxing boxcars and deleting the word "motor" in a previous bit of legislation. I wish to submit to the House that this is very loosely drawn.

"Where a person engaged in the tourist industry has in an income year incurred, primarily and principally" and so on, there is no way that I can find a definition of "tourist industry." Section 85 of the principal Act, which is the definition section, does not contain a definition of "tourist industry."

Since we were talking about motor vehicles and boxcars, a coach and many horses will be driven through this section. What does "tourist industry" mean? Who can claim to be a person engaged in the tourist industry? You mean the little man who goes off and brings in a number

of girlfriends to provide certain services locally? Is he engaged in the tourist industry if he is running a night club? I do not know. I am not saying that he might not be caught, because it would be an immoral purpose, but I could see all kinds of problems by the use of the phrase "persons engaged in the tourist industry" without delineating the scope of that phrase and the persons to whom benefit of the 150% should apply.

Hon. Dr. R. C. HAYNES: I think that if the honourable Member looks at Section 12E (2)

Mr. SPEAKER: On what point are you?

Hon. Dr. R. C. HAYNES: A point of elucidation.

The Director of the Barbados Board of Tourism will have to have the certificate for the person claiming the benefit.

Mr. D. A. C. SIMMONS: Sir, that makes it even more arbitrary. I am only highlighting it now. I think after next year's time for returns the matter will become a lot clearer. I am going to predict that we will have to amend this again.

So you are asking the Director of Tourism to determine who is engaged in the tourist industry for the purpose of claiming benefit? I think, again, that is too arbitrary, but I only highlight the problem.

There are one or two others that I have seen in a quick glance at this Bill. We only got the Bill yesterday afternoon.

Hon. Dr. R. C. HAYNES: Mr. Speaker, we have had two interesting interventions. I would like, very briefly, to respond to them.

First of all, on the question of the private sector to the new fiscal arrangements, which are currently enforced, I would say that, on balance, I am very pleased with the response so far, and I think we have had, at all levels, a constant dialogue with the private sector, and, to put it more succinctly, that one recognizes that there are two key areas now which the private sector would have to zoom in on — (1) the mobilisation of existing under-utilised capacity in respect of export earnings, and, secondly, the mobilization and the redirection of our domestic resources in areas of investment, production and output which would maximize benefits to the community. Having identified these two areas in very broad terms, I hope that before the end of this week I should be in a position to announce the instruments through which these two major steps forward in private sector participation would take place.

In respect of granting the benefits for earnings outside of Barbados in the CARICOM area, all I can say is that I have tried to introduce this particular measure as introduced in the previous Budget, and I have tried to stick to that, because, as a budgetary measure, I have tried not to make any variation. Certainly it has been raised, not only today as the Leader of the Opposition raised it, but, in fact, it has been raised within the Ministry, and within departments of the Ministry, as to whether or not this provision should not apply to income generated within CARICOM as well. So this is a matter that we will have to look at in the future.

In terms of overall reform of the Income Tax Act, I agree with you that it is clearly necessary for reform and simplification, judging by the difficulties which I had in understanding several sections of the Act in introducing these wide-ranging amendments — not wide-ranging as such, but multiple amendments with sequential changes.

I think it is correct also to say that, at the moment, there is some uncertainty as to the status of bonus shares, whether the current benefits which existed under the previous Corporation Tax law would carry forward with the new Corporation Tax legislation, and, as I understand it, between the beginning of this month and the ending of this month, there has been a flurry of activity. Some accountants feel that with the new Act coming into effect, the tax position in respect of bonus shares should be different. Others feel differently; I gather there is a division of opinion among the lawyers. My view on the matter is fairly simple, and I have no major problem in relation to the flurry of activity in respect of the issuance of bonus shares at present. Indeed, I also think that there is an urgent need for clarification of the law. Whether it can be done by administrative edict or not, I would have to check with those responsible for administering the legislation. If it cannot be done that way, then, of course, one would have to come to Parliament and seek the appropriate legislation.

4.40 p.m.

One other point made related to retained earnings and the problems there. I want to make it absolutely clear that the policy of this Government has been to alter the tax situation in order that companies, particularly young companies, marginal companies, would have the opportunity to develop sufficient retained earnings in order to re-invest and expand in Barbados. If there is any doubt whatsoever, in the context of the law, as to whether such earnings are taxable or whether there can be any tax on capital gain arising out of the distribution of such earnings or their retention, then appropriate legislation would be brought to Parliament, because it would be directly counter to the overall policy position which

the Government has taken. So if it is necessary to bring legislation to deal with the matter, it will be dealt with.

On the question of efficiency in the Income Tax Department and in the Customs Department, I can assure you that I am very keen to ensure that all resources are put behind the Commissioner of Income Tax and the Comptroller of Customs to increase the efficiency of revenue collection in this country, because increased revenue efficiency, I am sure, would result in even lower levels of taxation down the road. Indeed, I am somewhat alarmed when you look at the amount of money that we spent on revenue collection. It is a bit ridiculous really, the amount of money we spend on revenue collection in relation to the revenue collected by those departments. I am hoping that in the next fiscal year, in the Estimates that should be coming before Parliament in the next two or three months, we would see some provision which would indicate an effort on the part of the Ministry of Finance to enhance the potential of both departments.

In respect of double taxation treaties, I fully agree that these double taxation treaties can act as important vehicles for attracting investment into Barbados, not only in the offshore sector but also the right investment in this country, because in the final analysis, and with the changing investment climate of today at the bottom line, it is going to be what tax benefits are available to the investor, on the one hand, and how those tax benefits can enhance the profitability. That is what is going to make his venture worthwhile in Barbados. As I see it at the moment, I think that there is a need to conclude double taxation agreements certainly with West Germany and with Japan. I think that this is a matter which, as a Government, we would have to look at and see all the implications involved. I think that those tax treaties constitute important vehicles for investment.

I believe I have responded briefly, as I set out to do, to the main points, each of which, of course, can be the subject of a major, prolonged debate.

I also note the point made by the honourable Member for St. Thomas in relation to any possibility of abuse because of looseness of definition in relation to what constitutes a tourist industry. If there are any administrative or other problems resulting from that, then an appropriate amendment would be brought before Parliament. But I think the honourable Member would be aware that when we are making this large number of amendments, it is very difficult to identify each small point. I am quite sure there are another hundred points that could be raised out of the legislation as it stands, before or after the amendments.

Thank you very much.

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

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. R. P. BYER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 4 inclusive were called and passed.

Clause 5 was called.

Mr. L. E. SANDIFORD: Mr. Chairman, I beg to move that Clause 5 stand part. There is an amendment to be moved to this, however.

Hon. M. A. KING (Christ Church West Central): Mr. Chairman, in Clause 5, since provision is being made under the new Section 12E for a person engaged in the tourist industry — and here we come back to the tourist industry again — to qualify for a Market Development Allowance of 150% of the actual expenditure incurred in encouraging tourists to visit Barbados, it is necessary to prohibit the deduction under Section 10 in order to avoid a double claim being made by the person.

In order to effect this, it would be necessary to include at the end of Section 5, after the words, "12E", the words, "or Section 12B". After "12E" insert the words "or Section 12E". That section would then limit the claims in respect of double payments being made under Sections 12E and 12D.

What I am moving, Mr. Chairman, is that the words, "or Section 12" — Mr. Chairman, it seems to me as if the Bill before us is not accurate. It looks to me as if the amendment which I am about to move is already included in the Bill before us. It is already there.
4.50 p.m.

Asides.

Hon. M. A. KING: Mr. Chairman, the amendment which I am moving to the Bill before us is that Clause A of Section 5 be deleted and be substituted by inserting immediately after the words 12(D) appearing in Paragraph A the words "or Section 12(E)."

May I just repeat the amendment, Mr. Chairman? Delete Clause A and insert immediately after the words 12(D) appearing in Paragraph A the words "or Section 12(E); and".

Hon. B. M. TAITT: I beg to second that, Sir.

Hon. L. E. SANDIFORD: I beg to move that Clause 5, as amended, stand part.

Hon. B. M. TAITT: I beg to second that.

The question that Clause 5, as amended, stand part was put and resolved in the affirmative without division.

Clauses 6 – 10 were called and passed.

Clause 11 was called.

Hon. L. E. SANDIFORD: I beg to move that Clause 11 stand part.

Hon. H. deB. FORDE: Mr. Chairman, I must tell the Minister that the new Clause 36 (A) (2) really will not completely achieve what he sets out to achieve. In Clause 36 (A) (2) he is seeking to allow a person who engages the services of a limited liability company, firm, or partnership to carry out gardening or household services to have a deduction in respect of those services up to the extent of \$1 200. But there are a large number of people who today engage a sole independent contractor which is not a partnership or firm. In my own constituency there are quite a few young men who borrow money nowadays to get a lawn mower, and they go around and carry out lawn mowing services. They are not being paid wages, because they are not employed directly under a contract for service, but they are providing services and they are under a contract for service as independent contractors, but they are not incorporated and they are sole practitioners as such.
5.00 p.m.

I believe that you may need another form of words. You may have to come back on that amendment, unless the Commissioner, by administrative edict, as you call it, accepts that sort of circumstance. The intention is correct, but I am not sure the form of words is correct. They are not being paid wages, they are being paid a fee for rendering a service and they are independent contractors, but they are not a firm and they are not a company. I do not think that the amendment envisages that as clearly as it can.

Hon. Dr. R. C. HAYNES: I take the point. I think it is generally agreed that the objectives of the legislation are desirable. It is a question of whether you have another category of person other than a company or a firm, or if you just amend it. I guess a company can be a person in law. Is that right?

The point is that what Section 1 seeks to achieve is to ensure that the person gets the benefit if he can

produce evidence that he is an employed person. Section 2 seeks to transfer that benefit from the individual to a person who has contracted the service. The point being made by the Leader of the Opposition is whether that should be limited to a firm or company as the contractor of the services or whether an individual can be the contractor of the services. I will have no difficulty with any such amendment as advised by the Attorney General.

Hon. M. A. KING: Mr. Chairman, the point made by the Leader of the Opposition is understood, and it would seem to me that if you substituted the words, for instance, "independent contractor" for "a firm or company" that would meet the problem, because the whole point is that you want any payments made to contractors who are not in employment to be deductible.

So I would move, Mr. Chairman, that at Clause 36(a)(ii), we delete the words "a company or firm" appearing at line 2 and substitute for those words the words "independent contractor".

Hon. B. M. TAITT: I beg to second that.

Hon. L. E. SANDIFORD: I beg to move that clause 11, as amended, stand part.

Hon. B. M. TAITT: I beg to second that.

The question that Clause 11 stand part, was put and resolved in the affirmative without division.

Clauses 12 and 13 were called and passed.

Clause 14 was called.

Hon. L. E. SANDIFORD: Mr. Chairman, I beg to move that Clause 14 stand part.

Hon. B. M. TAITT: I beg to second that.

Hon. H. deB. FORDE: I do not want to hold up the Minister on this, but I wonder whether he has thought through carefully the policy on this subsection. It is intended to give 50% rebate on the amount paid on insurance premiums on owner-occupied premises, so that you can have it as a deductible against your tax, but there are some premises which are not only owner-occupied, but part of the premises is rented. Is the Minister's philosophy correct in this respect?

If I do not live on my own premises but I rent that premises out, I get the full amount of insurance to be deductible against the income, because it is income producing. In this case, the property is income-producing and once the householder brings that income into account as part of the income, it seems but proper that they should get the full benefit of the deduction, and really a question of 50% only on part and not 50% does not

occur. Once you are getting income from the premises, I do not think it is the question of whether you deduct 50% for the part which you occupy and what you get for the balance. I am not sure this has been thought carefully through, really. There is a real difficulty in my mind about it, unless the Minister can clarify it for me.

I take it that we are talking about a situation where it is under a contract, under a tenancy or under a lease, and not really where there is a licence or not where there is a lodger. People may take in lodgers who are residing there, but the premises are not let in the strict sense of a rental or tenancy agreement. Is it intended that in those circumstances there should be a distinction in the amount of deductibles? I ask a question, Sir, because it is not clear from this legislation what is intended.

Hon. Dr. R. C. HAYNES: Quite clearly this particular section seeks to deal with a situation where the property is not totally owner-occupied. It is evident that if the property is income-generating, I assume that since that would be income imputed and assessable income, the full insurance premium would be deductible, as obtains now. So I would not assume that this can overtake that overall provision, which is really fundamental in that Income Tax Act.

I think that this clause is put in to deal with the final point which you made, whereas there is no formal lease or rental arrangement but other incomes are being generated within it. This gives the Commissioner of Inland Revenue the opportunity, as you will see in the very last sentence, to compute and make the appropriate adjustments. I think that is what this clause is all about. I think it was in your last sentence that you identified what it was about, which leads to my certain knowledge that you knew from the very beginning what it was all about.

5.10 p.m.

Hon. H. deB. FORDE: What I am trying to say to the Minister, if I may Sir, is that it seems to me that, under the section as drafted, it is possible for me to claim 150% of insurance premiums, I claim 100% because of the fact that I am getting rental income, and I claim another 50% because of the fact that I am getting rental income and I am occupying it as a residence at the same time. So that

Asides.

Hon. H. deB. FORDE: Well, this is the whole point. The section is doubtful, and I predict that the matter will get before the Income Tax Tribunal in the way in which the matter is set forth here.

Hon. L. E. SANDIFORD: Mr. Chairman, I beg to move that Clause 14 stand part.

Hon. M. A. KING: I beg to second that.

The question that Clause 14 stand part was put and resolved in the affirmative without division.

Clauses 15 – 28 inclusive were called and passed.

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. CHAIRMAN reported to His Honour The Speaker the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, the Bill was read a third time and passed.

Hon. L. E. SANDIFORD: Mr. Speaker, earlier in today's sitting I gave notice of four Bills, and I did indicate at that time that public business required that these be dealt with in all of their stages today. This would also facilitate the completion of Government Business for this particular time so that we may rise for the Christmas recess.

I am now formally seeking approval of the House to proceed with these matters at this stage.

Mr. SPEAKER: If there is no objection, then leave is granted to proceed with these Bills.

Hon. L. E. SANDIFORD: On the Supplementary Order Paper, No. 14 for Tuesday, December 16, Item No. 7.

Mr. SPEAKER: Order No. 7.

WIRELESS TELEGRAPHY (VALIDATION OF CHARGES) ACT, 1986

Order No. 7 was called – To move the Second Reading of a Bill to validate certain charges relating to television licences levied under the Wireless Telegraphy Act.

Hon. Dr. R. C. HAYNES (St. Michael South Central): Mr. Speaker, in my Statement and Budgetary Proposals made on July 15 of this year, I announced the immediate abolition of the fee payable for a television licence.

While preparing the necessary legislation, the Attorney General discovered that since 1980, when the Broadcasting Act, 1980, Section 38, was proclaimed, there was no legal authority for the collection of television licence fees. These fees were previously collected under the Regulations to the Wireless Telegraphy Act Cap. 285. However, in section 17 of the Broadcasting Act, the words "wireless broadcasting, television and

wire broadcasting" were deleted from the definition of wireless telegraphy in the Wireless Telegraphy Act, and no provision was made in the Broadcasting Act for payment of fees in respect of wireless broadcast television receivers.

5.20 p.m.

The fee payable for a television receiver licence was increased in the 1983 Budgetary Proposals, and the Wireless Telegraphy Regulations were amended in 1983 to give effect to the said proposals. That action was not legally correct, and the collection of the fees since 1980 has to be validated. This is the reason for the Bill before us.

So, Sir, this Bill simply seeks to validate the charges which were made relating to television licences and which were levied under the Wireless Telegraphy Act, Cap. 285.

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

Hon. B. M. TAITT: I beg to second that and reserve my right to speak.

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. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. R. P. BYER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 – 3 inclusive were called and passed.

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, 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. E. SANDIFORD, seconded by Hon. B. M. TAITT, the Bill was read a third time and passed.

Hon. L. E. SANDIFORD: Order No. 8, Sir.

Mr. SPEAKER: Order No. 8.

STAMP DUTY (AMENDMENT) ACT, 1986

Order No. 8 was called – To move the Second Reading of a Bill to amend the Stamp Duty Act.

Hon. Dr. R. C. HAYNES (St. Michael South Central): Mr. Speaker, again this Bill simply seeks to give

effect to the Budgetary Proposal of July 15 relating to the Stamp Duty on certain goods. At that time, I had indicated that there would be a reduction from 12% to 10% of Stamp Duty on certain items, including wines, certain foods and certain building materials. This has been the subject of debate already in Parliament, and all this Bill seeks to do is to give legislative effect to the Proposals.

You would note, Sir, that as was mentioned, the items include rice, sparkling wines, other wines, wood of various kinds.....

Laughter

Hon. Dr. R. C. HAYNES: sinks, basins, galvanized sheets, garden bibs and faucets.

Aside

Laughter

Hon. Dr. R. C. HAYNES: Mr. Speaker, I beg to move that this Bill be now read a second time.

Hon. E. E. GREAVES: I beg to second that, Sir.

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

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. R. P. BYER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 – 3 inclusive were called and passed.

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, 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. E. SANDIFORD, seconded by Hon. B. M. TAITT, the Bill was read a third time and passed.

PROFESSION, TRADE AND BUSINESS REGISTRATION (AMENDMENT) ACT, 1986

Order No. 9 was called – To move the Second Reading of a Bill to amend the Profession, Trade and Business Registration Act.

Hon. Dr. R. C. HAYNES (St. Michael South Central): Mr. Speaker, this Bill again seeks to give effect to the Budgetary Proposals and also to make one or two adjustments in relation to this particular matter.
5.30 p.m.

The Budgetary Proposal was to exclude certain trades and businesses from the ambit of this Act, to reduce the fees payable under the Act by professionals to a level which was consistent with the cost to Government of administering the professions, and we took the opportunity to deal with one or two other problems which were created by the Act.

Perhaps the most important aspect of this has been an attempt to reduce the burden on professionals who register after the month of June in a particular year. It has been brought to our attention that many graduates from the University of the West Indies and elsewhere graduate after June, and, in fact, by the time they get organized in their professional practices where they have to be admitted to the Bar or otherwise, they are faced with the problem of paying a full year's registration fee, say, in October, and then again in January. So what we have done, generally speaking, is that on all the professional fees we have reduced about 50%, which we have found on careful analysis was the approximate cost to Government

Aside.

Hon. Dr. R. C. HAYNES: By about 50%, down 50%. All the professional fees are reduced by about 50%. But for anyone who registers after the month of June in any year, the fee will be reduced by 1/12th for each month that has elapsed for that year.

Applause.

Hon. Dr. R. C. HAYNES: I think that this is an important gesture to the young professionals in the country as a whole. I believe, of course, that we have tried to stick to the principle that we should get enough revenue to cover the cost of administering the professions whilst at the same time giving meaningful relief in these areas.

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

Hon. P. M. GREAVES: Mr. Speaker, I second that and reserve my right to speak.

Mr. SPEAKER: The question is The honourable Member for St. Thomas.

Mr. D. A. C. SIMMONS: Mr. Speaker, I just rise to compliment the Government on the introduction of this

piece of legislation. I have for many years felt very strongly about the need not to have this type of legislation as existed, and certainly to remove the burden that press very hard against young legal graduates after they have qualified and graduated in October. They had to pay the full fee, and then, within two months of setting up their practice at great expense, they had to find it again. I started when I was in the Ministry, and the Attorney General will find the file

Aside.

Mr. D. A. C. SIMMONS: it must be there. I do not have any where I was in negotiations with the Ministry of Finance asking that some kind of mechanism should be provided on a *pro rata* basis. The Ministry of Finance, without allowing the then Prime Minister to see the file, turned down my request.

Asides.

Laughter.

Mr. D. A. C. SIMMONS: No, no! It was at a level of permanent employee, not Parliamentary Secretary nor the Prime Minister. The file will show that I then wrote on it, "Has the Prime Minister himself seen this file? I want him to see this." Because the Prime Minister himself had been in agreement with doing something to ease that burden.

It is all right to say you were the Government, but as honourable Members will know in relation to this, I am sure that the present Government would have had to consult the various departments and get their views on it. Were it not for the fact that we were overtaken by the elections in May

Asides.

Mr. D. A. C. SIMMONS: No, no. Overwhelmed is like 33:1.

Laughter.

Mr. D. A. C. SIMMONS: Overwhelmed is like 33:3, so I prefer to rest with overtaken, Sir, by the events of May. I believe that it may have gotten through again.

But I really rise to compliment the Government on this. I think that they have really been able to do something for the professionals. They recognize that they have to pay a fee to administer the cost to the profession but yet one must temper that with some degree of mercy to take into account those cases which are genuine. Nobody is trying to defeat the system, but it is, I think, unfair to the citizen to be asked to pay the full fee twice.

Mr. SPEAKER: The honourable Member for St. Michael South East.

Dr. E. A. SIMMONS: Mr. Speaker, in rising to support this Resolution, I must say that I am very surprised to hear the honourable Member for St. Thomas supporting the Bill and I think that we need to take a historical look at some of the things that took place.

He spoke on behalf of the legal people and the comfort that they will get from this Bill. But I well recall that the medical profession was the one profession that was singled out. I do not know if it had anything to do with a sitting Member at that time, but the medical profession was singled out. I remember clearly that a letter was sent out from the Registrar, I think it was — because at that time they had decided that specialists would have to pay \$1500 and non-specialists would have to pay \$1000 — they sent letters to every doctor in Barbados and asked the doctor — are you a specialist and are you going to pay \$1500? I think the Medical Council has fully on record who are the specialists and who are the general practitioners. But they did not go that way. They sent the letters to the individual doctors, and, of course, with the individual doctors knowing that if they said they were specialists they would have to pay \$1500, apparently there were not many specialists. So what they did then was to charge every doctor a fee of \$1500. They apparently made all the doctors in Barbados specialists and made them pay \$1 500. This is the whimsical fashion in which the last Administration governed this country.

5.40 p.m.

The honourable Member for St. Thomas jumped up and supported the Resolution and to say that he, as Attorney General, had.....

Mr. D. A. C. SIMMONS: On a point of elucidation, Sir: Although the honourable Member for St. Michael South East shares the same surname as I, it does not mean that we see eye to eye on everything, and he must know, Sir, that in 1984, when that piece of legislation was passed, I was not in here and I was not Attorney General.

Dr. E. A. SIMMONS: But, Mr. Speaker, I keep saying that the acts of the former Administration — and this is a clear example — bring out the fundamental difference in the philosophy between the Barbados Labour Party and the Democratic Labour Party, and it was under the former Administration, that is the administration of the Barbados Labour Party, that people like carpenters, masons, nut sellers and hairdressers were made to pay tax. It was under that Administration! Of course, they had to register, so in order to sell nuts on Broad Street, you had to go into the Registry and register and pay a fee. A lot of us went to school out of that nut tray and we must never forget it. But it shows the

fundamental difference in how we perceive people and how we see administration.

I want to say again to those on the other side that as these pieces of legislation come up, because some of them are fast to jump up and say that both parties share the same philosophy, I will not rest until I show bit by bit that the legislation passed by the former Administration clearly bears out the philosophy which they have in this country, and I am glad to see that, as representatives of the people who should be listening to the people, we on this side are forcing them to go back to listen to the people, because our job in here is to represent the people.

Earlier today we talked about the fishermen in St. Peter who were opposed to a fishing harbour which they wanted to put against the wishes of the people. But, after all, we are here to represent the people, we are here to carry out the people's wishes and not to enforce on people what we think to be right. The people elected us, because everybody cannot come into Parliament, and we are supposed to come here and do what the people want, I think they are learning the lesson, and other people in the Caribbean are learning the lesson, because they are talking about 33:3, and if they are not careful, next time it will be 27 to none.....

Asides

Dr. E. A. SIMMONS: Twenty-seven without loss, because you have to listen to the voices of the people. Apparently today they are learning, because last time we came in here with such a Resolution in order to give advances to workers for Christmas, they opposed it, and apparently somebody has spoken to them.

Mr. SPEAKER: I do not think you can reflect on a vote taken.

Dr. E. A. SIMMONS: I apologise, Mr. Speaker.

The point is that this Resolution again demonstrates the basic difference in philosophy between the Democratic Labour Party and the Barbados Labour Party. As one Member said, there is no philosophy in the Barbados Labour Party. We happen to be a people-oriented party who believe that Parliament is the place to carry out the wishes of the people, and I want to support this Bill today.

I thank you.

Hon. P. M. GREAVES (St. Michael North): Mr. Speaker, my intervention here is going to be fairly brief. I, too, rise to support this Bill. I think it is inequitable that persons who qualify late in a year and in fact have never earned, very likely never had the opportunity to

earn before, should be called upon to pay a fee equal to what any other professional who had been practising for years would have had to pay, and I think this is something that has been crying out for a change for a long time. I am sorry that the honourable Members on the other side were not able to do it so that qualifying attorneys-at-law and other would have had the benefit of that amendment.

The honourable Member for St. Michael South East is quite right when he refers to the inclusion of a whole wide range of persons who were required to pay a fee, and this was done by the former Prime Minister and Minister of Finance about 1977 or 1978, or thereabouts. That I remember very, very well. I do not recall if the Honourable Minister of Finance had made such a statement here this afternoon in introducing this Bill, but we are amending it, and the Schedule to this Bill removes all of those persons — artisans, hairdressers, electricians, blacksmiths, barbers, boat builders, mauby sellers, artists, launderers, piano tuners, all the race horse jockeys — a whole wide range of persons. This Bill will exempt, not reduce what they pay by 50%, exempt them, remove them completely, from the Schedule.

I think this Bill probably could have gone perhaps, Sir, a little further, and I am not minded to make this point because there might be a few practising lawyers who I understand might not have paid their fees during this year. This does not include yourself. Yours was paid by the Government before you came out, I believe. But this is the point I am about to make.

Aside.

Hon. P. M. GREAVES: Sir, the law requires that unless a person who is required to register registers in the month of January, if he registers after that month he has to pay it double. That would be very hard on persons, not only on some honourable Members who returned to practice during this year, but any person who had not been practising law for years, merely because they have gone back into the practice after the month of January, say, Sir, in the month of September, to require them instead of paying \$750, to pay double that amount, that is \$1 500, when in fact it was really no fault of theirs that they were not practising. In other words, Sir, what the law requires them to do would be to pay in each and every year that they are not practising, in order not to be so penalised.

Aside.

Hon. P. M. GREAVES: I do not know who has not paid, Sir. I hear some have not paid, I do not know who has not. The law requires those persons to pay every

year, the people who are not practising, so as not to be penalised in the year that they return to practice.

Aside.

Hon. P. M. GREAVES: The honourable Member for Christ Church West has not got my point. They are not required when they are not practising, but in order not to be penalised they have to pay even though they are not practising. I think, Sir, that at some point in time I am going to ask probably the Attorney General to have another look at this legislation so as to remove this probable injustice, this unjust requirement from the Act.

5.50 p.m.

Mr. J. J. PAYNE (St. James North): Mr. Speaker, I rise to make a brief contribution to the amendment which is before the House and I wish to say that the harshness of the Act which is now being amended goes even further.

The Act provides, Mr. Speaker, that any person who fails to pay the registration fee by the end of January in any particular year and engages in any occupation commits a criminal offence. In the case, for example, of a hawker, who under the first Schedule would be required to pay a fee of \$5 as a registration fee, if convicted in a criminal court she will be called upon to pay \$500. It is, therefore, necessary for us to recognize that persons in this country who go about seeking a lawful means of employment should not be saddled with the difficulty of this problem which arises under the Act.

Other speakers have already highlighted some of the other points but one of the other things which I want to mention, Mr. Speaker, is the fact that if a person had collected fees in pursuance of their employment, the person who pay that money could sue and recover those monies in the law courts. So that if a carpenter had built a house for a person and he was not registered, the person for whom that house was built could bring an action against the defaulting person and recover whatever monies he had paid to the carpenter in respect of his labour.

So when the Profession, Trade and Business Registration Act, was passed it was designed to prevent a lot of people in this country who could not afford to pay the registration from working, and especially in the case of certain professions like the legal profession where some members had to pay as much as \$1 000, and \$1 500 in the case of Q.C.s, it created a very serious problem, and the amendment which is now before the House is, in my view, one of the progressive pieces of legislation brought by this party to ease the problems on the backs of the people of this country. I speak in support of this Resolution.

Mr. C. L. TROTMAN (St. Michael Central): Mr. Speaker, as a person who represents workers, I should like to indicate that I have a certain sympathy for the professional workers who are going to benefit as a result of this piece of legislation. But, as you know, Mr. Speaker, many of these professionals have their own means of protection, sometimes by the various bodies that they have formed to protect themselves.

For example, the legal profession is so strongly unionised that they have a closed shop, and it is useful at this time for me to ask the Government to recognize that that seems to set up an area of discrimination and that those workers who are non-professionals should also be able to establish closed shop situations in areas where they have large numbers of themselves unionised within their particular union. I would wish to see, therefore, that we move in this direction so that we no longer have the discriminatory practice of one particular set of workers with a closed shop and other workers not being able to do the same thing.

I move beyond that, Sir, to indicate to you that there are some workers who do not have the same strength that some professional workers have, and although the members of the Opposition might not have recognized it, it is true to say that, in fact, workers at the level of nut sellers have, in fact, been forced to register and to pay fees. As a matter of fact, Sir, about two and a half years ago, we had the most regrettable situation in Barbados where a young person who did not want to take to the streets and steal undertook to sell some nuts. He was apprehended and had to languish, if languish is the right word — spend a brief sojourn, perhaps, is a better term — somewhere within my constituency, for selling nuts without the requisite fee. I am pleased that this bit of legislation would allow young persons when they now have the will to do so to help themselves without having to be saddled with the problem of paying fees of one kind or another.

I think, Sir, that, generally, it has to be recognized that the granting of any ease to professional persons may be compared to the granting of allowances for more income for other persons. I would wish the Government to move with the same alacrity and despatch in ensuring that for those other professionals, artisans, for example, within the Public Service — carpenters, masons, welders and plumbers — although there is no fee for them, the promotional structure that we are endeavouring to see established for them in the regrading exercises that are required, especially those that have been before us for some three or four years now, be conducted with the same speed and with the same professional acumen that you see bringing itself to bear on this occasion.

Mr. Speaker, specialists have to recognize that once there are benefits of this sort, benefits very often carry

with them certain levels of responsibility, and I would wish to suggest that the occasion should be taken by specialists to look to their public responsibility, especially at a time when the Democratic Labour Party, in its far reaching social equalising programme, is bringing greater benefits to them, that they look to their own functioning and their own role. In this connection, I want to make the observation, for the sake of argument, that when some specialists are visited by the laity persons like myself, especially doctors, sometimes they have a difficulty. The difficulty has to do, Sir, with the fact that some specialists allow people to visit by appointments and they allow some others to come without appointments. It is regrettable, but true, that the practice has begun to intrude itself into our society where persons going to visit some professionals by appointment, particularly doctors, find themselves, although they are paying the fee for the appointment, having to wait for some time, as much as two and more hours because the business has not been properly organised to recognize the need either to stagger the hours or to arrange the professional business in the same way that the Democratic Labour Party is arranging its business in the way that it is providing for the public of Barbados.

I wish to suggest that levels of responsibility do not have only to do with the benefits that we can derive from within the system, but it has to do, as well, with what we ought to give to the country, give to the public at large. In fact, I am suggesting, Mr. Speaker, that those of us who get also have to recognize that we have to give.

I thank you.

6.00 p.m.

Hon. H. deB. FORDE (Christ Church West): Mr. Speaker, I do not want to prolong this debate, but I just want to make a few points that ought to be made, because I heard earlier the honourable Member for St. Michael South East (Dr. E. A. Simmons) saying that one is rewriting history. It appears that we tend to rewrite all things and believe that a new day arrives with the arrival of each one of us or with each change of Government. It really does not.

Members ought to be aware that as long ago as 1904.....

(*Aside:* That is right.)

Hon. H. deB. FORDE: there was legislation on the Statute Books of Barbados requiring hawkers, peddlers, nutsellers and itinerant traders to register, to obtain a licence and to pay a fee to carry on their trade or their profession.

Aside.

Hon. H. deB. FORDE: Sure. All agreed with that.

In 1974, the present Government amended the legislation to change the amount payable, I think from whatever it was in shillings to dollars. Members ought to be aware of these things because we try to score political points — and, obviously, it is a point that went through the election and you scored your political point on it — but do not try to hammer people to make people believe that there was.....

Asides.

(*Aside:* Mr. D. A. C. SIMMONS: 1974.)

Hon. H. deB. FORDE: Nineteen hundred and seventy-four — (1974–49) — I am going to cite the legislation, Sir. The Hawkers Registration Act continued right up to the time that the Democratic Labour Party left the Government. The Hawkers Act is here for you to see, do not doubt me — I am not going to say anything that is untrue in this debate — and it was repealed by 1978–45, which is this legislation.

If the House is minded now to believe that we should not register the professions in any way or the trades, so let it be. I do not believe for one moment that the registration of trades and professions was done with any intention to penalize people from carrying their profession.

I recall very well that when this matter came up, part of the problem was that you had, and still have, no manpower services provision, apparently, in the Ministry. They were trying to compile a directory. A lot of the categories came from publications, I believe, coming through the ILO, or something of the sort. The idea was that one should have a registration of the number of people in Barbados who were practising in any area.

I believe that the fee that was placed in 1978 was something like \$5 on the large number of people, although, as the honourable Member for St. Michael South East quite rightly said, some professions were singled out to pay more. But it was not only the medical profession; the lawyers, as well, had to pay more, and if you were a Queen's Counsel, you had to pay the maximum, even more than an architect had to pay. The debate would reflect that, in the discussion of the Bill, persons like myself made the point that architects should not be exempted and lawyers made to be a special class. But lawyers are whipping boys, because, fortunately or unfortunately, lawyers have directed the country's affairs for the longest time in modern history, and, therefore, we are the people who attract the greatest amount of responsibility. So we have to carry some of the responsibility.

This particular bit of legislation is only reforming in some limited manner. Let us face it. There is a large category of persons who still have to register and have been left in: auto body technicians, antique dealers, driving instructors, furniture manufacturers, insurance practitioners, masseurs — so anybody who massages the West Indies team will have to register, you register if you are a masseur to sportsmen — nightclub operators, plant sellers, private enquiry agents. So the Government has accepted that there are categories of persons who would have to remain to pay fees.

Now either it is bad in all respects and let us get everybody out, or let us find out why then are you going to extract \$5 from these people because the \$5 cannot be very much of a revenue raising measure — plant sellers, furniture manufacturers, masseurs. Those are the others that are left in as a result of the abolition of the Schedule. Although we have only just got the Bill, we are sufficiently cognisant. The honourable Member for St. Michael South Central knows that, Sir, and that is why he introduced the legislation as it is — to let it go through.

The honourable Member for St. James North (Mr. J. J. Payne) made some points about the penalties that accrue if you do not register. There is no change being effected in those by this legislation. They are still there.

Now either we can say that we wish to make policy decisions that the Ministry of Trade is quite satisfied, we do not need anybody at all to register, and that revenue does not need any assistance to identify people who should pay tax. That is what we are saying. But I do not presume the sort of bad faith that you see with legislation from any side.

Aside.

Hon. H. deB. FORDE: I do not suffer from either "Tomitis" or "Errolitis" or "Branforditis." I deal with the matters on the basis that I am going to assume some good faith, and I know from the files, which you now have in your possession, the manner in which some legislation comes before us, and I am not arrogating to any Government, or to any Prime Minister, or to any Leader of the Opposition, for that matter, or to any Member of Parliament, having all of the common sense and the wisdom to do everything that is right all the time. All I am saying is now that the mood of the House, and the feeling of the country, is that you no longer have certain categories of persons registered. I would have heard whether the principle goes this far — there is no need for you to register whether you are a carpenter, tinker, craftsman — I am not sure how it goes.

Asides.

Hon. H. deB. FORDE: well digger or what — nobody at all registers and, therefore, let us repeal the Act as a whole and find some other way of collecting revenue. But if we are only going to exempt someone because it gives us a certain image, then I really cannot follow the strong principle that you are going to.

I believe that you could have, if you liked, find a method of registration — perhaps this was a very bad administrative method of getting registration going — find a method of knowing the number of persons who are practising professions, trades and what not, have a proper manpower survey of it, let us take up the cost of administration out of the Consolidated Fund and do not bother at all with registration in that way. But one has to see what was the purpose of some of this legislation, and one has to concede that there was previously, whether it came in 1904, 1974 or 1978, legislation of this nature which calls for registration now.

I go further, Sir. There is a book published a couple of years ago in Canada on a study of professions, trades and their registration which has a lot of background on this. I have seen legislation such as this in other Commonwealth countries with the same aim and the same purpose. If honourable Members who are now formulating policy want to borrow my copy of the book, I will make it available to them.

I say that I know that in other countries you have seen legislation such as this to say that, unfortunately, it may not now be good politics, or indeed, good administration, to have the net so wide. But make no mistake about it, when we are bringing in the new day of the 24:3 and the 27:0 next time, I am being told, I do not know, Sir, whether the honourable Member who said that remembers where the none would be and the 27 would be.

Aside

Hon. H. deB. FORDE: Without loss.

I have seen enough of politics to know that changes come regardless of how well you bat. Sometimes they come regardless of whether you cannot bat at all.

Laughter

Hon. H. deB. FORDE: That is what I know, Sir. So the honourable Member may be well assured, Sir, that his prediction on this bit of legislation about 27:0 without loss, I want to tell the honourable Member, when we win next time, we do not want 27 — we would be satisfied with a majority, Sir.

Laughter

Hon. H. deB. FORDE: I am telling the honourable Member that, Sir, but I am not begging.
6.10 p.m.

I really want to say that the debate in here has been going quite well today as we get near to the festive season. I really do not want to change the spirit. I believe that the Government can decide in the future, not today, whether it would wish to appeal the whole legislation, let me know whether the Ministry of Labour can carry out this function, and let me know, secondly, how much the Minister in charge of revenue collects. I do not believe you get \$100 000 from it, but I would like to know whether you get that amount.

I want to say this, too, Sir, that in Government, as Members will realize, there are always conflicting interests in formulating policy, which is decided at the final level of the Cabinet, for which each one of us, if we believe in collective responsibility, unless you resign, must take responsibility. So there is no question about that. But I think the files will show that Ministers who dealt with this matter each put their particular interest forward, and then there was a collective responsibility. The case for the lawyers was put on numerous occasions, as far as I can recall, on the point. Lawyers felt they were being singled out for special treatment, so that was put. But the overall consensus was that you needed to have some form of registration.

The other aspect of it, as the Right Honourable Prime Minister *sotto voce* batting for me quietly said, was a revenue measure. I asked the Minister if he could now give up this revenue, if he could, instead of merely reducing, give up the whole revenue, if he really wants to go the full haul. If you have mechanisms in place for getting the professions together, for knowing who is carrying on what particular trade and measuring the manpower needs of the country, you probably do not need this legislation at all. I would go so far with you on it.

Mr. SPEAKER: The honourable Member for St. John.

Rt. Hon. E. W. BARROW: Mr. Speaker, there has to be some kind of mechanism somewhere in the corridors of Government whereby manpower surveys can be carried out without penalizing poor workingclass people in this country.

I appreciate the difficulty under which the honourable Member for Christ Church West labours, because he had the invidious task, as Attorney General, for accepting responsibility for this legislation. As far as we are concerned on this side, this is the concoction from the brain of one person and one person alone. If I have any criti-

cism to make of the former members of that Cabinet, it is that they seem to have suffered from a severe reluctance to stand up for principles, even when their better judgment would have told them that it was inimical to their political, financial, and professional interest. That is the criticism which I wish to make.

One cannot say to me, Mr. Speaker, that we suffer under the constitutional disability of collective responsibility. Whereas we do not take votes in Cabinet, I do not see ten or eleven of my Ministers telling me that they were not supporting a measure, and I, being in the position of Chairman of the Cabinet, say, 'I do not care what you all say, the Attorney General will take that down on Tuesday and get it passed.' So I have to accuse them of being supine and lacking in the kind of backbone which they should have as representatives of the people. Neither one of them who belong to a profession, particularly the legal profession, will be in the same position as those sick-a-thones who found themselves in the Cabinet and have no other gainful means of employment. So I really must criticise members of my profession who sat down in Cabinet and went further — came in, justified and vindicated a law which said that if I employed a carpenter or a plumber and I refused to pay him for the work on which he spent weeks of labour, sweat and toil, and he put me in court, all I would have to do is hold up this Act and say, 'Parliament has said he did not pay his \$5.....'

Aside.

Rt. Hon. E. W. BARROW: This is the legislation which was put on the Statute Book. You cannot tell me that. I was in here. I am saying it was put on the Statute Book. You are telling me that it was not on the Statute Book? Well, what is it doing in here then?

Hon. H. deB. FORDE: On a point of explanation, Sir: First, what I am trying to say to the honourable Member is that by this Bill if a masseur — a person who massages you — has not registered, the same thing applies now, because you are not making any change.

(*Aside:* Hon. B. M. TAITT: How can he get up and say that?)

Rt. Hon. E. W. BARROW: Read the thing properly, man! I am saying up until today it was law. Do you want me to read out the people? I am not concerned about the lawyers. I have said in here several times, and I repeat again, they should crown them with laurels and usher them out of the state. That is what Cicero said, so I am not defending the lawyers.

We always had a Dental Practitioner Act. We had a Land Surveyors Act, a Legal Profession Act, a Medical

Registration Act, Nurses and Mid-wives Act, Para-medicals Professions Act, and so on. The purposes of those enactments, going back, as the honourable Member said, maybe to the early 1900s, was to protect the general public against con-artists and people who were not qualified to carry out these professions. The purpose was registration and discipline. They were not revenue measures, and they were not measures which penalized persons who were legally or properly qualified to carry out their trade, business or calling from recovering their fees when they had honestly carried out their work. That is the difference.

Do not tell me that it has been on the Statute Book. It was never like that until this was introduced by the honourable Member for Christ Church West. Maybe he protested in Cabinet. I am not asking what he said in Cabinet. It is of no concern to me. I have never asked anybody to disclose any Cabinet secrets. The point is that when you came here you did not walk out, like I walked out in 1955.

Aside.

Rt. Hon. E. W. BARROW: Not on this — on a matter of principle! I said what I had to say, I said that I would not be a companion to dishonour and I gave notice of my resignation from that political party on the floor of the House, much to their surprise.

Hon. H. deB. FORDE: On a point of explanation, Sir.

Rt. Hon. E. W. BARROW: I welcome the explanation. How can that be explanation? Can you explain what you did?

Laughter.

Hon. H. deB. FORDE: I wish I could, Sir, but sometimes even the honourable Member cannot explain what he said. The honourable Member cannot explain what he says sometimes.

The point I was explaining, Sir, is that the honourable Member is saying that I introduced the Bill. I did not introduce the Bill into Parliament but I was a member of the Cabinet which introduced the Bill, and I have never sought, in any respect, to deny any responsibility for collective responsibility. The honourable Member knows that.

Rt. Hon. E. W. BARROW: Either the honourable Member prepared the Bill and then slinked away like the ranks of Tuscanny

Aside.

Rt. Hon. E. W. BARROW: All right, okay, no more.

I am saying that this is something that affected ordinary workingclass people. I am not defending the lawyers and doctors. We know that the Leader of the Government was paranoid about certain members of the legal profession, and he felt like a child who had been deprived of toys to see other members even of his own party making successful careers at the Bar. So it was aimed as much at them as it was aimed at us in Opposition, and the honourable Member knows that.
6.20 p.m.

But to sit down and allow something like this which affected his own constituents! I am saying that the Bill in front of me, which we are repealing today, penalised people who had done honest work, and who may not even be conscious of the fact that they had to register as a plumber or carpenter, might work three months on your house and when the day of payment came and you refused to pay him, the person who had engaged his services could go in court and say that he did not register and therefore he is not entitled to get his wages. That is the injustice that I am concerned about.

On the fact that I do not get back part of my \$1 500 after May 28, well, I did not have to accept the job as a Cabinet Minister, so I have to write that off as a dead loss anyhow. But I notice that my immediate predecessor is not registered under this, he is waiting until January 2, because he would have to pay double. I do not think that would be fair to him either, because here it is a man has been denied practising his profession because of the iniquity of a man who has served the country — it is true for only a short time — because of the iniquities of this legislation. It says because he did not register — and he could not register, he could not practise because of our Constitution during the month of January — he would have to pay \$3 000 plus the \$150 or \$160 that they force you to pay to join an association which the Constitution says you do not have to join.

Aside.

Rt. Hon. E. W. BARROW: That is because the Bar Association asked us to include that, that is not telling a man that he cannot recover his fees because he did not register. That is a different matter altogether. I query the constitutionality of something which tells you you have to join a particular association apart from collective agreement. I think it is unconstitutional, I do not care who passed it.

Asides

Rt. Hon. E. W. BARROW: Not everything they do in the United States is constitutional.

All I am trying to say now is that there was a Dental Registration Act, a Legal Profession Act and so on, and comparing it with this iniquitous bit of legislation in 1959, is not making a just comparison, because those Acts were passed for the protection of the public, not for the punishment of people who were trying to carry out, or are trying to carry out, their lawful vocations here in Barbados as Barbadian citizens. And to go further than that and to say that you are not going to pay somebody because they did not pay \$5 is a lot of nonsense.

Let us take the hawkers now. When I was growing up as a child, they had an Itinerant Vendors Act and they had a hawker's licence which had to be paid for at the parochial authorities, and it was a big ugly tin plate that you had to tie on to the basket. Again, that was for the protection of the public, again that was for the protection of people who had kitchen gardens and so on, because anybody could go and steal produce and walk about with it in a tray. Whereas if you had your hawker's badge, which was only 24 cents — 24 cents in those days was one shilling — then the police authorities would know that the person was authorised to sell and was not a common, ordinary thief or vagabond at large. That was the only reason for that Act, and I do not think that any hawker in my day ever complained about having to go to the parochial building and paying a shilling for that registration, because they were proud to have a badge to show that they were legitimate traders.

But this Bill in 1979 went further. It not only said that if you did not register, you would have pay a penalty which could be, as far as I remember, up to \$500 or so, but people who were carrying on simple vocations — well diggers, tyre repairers, a bottle seller, a barber, gardeners, a jobbing artisan who is plastering or doing anything like that, a metal worker, somebody selling plants, a piano tuner, a pawnbroker, a private enquiry agent or even a race horse jockey — any of those people could be penalised for not registering under the Act.

I do not think it is necessary for me to say any more than that. I only want to draw the distinction between the enactments which had been passed earlier in the session and during our dispensation, if you choose to call it that, and the iniquitous legislation which we are trying to repeal today.

Hon. B. M. TAITT (St. Michael West): Mr. Speaker, to amplify one aspect, the honourable Member, the Leader of the Opposition, on a point of, he said, elucidation, was obviously mistaken.

He suggested that, in fact, we were retaining aspects of that Bill. Section 3 of this Bill will in fact amend section 11, and section 11 of the principal Act was that section which said:

"Any person who being a person required by section 3 or 4 to register and pay a fee and who fails, neglects or refuses to pay that fee within the time referred to in section 4(2), shall be treated as being unregistered for the purposes of this Act and shall not be entitled to sue for or recover any payment or other consideration for services rendered in respect of his profession, trade, business or calling."

Section 3 says:

"Section 11 of the principal Act is amended by deleting all the words appearing immediately after the word "Act" as contained in the fourth line."

The point has been made by the Prime Minister about registration and what the registration was for, and I think the honourable Members recognise the difference between registration for protection of the public and registration for purposes of revenue and purposes of.....

Aside

Hon. B. M. TAITT: Please look at this..... The difference between registration for public purposes, registration for protection of the public and registration for purposes of revenue or punishment.

Mr. Speaker, I would not normally have become part of this debate, except to reinforce a point. The honourable Member for Christ Church West, the Leader of the Opposition, in presenting his case here today spoke gently and spoke with a certain degree of conviction, and would have allowed anyone whose memory is fading, or who was not privy to what actually occurred, to get the feeling that this was a routine matter. But those of us who witnessed the presentation of the then Minister of Finance, those of us who were there and those of us who saw it on television were aware, and must always be aware, that these measures were implemented in a manner that could not be described as friendly.

I recall that Mr. Frederick G. Smith was then Leader of the Opposition. He was a Q.C., and I can almost recall vividly the way in which the Minister of Finance told him that he was going to be paying \$1 500. I recall that he took the opportunity then, and subsequently, to vilify a distinguished Professor of Surgery in this country when he talked about the \$1 500 for that particular profession. I recall the glee with which he poked fun at the fact, alluded to by the honourable Member for St. Michael South East, that since the paediatricians and the surgeons were now mixed up in a BAMP with the general practitioners, and since the general practitioners did not know who they were, he was going to make all of them specialists for purposes of this Act.

There was a certain whimsical nature about the debate which left one with the impression that he actually went around saying, 'You know so and so? How you get hold of him?' And you put a description on him and you put some tax in his cloths!

6.30 p.m.

These were the attitudes which informed the debate. We can think of it now with a certain degree of amusement, and the only seriousness about it would be that the honourable Member for Christ Church West, who knows and who was privy to these matters, would seek now to clothe them with righteousness. That is the only thing that we would hold against him. We hold this against you, that you constantly wish to deny us our right to remember things as they really were. We feel that the Democratic Labour Party, which said then — and that is the point — that on the first opportunity that presented itself.....

Asides.

Hon. B. M. TAITT: The honourable Member for St. Michael South Central? The honourable Member for St. Michael South Central can take the full and complete credit, because he took the burden and the brunt of the tongue of that distinguished gentlemen, whose tongue was like a rapier's sword in those days. He used to accuse him, and the honourable member for St. Michael South Central and the rest of us went through the length and breadth of this country and we said to the people then that we would repeal this the first opportunity we got. We said it, I remember. There is a distinguished Senator now, the President of the National Organization of Women, who raised questions at that time about the need for Barbadians to register to sell on the beaches in this country. How come the then learned Attorney General cannot remember these things and seeks now to give this Honourable House the impression that it was just a routine matter in which they were collecting revenue, and the Minister of Trade and the Minister of Labour now finds it convenient not to have these things?

We say a plague on your house. It cannot be so. The Barbados Labour Party, as a political party, must suffer as part of the whim and fancy of its then leader, who, like a colossus, led them, bullied them, cojoled them, beat them and finally disgraced them. That is a fact. It is not ignorance. It is a fact that is known by the little people, and that is why there are only three of you now. You keep forgetting it, and the fact has to be told to you day after day, week after week, and even at Christmas time.

Asides.

Hon. B. M. TAITT: If ever the Democratic Labour Party gets as wicked, as wanton and as reckless as the

Barbados Labour Party, that, too, will be reduced to three. You need not say that we have to be careful. If the Democratic Labour Party or any of its leaders behave like how your leader behaved, the Democratic Labour Party will be reduced by the people, because there comes a time in the history of the people when, even under oppression, no matter how great the oppression, the people will eventually speak. They spoke in the days when they had no weapon, and today they have a weapon called an "X". All of us who are at the mercy of the people must be mindful, and it will behove the three of you constantly to be reminded, as it will behove the 24 of us to be reminded, that the people truly are our masters. It is true some of us may have come in a box cart.....

Asides.

Hon. B. M. TAITT: That is the whole point. Frank Walcott used to say that nobody came in here in a box cart. We have all come in here by the poll.

Do you know who are the bottle sellers in this country? Everybody in this country knows that a bottle seller, in my constituency, is a man who, normally, would be described as what I heard the Salvation Army Major saying, somebody "slightly mentally ill." My man in my constituency is slightly mentally ill. He talks funny. He drives a big box cart and he collects bottles. The then Minister of Finance said that he should register to sell bottles. Now, what harm could he do? You ever saw anybody selling bottles? "A bottle seller, a butcher."

Asides.

Hon. B. M. TAITT: But they did not have them in, and the only reason they probably did not put in the rose tree trimmers is because in the.....

Asides.

Hon. B. M. TAITT: You do not know what is a rose tree trimmer? The only reason the rose tree trimmers were probably not in here is because the last people were too polite to understand what that is. But it is very difficult — "a hi-fi stereo operator."

Asides.

Hon. B. M. TAITT: I am letting it go now. This is Christmastime, you know.

You remember Rene Babb Hi-Fi?

Mr. Speaker, I think that I can hear an appeal for light over there, and, in the spirit of the season, I think we should accede to that. But, really, we wish that the Leader of the Opposition — he is the only one that

induces me constantly to get up in here, constantly, because he has a short memory and because we know that it is not an accident when the honourable Member gets up. It is a deliberate act.

Mr. SPEAKER: Order!

Hon. B. M. TAITT: If the Leader of the Opposition promises he would not get up, I promise that I would not follow him, but he gets up in here constantly and puts on the record things — I cannot say that they are not true — that are contrary to our remembrance of them and we cannot allow it to pass. Even if it is one night before Christmas, one minute before midnight, we cannot allow it to be put on the records! You were the Attorney General and that is why you left. You left as Attorney General!

I would wish, as my final point, Sir, to hope that the honourable Member would see his way to pay me the debt which is outstanding in regard to matters such as these.

Asides

Hon. B. M. TAITT: Now, Sir, he is inducing me to say it. He is asking me, "what debt I am talking about?" Let me tell the Honourable House, because they are new Members. It is relevant to this, Sir.

Mr. SPEAKER: I hope it is relevant.

Hon. B. M. TAITT: I will show how it is relevant. When he was Attorney General, and after it became clear within the first two years that these matters were going to be coming in abundance, I pointed out to him that a man with his integrity ought not to be participating in the Government at this level. He said to me that it would only be for two years, and he bet me, Sir, a case of champagne that he would only last two years. I say no more, Sir. I am going to stop there.

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

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into a Committee on the Bill, Mr. R. P. BYER in the Chair.
6.40 p.m.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 — 7 inclusive were called and passed.

On the motion of Hon. L. E. SANDIFORD, seconded by Hon. B. M. TAITT, 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. E. SANDIFORD, seconded by Hon. B. M. TAITT, the Bill was read a third time and passed.

Hon. L. E. SANDIFORD: Order No. 10, Sir.

Mr. SPEAKER: Order No. 10.

LAND TAX (AMENDMENT) ACT, 1986

Order No. 10 was called – To move the Second Reading of a Bill to amend the Land Tax Act.

Hon. Dr. R. C. HAYNES (St. Michael South Central): Mr. Speaker, this Bill, as the previous ones, seeks to give legislative effect to yet another group of Budgetary Proposals relating to Land Tax.

In summary, with effect from April 1, 1986, land taxes payable by hotels and apartment hotels will be reduced by 50%. With effect from April 1987, persons living in their own homes will pay land tax on 70% of the improved value of their properties. Similarly, with effect from April 1987, pensioners living in their own homes will be granted a reduction of 50% of the tax payable on the improved value of their property.

The opportunity is also taken to give effect to another Budgetary Proposal. With effect from April 1, 1987, the Agricultural Levy will be abolished. Payments made since its introduction will be refunded.

Applause.

(Aside: Hear, hear, hear!)

Hon. Dr. R. C. HAYNES: These, Sir, in summary, constitute the main purpose of this Bill. If anyone wishes any further elucidation, I will be happy to do so in my final reply, if necessary.

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

Hon. P. M. GREAVES: I beg to second that, Sir, and reserve my right to speak.

Rt. Hon. E. W. BARROW (St. John): Mr. Speaker, I want some clarification. Tax bills came out some time in November, and, as far as I can remember, most of the tax bills were dated November 10. Whether you received them on that date or not, taxpayers normally would have had 30 days within which to pay their property taxes

and be eligible for a 10% discount. After 60 days, they are eligible for a 5% discount, and after that they pay the full amount.

Persons who are living in their own houses, since we have now passed December 10, in order to be entitled to the discount of 10%

Aside.

Rt. Hon. E. W. BARROW: This is what I am trying to clear up now. Persons who were entitled to a 10% discount have already paid their tax bills. Do I understand from the Honourable Minister of Finance that they would not be entitled to that 70% assessment in the tax year 1986–87, but only from April 1, 1987.

I just want to get that clear because tomorrow morning a lot of people may read in the newspapers that we have passed this in the House today and would want to know what is happening to the full amount they paid for this year. If the Minister could clear that up, I think I would be a lot happier. It is not that I am in much of a doubt myself.

Hon. Dr. R. C. HAYNES: Mr. Speaker, I tried to stress the commencement dates. In other words, in respect of the hotels and the apartment hotels, the effective date would be April 1, 1986. In respect of the 70% reduction for persons living in their own homes, the commencement date would be April, 1987. With respect to pensioners living in their own homes, the commencement date would be April, 1987.

Aside.

Hon. Dr. R. C. HAYNES: There are reasons for that. As I said, this gives effect to the Budgetary Proposals. It is largely an administrative problem. It would have been very difficult to have effected the change in respect of a large number of persons between July and now, because what is going to be necessary is to compute separate rolls — rolls for persons living in their own homes, rolls for pensioners, rolls for commercial buildings, as a result of the legislation that we passed earlier, and yet another roll for other categories of properties.

The point I wish to make is that I am giving effect in every detail to the Budgetary Proposals which read as follows:

“Effective from April 1, 1986, land taxes payable by hotels and apartment hotels will be reduced by 50%.

“From April 1, 1987, persons living in their own houses, will pay land tax on 70% of the improved value of their properties.”

"Pensioners living in their own homes will be granted a reduction of 50% of the tax payable on the improved value of their property with effect from April 1, 1987."

6.50 p.m.

"Effective April 1, 1986, the Agricultural Levy will be abolished, and the payments made since its introduction will be refunded."

In other words, this Bill is very faithful; we have followed in every detail what we have in the Budget.

Thank you very much, Sir.

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. E. SANDIFORD, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. R. P. BYER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called and passed.

Clause 2 was called.

Hon. L. E. SANDIFORD: Mr. Chairman, I beg to move that Clause 2 stand part.

Hon. B. M. TAITT: I beg to second that.

Mr. CHAIRMAN: The honourable Member for St. John.

Rt. Hon. E. W. BARROW: Mr. Chairman, I take this opportunity to draw the attention of the House to a practice which, unfortunately, crept into the administration during the past 6 years or so. I am sorry that the Commissioner of Inland Revenue is not in a position to hear what I have to say, not that it directly affects him. I am not drawing attention to strangers, I am drawing attention to the fact that the Commissioner of Inland Revenue is not present. So I am not drawing attention to anybody's presence, I am drawing attention to somebody's absence.

I was responsible for the Ministry of Finance for some 15 years, and in the history of any Parliament, or any Minister, that is a long time. At no time did I direct the Land Valuation Department, or the Commissioner of Land Tax, how to carry out their professional duties. If I was dissatisfied at any time with the way in which those officers conducted their official duties, I suppose that I had it

within my power to ask a Permanent Secretary to draw it to the attention of the Public Service Commission, or if I had received complaints about the performance of their duties, I would have submitted that information to the Public Service Commission for the appropriate officers to be dealt with in an appropriate manner.

The Valuation Department carries out, on a triennial basis, valuation of all hereditaments, in legal jargon known as "corporeal hereditaments," from which taxes are excisable. I should like to point out that the question of Land Tax was a matter which was formerly exercised by the Local Government authorities. The rate was fixed by the Central Government after the reorganization of Local Government authorities, and this was fixed at something like 19.5% — I beg your pardon, the Trade Tax — and what the Central Government used to do was to give those local authorities a subsidy, because the Trade Tax in Bridgetown was higher than the taxes which would be collected from the Northern and Southern District Councils, and then the Local Government authorities had to lay a rate — now they are two different things — the tax and the rate — and the rate which they laid on property was supposed to be a rate which would compensate them for the difference between the quantum of tax collected from trade and their estimated expenditure for any financial year. The rate used to be based on a thing called the "annual rental value of property" which, in my opinion, was an unsatisfactory method of evaluating properties. Whether you lived in the property or not, it was based on the annual rental value, and the machinery for assessment, had it not been for the proficiency of one particular officer, Mr. John Maynard, would have been chaotic.

These tax provisions of the Local Government were subsumed by the Central Government authority and the whole idea of property tax was introduced. We carried out an assessment of the total capital value of all the land — land not as a term of art under the Real Property Act but as land in Barbados — the Trade Tax was, of course, subsequently abolished — and we came to the conclusion that the land in Barbados had a market value of approximately one thousand million dollars. That is my recollection — then, by the Act, the Minister laid a rate on the improved value of the land in Barbados which would give him an amount of money which would defray the expenses of the services which were transferred to Central Government from the Local Government authorities.

What I am trying to emphasize is that this aspect of taxation, was never a Central Government matter right up to a comparatively recent date — the late 1960's or early 1970's. The reason why we did not have a rate based on value of buildings was because the machinery or the staffing was not there which would have allowed us to carry out the necessary survey in time in order to

make a fair valuation of all the 62 000 or 63 000 corporeal hereditaments which at that time existed in Barbados.

Provision was made for a triennial review. The purpose of the review was mainly two-fold — first to upgrade the market values, or downgrade them, as the case may be, of the properties; secondly, to bring newly built properties within the tax net; thirdly, as far as I can remember, to give us an opportunity then of bringing all the properties which had been developed on a separate list which was not based on improved site value. Today in Barbados there is undeveloped land and there is developed land, but the first two assessments which were carried out were based on site value and site value alone, and therefore one common rate was laid. When we had a list which concluded the land on which buildings had been erected, we then had two different rates laid, and on improved site value a rate of .4% was eventually decided upon, and on unimproved site value a rate of 1.25% was decided upon, at the same time, bearing in mind that the purpose of this new arrangement for the collection by the Central Government of these taxes was merely to substitute the revenue which the Government had to collect in order to service the transfer services from the Local Government authorities. I want to get that clear. It was not intended as a matter on which to penalise the total population of Barbados, or a method of raising additional revenue, but having taken over those services from the Vestries and the Local Government authorities, it was a rate which would compensate the Government for the cost of running those services, which were certain parochial roads, certain health services and so on. I would not worry to mention scholarships, because that was a very small portion of the cost.

7.00 p.m.

I started my intervention here by stating at no time did I direct Mr. Maynard or the Land Valuation Office, when it was established, how to operate. I think the first Valuation Officer is here in the House today and he can corroborate what I am saying. The offices which he occupied have now been endowed to a member of the Barbados Labour Party to run some kind of nebulous institution, in Government Hill. That is the office out of which he functioned, functioned efficiently, not the great, incongruous edifice which has been constructed not very far from here.

What I am saying is that at no time did the Ministry of Finance tell the Land Valuation how to assess properties, neither did we direct the Collector of Land Tax, whoever he might be from time to time, on who to penalise or who not to penalise. But I happen to know and the Members who are on the other side are in a better position than I am to know, that the Government decided that the full market value of all properties must be brought into the calculation, so that when Government acquired people's properties, the Government could tell

the property owners, 'you are paying taxes on such and such a valuation and we are paying no more than that because that is the full valuation.'

The remarkable thing about this whole exercise is that when you get a notice of assessment, you have a limited time in which to object to the assessment. Most people who do object — and there are very few of them — object on the basis that the valuation is too high. I am the only person in the history of Barbados who objected, as a Minister at that time, to the valuation being too low. I had nothing in mind about selling my property to the Government or letting it be compulsorily acquired, so my motive for objecting was not that I wanted to sell the property to the Government. My motive for objecting was that there was a vast hotel conurbation, or whatever you like, around me, and I could not see how any Government in its right senses could assess land on the beach at \$3 a square foot when I had paid \$10 a square foot for mine, and I did not want that hotel to get away with an assessment of \$3 a square foot. Now the Minister of Finance, in his wisdom, is letting them off 50%. That is all right with me, because, apparently, they cannot pay. But I objected, I was entitled to see the register, and I was horrified at what they were assessed at, and therefore I objected and they raised mine to about \$13 a square foot. All right, \$13 a square foot on 10 000 square feet was only \$130 000, and then it was put up to a new site value.

I am giving you the history. There are two people who can speak with authority on this, and that is the Member for St. Philip North (Mr. W. O. Franklin) and I.

When we demitted office in 1976, one of the first things that the Minister of Finance did was to direct that everybody's assessment should be put up, and then he objected that his was too low. After they were put up, he then objected that his was too low, because if the Mormons did not come along and save the situation, he probably would have sold it to the Government on that basis, too. I said 'probably,' I am not accusing anybody of anything. So he was the second person to object, but I had a different motivation from what he had. We have to face facts.

What I object to is that a Minister of Finance should direct people of what appraisalment they should put on people's property. That is no part of the business of the Ministry of Finance. The Minister, having received the assessments, then decides what rate to lay, and he can increase rates to 1, 2, 3, 4 or 5 per cent, as the case may be, in order to get the taxes that he wants. But he did not want the opprobrium of saying that he was raising revenue by raising the rates, so he *directed* — I am making this statement without any fear of contradiction — in the same way that the Commissioner of Inland Revenue was *directed* what taxpayers in this country

to go after and put inordinate assessments on personal income tax, until he received other instructions from Washington.

Mr. CHAIRMAN: The honourable Member has one more minute to wind up his contribution.

Rt. Hon. E. W. BARROW: I am glad that the Minister of Finance is not taking the road of directing anybody to lower taxes but that he has the courage to come in here and say that he is lowering the taxes himself and not directing a public officer to do things which he knows to be illegal. This is the forum in which any such reductions should take place.

I have no more to say at the moment, but if I am provoked in Committee I will speak a lot more.

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

Clauses 3 – 5 were called and passed.
7.10 p.m.

On the motion of Hon. L. E. SANDIFORD seconded by Hon. P. M. GREAVES, the CHAIRMAN reported to His Honour the SPEAKER the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. L. E. SANDIFORD, seconded by Hon. P. M. GREAVES, the Bill was read a third time and passed.

ADJOURNMENT

Hon. L. E. SANDIFORD (St. Michael South): Mr. Speaker, that brings us to the end of Government Business for today's sitting, and I await the pleasure of the Opposition if they have any items that they wish to deal with.

As I indicated at the last sitting of the House, and as I indicated today as well, this brings us to the end of the business of this Honourable Chamber for this calendar year. I wish to indicate that this Honourable Chamber has been very busily engaged in the passing of legislation, and the conduct of other parliamentary business, ever since the formation of the Government in May, consequent upon the General Elections of May, 1986. I think the record will show that, as legislators, we have been very busy over a wide range of public business in the passing of legislation and, also, in dealing with financial and other matters.

At some stage we will identify the whole range of legislative acts undertaken by this Chamber, but at this stage, I wish to express the appreciation of this Honour-

able Chamber to you, Sir, for the very dignified and efficient way in which you have conducted proceedings during this time.

Applause

Hon. L. E. SANDIFORD: I join in that, also, the work of the Deputy Speaker as well as the Chairman of Committees.

Applause

Hon. L. E. SANDIFORD: So, at this time of the year, I wish to extend to you the Season's Greetings, and to hope that over the Christmas period and into the new year you will enjoy a well-earned rest from the rigours of life of presiding over a Chamber that is very anxious to get on with the public's business and to enact legislation that is in the interest of the people of this country.

The work that we have been able to transact could not have been achieved without the assistance, Sir, of the other members of the staff of Parliament, including the clerks, the reporters, the operators of our electronic machinery and, also, those members of Parliament whom we do not see, but who are very necessary for the smooth functioning of Parliament. I wish to take this opportunity to extend greetings to them as well. The Marshal and the Deputy Marshal are included in that.

To the members of Government, the members of the Opposition, all Members of Parliament, honourable Members we all are, I wish to extend to all of you every best wish for a happy Christmas and a successful 1987.

I heard the Leader of the Opposition asking about prosperity and I do not know that he wishes additional prosperity. He is well-endowed in that particular regard already. But I can promise you that when we return in the new year, there will be a further programme for the social advancement of the people of this country to engage our attention.

Hopefully, we will be able to carry out our business at a very early time in our own Chamber. I have learned that I should not predict any date when we will be able to get back into our Chamber. The work is proceeding and I leave it at that, but hopefully, sometime during the new year we may be able to get back into our own Chamber.

With those words, Sir, and the exchange of greetings, I beg to move that this House do now stand adjourned until Tuesday, January 20, 1987 at 12 o'clock noon.

Hon. H. deB. FORDE: Mr. Speaker, in seconding that motion, I wish to join with the Honourable Leader

of the House in extending Season's Greetings to Your Honour. I said, Sir, when you became Speaker that, despite the fact that you did not have legal qualifications, I expected that you would perform in your office in an outstanding manner, as similar Speakers have performed who did not have legal qualifications, and although, Sir, I cannot give you 100%, I think you have performed very well. I believe that you have gained the respect of every Member of this House for the very courteous and firm manner in which you have dealt with the House, and the latitude that you have given. I think the correct amount of latitude has been given, Sir.

7.20 p.m.

I believe it is a strenuous business being a presiding officer of the House. I think that you Sir, and the Chairman of Committees in particular, and the Deputy Speaker on the occasion he has had to assist, have given a very good account to the House.

I, too would like to join in the expressions of Season's Greetings to the staff of Parliament. It has been a very difficult task for them to perform for both Houses of Parliament, given the physical conditions in Parliament at this time. I think that they have borne the physical difficulties with equanimity and yet the standard of their performance has been quite high, Sir.

Sir, the Opposition has tried in the period since the last election to co-operate to ensure that the House performs its duties expeditiously. I believe it is correct to say that whenever the Government has requested that a matter be dealt with in all of its stages because the public interest demanded it, we have co-operated to the fullest in this regard.

(Aside: Hon. L. E. SANDIFORD: That is true.)

Hon. H. deB. FORDE: I would be less than candid if I did not say that for three members of an Opposition to perform in a House of this nature is a very strenuous physical task. There are times, when of course, Mr. Speaker, we have to take turns in excusing ourselves on the basis of physical needs. But I wish to say that I am very happy that my colleagues and I have been present at every sitting of this Chamber and have participated fully in the work of the Chamber, not always to the satisfaction of honourable Members, but no Opposition is expected to perform in that way.

I could say that in the coming session, we promise the Government that we will give very constructive criticisms to any measures that come before the Honourable House, in the interest of the public. Our task will not be to impede Government measures, but to make sure that those measures operate to the benefit of the public as a whole, Sir.

I wish to express on behalf of myself and the Members of the Opposition Season's Greetings to the Members of the Cabinet and other Members of Parliament. I

believe that those of us who serve in public life at some stage should have some form of holiday, and I hope that the festive season will be spent not only in enjoying ourselves and with our families, but in getting needed rest. I know that once you are a Cabinet Minister, there is not such a thing as a holiday, because you could always be called out at the last minute, and at any minute, in fact, on public duty. I hope that, despite all this, Members will come back refreshed.

I am certainly looking forward to the continuation of this Parliament, Sir. I am certainly looking forward to the exchange of debates. We go away feeling that although we are three, I believe the Government has tested our mettle and recognized that we do have a lot to offer.

We have certainly watched with great interest how some of the newer Members of Parliament have fitted into their roles in this House, Sir. I hope to see that they would fit in well, but, for some of them, Sir, I hope not too long.

Laughter.

Hon. H. deB. FORDE: However, Sir, I take the opportunity of wishing everyone a Happy Christmas.

Applause.

Mr. SPEAKER: In accepting the compliments of the season from both sides of the House, and extending my own greetings to honourable Members, I should like to express my appreciation for the remarks which have been passed by the Honourable Leader of the Opposition and the Leader of the House.

I want to say that I am gratified by the session's performance, in that, from my vantage point here, I have recognized a lot of content in debates. We have been able, in my view, to raise our standard — not comparing with any other Parliament — a standard which I hope in the coming year would not be tarnished probably by the festivities, drinking and what have you, but you will continue to give the co-operation and the support which I think this dignified Chamber deserves throughout the coming session.

I am brief on this occasion, because it is very easy and simple to say, have a good Christmas and a prosperous New Year that would be bright and happy for you all.

To the staff and all those who have made the sitting extremely pleasant, I also want to extend Season's Greetings.

The question that this House now stands adjourned until January 20, 1987 at 12.00 o'clock noon was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the sitting accordingly at 7.28 p.m.

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