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# THE House of Assembly Debates

## (OFFICIAL REPORT)

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FIRST SESSION 1991 – 96

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### HOUSE OF ASSEMBLY

*Tuesday, July 28, 1992*

Pursuant to the adjournment, the House of Assembly met at 12.20 p.m. o'clock on Tuesday, July 28, 1992.

#### PRESENT

His Honour L. A. WEEKES, G.C.M., J.P., (Speaker)  
Rt. Hon. L. E. SANDIFORD, B.A., M.A., (Econ.),  
J.P., (Prime Minister, Minister of Finance and Economic  
Affairs and Minister for the Civil Service)

Hon. B. M. TAITT, B.A. (Hons.), M.P.A., LL.B.  
(Hons.), (Minister of Health)

Hon. P. M. GREAVES, Q.C., B.A., (Deputy Prime  
Minister, Minister of Public Works, Communications and  
Transportation and Leader of the House)

Hon. M. A. KING, Q.C., LL.B., (Attorney General  
and Minister of Foreign Affairs)

Hon. W. O. FRANKLIN, A.I.C., M.I.A.S., J.P.,  
(Minister of Trade, Industry and Commerce)

Mr. H. A. BLACKMAN, B.Sc.(Econ.)

Mr. O. S. ARTHUR, M.Sc.(Econ.)

Mr. D. A. C. SIMMONS, Q.C., LL.M.

Hon. C. V. WALKER, (Minister of Education)

Mr. L. L. BRATHWAITE, J.P., (Chairman of  
Committees)

Hon. E. E. GREAVES, G.C.M., B.A., Ed.M.,  
(Minister of Housing and Lands)

Hon. W. W. HALL, G.C.M., H.B.M. (Minister of  
Tourism and Sports)

Mr. C. LeR. TROTMAN, M.A.

Hon. D. J. H. THOMPSON, LL.B. (Hons.) (Minister  
of State, Ministry of Finance and Economic Affairs)

Hon. H. B. St. JOHN, Q.C., LL.B.

Mr. L. R. TULL, Q.C., M.A.

Miss B. A. MILLER

Mr. DeL. O. BRADSHAW

Dr. R. L. CHELTENHAM, **Q.C.**, M.A., M.Sc.  
(Econ.)

Mr. J. O. TUDOR

Hon. D. W. BOWEN (Minister of Community  
Development and Culture)

Mr. G. W. PAYNE

Mr. R. C. EASTMOND, B.A., LL.B.

*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, July 14, 1992.

Hon. B. M. TAITT: Mr. Speaker, Sir, those **Minutes**  
have been circulated and taken as read. I beg to move **that**  
the Minutes be confirmed.

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

Mr. SPEAKER: If there are no observations then let  
these Minutes stand confirmed.

#### ANNOUNCEMENTS BY YOUR HONOUR

Mr. SPEAKER: I am to advise that I am in receipt  
of the Statements for March 1992, as prepared by the  
Accountant-General.

## PAPERS

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, I am commanded to lay the Duties, Taxes and Other Payments (Exemption) (No. 5) Order, 1992. I am also commanded to lay the Duties, Taxes and Other Payments (Exemption) (No. 6) Order, 1992.

Hon. B. M. TAITT: Mr. Speaker, Sir, I am commanded to lay the Health Services (Hospital Fees) (Amendment) (No. 2) Regulations, 1992.

## FIRST READING OF BILLS

Hon. P. M. GREAVES: Mr. Speaker, I move, Sir, that the Final Appropriation Bill for the Financial Year ending the 31st March, 1992 be read a first time.

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

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

Hon. P. M. GREAVES: I beg to move, Mr. Speaker, that the Bill to amend the Pharmacy Act, Cap. 372D be read a first time.

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

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

Hon. P. M. GREAVES: Mr. Speaker, I beg to move that a Bill to amend the Landlord and Tenant (Registration of Tenancies) Act, Cap. 230A be read a first time.

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

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

## ORDERS OF THE DAY

Hon. P. M. GREAVES: I beg to move, Sir, that Standing Orders Nos. 6, 16, 18, 20, 42 (5), 43 and 44 be suspended for the remainder of the day's sitting.

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

Mr. SPEAKER: The question is...

Hon. H. B. St. JOHN: I take it that the Honourable Leader of the House is going to give us some indication as to whether the Government is going to be in a position, notwithstanding the suspensions of Standing Orders, at the appropriate time to permit Private Members' Business to be dealt with today.

Hon. P. M. GREAVES: I believe, Sir, there is only one item of Private Members' Business. In my discussions with the Honourable Member for the City...There is another matter?

*Aside.*

Hon. P. M. GREAVES: The answer to that then would be yes.

Mr. SPEAKER: I think you should conclude the premise on which you started with the resolution you are talking about so that the House can be very clear in respect of the measure brought by the Honourable Member for the City.

Mr. P. M. GREAVES: There is an understanding, Sir. I spoke with the Honourable Member for the City and we agreed that we would do that matter at the next sitting, next week.

*The question that those several Standing Orders be suspended for the rest of the day's sitting was put and resolved in the affirmative without division.*

## FINAL APPROPRIATION (1991-92) BILL, 1992

*Order No. 3 was called – To move the Second Reading of the Final Appropriation Bill in respect of the Financial year which ended on 31st March, 1992.*

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, this Honourable House approved the sums which should be granted out of the Consolidated Fund for use on the public services of this country for the year 1991-92. During the course of that financial year, it became necessary to seek further grants out of the Consolidated Fund amounting to S\$ 766 403 in order to enable public services to be provided for. That additional sum was broken down as follows:

|                                             |           |
|---------------------------------------------|-----------|
| HEAD                                        | S         |
| 28 MINISTRY OF JUSTICE AND PUBLIC SAFETY    |           |
| PROGRAMME 4 – ADMINISTRATION OF JUSTICE     |           |
| Sub-programme 01 – Magistrates Courts       | 800 000   |
| 36 MINISTRY OF HEALTH                       |           |
| PROGRAMME 2 – PRIMARY HEALTH CARE           |           |
| Sub-programme 01 – Queen Elizabeth Hospital | 4 063 426 |

PROGRAMME 5 - PHARMACEUTICAL \$  
PROGRAMME

Sub-programme 01 - Drug Service 902 977

As I indicated, Sir, that amounted to some \$5 766 403.

Under the Constitution of our country and I quote:

"In respect of all supplementary expenditure voted on by the House of Assembly in pursuance of subsection 4 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."

12.30 p.m.

This, Sir, is the Final Appropriation Bill. The matters have already been debated and discussed in this Honourable Chamber and I do not wish to be repetitious. It is customary that this matter is non-contentious. I therefore beg to move that the Final Appropriation Bill in respect of the financial year ended March 31, 1992, that is, the Final Appropriation (1991-92) Bill, 1992, be now read a second time.

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

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

COMMITTEE

*On the motion of Hon. P. M. GREAVES, seconded by Hon. B. M. TAITT, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. L. L. BRATHWAITE in the Chair.*

*Clauses 1 to 4 were called and passed.*

*The Schedule was called and passed.*

*The Preamble to the Bill was called and passed.*

*On the motion of Rt. Hon. L. E. SANDIFORD, seconded by Hon. P. M. GREAVES, 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 the motion of Rt. Hon. L. E. SANDIFORD, seconded by Hon. P. M. GREAVES, the Bill was read a*

*third time and passed and cited as the Final Appropriation (1991-92) Act, 1992.*

PHARMACY (AMENDMENT) BILL, 1992

*Order No. 4 - to move the Second Reading of a Bill to amend the Pharmacy Act, Cap. 372D.*

Hon. B. M. TAITT: Mr. Speaker, Sir, the Pharmacy Act which replaced the **Druggist** Act was promulgated on May 21, 1986. Soon after it was promulgated it was discovered that section **27A** as presently worded prohibits the sale of over the counter drugs such as aspirin and many others by persons other than pharmacists.

Section **27A**, as it is worded, Sir, states:

"No person shall compound, dispense or sell by wholesale or retail any drug unless the following requirements are complied with

- (a) the compounding, dispensing or selling by retail shall be carried out by a Pharmacist and on premises registered under section 16 and in compliance with the Health Services Act and the regulations made under that Act;"

Now, Sir, it was not the intention of the Government when this Act was brought to confine the sale of non prescription drugs to pharmacists. It was agreed by the Government at the time, Sir, that no action would be taken under the Act, against those persons who were not pharmacists who sold over the counter drugs in pharmacies and other sale outlets, for example, supermarkets.

In essence, Sir, according to the law, everyone who sells and has been selling an over the counter drug would in fact have been doing so illegally, according to the wording of the Act. However, the Government decided that as a matter of policy it would not bring any action against any person who, not being a pharmacist, sold over the counter drugs in supermarkets and other places. It was agreed then that in the meantime the Ministry would seek to have the legislation amended so that non prescription drugs could be sold in outlets other than pharmacies or without the supervision of a pharmacist.

It was also recommended that the compounding, dispensing or selling of drugs listed in the schedule to the Act would be restricted to pharmacists.  
12.40 p.m.

Sir, the Barbados Community College's programme of training for pharmacists requires that the students undergo a six-month internship before a certificate is awarded. During that six-month period the student is

usually attached to a pharmacy and may in fact be involved in the dispensing of drugs. It was, therefore, necessary to amend the Act to enable the student pharmacist during the period of his or her internship to practise pharmacy under the supervision of a registered pharmacist.

Consultation was held by the Ministry with the Pharmaceutical Society and it was agreed that the Pharmacy Act should be suitably amended. At its meeting in November, Cabinet agreed that a section should be amended and a proposal for the amendment was duly worked out. With the assistance of the Drug Service, a list of the drugs, derivatives, preparations and compounds which should only be sold on prescriptions by and under the supervision of a pharmacist would then become the Second Schedule.

Since that time, there were further discussions entered into with the Pharmaceutical Society which had made certain requests to the Ministry asking for amendments to be made to the Pharmacy, Compounding and Dispensing of Drugs and Poisons Regulations, 1986 and the Pharmacy, Authorised Sellers of Poisons, Regulations 1986. Arising from those discussions, it is now proposed to amend the various sections of the Pharmacy, Compounding and Dispensing of Drugs and Poisons Regulations in a particular way. If one looks at the draft Bill which has come before the House, one will see that the details have been set out in this Bill. The Attorney General was consulted and prepared legislation and the Bill seeks to amend the Act to permit pharmacists, graduate pharmacists or interns to compound, dispense or sell drugs. It also sets out as the Second Schedule a list of the drugs which can be sold by or under the supervision of a pharmacist.

This legislation will effectively control the sale of over the counter drugs. This is a request which has been put in by the pharmacists as well and we propose to take account of all of the difficulties in this legislation. We also have the draft Pharmacy, Compound and Dispensing of Drugs and Poisons (Amendment) Regulations, 1992 where Sections 5(1) and 10 of the Regulations will be amended to make specific reference to the Second Schedule which will now be attached to this Bill. This will list the drugs to be sold by or under the supervision of a pharmacist. We will also have Regulations which will amend the existing Regulations because of the incorrect spelling of a word called "tolbutamide". Tolbutamide was misspelled and was allowed to continue for sometime.

Mr. Speaker, as you are aware from time to time when legislation is passed in the House, there are typographical or other errors which find their way into the legislation and which, if interpreted strictly, would create some havoc in the administration generally. From time to time, Sir, it is necessary to come back to the House to

make these corrections and this amendment seeks to do no more than that. It is fair to say that after this amendment has passed this House that certain over the counter drugs will now be restricted to the pharmacies only. The list is attached of the drugs that shall be compounded, dispensed or sold by a pharmacist or under the supervision of a pharmacist. The list is long and I do not believe that it is necessary to spell it out. But it is noteworthy that "estrogens" and "ergot" and other similar things will now only be available, as they should have been, under the supervision of a pharmacist.

Mr. Speaker, that is what the amendment is about and I stand ready to answer any question which any Honourable Members may have. I cannot think of any other information which I should wish to give or need to give in the context of this amendment. Sir, I beg to move that this Bill be now read a second time.

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

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

*On the motion of Hon. B. M. TAITT, seconded by Hon. P. M. GREAVES, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. L. L. BRATHWAITE in the Chair.*

#### COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

*Clauses 1 to 3 inclusively were called and passed.*

*On the motion of 'Hon. B. M. TAITT, seconded by Hon. M. A. KING, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.*

*On separate motions of Hon. B. M. TAITT, seconded by Hon. M. A. KING, the Bill was read a third time and passed.*  
12.50 p.m.

#### ORDER NO. 5 – THE LANDLORD AND TENANT (REGISTRATION OF TENANCIES) (AMEND- MENT) BILL, 1992

Hon. E. E. GREAVES: Mr. Speaker, I believe that this amendment is a rather simple one, probably one that is long overdue and ought to be understood by all Honourable Members on this side.

The fact of the matter is that some time after this Act came into operation certain aspects of it were challenged

in court and one section in particular was deemed to be unconstitutional. As a matter of fact, section 14 of the Landlord and Tenant (Registration of Tenancies) Act, Cap. 230A makes provision for a tenant who pays rent to a landlord in respect of premises that are not registered under that Act to be refunded the entire amount paid by him as rent during the period that the premises remain unregistered and the tenant may recover such amount as a debt in civil proceedings before a magistrate, notwithstanding that the amount sought to be recovered exceeds the normal monetary limit on the jurisdiction of the Magistrates' Courts.

This section of the Act, as I said earlier on, was declared unconstitutional by the High Court in the case of *Gulf Rentals Limited v. Brian Evelyn and Harold Carvallo* trading as *Buccaneer Restaurant* 1982.

You will recall, Sir, that the Democratic Labour Party in its 1986 Manifesto referred to this particular piece of legislation and indicated at the time at page 27, and I quote:

"LANDLORD AND TENANT (REGISTRATION OF TENANCIES) ACT, CAP. 230A

This Act provides that no landlord shall let out his premises at a rent for residential or business purposes without having registered such premises with the Collector of Taxes.

If a landlord fails to register his premises he cannot recover any rent due from the tenant. The tenant is entitled to a refund of the entire amount paid by him as rent during the period that the premises remained unregistered and to security of tenure for a period of two years from the date on which the landlord seeks to terminate the tenancy."

This law was found by the court to be unconstitutional being in essence confiscatory and not regulatory.

The Manifesto made a commitment to amend this bit of legislation and so, Sir, we are here today, hopefully, to put right what has been declared to be a wrong and to take the opportunity to look at one or two other sections, sections 13 and 15, which in a way are related to some of the issues relating to the whole question of occupation and tenure. Section 14 is the major one which we are repealing under this amendment.

Sir, with those few introductory remarks, I beg to move that this Bill to amend the Landlord and Tenant (Registration of Tenancies) Act be read a second time.

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

Hon. H. B. St. JOHN: Mr. Speaker, Sir, the Landlord and Tenant (Registration of Tenancies) Act was part of the apparatus which was devised many years ago to ensure that that class of income earners who receive income from property was known by authorities who should be aware of their existence, so that in common with many other people whose income was known, particularly employees, and who suffered the impositions the Government imposed upon them for having that income, namely income tax, were not placed at a disadvantage vis-a-vis those who had income from other sources. The objectives of the Bill were clear and, in my opinion, equitable.

There is no doubt that if properly viewed in that light there can be no objection to the principle or the contents of the Bill. The Honourable Minister, in introducing the Bill, made reference to the Collector of Taxes. I think that was a slip, because the law as I understand it deals with the registration authority being the Commissioner, and I think that the Commissioner of Inland Revenue is the appropriate body. When once it is understood that the registration is with the Commissioner of Inland Revenue, the intent and the purpose of the Act becomes even more obvious.

Now, Sir, the court, in pursuance of its power, has made a ruling with respect to the constitutionality of section 14, and having regard to the fact that the High Court, a court of first instance – because I do not think that this point was regarded as being of sufficient importance as to merit a consideration by more than one branch of the judicial process in Barbados – that made the decision that it was unconstitutional, and my information is that it was never taken to a higher court. Notwithstanding that, that is the law and therefore it is necessary to ensure that the provisions of the law conform with that decision.

What I feel though, Sir, is still a little unclear is the matter in relation to being able to put right when you fail to register. I think there is still a bit of uncertainty as to what happens when you rent and you do not register at the beginning, and I think it should be made explicitly clear that the law permits, under sanction of some penalty or whatever it is, to still register after you have rented your premises and what the consequences will be. Previously, the sanction in section 14 made it clear that if you received rent you suffered the extraordinary penalty of the tenant being entitled to a refund of the amount paid for the rent, if you had not been registered. Now you are repealing that. My understanding of it would be that once you repeal you will not suffer that penalty, but would you be able to collect rent during that period of time without being registered? Otherwise, you would be placing an advantage in the hands of those who do not register as opposed to those who comply with the law and register.

1.00 p.m.

I know there are criminal penalties for failure to register, but in our experience of these things the enforcement authorities, in the form of the Police and others, are too busy with other aspects of the Criminal Law to devote much time to this matter. Really, the Landlord and Tenant (Registration of Tenancies) Act is enforced by debt collectors and a certain group of specialist practitioners who make this their area of specialty. There are some distinguished legal practitioners – there was a former Prime Minister of Barbados who had great expertise in this area. He cut his teeth in the law by specialising in the Law of Distress and collecting of rents. That is a well known fact. It is not an area that has failed to attract the attention of people with recognised legal talent and other talent.

I still feel that when I look at it as a whole I am still in the dark. I want to repeat it to make it clear. Now that section 14 has been repealed, which said that if you collected rents without being a registered landlord, the tenant could go to the Magistrate's Court and get back a refund of money which had to be paid by the landlord – that section has been declared unconstitutional and section 14 is being repealed – I don't see what is going to be the position other than the criminal penalties.

I also know, Sir, there was always a moot point in the legal profession as to whether once you were in breach of the law and you went and registered what was the effect of registration subsequent to a period when you had not been collecting rent. I want to see whether we have it clear because in my opinion to make it abundantly clear you should have a section for late registration and put what penalty you like on that. The question of late registration where you register after you have a tenant and you are now saying that the tenant cannot get back his money, what happens to the rent where you have rented the land and you were not registered? There should be some sanction in there, not the same sanction that has been declared **unconstitutional**. Otherwise, you will give an incentive to people not to register. I am not saying it should have any great sanction but I want to make it abundantly clear that there should be provisions for late registration and the Magistrate could demand late registration.

Now, Sir, in the Legal Profession Act, there is provision for late registration. There is a sanction if you don't register by a particular date. You have to pay something. Nobody has tried to say that that is unconstitutional. The point is that I am not suggesting that you use the same sanction, but there is an incentive in there for people to register. That is the only point I would like to make in relation to this.

Hon. M. A. KING: Mr. Speaker, the point made by the Honourable Member for Christ Church South about

additional provisions for late registration is one that is well taken and one I think needs to be stressed.

Section 12 of the Act does provide, as the Honourable Member recognises, the criminal sanctions for failure to register. Section 12(1) in essence says that any person who:

"(a) receives rent in respect of premiss that are not registered ... is guilty of an offence and is liable on summary conviction to a fine of \$2 500 or imprisonment for a term of 12 months or both."

What the section does not do and, perhaps, what needs to be addressed as well is to recognise that the receiving of rent in respect to premises which are not registered can be a continuing offence and some provisions may need to be made to deal with the continuity of the offence where you do not register but you persist in breaking the law and receiving rent and not registering the premises. It is true the law says that you are liable to a fine of \$2 500 but I think some rationalisation has to be looked at in the fullness of time to deal with the problem of a continuing offence and that needs, of course, to be buttressed by the point made by the Honourable Member about providing for a late registration and making the appropriate penalties for late registration. There would be a disincentive to register if sufficient provision is not made for penalising the continuance of the offence.

Your Honour will note that clause 2 of this amending Bill says as follows:

"Notwithstanding subsection (1), a court may, in addition to any penalty it imposes in respect of a breach of that subsection,"

where the landlord fails to register the court may order the landlord

"to pay the court on behalf of the Commissioner any amount due under this Act."

If the landlord has been failing in his obligation to pay the Commissioner any money due to the Commissioner under the legislation, the court can, in addition to a penalty, order that amount to be paid as well. This Act, Mr. Speaker, is one which is administered by the Commissioner of Inland Revenue and he ought, of course, to take the necessary steps to ensure that the provisions of the legislation are complied with.

In relation to a further point made by the Honourable Member for Christ Church South as to the sanction which is placed on those who fail to comply with the provisions of the Act, the amendment to section 13 indicates that:

"Notwithstanding section 12," – which is the penalty being imposed – "no court shall entertain an application by a landlord for a warrant of **ejectment** against a tenant unless the landlord produces to the court a certificate of registration issued to him under this Act in respect of the premises sought to be recovered."

That should also provide an incentive to the landlord to ensure that his premises are registered because what is sure is that he cannot get the tenant ejected. The court shall not entertain any application for **ejectment** unless the landlord can produce a certificate of registration. That, too, is a part of the enforcement procedure to ensure that landlords comply with the requirements to register.

The amendment to section 15 ensures in essence that any landlord who with intent to cause a tenant to refrain from exercising any of his rights or pursuing any remedy under the legislation or does any action which is

"calculated to interfere with the peace and comfort of the tenant or members of the household or staff"

or:

"persistently withdraws or withholds services reasonably required for occupation of the premises"

is guilty of an offence and is liable to penalties, under the Act.

1.10 p.m.

The Act does contain the provisions which would encourage registration and which would penalize the absence of registration but I do accept that perhaps some further consideration may appropriately be addressed to the two other issues of providing for a continuing offence and providing for late registration.

Thank you, Mr. Speaker.

Mr. L. R. TULL: Mr. Speaker, Sir, the Bill before the House really deals with the provisions for compliance by landlords for money they receive from rents. The substantive Bill deals with that. It is an Act that is passed to ensure that people who earn income from renting properties out declare that income in a way that can be easily traceable.

The Minister of Housing, in introducing the Bill, said that there were some wrongs that needed to be righted and made reference to a statement made by his Party 6 years ago. This has been a long time in coming. But more important, Sir, is the fact that although I naturally feel a certain sympathy for tenants in Barbados, I believe that the

Landlord and Tenant Act needs some revision to give landlords a few more rights in this country, particularly in these days. A lot of people who had hopes for being able to own a house have **seen** those hopes dashed and there is going to be an increasing number of tenants.

But also, Mr. Speaker, Sir, there is a shortage of money. And experience – I am not speculating – shows that rent is low priority in people's pay cheques. People feel that they should pay the video shop first. They pay everything except rent. They would tell landlords well I do not have any more money left, when I get money I will pay. This is increasing at the moment.

Those of us who practise law know that one of the most difficult things in law to do is to get rid of a tenant....

*Aside.*

Mr. L. R. TULL: ...if he does not want to use extra legal means. Some people use all kinds of unusual tactics.

*Aside.*

Mr. L. R. TULL: Apart from cutting off the water to the House, which is against the law, I understand recently they have taken recourse to releasing killer bees – that is one of the most recent ones I have heard – to get people out of a house. But it is extremely difficult for landlords to get people out of their houses, if the people are not paying rent. The process in the court is not an easy one. It is long and tedious.

Therefore I would think that the Government cannot do wrong in taking a look at the Landlord and Tenants Act again. The Magistrates' Courts are overburdened with these things coming before the court all the time. The law is so vague in relation to it that landlords feel a certain sense of frustration.

I therefore am asking the Minister not to take 6 years, please do not take 6 years to look into this matter. In fact, I had intended raising it in an earlier debate not directly related to landlords and tenants but it slipped me. I am glad I have got the opportunity now to raise it. It is imperative if we are going to have proper execution of laws that the laws be certain. We learn early, as legal practitioners, that unless the law is certain it is extremely difficult for it to be carried out. It is in this particular area that one of the greatest difficulties exists in the law of Barbados. It is important then that both the rights of both the landlords and the tenants be properly clarified, be spelt out that everybody can understand them, so that the difficulties, the mire in which we find ourselves in relation to this particular branch of the law would be brought to an end.

I want to make one final point, Sir, in relation to this question of distress and distrain and all that – the law of distress is distressing. A lot of practitioners cannot get it understood and a lot of the people who are the bailiffs and the marshals and all these people who make a living daily out of this aspect of the law themselves cannot understand it. So that there is massive confusion over the levying of distress on goods...

*Aside.*

Mr. L. R. TULL: The reason why it is very seldom done is because people do not understand it. I reiterate that it is a very important area of law in view of the fact that tenancies, at the moment, in Barbados are increasing because of the falling opportunities for house ownership and the fact that there is shortage of money for people to spend is putting even greater pressure on landlords. I would hope that the Minister of Housing would take my remarks in the spirit in which they are meant and since he has a very diminished Ministry with very little to do he can give a lot of attention to what I consider a pressing and urgent aspect of law relating to housing.

Hon. E. E. GREAVES: Mr. Speaker, just let me indicate that this side is very much aware of the point which has been made by the Honourable Member for St. George South in respect of the difficulties which landlords, from time to time, experience with tenants. Certainly, speaking from my perspective as having ministerial responsibility for the National Housing Corporation, I am aware of that difficulty and certainly the difficulty which that Corporation has expressed from time to time and experienced from time to time being able to move against tenants who are deliberate in their refusal to pay what would be considered very small rents in today's terms.

The Government, however, still has to have a balance in this particular area and I would certainly want to give the Honourable Chamber the assurance that we are aware of some of the shortcomings of this and we will have a look to see what further amendments can be made to bring some balance in this particular area. That is as far as I would want to commit the Government at this particular stage.

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

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

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

#### COMMITTEE

*On the motion of Hon. E. E. GREAVES, seconded by Hon. W. O. FRANKLIN, Mr. SPEAKER left the Chair and*

*the House went into Committee on the Bill, Mr. L. L. BRATHWAITE in the Chair.*

*Clause 1 was called and passed.*  
1.20 p.m.

*Clause 2 was called and passed.*

Hon. E. E. GREAVES: Mr. Chairman, I beg to move that Clause 3 stand part.

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

Mr. L. R. TULL: Mr. Chairman, I believe that this is the substance of what the Honourable Member for Christ Church South is asking. I am not sure but I wish the Minister could point out whether the certificate that has to be produced by the landlord is in an action before the courts, needs to be a certificate before or at the time of the letting of the premises or a certificate subsequent thereto, is accepted.

To put it a little more clearly, if you rent someone a house and the property was not registered, some months after renting it, the tenant is not paying the rent but you go now and register the property, is the certificate granted at that time, enough to cover the action as contemplated under clause 3?

Hon. M. A. KING: It would seem that it is, Mr. Chairman. All the section says here is that the landlord must be able to produce a certificate of registration. It does not say when the certificate should be issued. Sir, it would seem that once a certificate of registration has been issued before the proceedings and can be produced, then that would be an appropriate certificate.

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

Hon. E. E. GREAVES: Mr. Chairman, I beg to move that Clause 4 stand part.

Hon. P. M. GREAVES: Seconded.

Mr. Chairman: The Member for St. Andrew.

Mr. G. W. PAYNE: Mr. Chairman, under Clause 4 (b) "where a landlord who persistently withdraws or withholds services reasonably required for occupation of the premises" there are certain situations. As a matter of fact in many situations where the public utilities are included in the rent I would like the Minister to tell us what would happen in a situation where the landlord was unable to pay the telephone or the electricity or the water because of financial circumstances, he needs the rent,

whether this would constitute the type of behaviour under subsection(2). I think this should be spelt out because there are and there would be situations whereby the landlord would genuinely be unable to pay the light, to pay the water, to pay the telephone where it is incorporated in the rent. I think in this connection this particular section(b) falls short. I think there should be a definition here.

Hon. M. A. KING: Mr. Chairman, as I understand it the Honourable Member for St. Andrew is dealing with a situation where included in the rent is a utility but he said the tenant is not paying the rent. In this section, a landlord is guilty of an offence who, with intent to cause a tenant to refrain from exercising any right or pursuing any remedy in respect of premises, persistently withdraws or withholds services. So would he be persistently withdrawing or withholding services if the tenant refuses to pay the rent? If the tenant is not paying the rent and the landlord has no money to pay water rates the landlord is not withholding the services with intent to cause the tenant to refrain from exercising any right or pursuing any remedy. You have to look at the section as a whole.

What this section in fact does, it does in effect re-enact the existing law to a point but tidies it up a bit. Because if you look at the old section 15 the (a) and (b) are a reflection of what already exists in 15.

Mr. G. W. PAYNE: Mr. Speaker, with respect, I don't think what the Honourable Member just said addresses the problem. This has nothing to do with the non-payment of rent by the tenant. The particular section deals specifically with the landlord. The landlord is guilty of an offence if he with intent to cause a tenant to refrain from exercising any right or pursuing any remedy in respect of the premises ... So that if the tenant refuses to pay rent for any reason whatsoever and refuses to move out for any reason whatsoever, even if it is because of the fact that the certificate has not been issued, according to this, if the public utilities are incorporated into the rent, it means that if the landlord decides, well I am not paying the telephone, it maybe that the tenant may not be able to pay it anyway but if the landlord decides, well I am not paying the water, the telephone and the electricity because he might not be able to pay, having not received the rent from the tenant, according to this it is very, very clear, the landlord is guilty of an offence. I think there should have been a section included in here stating specifically that the landlord is not guilty of an offence where these particular utilities are incorporated into the rent and the rent has not been paid. Otherwise an innocent landlord, for no fault of his own, simply because the tenant has not paid the rent, could be brought before the courts under this section. I can't see any other interpretation. This has nothing to do with the tenant not paying the rent.

Hon. M. A. KING: I would like to see how any court would deal with a matter where a tenant is deliberately refusing to pay the rent to a landlord and go and takes the landlord to court where the landlord is not paying the light and water and say, look you must pay the light and water in respect of my premises although I owe you rent and I am not paying you and I am not going to pay you. How do you think a court would look at that? Let's be reasonable.

#### *Aside.*

Hon. M. A. KING: No, no, no. It was badly drafted in the original Act. I think the law has to be interpreted reasonably, Mr. Speaker.

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

Mr. DeL. O. BRADSHAW: Mr. Chairman, I handle matters pertaining to tenants and the point which the Honourable Member for St. Andrew has raised is a very valid point because there are cases where properties are rented out for rent which includes water, or includes utilities. There are other cases where the utilities are excluded from the rent and there are cases where the tenants are in arrears and the landlord wishes to evict them. One feels that the landlord is within his right to notify the Water Authority to disconnect the water if it is not included in the Agreement. But the Water Authority, and I wish the Honourable Attorney General to listen because this is the point, the Water Authority refuses to disconnect any service whatsoever so long as they hear that a tenant is involved and I think that is of particular concern to agents as well as landlords because I do not see anything in the Act which gives the Water Authority the power to refuse to disconnect water if the landlord notifies him in writing to do so.

I have had cases where the notice or letter is sent to the Water Authority to disconnect because the tenants did not pay and the Water Authority – it is a policy there – refused to disconnect the water and as a result of that a bill is run up and the landlord, by law, has got to pay that. Now something needs to be clarified here, either the Water Authority is acting outside the powers which they have or something needs to be done.

1.30 p.m.

As I said, I am aware of the electricity. There is a different situation with the electricity and telephone because, in the case of electricity, a tenant can have the electricity put on in his name. There is no charge if he leaves the house. Once the tenant produces an I.D. at the Light and Power, you can have that put on in your name. So when you leave the bill is forwarded to you. As far as the Water Authority is concerned, that is not the case. It

is a charge on the property and we have to think about that. As I said, there was a case where a tenant was able to get water service on the premises. The tenant died and the property was sold. But the Water Authority ruled that the new owners had to pay the arrears and they refused to give service. I was involved in a situation like that where the amount was over \$1200.

Sir, I can understand the aim of the Bill is to make sure that landlords register. But I would hope to feel that people read into this that it is the protection of the tenant since there are tenants out there who do not honour their obligation. I feel that in the law some protection should be given and it should be pointed out very clearly in the Act what is the protection where a tenant refuses to pay on time because, as I understand it, you have a month to month agreement or a half year or yearly agreement. If the tenant fails to comply with that contract, then they are in breach of it. I do not see why the tenant should be able to go to Court. For example, you have a yearly lease and the person refuses to pay for two months so they would have breached the contract. I do not see how you could put the onus on the landlord to provide any service where in the first place the tenant has been in breach of the agreement. I would like the Attorney General to shed some light on that aspect.

Hon. M. A. KING: Mr. Chairman, what I will promise the Honourable Members is this. I will have the matters which have been raised by them looked at. But just let me state that what we have done in Section 15 is not to change the existing law. They are, in fact, attacking the old Act which they put on the statute book in 1977. The provisions which you see here are part of the provisions of the old Act. All we have done from the old Section 15(2) is to take out that section which spoke in terms of a landlord who was intent on forcing a tenant to give up occupation of premises during the period of two years mentioned in Section 13(1). That clause to give up occupation of premises during the period of two years mentioned in Section 13(1) had something to do with the section which has been declared unconstitutional. What we have done in this Amendment is to take out that phrase "to give up occupation of premises during the period of two years mentioned in Section 13(1)" and left the rest of the Act intact. Now the question is whether in the operation of this Act which has been put on the statute book by the last Government Section 15(2) has been found to be unacceptable. I do not know. I am not aware, let me put it that way, of any particular mischief which needs to be corrected. But I am saying that I will have the matter investigated. If the section is shown to be unsatisfactory, taking into account the comments which have been made by Honourable Members, I promise them that an appropriate adjustment will be made. That is as far as I can go today, Mr. Chairman.

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

*On the motion of Hon. M. A. KING, seconded by Hon. E. E. GREAVES, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.*

*On separate motions of Hon. E. E. GREAVES, seconded by Hon. M. A. KING, the Bill was read a third time and passed.*

Hon. B. M. TAITT: Mr. Speaker, that brings us to the end of Government Business for today.

*Aside.*

Hon. H. B. St. JOHN: We have not done Order No. 1, the instant order of the day. Mr. Speaker has not ruled.

#### PRIVATE MEMBERS' BUSINESS

Mr. SPEAKER: Private Members' Business is the instant order of the day. Order No. 1.

#### ORDER NO. 1 – TO MOVE THE PASSING OF A RESOLUTION CALLING UPON GOVERNMENT TO TAKE STEPS TO RESUSCITATE THE SUGAR INDUSTRY

Hon. H. B. St. JOHN: Mr. Speaker, Sir, I believe that this Resolution...

*Aside.*

Hon. H. B. St. JOHN: Oh, yes. We are going to talk about 3 days on this. You can break and then come back.

Mr. Speaker, this matter has been on the Order Paper for a considerable period of time. Despite the fact that a considerable period of time has elapsed since the placing of this matter on the Order Paper, its urgency is still as evident as it was at the time when it was placed on the Order Paper. We have now had a situation in which the outturn of this year's crop, as we know it in the sugar industry, is known. I must say, Sir, that it is with a great deal of sadness that I have to report the well known fact that this year's output is probably the lowest, certainly within my living memory.

1.40 p.m.

The time has come, Sir, when political parties in Barbados must level with the people of Barbados on this issue. The people of Barbados must be informed as

to what is the policy of the political parties in relation to the agricultural activity known as sugar production.

There cannot be any doubt about it, Sir. We are operating here within the parameters of a Development Plan, which has been laid on the Table of this House, for the period 1988 to 1993 and that Development Plan purports to set out in a rational way the Government's view as to economic activity in Barbados, the utilisation of the natural resources of Barbados, the economic objectives and the attendant social objectives also. There is a section which clearly and distinctly states in Chapter 16, page 157 that agriculture and fisheries are important parts of the economic activity in Barbados. What is more, Sir, at page 158 there is a specific section dealing with sugar. At page 159, I think this Honourable House needs to be reminded of the very clear statement:

"The sub-sector's importance derives from:

- the experience gained over 200 years in producing cane under local conditions;
- the availability of guaranteed preferential markets for predetermined and fixed quantities of sugar; and
- its contribution to the GDP and its contribution to foreign exchange earnings."

That last one is most important, Sir.

Sir, this political party that I represent does not have any qualms at all about making it abundantly clear that we believe that the statements as contained in that aspect of the Development Plan are still valid today. We believe, Sir, that as a contributor to foreign exchange earnings the sugar industry has an important role to play in Barbados' economy.

I mention this, Sir, because of late there are a number of views being expressed that there are not guaranteed markets for sugar in Barbados. I just want to make it abundantly clear. My understanding of the Convention of Lomé, under which we sell a majority of our sugar, the Sugar Protocol which sets out the basis of the relationship between the sugar producing countries of the African, Caribbean and Pacific and the European Economic Community has made it abundantly clear that the time frame for the import by the European Economic Community of that proportion of sugar as is set out against the names of each of the countries is of indefinite duration.

It is therefore wrong for people to state that in the light of that position the preferential markets for sugar in relation to that part of our output that goes to the European

Economic Community is certain, finite. I think that all who were concerned and all who are familiar with the history of that commitment on the part of the European Economic Community to its ACP partners will recognise that if there is one thing that is regarded as sacrosanct, and would be the subject of tremendous international diplomatic activity, would be if the Europeans tried in some way to get out of their obligations as contained in the Sugar Protocol. I would hate to think that it is the view of the Government of Barbados that it would be possible for that to occur.

Secondly, Sir, I am informed that to date no one has come forward with an alternate crop for the majority of the arable acreage in Barbados which has as beneficial an effect upon the ecological conditions in Barbados as the growing of sugar cane. If the Government is in a position to challenge these assumptions that are contained in their own documentation, I would be glad to know.

1.50 p.m.

Now the need for foreign exchange in Barbados is self-evident. This country's economic position is such that its capacity to earn foreign exchange by any means which are lawful and in consonance with the moral norms of the population should be encouraged. We believe that that is another valid reason why the agricultural activity known as sugar growing in Barbados should be encouraged.

We also recognise, and I want to make this abundantly clear, employment opportunities are equally of great importance in Barbados, particularly, at the present moment when it must be now conceded by all and sundry in Barbados that our state of economic activity is such that we have unprecedented rates of unemployment in Barbados, well over 30%. This is a matter of grave and serious import. I shudder to think of the consequences of failure on the part of all of us to come up with a solution to this problem as a matter of urgency. Once upon a time, the steam could be taken out of this because we had opportunities to emigrate. Those opportunities in the 90's are greatly restricted in relation to the 50's. Even in the 50's we never had the type of unemployment we have now.

The aspirations of people who are now unemployed are completely different from what they were in the 1950's. Any activity that will provide meaningful employment in this country must be encouraged. Now, Sir, everyone knows that agricultural activity in any country in the world is a desirable form of activity which traditionally has been held in high esteem by governments of all kinds of political persuasions. It is a myth to believe that it is possible for countries such as Barbados, given our large population, to be able to enjoy our present standard of living upon the basis of being only a service economy.

I have been in politics long enough to recall that this theory that you can do away with agriculture and

manufacture and rely only on tourism and economic activity in Barbados has been considered, weighed in the balance and found to be wanting. Barbados is not Bermuda. Barbados is not the Bahamas. Barbados is not the Virgin Islands. The simple reason is that if you analyse their economies you will see none of them had that mass of population that was brought here as slaves. None of them had that high ratio of human beings in economic activity which was necessitated by the sugar industry and agricultural activity.

You cannot compare those countries with ours. I remember in the other place once there was a Resolution moved by the late Senator K. R. Hunte in which he extolled the virtues of tax havens for Barbados. He extolled the virtues of golf courses for Barbados. As a matter of fact, he built one himself and it is still there, Sir. The purpose for which it is now used is for the growing of briar and grasses that are of no economic value. The real estate aspect of it has been completed, much to the financial benefit of the proprietors, but of doubtful consequences foreign exchange wise and to the community. Now, Sir, that was a sugar estate that was converted – Durants.

Sir, I am asking Honourable Members to look at these matters in the context of our own experience. There is no doubt that reorganisation has to take place in the growing of sugar cane in Barbados and in the processing of sugar cane in Barbados. During the time I was part of the negotiating process annually in the Lome Convention, people there used to marvel at the fact that we were one of the countries in the world who never had a Tate & Lyle and a Booker Tate, that our industry was organised along the lines that the growers of cane and the workers in the industry and the processing of cane were a totally integrated operation. The division and fight between processors and the cane growers, between the growers and the workers of their organisation was never as that which existed where you had large multinational corporations responsible for the integrated process of growing and processing. Throughout the Caribbean we were unique in this respect. Trinidad had its Tate & Lyle, Jamaica had its Tate & Lyle and Guyana had its Bookers McConnell.

I think, Sir, after a number of years and more recently, it is recognised that sugar cane growing itself is a process – because of the large amount of capital that is involved in the operations in which one has to have large units of production both in the field and in the factory – in which changes have to come in both areas of operation in Barbados and changes have occurred. Certainly, I recall when there were many more processors than there are today. I recall when there were many more producing units than there are today.  
2.00 p.m.

Only recently, Sir, I came and had the pleasure of meeting a gentleman who could brag to me that with his small holding he was able to educate a number of his children. We know those days are long past. I accept that. But the foreign exchange that is derived from the growing of sugar cane is as much needed today as it was in those days. The employment that is to be derived from the new method of producing sugar in Barbados particularly in the area of mechanisation, whether in the field operations at growing time or prior to growing time, land preparation or in reaping operations is sorely needed.

Many people can go to sleep at night with no tinge of conscience well knowing that they have 30% of the public out there unemployed, 30% or more and are very comfortable in their minds because they have the security systems and they have access to public law agencies for their protection. Everybody does not have that comfort.

It is a worrying thing that we have this economic activity that we know of, that we have markets for, that can be reorganized, that in the past – and I am going to get on to that new point now, Sir – has served us well, an economic activity that has not been disregarded in many parts of the Commonwealth other than in countries like Antigua and a few other small countries who have a small population in relation to their land area and the need for jobs and people who have a different attitude from us. It is a free for all in some of these countries. The buccaneering spirit which was part of their history is still in existence, except that instead of plundering ships some of them plunder the Treasury of their own country. A different philosophy motivates them.

What we want on this side is a clear, definite and distinct statement from the Government as to what is its specific attitude today about this problem. We want to know. We left this matter on the Order Paper for a long period of time. We have now reached the position, Sir, in which the production is at its lowest ebb. We cannot allow the situation to continue if we are serious. If the Government's position is that they want to see the demise of that part of agriculture known as sugar growing, let them state it, Sir. They are free agents. Let them tear up their Development Plan and let the public know that the concepts and the statements that are implicit in the words that were used in the Development Plan no longer hold. Let them state that. Sir.

I want to deal now with the proposal for reorganization. But before I deal with that....

*Aside.*

Hon. H. B. St. JOHN: No, no. I have only just started. Half hour is only the time for Private Members'

Business today. That is all. But every day you have half hour.

*Asides.*

Hon. H. B. St. JOHN: The Standing Orders are suspended. What are you telling me, that the introducer of a resolution only has half an hour for Private Members' Business? I understand it, Sir, that this House does not have any time for Private Members' Business. That is all right.

*Asides.*

Hon. B. M. TAITT: On a point of order. The Honourable Member was an architect of the Rules and Rule 37 applies to all Members in this House.

Mr. SPEAKER: It is under Rule 37.

Hon. H. B. St. JOHN: I take the point. I was not in the House at that time, Sir.

Mr. SPEAKER: Well it is only a matter of...

Hon. H. B. St. JOHN: I understand. I know that there is a grave defect in the fact that I was not there. But do not mind, I am obeying them.

Mr. SPEAKER: Just one moment. What I was trying to say to you is that you have only 5 minutes more. But since that little interruption I will give you the extra 2 or 3 minutes.

Hon. H. B. St. JOHN: I **am** going to summarize my position.

Hon. B. M. TAITT: The Honourable Member said "This House has no time for Private Members' Business." I feel that should be struck.

*Asides.*

Hon. B. M. TAITT: The Honourable Member said, "This House has no time for Private Members' Business" while on his feet. It is not true and it should not be in the record so it cannot be written down in the newspapers that "This House has no time for Private Members' Business". The Honourable Member knows what he is doing. I believe that should be struck, Sir.

Hon. H. B. St. JOHN: It is not August yet, Sir. I know that August is a very peculiar season for the Honourable Member over there and his colleagues, or early September. I **am** not sure what are the dates now.

The point is that I want also to emphasize that the Government itself as a matter of record has commissioned a number of studies into the state and condition of the sugar industry, Sir. I would like to know as it is my belief that if it is the desire of the Government that this aspect of agricultural activity is still to continue in Barbados, if that be the desire it is my view and I am urging upon this House that the Government should let the public know most specifically what are its views on the Landell Mills Study and on the more recent study which is known as the Booker Tate Study. It is also, in my view, necessary that the Government should be very clear with the public and level with the public as to whether it intends to carry on with the policy as enunciated in page 21 of the Financial Statement and Budgetary Proposals delivered in this Honourable House on Wednesday, May 2, 1990. Everybody knows that you have to make decisions and timely decisions in the sugar industry after the crop year. This is August and by this time important decisions which will affect the production in 18 months time should have been made already. We all know, and I don't need to recite the circumstances under which some of those decisions have not been taken.

2.10 p.m.

The point is, Sir, there is a clear and definite and distinct feeling in this community, a perception, some may say a reality, that the Government had made up in its mind that it welcomes the demise of the sugar industry. With those few words, Sir, I beg to move that this Resolution do now pass.

Mr. SPEAKER: Is there any other Member who wishes to speak on this Resolution?

Hon. B. M. TAITT: Mr. Speaker, I am prepared to give way to the Honourable Member for lunch. It is just 10 past 2 o'clock. I wish to establish that I am ready to begin my speech.

*Aside.*

Hon. B. M. TAITT: I just don't wish that when I sit down that I would have given my position away, otherwise I will start.

Mr. Speaker, Sir, the Honourable Member has raised a matter that is of fundamental importance in this country. The Honourable Member having read the documents which this Government that I have the honour to be a part of, has published to the country, takes those same documents and raises questions in such a manner as to suggest somehow there has been a U-turn about the documents.

I am here to say that the Government, of which I happen to be a part, stands by the policy it has put out

into the market place, specifically with regard to the Development Plan. The Development Plan is from 1988 to 1993. The Development Plan has not been revised. It is not the intention of the Government to revise the Development Plan and therefore if the Honourable Member or any other planter in Barbados wishes to plant canes they should go out and plant as many canes as they can. The Government does not intend that agriculture should have its demise. The Government does not intend that sugar should have any demise. The Government does not intend any of the implications which were inherent in the speech made by the Honourable Member.

The position on sugar, in this country, as articulated by the Honourable Member with regard to LOME is a position which I had the honour of negotiating and that Honourable Member followed and therefore it would be impossible for anyone to disagree with the statements concerning the guaranteed market inherent in the LOME Treaty.

There has been a substantial amount of uninformed comment in the newspapers in Barbados by a number of persons who purport to know about the sugar industry and some of those persons know about everything. There are no diametrically opposed points of view which cannot allow for rational and mature discussion on the use of land in Barbados. Why must the discussion always take the position of either/or? This country cannot pretend that it can discard sugar by waking up one morning and determining that sugar must go. On the other hand no amount of Neanderthal thinking about sugar and the way it has been dealt with in Barbados will save the economic facts which face a country like Barbados on a daily basis.

There have been a number of people in Barbados involved in the sugar industry who have either inadvertently or deliberately not allowed the sugar industry to have all of the growth that it possibly could. There are a number of persons who are involved in the economic development of this country who have not always been up front in their public utterances and indeed, sometimes in their private manoeuvres in regard to the economic development of the country.

With regard to sugar, for too long the principles of management which ought to have been applied to that particular industry, despite the efforts and the best efforts of both Governments, have never been allowed to see the light of day.

Mr. Speaker, there is no one who has been involved in public life in this country in the last 25 years, who can be unmindful of the Herculean efforts made by the Governments of this country to bring some measure of rational order, if you pardon the expression, to the sugar industry.

This Government, when we were in Opposition, took issue with that side, when they were the Government, when they sought to bring for the first time the supports to the sugar industry, when we were attempting to demonstrate, not that the supports were in themselves wrong, but that the supports, once they were implemented, were likely to remain forever.

This country has a way of refusing to take advice unless the advice is bottled or shaped or packaged by someone who comes from some far-off country.

*Aside.*

Hon. B. M. TAITT: I am not talking about the IMF. I am not getting involved in discussing the IMF. The Honourable Member for St. Peter is an expert on the IMF. He knows more about the IMF than any other Honourable Member in here, so I am not getting involved in any discussion about the IMF. The IMF is like all of the other agencies in the international arena. I am not getting involved in the IMF. I am responding as a patriot, Sir. I believe I have earned the right to say that. I am responding as a patriot and as a Member of the front bench of this Democratic Labour Party Government. I cannot sit and hear an Honourable Member, who has held the office of Prime Minister and who is not therefore without some credibility in these matters, making statements to suggest that the Government has some unspoken decision, some hidden agenda, some diabolical plan to eliminate sugar.

As I was saying, Sir, the misinformed and the uninformed constantly link a speech made by the late Errol Barrow, a speech which when read in its entirety was a speech exhorting the community to strive to industrialise and to give a second chance, if you will, to the efforts to make this country worthwhile. The then speech was addressed to workers and the speech was suggesting that in terms of industrialising the country, if Barbados could reach the point where its industrialisation effort was so great that it ....

*Aside.*

Hon. B. M. TAITT: So, why. I speak at Eagle Hall Corner, I speak at Ruby Corner. I am accustomed to heckling. The Honourable Member is using one of his best tactics. The Honourable Member sitting in his chair. He will not be able to tell me what it is he is talking about. I am saying, Sir, because at the time when the speech was made I had responsibility for trying to bring industry to this country, it was a time when we were trying to use the Puerto Rican model to get a number of people who, at that time, were unemployed into place.

*Aside.*

Hon. B. M. TAITT: Yes, call it cheap labour. The Honourable Member for St. Peter, an economist, is saying from his seat "cheap labour". Suppose it was cheap labour, the fact is large numbers of people went to work and the entire system in this country was changed. Whether one accepts or rejects the merits of the Puerto Rican model the fact is that a large number of factories came into Barbados and those factories provided employment for a number of people who otherwise would not have been employed. To this day, the model which was set up can be found in an advanced form in something I saw in the newspapers this week where the CDS is now being hailed as a potential saviour. But that is not the point, Sir, I am not going to be diverted. We are talking agriculture.

*Aside.*

Hon. B. M. TAITT: Yes it is pure rhetoric but when the Honourable Member was speaking it wasn't pure rhetoric. The Honourable Member for St. Peter, has a single track mind. A single track mind that can only go in one direction. You either are agreeing with him or what you are saying does not count. The Honourable Member ...

Mr. SPEAKER: What I want to say is that I know that asides are not going to be part of the record of the House. That is the first thing.  
2.20 p.m.

On the second point, I would wish that members do not interrupt other members unless there is due cause. The Rules themselves provide that if you want to make a legitimate interruption...

*Aside.*

Mr. SPEAKER: Honourable Members are not listening to me. So it seems to me that I am going to have to take the straightforward approach. Any member who interrupts another member without a legitimate cause for doing so will be asked to leave. I think it is fair that Honourable Members ought to be able to speak in the kind of forum which they can debate.

Hon. P. M. GREAVES: Mr. Speaker, it is time for us to have some lunch. We have been here for a long time.

Sir, I am moving that further consideration of this matter be postponed in the first instance and then we will go to lunch.

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

*The question that further consideration of this matter be postponed was put and resolved in the affirmative without division.*

#### ADJOURNMENT

Hon. P. M. GREAVES: Sir, I move that this House be adjourned until August 4, 1992 at 12 o'clock noon.

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

*The question that the House be adjourned until August 4, 1992 at 12 o'clock noon was put and resolved in the affirmative and Mr. SPEAKER adjourned the sitting accordingly.*  
2.25 p.m.

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