
THE House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1991 – 96

HOUSE OF ASSEMBLY

Tuesday, November 10, 1992

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

PRESENT

His Honour T. C. ESTWICK, **B.Sc., LL.B.**, (Deputy Speaker)

Mr. H. **deB.** FORDE, Q.C., M.A., **LL.B.**, (Leader of the Opposition)

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

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)

Hon. N. K. SIMMONS, (Minister of Justice and Public Safety)

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 Zan Harewood.

Mr. DEPUTY **CLERK**: In the absence of His Honour the **Speaker** and in the absence of His Honour the Deputy Speaker, are there any nominations for a temporary Presiding Officer?

Hon. B. M. **TAITT**: Mr. Deputy Clerk, in the absence of His Honour the Speaker and in the absence of His Honour the Deputy Speaker, I beg to move that the Honourable Member for St. **Philip** South be appointed Acting Speaker.

Mr. DEPUTY CLERK: Are there any other nominations? There being no other nominations, I therefore declare the Honourable Member for St. **Philip** South Acting Speaker.

Mr. ACTING SPEAKER: The House is in session. The Minutes of Tuesday, November 3, 1992.

Hon. B. M. **TAITT**: Mr. Acting Speaker, the Minutes of the House of Assembly for Tuesday the 3rd day of November have been circulated and it is presumed have been read.

I beg to move that these Minutes be now confirmed.

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

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

GOVERNMENT NOTICES

Hon. B. M. **TAITT**: Mr. Acting Speaker, I beg to give notice of the Evidence Bill, 1992.

NOTICES OF QUESTIONS

Mr. **ACTING SPEAKER**: The Honourable Member for St. **Michael** South East re the sale of Transport Board buses by March 31, 1993.

Mr. **DeL. O. BRADSHAW**: To ask the Minister of Public Works, Communications and Transportation:

Will the Minister please state –

- (i) whether in accordance with its declared policy, Government is proceeding with the sale of all Transport Board buses by March 31, 1993?
- (ii) the **terms** under which Government proposes to dispose of its assets in the Transport Board?
- (iii) the names of persons or companies who have indicated an interest in purchasing the total assets of the Transport Board?

Mr. **ACTING SPEAKER**: The same Honourable Member re the sale of Transport Board buses to the Barbados Workers' Union Cooperative Credit Union.

Mr. **DeL. O. BRADSHAW**: To ask the Minister of Public Works, Communications and Transportation:

Will the Minister please state if –

- (i) any agreement has been reached between the Transport Board and the Barbados Workers' Union Cooperative Credit Union Ltd. with regard to the sale to the Barbados Workers' Union Cooperative Credit Union Ltd. of any Transport Board buses?
- (ii) if the answer is no, will the Minister state whether there are any current negotiations with any other parties with a view to selling any or all of the remaining buses of the Transport Board?

Mr. **ACTING SPEAKER***: The same Honourable Member re free travel for old age pensioners on private transport systems.

Mr. **DeL. O. BRADSHAW**: To ask the Minister of Public Works, Communications and Transportation:

1. Is the Minister aware that some Old Age Pensioners who were given passes to travel free

on Transport Board buses can no longer do so because of the removal of Transport Board buses from the areas in which they live?

2. Will the Minister please also state the number of Old Age Pensioners, indigent and incapacitated persons who have thus been adversely affected by Government's decision to remove Transport Board buses from the area in which they live?
3. Will the Minister please further state whether Government has proposed or is proposing arrangements with private operators who now service these abandoned routes to enable the categories of persons cited above to travel on the private transport system on terms which are not less favourable than those formerly provided by the Transport Board?

Mr. **ACTING SPEAKER**: The same Honourable Member re regular and reliable transportation system in rural areas after privatization.

Mr. **DeL. O. BRADSHAW**: To ask the Minister of Public Works, Communications and Transportation:

1. Will the Minister state whether the Transport Board proposes to retain a number of buses specifically to service the rural areas after the privatization policy has been put into effect?
2. If the answer is no, will the Minister please state what arrangements his Ministry proposes to put in place in order to ensure that persons living in rural areas, especially workers, receive a regular and reliable transportation service?

Mr. **ACTING SPEAKER**: The same Honourable Member re plans for transportation of school children when privatization takes place.

Mr. **DeL. O. BRADSHAW**: To ask the Minister of Public Works, Communications and Transportation:

1. Will the Minister state what plans there are for the transportation of school children should the privatization of Government transport be effected by March 31, 1993?
2. Will the Minister consider retaining some Transport Board buses for transporting school children, the incapacitated and Old Age Pensioners?

Mr. **ACTING SPEAKER**: The same Honourable Member re current policy of one-man operated buses at the Transport Board.

Mr. DeL. O. BRADSHAW: To ask the Minister of Public Works, Communications and Transportation:

Will the Minister please state if –

- (i) the current policy of one-man operated buses at the Transport Board has resulted in and is projected to realise an overall profit for the Board from this operation?
- (ii) if ~~the~~ answer is yes, will ~~the~~ Minister state what this profit has so far realised and the profit projected by March 31, 1993?

Mr. ACTING SPEAKER: The same Honourable Member re the number of conductors who have been laid off within ~~the~~ last 2 weeks from ~~the~~ Transport Board.

Mr. DeL. O. BRADSHAW: To ask the Minister of Public Works, Communications and Transportation:

1. ~~will~~ the Minister please state the number of conductors who have been laid off within the last two weeks ~~from~~ the Transport Board?
2. Will ~~the~~ Minister please state whether there are any conductors still employed with the Transport Board?

Mr. ACTING SPEAKER: The same Honourable Member re ~~monies~~ due ~~to~~ persons severed from the Transport Board.

Mr. DeL. O. BRADSHAW To ask the Minister of Public Works, Communications and Transportation:

1. Will the Minister please state if ~~all~~ the persons who have recently been severed from the Transport Board have received all monies due to them including severance payments?
2. If the answer is no, will the Minister further state ~~the~~ reasons for the continued default, and also specify how soon such monies will be paid?

Mr. ACTING SPEAKER: The same Honourable Member re the **programme of retraining** for conductors who have been laid ~~from the~~ Transport Board.

Mr. DeL. O. BRADSHAW: To ask the Minister of Public Works, Communications and Transportation:

Will the Minister please state –

- (i) if there is a special programme of retraining for conductors who have been laid off during the past two weeks?

- (ii) if yes, will the Minister please state the amount that is proposed to be spent on the retraining programme?

- (iii) in relation to conductors who have been laid off before October 15, 1992, will the Minister please state how many have received retraining in the past year and the areas in which they have been retrained?

- (iv) how many of these retrained Transport Board workers have been gainfully re-employed and in what fields?

12.30 p.m.

FIRST READING OF BILLS

Hon. B. M. TAITT: Mr. Acting Speaker, Sir, I beg to move that the Evidence Bill 1992 be read a first time.

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

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

ORDERS OF THE DAY STANDING ORDERS

Hon. B. M. TAITT: Mr. Acting Speaker, Sir, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the remainder of this sitting.

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

The question that those Standing Orders be suspended for the remainder of today's sitting was put and resolved in the affirmative without division.

GOVERNMENT BUSINESS

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

ORDER NO. 3 – TO **MOVE** THE PASSING OF A RESOLUTION TO APPROVE THE RENEWAL OF A LEASE UNDER SECTION 5 OF **THE CROWN LANDS (VESTING AND DISPOSAL) ACT**, CAP. 225 TO THE BARBADOS CRUISING CLUB OF LANDS AT GRAVES END, ST. MICHAEL

Hon. E. E. GREAVES: Mr. Acting Speaker, this Resolution, as the Addendum explains, seeks to renew a lease to the Barbados Cruising Club of a parcel of land described in the First Schedule. The history relating to this lease, Sir, goes back to 1967 when the then Government

entered into a lease agreement with the Barbados Cruising Club in respect of **16 628** square feet of land at Graves End, St. Michael. It was agreed that the land in question would be leased to the club for a period of **25** years, commencing on March **5, 1966**, at a fixed yearly rent of **\$120** per annum. This Agreement expired on March **4, 1991**.

During this lease period the subject land accommodated the club house rented by the Cruising Club and the guard house owned by the Crown. This area with the guard house formed the entrance to the Cruising Club. Recently, following some adjustments the entrance was changed and I will have a word to say about the guard hut shortly. The fact of the matter is, Sir, that in November **1990** the Cruising Club indicated that it was interested in renewing the lease and the Ministry of Housing and Lands obtained a valuation from the Commissioner of Land Tax who valued the land, on the open market, at **\$16 800** per annum.

In light of the fact that the Cruising Club is a non profit making organisation, and in light of the arrangements which were previously made with the Cruising Club, and in light of the representation which was made by the Cruising Club about its inability to pay any high rent, it was decided that we would, as it were, continue with a modest arrangement for the rental. Consequently, we are here seeking today, parliamentary approval for the lease of **1 311.75** square metres of land at Graves End, St. Michael to the Barbados Cruising Club, subject to the following condition, that is, that the lease shall be for a period of **15** years at a rental rate of **\$2 520** per annum which shall be renewed every **5** years and the lessee shall be responsible for all repairs to the property and the payment of all rates, taxes, insurance premiums and assessments imposed upon the premises.

It was discovered, in the course of getting the information put together for this lease, that somewhere along the line, to be precise, sometime in **1987**, when the interest of the Cruising Club was changed, that the guard house, which apparently originally formed part of this whole arrangement, had fallen under the control of the Garrison Commission, but somehow or another it did not seem as if the property was being looked after as carefully it should have been looked after and it was discovered that Grand Barbados seemed to have got it in their heads that the guard hut was on their property. They had been renting this property to a Mr. John Stuart who is the owner of the Tropical Gift and Beach Shop and Grand Barbados is collecting rent for that purpose. This is Government property and I think it really points to something which I have said over and over again and something which we are trying to do in the Ministry, that is, to try to ensure that we are aware of the existence of Government property wheresoever it is and to make sure that the Government property is being properly taken care of.

We are in the process now of indicating to Grand Barbados that arrangements have to be made to settle this particular development and we will be bringing the guard house back under our control and ensuring that the rates which have been collected, erroneously or illegally or whatever one wants to say in this matter, that it be done in the correct way because I want to emphasise that the guard house belongs to the Government and not to Grand Barbados.

With those remarks, Sir, I would want to move that this Resolution do now pass.

Hon. W. O. FRANKLIN: I beg to second that, Mr. Acting Speaker.

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

ORDER NO. 4 - TO MOVE THE PASSING OF A
RESOLUTION TO APPROVE THE SALE UNDER
SECTION 5 OF THE CROWN LANDS
(VESTING AND DISPOSAL) ACT,
CAP. 225 TO THE NATIONAL
INSURANCE BOARD OF
LANDS AT CULLODEN
ROAD, ST. MICHAEL

Hon. E. E. GREAVES: Mr. Acting Speaker, this Resolution seeks to conclude an arrangement for the disposal of **11 799** square metres of land at Culloden Road, St. Michael by way of sale to the National Insurance Board.

12.40 p.m.

The National Insurance Board occupied approximately **27 000** square feet of office space in Fairchild Street. During **1988** the Director of the National Insurance advised the Ministry of Housing and Lands that the Board proposed to construct approximately **80 000** square feet of office space to house the National Insurance Department and to provide rental accommodations for other Government offices and agencies. The area needed for the National Insurance Department has been estimated to be about **40 000** square feet. This area of **11 799** square metres which has been identified for sale to the National Insurance Board at a price of **\$1.7** million is made up of three separate parcels of land comprised as follows: **3 691** square metres which is a part of Culloden Farm, **6 944** square metres which is a part of Flodden and **1 164** square metres which is a part of the former Cozier property.

I would like to say that the area of land which we are talking about is **11 799** square metres and it is being sold for **\$1.7** million. I should say that by way of information that the National Insurance Board has already moved into

the new building and it is proposed that some other Government Departments and Ministries will be accommodated in that area. For example, the Chambers of the Attorney General will occupy approximately **10 360 square** feet. **The** Ministry of Justice will occupy approximately **3 632 square** feet. The Ministry of Employment and Labour will occupy approximately **5 280 square** feet. **The** Ministry of Housing and **Lands** will occupy approximately **5 280 square** feet and the Caribbean Tourism Organisation will occupy approximately **3 630 square** feet.

It should be pointed out that the Marine House, as I believe all Honourable Members know, has for practical purposes been condemned. The Chief Technical Officer from the Ministry of Transport and Works indicated very clearly that the Marine House has to be evacuated in order for remedial work to be done. The fact of the **matter** is that there have been complaints of movement of floors and there is a genuine fear among people who **are** working at the Marine House. So **that** Government will be **looking** at **that** particular area for refurbishing and further upgrading because it is a valuable property, but at the same time one has to recognise that considerable repairs and guttering will have to be done to put it back into a habitable position.

Basically, we **are seeking** therefore to relocate the Ministries which **are** accommodated at the moment at the Marine House into this area. Of course, this will not accommodate all of the Departments and Ministries. We have to look around for other accommodations for some of the other Government Departments. Indeed, you will recall that the Ministry of Housing and **Lands** sometime ago placed an advertisement in the newspapers inviting persons who had property for rent to indicate to the Ministry of Housing about the availability of that property. What we **are seeking** to do is to finalize the arrangement for the sale of this **11 799 square** metres of land at **Culloden** Road to the National Insurance Board for the purposes of office space.

With those remarks, I beg to move that this Resolution do now pass.

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

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

ORDER NO. 11 – RESOLUTION TO **APPROVE**
THE SALE OF PROPERTY SITUATE AT
BLACK BESS, ST. PETER TO
GWENETH HINDS FOR COM-
MERCIAL PURPOSES

Hon. E. E. GREAVES: You will recall, Sir, that from time to time we have to come to Parliament to dispose of public baths and Honourable Members have been raising

questions about the **procedures** which we adopt to do these Resolutions. I myself must admit **that** I feel a bit embarrassed when we have to come here to dispose of a public bath. We have tried to **see** how we can get around this particular matter. We thought that if we could have a composite Resolution that that might resolve the particular matter. Unfortunately, the advice **from** the **AG's** Chambers does not seem to support that so that, although we **are** coming with four at the same time, we have to do them in separate resolutions.

It would be of interest to note, Sir, that the total number of baths to be disposed of is 34 and of these 11 have been allocated to the Community Development and Culture basically for the purpose of getting community groups involved and utilising these particular areas. So far, we have completed the sale of three baths – one at **Connell** Town in St. Lucy for the Pentecostal House of Prayer, Halls Village in St. James, and one at St. **Christopher** in Christ Church for residential purposes. Resolutions have been approved for four others in Walkers in St. **Andrew**, Vault Road in St. Thomas, **Porey** Springs in St. Thomas and **Workhall** in St. **Philip** and conveyances **are** now being drafted.

There are some others which **are** at various states of development. One is at Pie Corner which is going to be for residential purposes, another one at **Clifton** Hall in St. Thomas which is to be sold for a shop, and the other is at Villa Nova in St. John. The owner of that property has indicated an interest in **that** for providing access to the gardens. There is one in **Boscobelle** in St. Peter which has been **disposed** of for the purpose of a mini-mart. In Holders Hill in St. James, the owner is asking for it for the purpose of new **access** and Friendship in St. **Michael** the owner is interested for the purpose of a shop.

Parliamentary approval is being sought for those which we **are looking** at today and we have to re-advertise about six others in Bridge Street in St. Thomas, Rose Hill in St. Peter, **Workmans** in St. George, Josey Hill in St. Lucy, Church Village in St. **Philip** and **Fortesque** in St. **Philip**. Others being processed are in Flat Rock, St. George, Hillaby in St. **Andrew**, **Nesfield** in St. Lucy, South District in St. George and Horse Hill in St. Joseph.

Basically, what I have sought to do is to try and bring Parliament up to **date** with the whole development of this decision to dispose of these baths. I thought it would be useful if Parliament were in possession of this information to indicate the way in which we **are** trying to dispose of them, to ensure that they **are** used for some public good. You will notice that some people have been using them for small businesses, some people have been converting them into residences and some of them **are** being used by the Ministry of Community Development for community **purposes**.

12.50 p.m.

This Resolution then, No. 11, which **seeks** to approve the sale, under section 5 of **the** Crown Lands (**Vesting** and Disposal) Act, Cap. 225, to Gweneth **Hinds** of the land mentioned at Black Bess, St. Peter, for commercial purposes, is before us and I therefore beg to move that this Resolution do now pass.

Hon. W. O. FRANKLIN: Mr. Acting Speaker, I beg to second **that**.

Mr. O. S. ARTHUR: Mr. Acting Speaker, I shall not delay **the** House **too** long on this matter, I will ask one specific question of the Minister.

I support the sale of the **property**. I have no doubt that it will be put to very productive and creative use, but I could not help noticing that there **are** four properties before the House today which will be sold but there is a quite considerable difference in the **price**. If the Minister would check, Sir, he will **see** that the property being sold to **Mrs. Hinds** of Black **Bess** is at present \$42 per square metre for a commercial purpose, whereas under Order No. 12 we **are** going to deal with one to be sold at \$19 per square metre. Both of these properties are to be sold to **people** who intend to put them to commercial use, but there is a considerable difference....

Mr. ACTING SPEAKER: Just one moment. I do not want to put you off, but since we have not yet dealt with Order No. 12, I would expect and suppose that you will deal only with Item 11 **and** question why the price is at that level, but I do not think you can go to **the** next one which has not been dealt with.

Mr. O. S. ARTHUR: Mr. Acting Speaker, the price on this property being sold to **Mrs. Hinds** at St. Peter is \$42 per square metre is quite considerably higher than the price being charged for other properties being sold by the same Government for commercial purposes. Indeed, Sir, in the **case** of one with which I **am** very familiar, which is being used for commercial purposes, the price is perhaps twice as high. I would like to ask the Minister to precisely explain the quite considerable difference between the price for this property being sold at Black **Bess** and the price for other similar properties.

Mr. H. deB. FORDE: Mr. Acting Speaker, before the Minister replies, the Minister made a general statement about Government's policy for the disposal of public conveniences, and certainly in the areas he has mentioned the time has come for those public convenience **areas** to be disposed of. People have upgraded their own facilities in their homes and the need for such conveniences has certainly decreased. I would, however, like to say **to** the

Government that there are still persons in these very **areas** – including, I have no doubt, Black **Bess** – who do not have proper private conveniences in their homes.

The **Labour** Party has enunciated a clear policy to ensure that every individual in Barbados has waterborne toilet facilities on their premises in the interest of the quality of life which they should enjoy, as well as in the interest of public health. **You** will **see** it very clearly stated that we intend, whenever that time comes, particularly in **rural** Barbados, to ensure that these minimum facilities **are** put in. We believe that the country has reached a stage where old women and men should not be asked to journey out into the night to the back of their yards in order to go through the **normal** things that happen to the human body. I would seriously suggest to the Government to adopt the Labour Party's policy **and try** to put it into effect as soon as possible in **the** interest of the public.

There is another aspect of public conveniences, Mr. Acting Speaker, I would like to refer to. It must not be thought that there will not be continuing need for public conveniences in **areas** where the public has to go regularly, whether it be in Farley Hill in St. Peter, or even nearer to us here in Bridgetown. I **am** still appalled at the way in which some members of the public continue to treat some of the existing public conveniences, in our bus stand in particular, and I think that Barbadians must become public proud and not merely house proud. It is time they become public proud about their country, about the facilities that **are** provided at their expense, and try to have as high a standard as one would find in other places.

There is still, in my view, a continuing need for upgrading facilities in Bridgetown. Very often, for instance, in my own office I have to make facilities available to members of the public **walking** in off the road, and that is not good enough. I want to say a word, **too**, for areas **like** Accra, which is a public beach, **accessed** on a daily basis by hundreds, and in some cases thousands, of **people** and there is really no proper public convenience in that area. Whilst I recognise that after the upgrading of the facilities along that highway under the sewerage project it will be easier to deal with that problem, I would not want it to be forgotten as one of the areas.

I want to summarise by saying, **firstly**, that there is a dire need for us to implement the policy to help those citizens who cannot afford it to have **waterborne** facilities in their households; secondly, there is a continuing need for existing public conveniences to be properly used and, if necessary, one has to look at ways of instilling within the minds of the public at large that there is a public health as well as an aesthetic consideration involved in the use of these facilities; and thirdly, Sir, I wish to stress the continuing need in areas to which the public have access for pleasure and leisure in particular that the facilities

be **upgraded**. That includes property owned by the Government – for example, the Garrison, could do with ... and I hope **that** the Turf Club people, now that they **are** spending **some** of the Lotto money, would upgrade the facilities in that **area** for the public at large and put in place, continually, persons to attend to their needs.

I go into countries overseas, particularly in Europe and North America, and you walk into a public convenience, it is tidy, nobody is rude to the attendants, if necessary you leave a tip as you go out, and there is some **pride** in this. I believe those of us in public life have to **speak** pretty bluntly to **the** public on matters of this nature. I do not understand why we must believe that we have to be less than Third World. You go into Singapore and you see that people do not go about spitting as though **the** end of **the** world is **near**, they do not throw things out and I really must appeal to **Barbadians** at this time to show that sort of care in the facilities which are being provided for **them**.

I **am** indebted to you, Sir.

Hon. B. M. TAITT: Mr. Acting Speaker, my intervention is very short. I just rise to say I welcome the statement by the **Leader** of the Opposition, who has just sat down. I think **that** one of the ways we are going to be able to ensure **that** the public message is fully made to all and sundry is when we have a joint approach in our public utterances. I know the Honourable Member or the City who has been a Minister responsible for Health has made public statements along the same line. I recall sometime ago in this House when I made a statement about the way some men were continuing to **use** the alleyways in the City there were some people who felt I was somehow interfering with the rights of people. But I welcome this statement because really, it is an embarrassment to us as a country to have... 1.00 p.m.

Asides.

Hon. B. M. TAITT: Yes. They were on the call-in programmes. People were calling in saying that we were somehow trying to interfere with them. The fact is, Sir, that one of the things which we have said to the Environmental Engineering Division of the Ministry of Health is that where new public buildings are replacing old public buildings in the Bridgetown area that they must make proper provision for sanitary conveniences in their public places. It is not good enough as we go towards the 21st century for a store to be built to cater to the public and it does not have enough facilities for use by the public. One of the things we have been insisting on along with the Town and Country Planning Department is that structures for commercial use must have appropriate facilities for public **use**. That is one of the continuing things.

On the South Coast. The Honourable Member **correctly** said that we **are** awaiting instead of attempting to put a facility on the Accra Beach we **are** awaiting the South Coast Project which is much nearer beginning than it was. It is my understanding that during the month of December we should have the approval by the IADB of **US\$75** million loan which should see us beginning that project which has been a long time in gestation and I hope **that** at **that** time we will be able to have the kind of facilities along the South Coast which the Honourable Member and all of us **are** agreed.

I believe that it is now common ground between the political parties **that** our ultimate aim in Barbados must be to have running water and water borne facilities in each of the houses in Barbados. I think it is important **that** people realise that there **are** still pockets of poverty in this country where people are living in conditions that are not as ideal as we would all like to **see** and to the extent that it is feasible **that has** to be one of the aims of any political party and certainly it is the aim of the Government.

The existing public conveniences that **are** in Bridgetown do suffer from vandalism. It is remarkable that a facility on which you have spent a substantial amount of money for upgrading – there are 2 in Bridgetown and we have spent money on them – within a very short time have been ill used. We simply have to go on spending the money on them because public health demands it and I **am** glad to welcome the statement of the Leader of the Opposition because it means we **are** joining forces in saying to the public, "A plague on both your houses. We **are** not going to stand for that sort of anti-social behaviour by a very small minority." It is a very small minority of the people of Barbados who continue this heinous practice of defecating in public places etc. I **am** grateful to the Honourable Member.

Mr. DeL. O. BRADSHAW: The Minister in introducing this Resolution mentioned that there were 34 odd buildings and some of them have already been allocated. If I recall to the Community Development Division and some of **them** have already been disposed of. Since I did **not** hear the Minister mention the facility in South District I would want to **draw** to his attention **that** I have been reliably informed that there is an area of land aback of the facility there which is being offered to provide for a playing field and since the public bath runs on to the road and it is the area through which you gain access to this area of land I would like the Minister to consider retaining that particular public bath so that access could be gained on to the playing field.

I was there when the arrangement was **made**. If that is disposed of then there will be difficulty in gaining access on to the playing field. So I am asking the Minister if he could consider retaining it. It would save the Government

some money and at the same time it will enable the youth in the area to have the facility promised to them. I think the Government will be wise in taking that decision in allowing that particular bath to remain in its keep until the land is officially given to the youth in the **area**.

Hon. E. E. GREAVES: Mr. Acting Speaker, as regards to the question raised by the Honourable Member who has just taken his seat. I am in no position to speak to that. I have taken note of what he has said and we will have to investigate on that particular matter.

The **Honourable** Member for St. Peter raised a question about the price of the land which is being sold to Mrs. Hinds. I think one should point out that all of these properties were advertised for sale and offers were requested. In this particular instance, the Mrs. Hinds submitted an offer. Her offer was not the highest one. She submitted an offer of \$8 500. The highest offer received was for \$10 000. However, she keeps her business next to this particular area and it was felt that in the circumstances the property could be offered to Mrs. Hinds if she brought her offer up to the highest bid. That is what she did and as a result this is why the price is what it is. All of them were advertised and invitations were made in respect to the price which was going to be offered. Basically that is what it is and that is all I can tell you about that.

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

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

ORDER NO. 12 - RESOLUTION TO APPROVE THE
SALE TO **ERNEST ALLEYNE** OF LAND AT
BAYWOODS, ST. JAMES

Hon. E. E. GREAVES: Mr. Acting Speaker, I do not intend to go through the litany of information since I did it in the first one. I merely would **ask** that this Resolution to approve the sale of land under Section 5 of the Crown Lands (Vesting and Disposal) Act, Cap. 225 to **Ernest Alleyne** at **Baywoods**, St. James for the establishment of a pharmacy do now pass.

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

Mr. G. W. PAYNE: Mr. Acting Speaker, I welcome the Honourable Minister's explanation relative to the criteria used at arriving at the price with respect to the public convenience in St. Peter. I would like to know from the Honourable Minister what criteria is used by the Minister in selecting the persons who are actually buying the respective **lots** in these areas. I would have thought that the owners of the adjoining lots would be the people who would be considered first in this selection process. In situations where there is a residential area and the project

is a commercial one, I would have thought that the owners of the adjoining lot who would want to use the particular **area** as part of their residence would be considered **first**. Certainly, the Honourable Minister would be in possession of the information relative to this particular lot.
1.10 p.m.

My understanding is that a number of persons had expressed an interest in this particular public convenience. It is somewhat strange that it is being offered to someone who is using it for commercial purposes and the people who were interested in the actual **area wanted** to use this particular convenience as an extension of their residence. I would just like to know from the Minister what is the criteria that was used in **the** actual selection of this particular person for this convenience.

Hon. E. E. GREAVES: Mr. Acting Speaker, the **note** on the file here in 1987 states that there is a Mr. **George Clarke** who owns the adjoining property to **the** west of the public convenience. He offered to purchase the **property** to enhance his own property. His offer was **\$12 500**. There was another offer from a lady who lives in England of **\$10 000**. There was another one for **\$12 000** and one for **\$15 000**. From what I could **see** the offer which was accepted was one for **\$17 000**.

The fact is, as I said, that these properties were advertised, **offers** were invited and we **sought**, therefore, to sell to the highest bidder in the particular circumstances. That is the explanation which I have for this particular **one**. If we had come in here and disposed of it to the person who had offered **\$12 000** **then** that would be another **cause** for complaint. I could very well understand the particular concern but the fact is this is really what the position is as far as the offer is concerned.

I beg to move that the Resolution do now pass.

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

ORDER NO. 13 - RESOLUTION TO APPROVE THE
SALE OF LAND TO WYCLIFFE ESTWICK AND
ELAINE ESTWICK AS A **RESIDENCE** AT
VENTURE, ST. JOHN

Mr. ACTING SPEAKER left the Chair and **Mr. DEPUTY SPEAKER** assumed the Chair.

Hon. E. E. GREAVES: Mr. Deputy Speaker, this Resolution **seeks** to approve **the** sale under Section 5 of the Crown Lands (Vesting and Disposal) Act, Cap. 225 to Wycliffe Estwick and **Elaine** Estwick of a **parcel** of land together with the building **thereon** situate at Venture in the parish of Saint John for the **purposes** described for the

sum of \$8 500. They propose to use this **as** a residence. The Chief Town Planner **on** March **15**, 1991 granted permission for **the** erection of a residence on the said **property**.

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

Hon. N. K. SIMMONS: I beg to second that.

Mr. H. **deB.** FORDE: Mr. Deputy Speaker, prior to your assuming the chair the Honourable Member for St. **Philip** South **sat** in the chair and performed very well. I would like the record to show that he did an excellent job.

Sir, I intervened to take up a point which was raised by the Honourable Member for St. **Andrew** which I feel had some validity and ask the Government when it is dealing with these matters not merely to take a decision based on **people** bidding and what they think is the highest bid price at the time. Surely a person who is going to use the land for commercial purposes would, of course, bid higher than a person who wants to keep **the** land for residential purposes. That consideration must be taken into account.

The usual practice when Government is abandoning an acquisition or returning land that has been acquired, is for the Government first to offer it back to **the persons** from whom they compulsorily purchased **that** land if those persons are still in the **area** or have a continuing interest. That is based on very good jurisprudence. There was a very long and hard fought case in the House of **Lords** a couple of years ago on this particular point. Government runs the risk of selling to outside interest and ignoring particularly adjoining owners whose lands had previously **been** taken many years previously if it does not offer them the opportunity to get the land back.

Secondly, Sir, I would want to say to the Government that it is a fair policy where there is an adjoining owner – we **are** dealing with small parcels of land – to give them, once the price is reasonable, an option in preference to other people who are coming in from outside and probably wanting to establish some other business. Those matters should be taken into account.

Whilst I understand the Minister's explanation that there was open bidding and he looked at what was the highest price, I would like to say to **the** Government that sometimes as in one or two instances, it may not be fair to take just the highest price in those circumstances. I really hope that the policy will be a total policy and not a policy based simply on the criteria of what is the highest offer that the Government has received.

Hon. E. E. GREAVES: Mr. Deputy Speaker, I just want to assure the Honourable Leader of the Opposition that in making a decision of this nature **the** total picture is

taken into consideration. I got the **impression** when the Honourable Member was speaking that he was suggesting that the land at **Heywoods** in St. **James** was **acquired** from the adjoining area. As I understand, it was not **acquired necessarily** from the adjoining owner. I understand the point which he **made** about the legal position that if Government acquires land for a particular purpose from an individual and then is going to dispose of that land subsequently that, to some extent, the Government should offer the owner from whom they **acquired** the land the first option to get the land back. We are at one with **that** but this is not the **case**.

I should further state that, **as** I understand it, the person who is buying this **particular** land, Mr. **Alleyne**, lives just 2 houses away from this particular spot so it is really being sold to some person who is within that particular area. It is not always that the highest bidder is the person who gets the area of land. I just want Honourable Members to understand those **are** the **kinds** of reasons which we bring to **bear** on **determining** these matters.

With those remarks, Sir, I want to move that this Resolution do now **pass**.
1.20 p.m.

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

ORDER NO. 14 – RESOLUTION TO APPROVE THE
SALE OF PROPERTY AT VAUXHALL, CHRIST
CHURCH TO DAPHNE DEAR FOR THE
ERECTION OF A RESIDENCE

Hon. E. E. GREAVES: Again, Sir, I beg to move the passing of this resolution to approve the sale under Section 5 of the Crown Lands (Vesting and Disposal) Act, Cap. 225 to Daphne Dear of land at Vauxhall, Christ Church for the erection of a residence. If I could just put it in perspective, in a very clear way, the consideration which is given to the disposal of these areas. **Let** me say for the record, in very clear terms, **that** the preference is usually given to applicants who meet one or more of the following criteria:

- (a) that the applicant being the former owner or estate of the former owner of the land makes a reasonable offer;
- (b) that the applicant being the owner of adjoining lands makes a reasonable offer,
- (c) that the applicant makes the highest offer; and
- (d) that no applicant is recommended for more than one property.

Basically these are **the** criteria which apply and generally speaking accord to what the Leader of the Opposition **has** indicated. So **that** we **try** **wheresoever** possible to be reasonable in our **disposal** of these properties.

With those **remarks**, I beg to move, Sir, that this resolution do now pass.

Hon. W. O. FRANKLIN: I beg to second that, Mr. Deputy Speaker.

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

Mr. **DEPUTY SPEAKER**: Order No. 6.

ORDER NO. 6 - MISCELLANEOUS AMENDMENTS BILL, 1992

Hon. B. M. TAITT: Mr. **Deputy** Speaker, Sir, this amendment is one which **seeks** to change the functionary responsible for the registration of pharmacies which according to the original Act is the Registrar of the Supreme Court. The Registrar of the Supreme **Court** **has** indicated, on more than one occasion, **that** in her opinion this **matter** ought not to rest with her and as a result no pharmacies have been registered in Barbados, according to the law. **After** discussion and continuous discussion with the Registrar a solution was offered and this solution is that the Registrar for **Pharmacies** should now be the Corporate Registrar, that is, the Registrar of Corporate Affairs and Intellectual **Property**.

Originally an attempt was made to amend the Pharmacy Act but it soon became obvious **that** it would be necessary to amend the sister Act and so this amendment to the Pharmacy Act has come by way of a Miscellaneous (Amendment) Bill because it **seeks** to have a consequential amendment in a related Act. It is a very simple matter and I do not know **that** there are any policy implications which require any long debate. But if there are any Honourable Members who have any questions on the matter, I shall be happy to answer them.

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

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

Hon. H. B. St. JOHN: Mr. Deputy Speaker, I think that we are in grave danger of using the Corporate Affairs and Intellectual Property Office, **an** office that was designed to perform in a very highly specialized area as the dumping ground. It would seem to me that the logical place for the registration of pharmacies is with **an** officer designated in the Ministry of Health.

The next thing I am going to hear is that the Department of Corporate Affairs and Intellectual Property is to be the place where you register doctors, where you register other things. It seems to me here, Sir, that no thought has gone into this at all. The **proper** place for the registration of **pharmacies** can only be one **department** of Government. If you do not want to put it in the Ministry of Health, put it in the Ministry of Labour. After **all** you would like to know then who the pharmacies are so that you could put them in a register and the Income Tax Department would know who were operating. But it has absolutely no connection at **all** with the Registrar of Corporate Affairs and Intellectual Property. What you should be doing about the Department of Corporate Affairs and Intellectual Property is you should be sending people to the British Virgin Islands which has registered 50 000 companies and has the most **efficient** computerized system of company registration in the whole world. And what is more you should be seeing that the regulations under the Intellectual Property Laws which are there should be modified if necessary in the light of your experience.

You are going to sit down in here now and tell us that a big department that was created with a whole design, a design to ensure that you have people in there whose day to day business was going to be servicing this very important area of law, who will be familiar with international conventions governing this particular area of law... What is the registration of pharmacies to do with intellectual property? It has absolutely nothing. The Ministry of Health should be the registry. Designate somebody in the Ministry of Health - **the** Chief Pharmacist or somebody - to be the Registrar of Pharmacies. The Minister of Health should have taken upon himself the power under the Act, by way of amendment, to designate an officer in the Ministry of Health to be the Registrar. In the Ministry of International Transport you have a Registrar of Shipping, an officer designated by the Minister. Why can you not use that formulation? You are just trying to use the Intellectual Property Act as the **dumping** ground, as the last resort. Why not put it down in the Archives **or** put them somewhere else? No thought of any kind has gone into this, absolutely no thought. **It** is a bad piece of legislation. I cannot support it.

Asides.

Hon. B. M. TAITT: Mr. Deputy Speaker, if I may offer a small contribution from a shallow brain, Sir, may I draw to the attention of the Honourable Member that that same Honourable Member from time to time comes in here saying how the Minister's responsibility is to do Ministerial work. I do not get paid as a legal adviser. What is the Honourable Member **talking**? If we have been properly advised by the legal adviser to the Government where a matter should go, how dare the Honourable Member come in here quarrelling with the Ministry of Health?

The Honourable Member knows better than anybody else or ought to know. He is being reckless.

Asides.

Hon. B. M. **TAITT**: Sir, the Honourable Member knows there is no policy. In the **first** instance the registration of **the** pharmacies has **to** do with registration. It has nothing **to** do with pharmacy *per se*. It has nothing to do with health *per se* except that in the same way that shops have to be registered, that other things have to be **registered**, it has to be registered.

let me ask you a question, Sir. Why did the Honourable Member who passed the Bill – **the** Barbados **Labour** Party passed the Pharmacy Act – why did they not put it under a designated person then? They put it with the Supreme Court **Registrar**. That is where they put it. And the Supreme Court Registrar says she is not doing it.

Aside.

Hon. B. M. **TAITT**: What do you want me to do? As a matter of policy. Why do you not put it where it should be? **The** Honourable Member had the opportunity to put it in the Ministry of Health. The Honourable Member did not put it in the Ministry of Health but now he is behaving in a way that is unbecoming of a senior statesman. All we are trying to do is **to** correct the mischief **that** has been created by the **Honourable** Member. The **Honourable** Member advised, that Honourable Member advised the then Government where **to** put it. He was the one they turned **to**, Sir, on **corporate** matters.
1.30 p.m.

Hon. H. B. St. **JOHN**. That is a direct accusation of factual inaccuracy. The Honourable Member cannot get up in **here** ... Seriously, Sir, on a point of order, the Honourable Member cannot get up in here and point to another Honourable Member and say that **the** Honourable Member advised A, B or C, when the Honourable Member knows **that** that is **untrue**. You know it is untrue. You are a deliberate liar for saying that.

Hon. B. M. **TAITT**: I do not **know** it to be untrue, Sir, because he, himself, says it is a matter of policy. He said it is a matter of policy and not a matter of law. He was the Prime Minister and if it is a matter of policy and he was the Prime Minister, chairing the Cabinet, when it was done I have to assume that he participated in the advice. It has nothing to do with law. He was an adviser therefore he was the **person** who advised.

Hon. H. B. St. **JOHN**: The Honourable Member cannot get up in here and on his feet make a statement

which the Honourable Member knows **to** be untrue. The Honourable Member knows that statement is untrue. He has absolutely no documentary evidence to support it. He knows it is untrue and a person who gets in here and makes an untrue statement about another Honourable Member is guilty of a breach of the Rules of this House.

Hon. B. M. **TAITT**: If the Honourable Member is saying that he has not advised the Government, as a matter of policy, on pharmacy in the past, I withdraw the imputation, Sir. I withdraw any imputation that the Honourable Member was in a position **to** advise on any policy regarding anything of substance during his time as Chairman of the Cabinet.

I think, Sir, it is improper. It is **certainly** intellectually absurd for an Honourable Member who had the opportunity in the original formulation of the policy and in the creation of the Act to come in here subsequently **and** raise questions about where a particular functionary should be. I am saying, Sir, that a Minister of Health, who was in **fact** the individual who discovered that the pharmacies were not being registered according **to** law, **and** the file shows, Sir, that the Minister said the **pharmacies** must be registered. I don't care who registers them. After consultation between the powers that be it was decided that the proper place is in the Ministry of Corporate Affairs, under the Registrar because the pharmacies being registered fall in line with other places of business being registered. So the issue here is not pharmacy *per se*, the issue is registration of businesses. But it was considered that pharmacies ought to be treated slightly differently than shops and that is why, originally, it was put with **the** Registrar.

Sir, in all the circumstances if the Honourable Member is suggesting, quite seriously, that they should be treated the same as the Shipping Act is treated, it is a matter to which we will give some consideration. In fact it has taken so long for us to reach this point, Sir, I believe we have to make sure the pharmacies are registered.

I therefore 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 read a second time was put and resolved in the affirmative without division.

On the motion of Hon. B. M. TAITT, seconded by Hon. W. O. FRANKLIN, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee, Mr. L. L. BRATHWAITE in the Chair.

COMMITTEE

Mr. **CHAIRMAN**: The House is in Committee.

Hon. B. M. **TAITT**: Sir, in moving Clause 1, during the second reading, I did not have it to hand, but in fact the Pharmacy Act is Chapter 372D and the commencement date is May 31, 1986. The Honourable Member really suggested that I might have been misleading the House. I really was not trying to mislead the House. It was in fact passed during his time. The commencement date is May 31, 1986. I merely made the point that the Pharmacy Act which we are amending, was properly within the Ministry of Health but it was specifically taken out. That is the only part of the Pharmacy Act where registration was moved away from the Ministry. One has to assume that it was a deliberate policy, then. The Pharmacy Act is administered by the Ministry of Health, but in the Pharmacy Act itself the provision of registration was made for the Registrar of the Supreme Court so this means there had to be a deliberate policy position.

I beg to move that Clause 1 stand part.

The question that Clause 1 stand part was put and resolved in the affirmative without division.

Hon. B. M. **TAITT**: I beg to move that Clause 2 stand part.

Hon. C. V. **WALKER**: I beg to second that, Sir.

Hon. H. B. St. **JOHN**. The Pharmacy Act, Sir, was passed in 1984, No. 14, and it commenced in May 1986. Section 3 of that Act made it abundantly clear that subject to section 4, no person shall engage in the practice of pharmacy unless he is registered as a pharmacist under the Profession, Trade and Business Registration Act.

Now, the Profession, Trade and Business Registration Act sets out what was an omnibus law and it included a whole scheme for the registration of business, trade, and if we would look at that, Sir, it dealt with a very wide category of persons, Sir. The position is that we are now told that the Registrar states that they are not registering.

Aside.

Hon. H. B. St. **JOHN**: That is what you said. The Registrar of the Supreme Court says that no longer ...

Mr. **CHAIRMAN**: Two Honourable Members are on their feet

Hon. B. M. **TAITT**: I think the Honourable Member, in his haste to score the point is missing the issue altogether. Pharmacists will still be registered by the

Registrar. The point is being missed and I don't want to say deliberately. The pharmacists will still be registered by the Registrar. It is the pharmacies, and if the Honourable Member, instead of looking at section 3 would turn to section 14 of the Pharmacy Act he would see that the Registrar shall keep and maintain a register to be known "The Register of Pharmacists" in which he shall record the names and such particulars as may be prescribed, of all persons registered by virtue of section 4 or deemed to be registered under section 5. The Register is open to inspection by members of the public each working day during office hours. Now that is the register of pharmacists.

The registration of premises can be found on 16(1). It is the registration of premises in a sense, Sir, that we are moving from the Registrar to the Corporate Affairs person. That is all that we are doing with this amendment. I do not have any difficulty with that. If the Honourable Member is prepared to say that in his opinion that should be with the Ministry of Health, I do not have any difficulty with that. But if it has gone to all of the legal people, and I am not talking about the Attorney General, and they have said that it should be with the Corporate Registrar, do you want us to beat somebody over the head?
1.40 p.m.

Hon. H. B. St. **JOHN**: I just want you to use a little common sense and know that is the incorrect place for it. If one Registrar says that is not within the purview of that Department in his opinion, do you expect that you are going to get any kind of cooperation at all from another Registrar? They regard this matter as being logically part of the work of the Ministry of Health. In the absence of a clear head, the body will rule and that is your problem. You do not have any direction from the top so everything breaks loose.

The basic position is, Sir, that the registration of premises is obtainable by presenting to the Registrar a certificate issued under Section 15(2) and paying to him such fee as the Minister of Finance decides. We must go through this, Sir, because this is so illogical. It says this, Sir: "No person shall whether on his behalf or on behalf of another person operate a pharmacy on any premises unless the Council has with the approval of the Minister certified that the premises as being suitable for operating a pharmacy."

In other words, there are criteria established in Section 15 to determine the suitability of the premises. Sir, what Ministry deals with that? There must be a Ministry that deals with that, Sir. Why cannot the same Ministry that has to go through all of the criteria set out in Section 15 be the appropriate Minister? Now who is that Minister? I would like to know, Sir. Perhaps the Honourable

Member can enlighten us, Sir. I **am** looking here but I do not **see** it. It is not the Minister of Finance. This is a very, very serious matter because we are really doing something here which is not going to **work** in practice. I warn them, Sir. There is no **definition** of Minister. That means that under the Interpretation Act, as I understand it, the Minister would be the one responsible for it and the person who is responsible for that is the Honourable Member in his capacity as Minister of Health.

When you read this and you look at these Acts, it is very, very clear that with a clear mind you will come to the inescapable conclusion that if you have to inspect the premises that you are the one to keep the register. In the hotel business, the Tourist Board is the inspector and they keep the register. Now what are you telling me? Criteria is set out here to determine the eligibility. Why do you not carry your responsibility to the logical conclusion? The people in the Ministry of Health must carry their logical responsibility, Sir. **These** are very serious points. Do not let us pass foolish legislation in here. I **am** telling you, Sir, that it is going to go over there and there will be a book. It will be thrown one side and they are going to say put it in that book over there.

Hon. B. M. **TAITT**: I understand the Honourable Member, Sir, but I wish to draw to his attention that it is necessary for us to deal with this. On November 22, 1989, we wrote from the Ministry to the Registrar of the Supreme Court who according to law is responsible for registering pharmacies. Now I was not there when it was decided who would register pharmacies. The Registrar responded by saying that the Registrar was always of the view that it is a matter that ought not to be registered by the Registrar and, therefore, she was surprised to see that we were writing to **ask** for registering. On March 6th, the Minister whose head was very clear on the matter said, "The urgency of the matter should be made quite clear. The Attorney General should direct us on the next step because they set out and outlined what the problem was." We received a response from the Deputy Solicitor-General which said, "Your letter refers, the Pharmacy Act, Cap. 372D is clear as to Registrar. Section 2 of the Act defines Registrar as follows: It means Registrar of the Supreme Court. It is not evident to me the basis for non registration by the Registrar of the Supreme Court. It is my view that the Registrar of the Supreme Court is the officer legally charged with the function of registering pharmacies in accordance with the Act, Cap. 372D."

Now that was the statement of the law. The matter was drawn to my attention and I said, "The urgency of the matter, that is registering the pharmacies, should be drawn to the **Registrar's** attention as well. Please continue action." This was 1990 when I wrote that.

Finally, the Permanent Secretary **wrote** long Minutes and then eventually there was a meeting which said that on December 18, 1990 the Deputy **Permanent Secretary** in the Ministry of Legal Affairs **wrote**: "This refers to your Memorandum **so** and so of 1990/11/05." Do you understand the correspondence going on all of the time but the pharmacies are **not** being registered? It goes on as follows: "I **am** not yet in a position to respond substantively on the matter but hope to be in a position to do **so** early in 1991."

We got a communication on January 18th and they decided that the Ministry of Legal Affairs would have a meeting on Friday, February 1, 1991. Here is what happened. At its meeting of the date 1991/2/20, the **Pharmacy** Council discussed the matter for certification of premises and the registration of premises as they relate to pharmacies in Barbados. This is **the** Council raising questions with the Ministries. It said, "The non certification of pharmacies, among other things, continues to be a source of **great** problem for the Council and indeed **the** practice of pharmacy. Without certification, **Council** is not in the position to know the important details of a pharmacy and its practice. This information is critical to Council if it is to perform its duties within degree of satisfaction."

Back and forth this went, Mr. Chairman, and the Permanent Secretary in the Ministry of Justice and Public Safety, as it now was, wrote the following: "On July 15, 1991, among other things, I have been directed to **make** yet another effort and I **am asking** you to be good enough to arrange for representation for a meeting to be held on Friday, July 26th at 10 am. at the Conference Room." 1.50 p.m.

Mr. Chairman, I just wish you to be aware that when the Honourable Member starts talking about clear-headedness on the part of a Minister, a Minister can direct the policy. The Minister cannot draw up the legislation, he cannot come in here on a Tuesday and say: "Fellows, I would like to have **so** and **so**," it has to be **done** in a particular way which the **Honourable** Member knows about. I think it is unacceptable for him to be making the kind of points he is **making**.

We went through this thing, Sir, and on 11th November, 1991 I wrote on the file as follows:

"It is obvious that there is an administrative bypass at work here. I will leave you to deal with this further."

Aside.

Hon. B. M. **TAITT**: We dealt with it.

Aside.

Hon. B. M. **TAITT**: Tom **Adams** used to do this, Sir. On 15th April, **1992** this is what I wrote on the file:

"This is a triumph of an adamant, petulant public officer over an entire system."

I am not going to **read** any more of the Minute I wrote.

We finally went to the Cabinet and we sought to have this matter dealt with. The Cabinet agreed that the draft Pharmacy (Amendment) Bill should come to the House of Assembly. Subsequently it was discovered that the Registrar of Corporate Affairs is also dealing with intellectual property.

Aside.

Hon. B. M. **TAITT**: No. I **am** saying it was discovered, because apparently it 'was not discovered before. I once again said: "Whatever you can get done let us do it." Here we are, Sir, the draft Bill is before the House.

Now, the Honourable Member seems to be asking me to postpone this. Not me, I am not postponing it, I **am** sorry. I will give consideration to what the Honourable Member is saying, but somebody has to be responsible for registering pharmacies in Barbados, and in the meantime the legal officers say it should be the Registrar of Corporate Affairs. I will go along with that and we will register them there. I have tried from **1990** to get the pharmacies registered. I am telling you, Mr. Chairman, and I **am** telling this Committee that some kind of registration has to occur. That is my responsibility, so we are going to see that somebody will be responsible for it.

Mr. Chairman, Sir, that is all I have to say.

Mr. D. A. C. **SIMMONS**: Mr. Chairman, the simple point in **all** this confusion can be stated thus: The Registrar of the Supreme Court registers annually a list of persons qualified to practise as pharmacists. The problem in the Registry in relation to the registration of pharmacies, the buildings, was that the Registrar of the Supreme Court was of the view that her department did not have the staff **or** expertise and, where relevant, the equipment to go around from parish to parish in Barbados inspecting every building where some pharmacist was running a pharmacy and then, as a result of that inspection, coming to the conclusion that the **pharmacy** satisfied the conditions of the Act for the purpose of the Minister's issuance of a certificate. I do not think there is anything unreasonable in that. The Registrar does not go around inspecting the lawyers' offices, food establishments **or** whatever, so that the view, as I understand it **from** within the Registry, is that administratively it would have been more convenient and appropriate, as the Honourable Member for Christ Church

South said, to designate an officer in the Ministry of Health who would carry out the inspections, because that is really where the administrative bypass you....

Hon. B. M. **TAITT**: Mr. Chairman, if the Honourable Member would give way, so we do not get confusion, there is a **Drug** Inspector, under the Drug Act, who inspects every pharmacy for the efficacy of the pharmacy. Do you understand? This is the registration called for in the Pharmacy Act. There is a difference. It is just like you have Food Inspectors and other Inspectors who go to establish.... This is to establish that the entity is a **bonajide** registered entity; that is all. It is like a shop.

Mr. D. A. C. **SIMMONS**: Sir, the Minister has just answered the problem I was coming to when I said that there should have been a public officer designated within the Ministry. Surely, these responsibilities could have revolved upon the same Drug Inspectors and we would not have needed **all** of this. All that this side is saying is that we have **made** worse the bureaucracy that has held up this matter for so many years and it is going to flounder in further bureaucracy if we are not careful. All that needs to be done is for a regulation to be passed or an amendment made to the Act to designate the officer in the Ministry of Health, such as the **Drug** Inspector.

Hon. B. M. **TAITT**: Mr. Chairman, I do not disagree with anything the members have said. I will postpone it, but I want to make the point that the Honourable Members must understand that they are not there individually making a **U-turn** on the issue, because the Registrar said: "I have been expressing the view from the drafting stage of the legislation that the Registrar of the Supreme Court is not the proper officer to deal with the registration of pharmacies." If this was happening during your time, there must have been some reason why you decided that you wanted the Registrar to register the pharmacies.

Asides.

Mr. **CHAIRMAN**: The asides are **too** loud.

Hon. B. M. **TAITT**: The Honourable Members will see that I am not an unreasonable person.

On the motion of Hon. B. M. TAITT, seconded by Hon. C. V. WALKER, Mr. CHAIRMAN reported progress and asked for leave to sit again, and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.
2.00 p.m.

SUSPENSION

Hon. B. M. **TAITT**: Mr. Deputy Speaker, it is now 2 o'clock and I beg to move this sitting be suspended until 3 o'clock.

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

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

RESUMPTION

Mr. **DEPUTY SPEAKER**: This sitting is resumed.

Hon. B. M. **TAITT**: Mr. Deputy Speaker, I would be **grateful** if Your Honour would return to Statements by Ministers.

Mr. **DEPUTY SPEAKER**: The Minister is seeking leave to revert to Statements by Ministers if there is no objection.

STATEMENTS BY MINISTERS

Hon. D. J. H. **THOMPSON**: Mr. Deputy Speaker, a policy of privatising state-owned enterprises is a major component of the measures which Government is implementing to stabilise the economy and lay the foundation for future economic growth.

The **Prime Minister** and Minister of Finance and Economic Affairs in a recent address to the private sector stated that the privatisation programme will seek to achieve the following objectives:

- (i) To reduce the fiscal deficit to around 1% of the Gross Domestic Product by curbing the growth of public expenditure;
- (ii) to transfer ownership and control of certain state-owned enterprises, in whole or part, from the public to the private sector;
- (iii) to modify undue public sector involvement in economic activities and curtail the drain on scarce public resources;
- (iv) to improve efficiency, competitiveness and output in the economy by cutting waste wherever possible, and by encouraging the private sector to play a leading role in helping to expand the economy;
- (v) to concentrate public sector expenditures generally in the areas of infrastructure and human resource development, and on the social services for equity in a just society, but targeting specific areas for economic development in the national interest through incentives or by other means;

- (vi) to reduce foreign and domestic debt by raising cash through the sale of public assets, thereby improving public finances;
- (vii) to promote modernisation through the attraction of new investment to stimulate growth;
- (viii) to restructure and upgrade the services offered by the retained state-owned enterprises, with greater emphasis on profitability;
- (ix) to develop and strengthen the domestic capital market by increasing the number of share offers; and
- (x) to improve access to the international capital markets.

As the **Government** implements the programme of privatisation it will utilise, as appropriate, some or all of the following **modalities**:

- (i) partial or total divestment of several state-owned enterprises;
- (ii) leasing of certain facilities to the private sector;
- (iii) management of state-owned installations by private sector management contract;
- (iv) construction of new projects through innovative "Build-Operate" or other arrangements;
- (v) full or partial management or staff buy-out of state-owned enterprises or facilities;
- (vi) incorporation of selected government departmental operations.

The scope of the programme will be reviewed and **determined** from time to time. Its current scope, including those state-owned assets already privatised, is as follows:

1. State-owned Enterprises already privatised:

Barbados External Telecommunications Ltd.
 Barbados Telephone Company Limited
 Barbados Mills Group:
 Barbados Mills Limited
 Barbados **Feeds** Limited
 Super **Poultry** Farms.

2. State-owned Enterprises approved for privatisation in the process of being privatised:

Arawak Cement Company Ltd.

Barbados National Oil Company Ltd.

Barbados Transport Board

Heywoods Holiday Resort

National Petroleum Corporation.

3. State-owned Enterprises approved for privatisation October 1, 1992 through sale of shares

Insurance Corporation of Barbados

Caribbean Aircraft Handling Company

Caribbean Broadcasting Corporation.

Government intends to utilise the privatisation programme as a vehicle for broadening the base of the share-owning public in Barbados. In the execution of this policy every effort will be made to ensure that the Barbadian public is kept fully informed of the state-owned enterprises to be privatised and of the consequential investment opportunities.

A variety of instruments will be used to facilitate the development of a broad-based share-owning class. Barbadians will have the opportunity to share in the ownership of **all** privatised enterprises. In some cases, Barbadians will be given the first option to purchase the equity of the enterprise through the reservation of shares. In other cases, market conditions and other considerations may dictate that the majority interest in the enterprises be sold to foreign investors. Where enterprises **are** sold to foreign investors, the Government will seek to **retain** a minority interest. This interest will be divested as appropriate either immediately or on a phased basis to the employees of the enterprise and the general public.

Government will also use the medium of the re-sell option to enable the Barbadian public to have access to shares initially purchased by foreign interests, which option forms part of the agreements with Cable & Wireless Limited and Maple Leaf Foods Inc. for the sale respectively of equity in Barbados External Telecommunications Limited, Barbados Telephone Company Limited and the Barbados Mills Group of Companies.

With the introduction of the privatisation programme, Government has clearly signalled its intention to reduce the scope of its operations in commercially oriented enterprises in favour of the private sector. For the first time ever the Barbadian public will be afforded the opportunity to become **stake-holders** in a variety of enterprises. The

implementation of the privatisation programme will have a significant beneficial effect on the economic growth and social stability of the country.

To date the following **divestments** have taken place:

- (a) **18 million shares** or **25%** of equity in Barbados External Telecommunications;
- (b) **1 605 124 shares** or **11%** of equity in Barbados Telephone Company Ltd.
- (c) **3 500 000 shares** or **50%** out of the Government's 60% equity in **Barbados Mills**, resulting in an inflow of **\$12.9 million**; and
- (d) **268 051 shares** or **13.4%** of the Government's equity in Barbados Dairy Industries Limited.

Other state-owned enterprises are actively being prepared for divestment. Arawak Cement Company Limited has been widely advertised for sale and an **Information Memorandum** on **the** Company has **been circulated** to interested parties. Consultants have been engaged to value and prepare **information** memoranda on Barbados National Oil Company Limited, the National Petroleum Corporation and **Heywoods** Hotel. Discussions **are** being held with an interested party for the sale of Government's remaining equity in Barbados Dairy **Industries Limited**.
3.15 p.m.

The Office of Privatisation has **been** created in the Ministry of Finance and Economic Affairs to be **the** focal point of the privatisation programme. The Office is currently staffed by a Permanent Secretary, a Finance Officer and an Administrative Officer. Consultants will be engaged as required to assist in the privatisation programme.

Operating procedures have **been** established to ensure that:

- (a) the process of privatisation is clear and understood by **all**;
- (b) the process will be open and that the assets **will** be exposed for sale in such a manner that **all** prospective purchasers have an opportunity to make a bid;
- (c) the selection criteria is clear and known to **all** interested **parties**.

The operating **procedures** will serve to ensure that the Government obtains the best possible price for each asset privatised.

Thank you.

Mr. **DEPUTY SPEAKER**: Government Business is now resumed. When the **House** was suspended the House **was discussing** Order No. 6.

**ORDER NO. 6 (RESUMED) - MISCELLANEOUS
AMENDMENTS BILL, 1992**

Hon. B. M. **TAITT**: Sir, on Item 6, when we were in Committee Honourable Members on both sides made contributions which suggest that it would be in the interest of all **concerned** if this **matter** could be given further and deeper consideration.

In the circumstances, I **beg** to move that further consideration of this Bill be postponed.

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

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

ADJOURNMENT

Hon. B. M. **TAITT**: Mr. Deputy Speaker, that brings us to the end of Government Business for the **day**. I beg to move that **this** House do now adjourn until Tuesday, November **17, 1992** at **12** o'clock noon.

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

The question was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER adjourned the House accordingly.
3.22 p.m.

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