

THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1994 - 99

HOUSE OF ASSEMBLY

Tuesday, June 27, 1995

Pursuant to the adjournment, the House of Assembly met at 11.15 a.m. o'clock on Tuesday, June 27, 1995.

PRESENT

His Honour I. A. ROETT, B.A., Dip. Ed. (Speaker)
His Honour R. D. MARSHALL (Deputy Speaker)
Rt. Hon. L. E. SANDIFORD, B.A., M.A., (Econ.),

J.P.,

Mr. B. M. TAITT, B.A.(Hons.), M.P.A., LL.B. (Hons.)

Mr. L. A. WEEKES, G.C.M., J.P.

Hon. O. S. ARTHUR, M.Sc. (Econ.) (Prime Minister, Minister of Finance and Economic Affairs, Minister for the Civil Service)

Hon. D. A. C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs)

Mr. D. J. H. THOMPSON, LL.B. (Hons.) (Leader of the Opposition)

Hon. Sir Harold ST. JOHN, Q.C., LL.B.

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

Hon. Miss B. A. MILLER (Deputy Prime Minister, Minister of Foreign Affairs, Tourism and International Transport) (Leader of the House)

Mr. J. O. TUDOR, J.P.

Hon. R. C. EASTMOND, J.P., B.A. (Hons.), Dip. Ed., LL.B.(Hons.), L.E.C. (Minister of Agriculture and Rural Development)

Dr. R. C. HAYNES, M.B., Ch.B., F.R.C.P. (Edin.)

Mr. D. CARTER

Hon. R. N. GREENIDGE, B.A., LL.B. (Minister of Labour, Community Development and Sports)

Mr. G. A. CLARKE (Parliamentary Secretary, Ministry of Public Works, Transport and Housing)

Mr. J. M. EDGHILL

Mr. F. J. STUART, B.A., LL.M.

Mr. W. C. C. CALLENDER, J.P., B.A., Dip. Ed., B.Sc. (Chairman of Committees)

Mr. R. St. C. TOPPIN, LL.B.

Mr. D. St. E. KELLMAN

Hon. Miss H. E. THOMPSON, LL.B. (Minister of Health and the Environment)

Hon. Miss M. A. MOTTLEY, LL.B. (Minister of Education, Youth Affairs and Culture).

Prayers were led by Rev. Father Ivan Harewood.

Mr. SPEAKER: The House is now in session. Minutes of June 20, 1995.

MINUTES

Hon. Miss B. A. MILLER: Mr. Speaker, I beg to move that the Minutes of the Proceedings of the Honourable the House of Assembly for Tuesday, the 20th day of June, 1995 which Minutes have been circulated be taken as read.

Hon. D. A. C. SIMMONS: I beg to second that.

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

PAPERS

Hon. O. S. ARTHUR: Mr. Speaker, I am commanded to lay Guarantees granted under the Exempt Insurance Act, Cap. 308 paid to the following:

Dover Insurance Inc.

IPL Insurance (Barbados) Limited;

MIC Life Reinsurance Company Ltd.

MIC Life Reinsurance Company - Canada Ltd.

Phoenix Guarantee Insurance Ltd;

Selecta Insurance Incorporated; and

Western Insurance Company (Barbados) Limited.

I am also commanded to lay the Consumption Tax Order, 1995.

FIRST READING OF BILLS

Hon. O. S. ARTHUR: Mr. Speaker, I beg to move that the Final Appropriation Bill, 1994-95 be read a first time.

Hon. D. A. C. SIMMONS: I beg to second that.

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

y Hon. O. S. ARTHUR: I also beg to move that the Bill to amend the Consumption Tax Act, Cap 63 be read a first time.

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

ORDERS OF THE DAY

Hon. D. A. C. SIMMONS: Mr. Speaker, there is on the Order Paper as Item No. 1 a Bill amending the Companies Act. Mr. Speaker, since that Bill was late in circulating submissions were made in respect of further amendments to the Companies Act and those amendments have been done. Honourable Members should now have a Bill which is in its terms the same as the original Bill plus a new division C(l) relating to Statutory Companies.

In the circumstances, Mr. Speaker, I ask leave of the House to withdraw the Bill that was originally circulated and of which notice was given on February 28, 1995 and in its place I beg to move that a Bill to amend the Companies Act, the second draft, be now read a first time.

Hon. R. C. EASTMOND: I beg to second that.

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

GOVERNMENT BUSINESS

SUSPENSION OF STANDING ORDERS

Hon. Miss B. A. MILLER: I beg to move that Standing Orders 6,16,18,20,42(5), 43 and 44 be suspended for the rest of this day's sitting.

Hon. D. A. C. SIMMONS: I beg to second that.

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

PRIVATE MEMBERS' BUSINESS

Hon. Miss B. A. MILLER: Mr. Speaker, I beg to move that Private Members' Business be the order of the day.

Hon. D. A. C. SIMMONS: I beg to second that.

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

ORDER NO. 3 - RESOLUTION OF NO-CONFIDENCE IN THE MINISTER OF EDUCATION

Hon. Miss B. A. MILLER: Mr. Speaker, in this connection, the Government had offered to the Honourable Leader of the Opposition to debate on this day at this time a Resolution standing in his name in respect of No-Confidence in the Minister of Education.

Mr. D. J. H. THOMPSON: Mr. Speaker, this Resolution stands in my name and therefore since I am the first speaker, I think that in the circumstances of this debate I should seek at the outset the normal traditions of Parliament to declare an interest in this matter and to let the House know that since returning to private practice in that capacity I have been retained by the principals of one of the companies involved in the tendering process and in particular Ometa Distributors Ltd. from November 14, 1994. I was retained in that capacity in the place of Mr. Elliot Mottley, Q.C., to replace him as the Attorney-at-law for the company Ometa Distributors. 11:25a.m.

Now, Mr. Speaker, Sir, the reasons for this motion are very simple. The first is that a statement was made to this House by the Honourable Minister of Education which was misleading and misrepresented the facts. Misleading this House is a very serious matter which the House looks upon as an act unworthy of a member of the House. But moreso, it is the kind of act that would lead Honourable Members to believe that they can have no confidence in the person who perpetrates such an act. The record of Parliament needs to reflect the truth rather than distortions.

The second point, Sir, is that in the statement conclusions were drawn which are unreasonable and

which are unfair. But worse than that, because it was in the form of a statement by a Minister, there was no right of reply in the House. Therefore, for the purposes of the record of the House, those statements remained on the House's record, and unless they are contradicted in Hansard, the public, or some unsuspecting historian, may believe those statements to be true. Therefore, it is necessary for the Democratic Labour Party to correct the record.

The third point is that it gives us the opportunity to get to the truth of this matter and to help the citizens of Barbados understand how the Tender system works, how it has been monopolized in the past in Barbados and how it is being monopolized now, particularly since September 6, 1994.

Mr. Speaker, I am also saying that the statement was calculated to destroy the reputation of honest citizens. It was a slur on my character. It sought to be a slur on the character of directors of a reputable institution in Barbados, other attorneys-at-law and former members of Parliament.

Mr. Speaker, I am also saying that the statement had an unconcealed motive. The motive was to terminate the contract with one of the persons to whom it was awarded for the supply of goods to the Schools Meals Service, not just kola syrup but a large number of goods, and to redirect those School Meals contracts in the direction of persons who support the Barbados Labour Party and that that motive...

Hon. D. A. C. SIMMONS: Mr. Speaker, I rise on a point of order. The Honourable Member has made it quite clear that he is imputing improper motives to the Government. He has to withdraw the last part of his presentation. Clearly he said "motive" and then he goes on to suggest that the Government was acting for collateral purposes in this matter. It is unfair. Wrong.

Mr. D. J. H. THOMPSON: Mr. Speaker, if it is unparliamentary or if anybody takes offence I would withdraw it but I would deal with the facts of that matter as we proceed and let the public draw their conclusion as to who the contracts were taken away from and who they were awarded to when the matter went out to tender once again.

Mr. Speaker, Sir, I am also saying that the statement and the events are reflective of the Minister's inexperience and unfair policies and those are the counts on which this matter is brought before the House.

Mr. Speaker, regarding the quality of the statement it reminded me of a comment by a Danish philosopher, Kierkegaard who said people use language not merely to

conceal their thoughts but to conceal the fact that they have no thoughts. I say that, Mr. Speaker, because instead of the statement saying to the people of Barbados that it is the belief of the Minister that the tendering system is wrong, or could be subject to abuse, and that there is now a policy by the new Government to amend the Financial Administration and Audit Act, to amend the Financial Rules and to take the system of tendering to another plane in consonance with the Government's policies, the statement stopped short of any recommendation other than that as a result of terminating the contract with one contractor the matter would go back out for tender under the same Rules and under the same process which existed when the Democratic Labour Party was in office.

I am saying, Sir, that in my view any attempt in that manner, and a statement like that, I consider to be a cheap shot at my integrity. I am saying that because there was no right of reply I know it is unparliamentary to say that anybody is cowardly, but, Mr. Speaker, I am saying that I am willing to respond to any allegation made to me, about me, any member of this Cabinet on the Floor of this Chamber and I therefore deprecate the attitude of any Minister of Government making allegations by way of a ministerial statement which allegations cannot be quickly refuted by Honourable Members of this House.

I am saying in addition, Sir, that the statement was buttressed by a sensational campaign of dishonest and wild editorials in one section of the Press, and I will get to that matter in due course.

Let us get, Sir, to the statement itself. In paragraph 2 of the statement the Minister of Education pointed out that the instruction to tenderers included a clause that tenderers are required to be licensed under the Health Services (Food Hygiene) Regulations, 1967 and must submit a copy of the relevant valid licence with their tenders. But, Mr. Speaker, Sir, that was not the only condition of the tendering process and in making a ministerial statement perhaps both sides should be put to be fair to all of the persons involved because that was not the only instruction. There was also Tender Instruction No. 7 which stated quite clearly that tenderers wishing to offer alternative unit sizes should submit such offers on a separate sheet along with their tenders.

The company Omata Distributors which tendered in respect of kola syrup tendered for a different unit size. Rather than 1 gallon they tendered on a 5.5 gallon container. It is a metric container which was used.

Mr. Speaker, on May 25, 1994 - and I wish to make this a document of the House - they submitted to the Chairman of the Tenders Committee, Central Purchasing Department, the following letter:-

"Dear Sir:

As allowed under paragraph No. 7 in the instructions to tenderers, we specified that the price quoted for kola syrup is 5V₂ gallon case."

This letter is dated May 25, 1994. I make it available to the House as a document of the House.

Now, Mr. Speaker, Sir, second point. In paragraph 4 of the statement - well, I should pause for a minute, Sir. On the issue of the Health Licence. At no point in the statement did the Minister state whether the Health Licence was, in fact, produced at the end of the day. The impression was left that the Cabinet awarded a contract to a tenderer who could not produce a health licence when, in fact, the Cabinet took the conscious decision, based on the advice in the Cabinet Paper, that while it is desirable that the competing firms be up-to-date with their documentation such as NIS, CIR - Commissioner of Inland Revenue, Ministry of Health Certificate, and the Food Business Certificate, lack of these should not debar companies from being considered as possible tenderers initially. However, any company which is awarded a tender should submit evidence of up-to-date documentation before being allowed to sign contract forms.

The Cabinet made its decision on the basis, Mr. Speaker, because first of all we had abolished the requirement that one needed a NIS and Commissioner of Inland Revenue clearance. The reason for that, Sir, was because Barbadian companies were being disadvantaged in the tender process where companies tendering from the USA, Europe and so on did not have to produce those certificates but Barbadian companies had to produce them. We took a decision that as soon as the contract was awarded, if the company owed NIS or the Commissioner of Inland Revenue, that they should garnish the proceeds of the contract and use it to put into the contributions for workers or in relation to any tax which was outstanding. We changed that policy. With respect to the Ministry of Health's certificate the Minister has not yet told this House whether, in fact, that certificate was produced at the time when the contract was signed. 11.35a.m.

Mr. Speaker, Sir, at the time of the contract, it must also be clear that Omata Distributors was not the only non-conforming tender. King's Agro Foods and Chickmont were also non-conforming tenders at the time of tender. And yet, notwithstanding that, the Government took a decision to award the contracts to a wide variety of tenderers and we still gave both King's and Chickmont Foods, in the case of Chickmont Foods chicken quarters, in the case of King's Agro Foods seasoning and bananas, I think it was, because we wanted to spread it among a larger number of people instead of putting all of the

commodities in the hands of a very limited number of firms in Barbados and I will get to that, in due course, Mr. Speaker, Sir.

In the statement, the Minister of Education referred in paragraphs 5 and 6 that the Manager of the School Meals commented on the performance of those nominees who had been awarded contracts in the previous year. Then she went on to say something and said it was subject to the comments of the Manager, School Meals Department. But we were never told what those comments were. Because the Schools Meals Department itself had expressed concerns about the methodology which was required under the Financial Rules in respect of conforming tenders. The School Meals Department had also raised concerns about the pricing, about the quality and reliability of service of tenders.

As a result of that, the former Minister indicated that he wanted to have an investigation into the School Meals Department. He was of the view, and there is a widespread view, that there were persons who were evading the payment of imposts, bringing in goods under School Meals contracts and those goods were making their way onto supermarket shelves in Barbados while they were imported duty free. As I understand it, the Minister wanted that matter investigated. Mr. Speaker, Sir, the entire exercise which the Cabinet went through was predicated on the comments of the Manager of the School Meals Department and I have noticed that there is a trend in here to make Cabinet Papers documents of the House as well as files. I do not believe in exposing public servants who are earning an honest day's pay and writing their genuine views, on a file, to this kind of approach. But, if necessary, the Cabinet Paper would have to be laid because nobody is going to feel that they are going to tarnish anybody's reputation on this side without the fullest information being made available to the public. The Cabinet Paper set out, very clearly, what the views of the Manager of the School Meals Department were and what the views of the Minister were and we predicated our decision, as a Cabinet, on the basis of those views.

The then inexperienced Minister also made the point that the Minister of Finance's advice was dated 21st July, 1994. In matters of this sort, the Minister of Finance does not advise. The Minister of Finance directs. If he disagrees with the decision, he does not have to advise anybody. He directs that the matter goes to Cabinet, not in accordance with Rule 129 as the statement said, Mr. Speaker. Rule 129 relates to the establishment of a Tenders Committee. It has nothing to do with Rule 129. The power that I exercised, as Minister of Finance, is in accordance with Rule 148 of the Financial Rules. That is another error in the statement. It has nothing to do with Rule 129. And that Rule 148 reads as follows:

"The Committee shall send the tenders and its recommendation thereon to the Head of Department who shall submit the recommendations to the Minister for acceptance."

That is the Minister of Finance.

Mr. SPEAKER: Tell us what you are on.

Mr. D. J. H. THOMPSON: I am reading from Rule 148 of the Financial Rules, Mr. Speaker, Sir, the Financial Administration and Audit Supplies Rules, 1971. It goes on:

"If the Minister does not accept the recommendation of the Committee, the matter shall be submitted to the Cabinet for final decision."

From the time the Ministry of Finance disagrees with the Tenders Committee, it says, "shall". It therefore has to go to Cabinet. There is no Minister who can make a decision to vary it. The Cabinet then acts on the advice which is tendered in the Cabinet Paper and a discussion is held on the matter. We discussed the matter and, based on certain precepts, we overturn the decision of the Tenders Committee and Mr. Speaker, Sir, I will get to those precepts very shortly. We substituted therefore our own views, as a Cabinet, acting in accordance with the Law, as to how those contracts should have been allocated. Any person who is adversely affected by such a decision, as happened with the C. O. Williams case, is entitled to ask the Cabinet for reasons for its decision and can have the matter investigated, if the Cabinet acted capriciously. Not on the basis of a Ministerial Statement. This is a democracy which is built on a strong Judiciary. Citizens who feel that they are affected by the decisions of administrators do not have to hide behind any Ministerial Statement. They do not have to bring supplications to a Minister. They have rights under the Administrative Justice Act.

I defy anybody, when I was a Minister to try and come through a back door begging me to rearrange those kinds of arrangements. The Cabinet made its position very clear and those who were affected by the decision have rights, under the Law to have the Cabinet's decision reviewable. If anybody in this country felt that those contracts were awarded capriciously, that the Cabinet acted wrongly then they are entitled, under Law, to take any further action.

Then, Mr. Speaker, Sir, we have the other inexperienced and jejune remark:

"The usual practice and convention is that the relevant Permanent Secretary prepares or is responsible for the preparation of a Cabinet Paper"

I have never heard such foolishness in my life. Never.

When the Barbados Youth Service was established, I sat down on my computer at home and prepared the Cabinet Paper. The Cabinet is a meeting of Ministers. It is not a meeting of Permanent Secretaries. When the Youth in Business Scheme was established, I sat down at home and prepared the Cabinet Paper myself. The records of the Ministry will show that. A Minister who feels strongly about something can sit down himself and prepare a Cabinet Paper on any subject. In my view, sometimes what results is better than something which comes up through the system. I have prepared many Cabinet Papers in my time, because sometimes if I waited on others to do it for me, the matter would never reach the Cabinet. So this idea of a usual practice, there is no such convention. The Cabinet is a meeting of Ministers. I defy any Minister in here to tell me that they do not have a right to prepare a Cabinet Paper. What foolishness is it that is being brought to the House in the form of a Ministerial Statement? That is why you cannot have confidence, Mr. Speaker, Sir, in this Ministerial Statement. I am going to go on. Then it goes on to say:-

- and involves a Permanent Secretary - ...

Asides.

Mr. SPEAKER: Order, please.

Mr. D. J. H. THOMPSON: "The Permanent Secretary reduced her non-involvement in this matter to writing." Mr. Speaker, Sir, if you wrote about it, that cannot be non-involvement. There is only one act of non-involvement and that is if it has nothing to do with it. But if you reduce non-involvement to writing, you are involved to the extent that you are saying that you do not wish to have anything to do with it.

I want to say this. Any civil servant is entitled to say they do not wish to have anything to do with anything, as far as I am concerned. On matters of this sort, the Financial Rules make it clear who is the functionary responsible. It does not make the Director of Finance responsible. It does not make the Permanent Secretary, Ministry of Education responsible, it is a decision for the Minister of Finance to send the matter to the Cabinet and the Cabinet bears entire responsibility for the matter.

In paragraph 10:

"It is noteworthy that on the same day that Mr. Thompson advised that the matter be submitted to the Cabinet, that is the 21st July, 1994, the matter was, in fact, referred to the Cabinet."

Mr. Speaker, Sir, there are very few tenders matters since the system was changed, as a result of the "COW"

Williams' case in which the Cabinet Paper was not brought to the Minister of Finance the same time and the Minister of Finance dealt with it and it went to Cabinet

The reviewing of a decision of the Tenders Committee is by and large, an urgent matter. If you check, nearly every single tender that the then Minister of Finance or any other Minister of Finance turned over, it was done in a very short period of time because, invariably, the decision had to be made, then the Attorney-General's office had to get involved and it was a lengthy process.

Mr. Speaker, Sir, let us go on to paragraph 11:

"Cabinet agreed to award the contract for the supply of certain items to Omata Distributors even though the Tenders Committee had found the tender of this company has not conformed to the instructions of the tenderer." 11.45a.m.

But why didn't the Minister say the Cabinet also agreed to give Chickrnot Food, chicken quarters? Why did the Minister not also say in her statement that we gave Kings Agro Foods seasonings and bananas? Why pick out Omata Distributors? And, on that hangs the tale. That is at the crux of the matter, Mr. Speaker, Sir, that certain people are above reproach and criticism, that you must take essentially a small black business in Barbados and parade it before the country as a conglomeration of dishonest people who are trying to get around the tender process in this country. It is not that they did not tender.

Mr. Speaker, Sir, it is not that the company did not tender and the Cabinet said, well look Thompson and Company did not tender let us give them Kola syrup. They tendered. They went through the process and, Mr. Speaker, Sir, as I* say, the Tenders Committee considered this question of the non-conforming of the tenders and said that such tenders should submit documents before a contract was awarded and in each case, as I understand it, that documentation was made available.

Mr. Speaker, Sir, look at paragraph 12 of the Statement. "Cabinet in its decision however agreed that Kola Syrup be purchased for the academic year from Omata Distributors Limited at the astronomical price of \$69.00 a gallon." Mr. Speaker, Sir, the Cabinet decision did not specify a price, the Cabinet sought to redistribute commodities. They relied on the advice of the Minister of Education and in that regard the then Minister of Education said that an error was made. Mr. Speaker, Sir, that was not the only error. There was an error made with respect to the price quoted for rice, but the*Minister did not come to this House and say that at the point of the award that there was a difference of nearly \$50.00 in respect of the price of rice. Not a word was said about that, and that that problem was

brought to the attention of the Tenders Committee so that it could be corrected. So, Mr. Speaker, Sir, I will make that a document of the House. The Honourable Member says it never arrived. This is a letter from the Ministry. The Ministry of Education wrote a letter to the Manager, Omata Distributors on the 27th of July. On page 2 the price quoted for rice was \$39.75 for a 45 kilogram bag. Mr. Speaker, Sir, Omata had to write to school meals and tell them sorry, you have it wrong. Kindly make a correction to item rice \$39.75 a bag to read our quoted price of \$86.60 a bag. This letter was dated 23rd August. I will make it a document of the House. I will make the document from the Ministry of Education with the error in it, both errors, a document of the House for full inspection and I will make them available in the appropriate quarters when I am finished in respect of this, Mr. Speaker.

Now, Mr. Speaker, the decision of the Cabinet did not specify price and that is why it is necessary for us to make the Cabinet Paper a document of the House that people can see the truth of the matter. It varied the decision of the Tenders Committee in respect of commodities and relied on the advice of the Minister of Education that the price, reliability, quality of the commodity and the tenderer were superior and also that the tenderer conformed to the Minister's view and concept of what is called current thinking. The Minister was committed and so was the Democratic Labour Party to a policy which avoided monopolies. We said that the same people cannot benefit for 20 years from the same school meals contract and therefore the Cabinet took the opportunity to spread the commodities among 13 tenderers and that is what got some people vexed with the Democratic Labour Party that some of the things they had been supplying for the past 20 years to the School Meals Department were taken away from them and given to a new company and some of those people are well-known supporters of the Barbados Labour Party.

Mr. Speaker, Sir, Omata maintains that it tendered on a 5.5 gallon container at \$69.00 which is \$12.54 per gallon. But, Mr. Speaker, Sir, what is even more despicable was the statement, "this decision is even more startling having regard to the then Cabinet's own caveat that monopoly situations should not be encouraged." Do you mean that if you give someone a contract for Kola syrup that constitutes a monopoly? The School Meals Department has a series of commodities and we spread all of those commodities among 13 tenderers including Kola Syrup. So what does this mean? The Cabinet decision did not relate exclusively to kola syrup. It related to all of the other commodities, Mr. Speaker, Sir, and we spread them across 13 tenderers.

I need to go on, Mr. Speaker. The Honourable Member said, "if kola syrup had been purchased on the open market, in accordance with the recommendation of the tenders committee, the cost to the School Meals

Department would have been \$415 800," but the Minister did not say that if it had been purchased from Ometa that it would have cost \$77 000 less than that. The Minister in her own self interest said that the price was \$15.40 a gallon and took no cognizance, nor did she ask her officials to make any attempt to find out if there was an error somewhere along the line.

So, Mr. Speaker, Sir, which Minister of Cabinet in this country, and we were then in Government, would bring a supplementary to this House to pay for kola syrup which was bought at \$69.00 a gallon instead of \$15.40. The Honourable Member for St. Peter was the shadow Minister of Finance. Would he have sat down with his arms folded in this House, had the then Minister brought a supplementary requesting an additional \$1.4 million, Mr. Speaker, just for one item, kola syrup? That is the natural conclusion that one can draw from the self-serving diatribe which passed for a Ministerial statement, Mr. Speaker.

Asides.

Mr. D. J. H. THOMPSON: I withdraw that, Mr. Speaker, Sir. Now, Mr. Speaker, Sir, at paragraph 16, however the cost to the department on the basis of the former cabinet decision had been computed at \$1.8 million. As I said, Mr. Speaker, why did not the Minister calculate what would have happened with rice, had it been sold at the price which the School Meals Department indicated because there was an error with that too. The object, Mr. Speaker, Sir, would seek to implicate people where there is no implication and attempt to discredit Members of the Democratic Labour Party.

Mr. Speaker, Sir, paragraph 17. The result of the former cabinet decision is that the Ministry of Education and Culture would have been required to seek supplementary provision to its Estimates in an amount of \$567 717. As I said, Sir, is there any Minister who would have come to this House seeking such a supplementary?

Mr. Speaker, Sir, I have to go on. At the date of tender, at the date of the purported award and at the date of the former Cabinet decision the company Ometa Distributors did not exist as a legal entity in Barbados.

Now, Mr. Speaker, Sir, the Honourable Member's path and mine have not crossed in the Law Courts, thank goodness, but when a company is amalgamated I want to refer, Sir, to the Laws of Barbados. Section 206 of the Companies Act says as follows: "Two or more companies, including holding and subsidiary companies, may amalgamate and continue as one company."

Mr. Speaker, Sir, when a company amalgamates it does not cease to exist. The Act says it continues as one

company but it goes on, Mr. Speaker, Sir. Section 212 (2). "On the date shown in a certificate of amalgamation, in respect of an amalgamated company,

(a) the amalgamation of the amalgamating companies and their continuance as one company becomes effective;" 11.55 a.m.

Now, Mr. Speaker, Sir, perhaps the Honourable Member has not turned her attention to that fine point of law. But an amalgamated company does not cease to exist. If you go into the Registry today, contrary to what the Ministerial Statement said, and do a search on the company Ometa Distributors Limited, it is listed still as Company No. 8016, date of amalgamation September 14, 1992 and the new name of the company NSR Limited.

But, Mr. Speaker, Sir, I go further than that. The Canadian statute in which this is based and I am surprised that the Honourable Member said that she relied on some opinions. I assume that it was not an opinion from the Honourable Member for St. Thomas because I have high regard for his views. I will refer the Honourable Member to two Canadian cases, one called Regina vs. Black & Decker Manufacturing Company Limited and the other WITCO Chemicals Canada Limited vs. Town of Hopeville. In one case, the amalgamated company issued a writ after it was amalgamated and the Court held on the one hand that Section 197 of the Business Corporation Act has a strong indication that the corporation entity WITCO Chemicals Canada did continue to exist as a corporate entity despite the fact that by Section 197 all of its powers have passed to an amalgamated company. In respect of Regina and Black & Decker, the Court came to the conclusion that the Act governing the amalgamation of corporations that no new company is created nor old corporation extinguished, rather the amalgamating corporation continues as one corporation.

Ometa Distributors continued to pay taxes, continued to pay NTS contributions and the Government never came and said that you do not exist and do not pay them. That is the fallacy of it, Mr. Speaker. Now the reason which the Ministry of Education gave in its written letter to Omata - Now by the way, Sir, not one ounce of kola syrup has been supplied by Omata to the Government of Barbados. So no liability had accrued to the taxpayers of this country whatsoever - not an ounce of it. But listen to the Ministry of Education's reason for terminating the contract - not to do with kola syrup. "A company search was done Re: Omata Distributors Company Limited where upon it was discovered that no such legal entity existed as at September 14, 1992." In the circumstances, there was no legal entity with whom the Crown could contract and thus the said contract was void *ab initio*. Now I understand what

void *ab initio* means. If it was void *ab initio*, then the Minister's entire statement was a joke for this reason, Mr. Speaker. No liability on either party's part, either Ometa nor the Crown existed. There was no contract. So there was no contract to terminate. It did not exist. Now all of that reasoning I hope did not come from the Attorney General's Chambers. I really hope so because, as I said, I have much more respect for the Honourable Member for St. Thomas...

Mr. SPEAKER: The Honourable Member has two minutes.

Mr. D. J. H. THOMPSON: Thank you, Mr. Speaker, Sir. I will make these documents of the House as well because the House should have in their possession the reasons which the Ministry of Education gave. It had nothing to do with kola syrup. It said that the company did not exist. If you go into the Registry, you will see the company's name right there as an amalgamated company under Section 206 of the Companies Act. You can still sue it and, based on the Canadian decision, it can still sue in respect of certain obligations. But I am going to also make available to the House, Sir, because we want full disclosure the amalgamating deed. I was not advising the company then. As I said, Mr. E. D. Mottley was the attorney at the time, not me.

Hon. Miss M. A. MOTTLEY: On a point of order, Sir. The Honourable Member is misleading the House. This matter came before an accountant for amalgamation and not an attorney-at-law.

Mr. D. J. H. THOMPSON: I never said so. I said at the time that I was not their legal adviser. Mr. E. D. Mottley was. I never said he amalgamated the company. I have never said that. I never ever said that, Mr. Speaker, Sir. This amalgamation deed I am going to make a document of the House so they can see all of the particulars. It is an open transparent arrangement. It is no secret company trading under an illegal name or some pretend name outside of Barbados. It is a company owned by a black Barbadian businessman in which other directors have been named. I am saying, Mr. Speaker, Sir, that contracts were put back out for tender. Ometa did not even bother to tender. I do not know why and I am not casting judgment on that because that is not my remit. But most of the commodities which previously went to Ometa were taken away and given to a company known as R. L. Seale, principal director of which is associated with the Barbados Labour Party and has sat on several boards including the Central Bank Board and Hanschell Inniss, a company in which a member of the Barbados Labour Party's Cabinet had substantial shareholdings. Now, Mr. Speaker, Sir...

Hon. Miss B. A. MILLER: No, no. On a point of order, Sir. That has got to be withdrawn. It is absolutely not so. You are deliberately misleading the House.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, my statement stands until it is contradicted. Now, Mr. Speaker...

Aside.

Mr. D. J. H. THOMPSON: I am going to wrap up. Yes, Mr. Speaker, I will withdraw it. A company called Hanschell Inniss owns a majority by the Goddard's Group. Is that better, Sir? Does that explain it? So, Mr. Speaker, that is where the contracts went. That is what this is about. But I cannot have confidence in a Minister of Education, Sir, who would take contracts from a company on some flimsy pretext and some pretense in a Ministerial Statement and award it to supporters of the Barbados Labour Party. That is what this debate today in Barbados is about and it needs to be exposed for what it is.

Hon. Miss M. A. MOTTLEY: On a point of order, Sir. The Honourable Member has continued to mislead the House. One, I never accepted any contracts from anybody. Two, I never gave any contracts to anyone. If the Honourable Member knew the procedures of Government, he would be more honest with this Chamber.

Mr. D. J. H. THOMPSON: I am wrapping up, Mr. Speaker. I was told just now as a Minister in a statement two Ministers tried to take contracts and give them to somebody. But now we hear under the rules, Mr. Speaker, Sir, that the Minister cannot give anything. But that was the accusation which was made against the Democratic Labour Party.

In conclusion, Mr. Speaker, Sir, I am saying that this entire exercise was an exercise of wasted time and I do not want the Minister of Education to feel that I wish to stop her from introducing any of her policies or delay her, Sir. I, therefore, feel that in respect of this matter the House can have no confidence in the Minister of Education.

Mr. J. O. TUDOR: Mr. Speaker, I beg to second the motion and reserve my right to speak.

Aside.

Mr. SPEAKER: Please, please. The Honourable Member for St. Michael North East

Hon. Miss M. A. MOTTLEY: Thank you, Mr. Speaker. It is sad, Mr. Speaker, Sir, when Parliament becomes an object for the extrication of the conscience of Members as we have just witnessed in the speech of the Honourable Leader of the Opposition.

Sir, this is a matter which came before this Parliament on the first occasion by way of a Ministerial Statement

setting out the facts as to why the Government of Barbados through its Cabinet sought to rescind the contract with a purported company by the name of Ometa Distributors Limited. This matter went to the Cabinet of Barbados as a result of my being alerted to the fact that an item which was kola syrup was awarded for a sum in excess of \$1.8 million and that there would have been reason to go for a supplementary, if we allowed this matter to continue, because of the sum awarded. When I then started to delve into the matter, Sir, we found out that the Tenders Committee - and I want to make these documents of the House - recommended to the Ministry of Education and to the Minister on 2nd June, 1994 that that same item called kola syrup, and the handwritten document as presented by the Tenders Committee is here, was to be bought on the open market at the sum of \$15.40 per gallon, which was what it was available for, and that furthermore, a company by the name of Ometa, along with the two other companies referred to - Chickmont and King's Agro Foods - were non-conforming because they had not submitted a Ministry of Health licence, and they are selling food to over 28 000 children in this country. 12:05 p.m.

What is even more, contrary to the statement of the Leader of the Opposition just now that I did not say whether a Ministry of Health licence was submitted, I have a note here from the Permanent Secretary stating clearly that the file does not show that a health licence was ever submitted by Ometa afterwards, in spite of Ometa delivering products to the School Meals Department, and that that issue had never come up because they had not reached the point of signing any official contract. Sir, that deals with his point about the Ministry of Health licence.

But what is this matter about, Sir? This matter is about abuse of ministerial power. This matter is about the contempt that Ministers of the Democratic Labour Party Government had for the people of this country in their willingness to reject a recommendation that would have cost the Government more than \$400 000 and replace it with something that would cost the Government over \$1.8 million.

Sir, let us not mince words and hide behind all sorts of things here, because we have seen an exercise in sophistry being perpetrated upon us today, an exercise in intellectual gymnastics and long hops. If I were in another place I would refer to it as a lack of integrity, Sir, but since I am in this Honourable Chamber I will not do so. This matter reflects not only an abuse of ministerial power, because nobody can quarrel with the fact that they legally had the right to vary the tender. The Financial Administration and Audit Act allows them to do so, but what did they do? How did they do it? And when did they do it?

Sir, they purported to go to Cabinet on 21st July, 1994 on the basis that a monopoly situation should not be encouraged and the comments of the School Meals Department. In so doing they were referring to comments of the School Meals Department, not as to commodities for 1994-95, but the Honourable Leader of the Opposition wants to continue with the intellectual long hops and not tell you that those comments related to commodities in previous years. He does not want to tell you that Ometa had no track record and therefore could not be brought on board because of their track record, he does not want to tell you that when they varied the contract the Cabinet of Barbados varied against Ometa, that Ometa ended up getting over 32 commodities out of 80 or so and that no other company got more than nine or 10 commodities. But Ometa got 300% more commodities than any other company supplying Government. That is their avoidance of a monopoly situation.

I have very little time and I will move on. Let us look at the history of this matter. The Permanent Secretary passed the recommendations that were received, dated 2nd June, 1994, from the Chairman of the Tenders Committee to the then Minister of Education, one Tyrone Estwick. Mr. F.stwick, the Minister then, and I am going to make this a document of the House, Sir, and I have taken it from the file, dated 14th July, Minute No. 41 - I am sorry, Sir, that you cannot see it from here, but you will see it very shortly - this is to the Minister of Finance:

"I am not in agreement with the recommendations of the Tenders Committee and seek your permission to submit the same to Cabinet to vary the same."

On 21st July the pen of the Minister of Finance then, now the Honourable Leader of the Opposition, wrote:

"I reject the decision of the Tenders Committee based on the matters raised at cover in the d.c.p..."

draft Cabinet Paper for short,

"... and the matter should be referred to the Cabinet for determination in accordance with the Financial Rules.

(SGD.) DJ.H. THOMPSON

94.vii.21"

That was Minute 42. Minute 43:

"P.S. (42) referred. PL continue action.

(SGD.) T. ESTWICK
07-21."

So that the then Minister of Education purports to write to the P.S. and ask her to continue action for the preparation of a draft Cabinet Paper, a practice that the Honourable Leader of the Opposition now wants us to believe is not a practice of the Government of Barbados, and has not been a practice since ministerial Government has become the manna* of operations in this country.

But, you know, Sir, it does not end there. Would you believe, Mr. Speaker, that at Minute 44 - and I want to send this to you now because you might not believe it when I say so - a blank part, Minute 44, and in a corner written faintly: "P.S., PL fill in." When we go to Minute 45, which is the next Minute, the Minister of Education purports to say on the same 21st July:

"P.S., Draft CP. at cover approved.
(SGD.) T. ESTWICK
07-21."

The Minister tells the P.S. by Minute "Draft C.P. at cover approved" as if the P.S. had prepared a Cabinet Paper for him. But what is ironic, that on 21st July sometime between obviously the hours of Cabinet that the Minister of Finance wrote, that the Minister of Education wrote, that there was a space left for the P.S. who was not present, and that the Minister of Education approved action that the P.S. never took.

Sir, I always learn in law that the truth does out. Every Ministry file has at the back of it something called "ROUTING OF FILES". On this document it says here who it is referred to and on what date, and the person who was referring. The photocopy which I will make a document of the House too of the routing of the file shows that on 1st July the file was sent to the Minister of Education from the Permanent Secretary. It is here. They can look at it for themselves. Between 1st July and 26th July there is no record of the whereabouts of that file being referred to anybody, in spite of the fact that inside the file it shows that it was referred to the Minister of Finance, it was referred to Cabinet - both of which are not in Jemmotts Lane - it was referred back to the Minister of Education and it was referred then, on 26th July, to the typing pool in the Ministry of Education.

Sir, that is the dishonesty that has clouded this matter and I want to know if all was well with the manner in which they exercised their powers to change this decision, why was the Permanent Secretary left out of it? Why was it left out on the routing file from going through normal procedures? Why didn't the Permanent Secretary prepare the Cabinet Paper? I want to know why it was done in a way that makes me, as an Honourable Member of this House, feel that there was a clandestine and sinister motive surrounding the changing of these contracts. That is what I feel. I don't know about anybody else. 12.15 p.m.

Sir, let us deal with the other major perpetration of dishonesty. The Honourable Leader of the Opposition made a document of this House a letter dated May 25, 1994 because Sir, I believe in telling the whole truth. I have nothing to hide.

The Prime Minister of this country at the second day of the Barbados Labour Party's Annual Conference referred to the feelings that bothered and disturbed this Government relating to the supply of Kola Syrup. That was the Sunday. During the course of that week - that was on or about the end of October - Mr. Tyrone Estwick with whom I have practised law and whose path I have crossed in the law courts unlike the Honourable Leader of the Opposition who obviously has no ability to deal with that, called me and said: "Look, I just received this letter from Mr. Harcourt Lewis who has told me that this letter should have come in."

I said, "Estwick, let me see the letter. If it is valid I will produce it. If it is not, I can't." Because it would be akin to the offense of public cheating which is an offense known to the common law of this country and any lawyer would know that including one representing the same company.

Now, Sir, the letter came by fax. I immediately asked the Permanent Secretary in the Ministry whether she had ever seen such a letter. She indicated no. I then asked the Chairman of the Tenders Committee whether he had seen it and in fact, that communication went via the Acting Prime Minister of the country at the time, the Honourable Deputy Prime Minister. I want to make these documents documents of the House because the Honourable Leader of the Opposition is seeking to impugn public officers whose duty it is to record the entry of documents in a Ministry or in a department. Anybody who has worked in Government knows that every single piece of mail that is not marked Private and Confidential is entered into a registry book, a big hard-back book, so that it cannot get destroyed, and it is stamped then, Sir. Sir, that is why sometimes it takes so long to get things done in Government.

The record is clear as a document of the House of the Registry of the Ministry of Education's incoming mail and it is dated on File Memo 147. Sir, I have been generous. The letter is dated May 25, 1994. I have started from the 20th of May 1994. I have gone back 5 days before it was written and I have come forward to the 20th of June, 1994. I have gone a whole month. I have given them room to do more intellectual long hops and more intellectual yorkeys and they still can't find themselves anywhere in the record of the Ministry of Education. That is also a document of the House, Sir.

Sir, that doesn't end there. The Chairman of the Tenders Committee wrote a Minute to the Deputy Prime Minister then acting Prime Minister on the 17th November 1994 and I read:

"Subject: Tender for the supply for various commodities for school meals 1994-95.

I enclose herewith a copy of the information relating to the tender for the supply of various commodities for a school meals programme 1994-95.

The daily Nation of 17th November 1994 makes a reference...

[because the Honourable Leader of the Opposition leaked that letter and released that letter to the Press when he had his press conference after my Ministerial Statement]

... to a letter dated May 25, 1994 addressed to the Chairman of the Tenders Committee from Ometa Distributors Limited purporting to change the price of Kola Syrup from \$69 per gallon to \$69 per prime gallon.

I wish to inform you that:

- (1) there is no evidence to support receipt of the above correspondence by the Chairman of the Tenders Committee.
- (2) there is no record of the said letter from Ometa Distributors on this Department's file.

Signed: A. K. Bradshaw
Chief Supply Officer
Chairman, Tenders Committee/

I don't even know the man, Sir.

That correspondence was to the Deputy Prime Minister. But do you think, it ended there, Sir? Mr. Bradshaw, as Chairman of the Tenders Committee also submitted to us a copy of all correspondence that came in as late to the Tenders closing on that date because they too keep a registry of all incoming correspondence.

Sir, I want to look at it The first thing that came in after the closure of tenders was on file No. 83 dated the 28th May, 1993. Sir, these are all the late receipts. The first thing that came in - I'm sorry, Sir - was on the 5th of June, 1994 from KDs Food Fair Limited, St Michael. This is the list of the correspondence coming in that tenders box, the one that is locked when people drop the mail in it That is Mr. A.K. Bradshaw's record and the Chief Supply Officer's Department's record, not mine.

It doesn't end there, Sir. Not only is there no record in the Ministry of Education or in the Department of the Chief Supply Officer who is in charge of tenders, but I can only construe the statement of the Leader of the Opposition as one that would lead to an imputation that his former colleague, Mr. Tyrone Estwick, is telling a lie; because it was Mr. Tyrone Estwick who when interviewed when this matter broke said clearly that he was surprised and that had he seen this letter or had this letter been brought to his attention as Minister of Education he would have done something about it because in his view it was a mistake.

Now, Sir, Mr. Estwick was the Minister of Education until the 6th of September and that is the clearest possible evidence. Even if I did not have these documents reflecting the entry of mail in the registry that that letter never came anywhere in the Ministry of Education and that Mr. Estwick had never seen it But the Honourable Leader of the Opposition wants this Honourable Chamber to believe that it is a true and correct document, that it is not a fraudulent document and further that because of the price stated in that document that it would have been cheaper to let Ometa Distributors supply Kola Syrup in this country. He says it would have been \$77 000 cheaper. Sir, where was the document within the walls of Government? Are we now to hear that in the same way a Permanent Secretary does not become involved in the process of drafting Cabinet papers that we can pick up documents off the street and act on them even if there is no verification in the Ministry?

That is the kind of government that they practised and preyed over this country and that is why the people of this country had their say on the 6th of September over the practices that led to a CARSICOT, that led to this Kola Syrup, that led to Sheibourne, that led to all of the other practices, the St. Joseph Hospital. I want to say to you, Sir, that there is a tide in everyone's life when they have to face the truth.

The Honourable Member is famous for stating that he only reflects the views of his constituents and that his personal opinion does not matter. Sir, he did it with casino gambling and would you believe, Sir, he did it even with Hothersal Primary School? He told the Press that...

Aside.

Hon. Miss M. A. MOTTLEY: Sir, I am dealing with the Honourable Member's credibility. I am not going into matters far and wide. I am dealing with the Honourable Member's credibility who has attacked my credibility and brought a No-Confidence Motion in me.

That Honourable Member sought to say in the same way that he said that the University fees were a deliberate lie until I produced the documents in the Budget and in the same way that he has said about a secret deal with the IMF being perpetrated by the Honourable Prime Minister, and in the same way that he said to the Press that I must tell him what page of Hansard, what part or what date I consulted with him but yet went to Hothersal Primary School in the presence of the Chief Education Officer, the Deputy Chief Education Officer, the Permanent Secretary, the Primary School Officer for St. John, parents, teachers and the Principal of the School and admitted that I consulted with him over the closure of Hothersal Primary School, and went further to say that his views were irrelevant and that he had no children going to school... 12.25 p.m.

Mr. SPEAKER: Point of order, please.

Mr. D. J. H. THOMPSON: On a point of order. The Honourable Member is misleading this House. The Honourable Member told the parents of Hothersal Primary School that she held a meeting with me and when I asked her where it was she said in the dining room. That is what the Honourable Member said. I certainly could not treat a meeting or somebody stopping me on a corridor to tell me they are closing a school as a meeting with the Leader of the Opposition for consultation, Sir. That cannot be fair.

Hon. Miss M. A. MOTTLEY: Sir, I cannot help that the Honourable Member has an inflated sense of impotence and has not...

Mr. SPEAKER: No, No, No. You would have to withdraw that

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I withdraw that, but I cannot help that.

Mr. SPEAKER: Please. You have to withdraw those words.

Hon. Miss M. A. MOTTLEY: I withdraw them, Sir, but I stand by my words earlier that the Honourable Member stated that I consulted with him in the dining room, that his views were irrelevant because his children do not go to school there, and that he can only reflect the views of his constituents so anyone seeking to rely on his opinion has gone down the wrong path.

Now, I only want to say this, Sir. I have always understood that leadership is about leading from in front, not from behind but he clearly feels that he should lead from behind.

I want to say further, Sir, that a leader must infuse his opinions to help form the character and the

decision-making process of the movement which he leads. Now, if he has failed to do that with the casino gambling and with Hothersal, Sir, the Lord knows what will happen in his future deliberations as Leader of the Democratic Labour Party.

I want to deal, Sir, with the letter about the mistake with the rice. Do you know, Sir, that even when Ometa purported to send in a letter correcting the rice we contacted them by phone and told them that it was a typographical error. They agreed. They then spoke to a Mr. Best who is acting Senior Administrative Officer - and I make this a document of the House because it is a signed statement by that officer - and his statement reads, Sir, that he had a discussion with one Mr. Kothdiwala - I do not know if he is of Julie 'N or Ometa - and that Mr. Kothdiwala further mentioned that he had checked the prices quoted in my letter for all the commodities and had found the prices for rice and English potatoes to be incorrect. He asked if I could issue another letter amending the prices of rice and English potatoes. My response was that after checking the file I would get in touch with him.

It should be noted that whereas Ometa Distributors had quoted \$75.00 per 45 kilogram bag in their tender documents, Mr. Kothdiwala also asked if the price of rice could be quoted now at \$86 per 45 kilogram bag, \$11 more than what they quoted.

He then goes on to say, Sir, "I informed him that such a step would be against the decision reached and that the price quoted by this company was binding." Sir, that is the kind of behaviour. Sir, you know why I believe Mr. Best? Because the same letter the Honourable Leader of the Opposition just made a document of the House tried to get them to correct the price of rice from \$39.75 to read a quoted price of \$86.60. That is why I believe the Senior Administrative Officer in the Ministry of Education.

I say to you, Sir, that it was part of the same shenanigans that has clouded this whole issue. I say to you, Sir,...

Mr. SPEAKER: Could you say that a little differently, please?

Hon. Miss M. A. MOTTLEY: Sir, I have not accused anybody of participating in shenanigans but I feel, and it is my opinion, that it was shenanigan. I am not saying that it was anybody else's.

Sir, all of this has been clouded, in my opinion, with a whole sense of sinister and clandestine behaviour. The Cabinet Paper, the referral to the Minister of Finance, the memo by the Minister of Education, all on July 21,

which by the way, Sir, was in the heat of an election campaign, certainly it then is coloured by the fact that the Ministry of Education asked for the kola syrup to be produced in 1 gallon units, not SV₂ gallons. In the absence of ever having received that letter, and in the context where in the same statement by Mr. Best he goes on to say in the last paragraph that it should be noted that Mr. Kothdiwala - I do not know if I pronounce the name right, Sir - had also indicated that he had gone through my award letter line by line and was happy with the prices for all of the other commodities. Not a word about kola syrup.

Sir, I want really to be able to say to you that this matter reeks really - in fact, I would not even say so because the truth is that I also heard yesterday and saw on the back page that an investigation into the Schools Meals Department was asked for by the last Minister of Education. There is no member who I spoke to in the Ministry that knows anything about an investigation being made into Schools Meals other than the normal management audit being done by the Ministry of the Civil Service, and certainly nothing relating to the supply of commodities.

Sir, I begin to wonder if I am living in the same world as these persons. But then they want to attack us for what we did. What have I done. For the first time in the history of this country a Minister of Education released all of the tender documents, all of the recommendations, and my own decision to the public by way of a Press Conference this year. I said in that Press Conference that there had to be a level of transparency in the process. I can make documents of the House the documents too of the Chairman of the Tenders Committee recommending to me and my Minute to the Permanent Secretary saying "Approved as recommended by the Chairman of the Tenders Committee".

You know, Sir, they wanted to say that there was one item that the Tenders Committee did not award to the lowest bid and that was corned beef. The difference in price was some 0.70. It was awarded to a brand name known as Delta which was the same brand name that Ometa was supplying to the Schools Meals buying it from the same R. L. Seale to supply it to the School Meals as they did with 20 out of the 32 commodities or so supplied to the School Meals.

The brand that was 0.70 less was a brand by the name of Delta Pride. Now, Sir, I left that matter with the Chairman of the Tenders Committee. I accepted his recommendations and I respect his position for it. I am not suggesting that we are always bound to accept the lowest bid nor is any member of this Government in respect to this kola syrup issue. But what we are saying is that where you do not accept the lowest bid there cannot be an abuse

of ministerial power that seeks you to get a bid that is \$1.4 million more.

Now, Sir, the Honourable Leader of the Opposition suggested that I had an unconcealed motive in bringing this matter to the Cabinet of Barbados. Now, Sir, even that allegation has no basis, like everything else he says. We first went to the Cabinet of Barbados not to rescind their contract for 32 items - I am only going to give you, Sir, the date of the Cabinet Paper. We went to the Cabinet first on October 24 inviting the Cabinet to rescind the contract with Ometa for the supply of 27 000 gals, of kola syrup at the cost of \$69 per gallon and it was based on the excessive cost No syrup was ever ordered by the School Meals Department because the Manager of the School Meals Department refused to believe that that could be the price of kola syrup. And she gave that Government instructions and continued to buy the kola syrup on the open market at \$15.40 a gallon. When we then took the decision to rescind the contract for kola syrup we then found out, for the first time, that Ometa was not a functioning legal entity and that it had been amalgamated almost 26 months before then. When we found that out, I wrote to the Attorney-General. I got the Attorney-General's opinion and the Attorney-General recommended that we could not sustain any contractual relationship with them because of the fact that they were not a legal entity. It was only then, on November 3, 1994 that Cabinet was invited to rescind all of the other 31 commodities. 12.35 p.m.

Mr. SPEAKER: The Honourable Member has 2 more minutes.

Hon. Miss M. A. MOTTLEY: Thank you, Sir. To say that we intended to rescind Ometa's contract because we wanted to put something on somebody else is a lie of the highest order. We attempted only to rescind for kola syrup and when we found out that they were not a legal entity did we go for the whole gamut

I only want to say, Sir, that this matter has become like an object of play for the Honourable Leader of the Opposition. He is consumed with boyish antics. He is the only golden boy that has rusted and tarnished in less than 9 months. He is the only person that I know that can make predictions come true in no time at all. Because I did not know, Sir, I could not understand why the Honourable Leader of the Opposition had no objection to his being referred to as one Sweet Davy during the campaign. No other young man that I know of in Barbados would have allowed anybody to refer to them as Sweet Davy. He had such a love for kola syrup and those types of things.

The only point I would make is this. The difference of \$ 1.4 million dollars between the recommended [nice and the Tenders Committee and the price given by that Cabinet of the Democratic Labour Party was a difference of \$1.4 million. I would only like to ask whether that \$1.4 million was worth making the sweet cakes from the syrup? I would only like to know, Sir, whether that \$1.4 million was worth making the sweet cakes? Because I want the Democratic Labour Party to answer - and I would rest on this - which member of the Democratic Labour Party left Bay Street after the Cabinet meeting and went straight to collect things and to give things at Bay Street?

With those words, Sir, I thank you for your indulgence.

Mr. SPEAKER: The Honourable Member for St. Michael South Central.

Dr, R, C, HAYNES: Mr. Speaker, my intervention in this debate will, quite evidently, be conditioned by the fact that only in the past hour, a lot of information has been made available to the House beyond the digestion of anyone seeking to find out the fundamental truth relating to this matter. Therefore, I believe that I have a duty to this House to participate at a level which would bring some balance to this entire issue and related issues. I find, Mr. Speaker, that to me, it is a dark day in the parliamentary history of this country and it is an acute example of what Parliament, in many ways, has become. Over the past 9 months, apart from the debate on the Budget, the debate on the Estimates, some interesting legislation brought down by the Attorney-General, by and large, far too much of Parliament's time has been consumed by matters which have very little relevance to the people whom I represent in this Parliament and in whose chair I have the honour to sit once again for the time being, the chair which is behind me.

This matter is before Parliament as a result of a Ministerial Statement which is not subject to debate, except by a substantive motion under the Rules of this House. The substantive motion which permits that debate is now in the form of a No-Confidence Motion which calls on the House to reject the reasons stated by the Minister, in that Statement, for the cancellation of a contract with Ometa Distributors Limited and calls for an expression of No-Confidence in the Minister and for her resignation.

The Resolution itself is relatively devoid of any charges and it would seem to me, apart from the accuracy of the statement The result of *this debate is a foregone conclusion. I do not wish to anticipate the House in any way but we all know, at the end of the day, what will happen in the vote. The Ministerial Statement will stand and, by implication, the defeat of the Motion will result in

the contents of the Ministerial Statement standing as a matter of fact, as it is, at the moment, in the House.

But there is going to be another result, based on what I have said so far. This is what is bothering me. What is bothering me is the relative impotence of Parliament and the institutions of this country to deal with these and related matters and also the pace at which an atmosphere has developed in this country over the past few years which, in the long run, is damaging to Parliament, damaging to Barbados as a whole. Because there is going to be a bottomline out of all these events. The bottomline is that all Parliamentarians, all politicians, the whole process itself will be tarnished. Over and above that, these debates are televised. They are being watched by people throughout the Caribbean. They are not concerned with the intimate details of Motions of this nature *or* Statements of this nature. They will be concerned with the image of Barbados, as a state of confusion with elements of corruption or whatever. This is what I wish to address in this Motion today.

Sir, we have had a continuing, almost a non-stop flow of rumours, accusations and innuendos. Parliament itself is being taken over by the entire process. It is debilitating and will continue to be debilitating to any Government no matter what your best intentions are, if this process continues in this country.

I have been looking at Hansard recently; over the past 2 or 3 years I have read Hansard. What bothers me is that Hansard no longer strikes me as being a record of informative debate and has taken on, more or less, an atmosphere almost like a tabloid. That is what Hansard is being convened to as a result of what has taken place, *over* time.

I believe that there is a time for us to pause and a time to reflect on what all this means. I do not need to speak for half an hour. I may not even speak for half an hour. I have, Sir, four simple proposals to put before this Parliament today which will deal with all these matters in a very fundamental way. They are all pan and parcel of the Manifesto position of the National Democratic Party. 12.45 p.m.

Now, Sir, since 1951, ever since a Government in this country was elected by the process of adult suffrage, we have had all kinds of rumours, scandal, all kinds of accusations and fundamentally, Sir, they relate to the expenditure by central Government and by statutory Boards in this country, as they relate to individuals and corporations in Barbados. There have been relatively few scandals, if any, on the revenue side of Government's activity. They have all, almost exclusively, been on the expenditure side. And you look, Sir, at Government's

expenditure. One major chunk is charges of debt and there is only one situation that I can recall where there were certain rumours mid nothing beyond rumours in relation to that area of expenditure.

The next major area where there has been a constant string of accusations is to Government's expenditure on personal emoluments.

Mr. SPEAKER: The Honourable Member, I do not want to interrupt you but...

Dr. R. C. HAYNES: It is a no-confidence motion. You can talk on anything.

Mr. SPEAKER: I would like you to address the Resolution that is before the House. I believe that this is what you intend to do.

Dr. R. C. HAYNES: That is what I am doing, Sir. I am saying that the Resolution before the House is an example of what could happen if certain institutions are not but in place in this country. This is a no-confidence motion and you can talk on anything in no-confidence motions, under the Westminster System that we have. You can talk on anything in a no-confidence motion. That is understood. That is in May's. That is part of the parliamentary history of this country and Westminster. I wish to stick to that I am sticking to the history of this country, the history of Parliament that we adopt I am speaking on a no-confidence motion and like a budget motion, the two motions in Parliament where you can speak on anything you like. If I may continue, Sir.

Mr. SPEAKER: Proceed, please.

Dr. R. C. HAYNES: In the area of personal emoluments the two issues have always related either to victimisation or in appropriate favouritism which one calls "yardfowlism" or whatever. I am saying that that can only be cured in this country if we so establish a Public Service Commission that it has the exclusive authority for all appointments, promotions, transfers and discipline within the public service of this country, subject only to policy directions of the Cabinet

We must recognise however that there are a small number of jobs which are in the exclusive gift of a Prime Minister or a Cabinet and those jobs should be clearly defined. I think this would protect public servants, it would protect parliamentarians, it would protect the integrity of a Cabinet and it would protect the integrity of Barbados and the citizens of Barbados would not feel that they are being alienated by any political process in respect either of getting a job, transfers, appointments, promotions or otherwise. I believe that this should be put in place as soon

as possible. You have everything to gain. It would make for better government. Everybody would be happy. The days of the job letter and this kind of thing would come to an end over night. All citizens out there would feel they have an equal opportunity in competing for jobs and that section of Government expenditure. Therefore it can only help Barbados in the future and help for better Government.

The second area I want to come to is the area where this kola syrup problem arises and it is a large chunk of Government expenditure, the area of expenditure on goods and services.

Now, Sir, a lot of money is involved. Every year you spend millions of dollars on goods and services and every year, I am telling you, no matter what this Government does, you are going to be hearing out there on the ground, rumours that this person got this contract because he is connected with so and so. All this kind of thing is going to go on and is only going to undermine the integrity of any Government unless these matters are addressed. We have suggested and I am going to bring a Resolution, if I can find a seconder some time on either side of the House, for debate. The time has come in this country when we should have an office of Contractor General. That office would be similar in status to the Accountant General and to the Auditor General, about neither of whose offices I have ever heard any scandal in all the years that I have been in public life. It is the Contractor General in his independent office, which would be dealing with such matters as tenders, contracts, allocation and selection of persons who offer professional services, on the clear understanding that no Government in its right sense would ever place itself in a position where it is bound to accept any tender or the lowest tender for anything in this country. As a matter of fact, Sir, I believe that the Government of Barbados has a responsibility just as when it imposes taxes, everybody pays, when the time comes for benefits from Government expenditure, any responsible Government has a responsibility to make sure that that expenditure is spread in such a way that the largest number of people benefit from Government's expenditure.

Now, Sir, that is the kind of policy direction that a Cabinet can give to a Contractor General and even when it comes to individual projects, even in those circumstances a Cabinet can give similar directions. Let me give you an example, Sir. If a Government has an office of Contractor General in place and the Government of Barbados had determined that it was going to build 100 houses in St. Andrew and that it was the policy of the Government not to give that contract to any one person but to give it to at least 10 contractors at a maximum price of say, \$70 000 a house, that would be the intervention of Government at that level. The policy directive goes down to the Contractor

General and beyond that it is a matter for the Contractor General to put those policies in place.

Now, Sir, that does not stop a Government from carrying out its policies but what it does, it makes the Government and politician one step removed from the kind of involvement which the present arrangements in Government place on Ministers of Government and hence results in all kinds of confusion.

The third suggestion I want to make today, Sir, I think is a complimentary one and that relates to this whole area of affirmative legislation. What has been happening in Barbados is that successive Cabinets have in many ways and quite rightly so, adopted the principle that they, under the general powers of a Cabinet, can allocate expenditure to achieve certain objectives not necessarily conforming to the lowest tender and that kind of thing. What we do not have in Barbados is any legislative framework that provides for that and I believe that the sooner we come to this House with a Bill providing for affirmative action despite the nonsense that you are hearing now in the United States where a whole bunch of white racist conservatives want to remove from under the feet of black people in the United States any opportunity for the future ... What I am saying is that we need to come to this House with that kind of affirmative legislation and supportive regulations so that when a Minister or when a Cabinet acts they know that they are doing it within the context of stated legislation and stated regulations and not under the general umbrella of the broad concept of Cabinet responsibility. 12.55 p.m.

I believe, Sir, that if these things are done then we will have less and less of these kinds of problems. There are four proposals that I am making and the final proposal I wish to make is that I think the time has come for the establishment of an Integrity and Anti-corruption Commission in Barbados under the Constitution and very similar to the Electoral and Boundaries Commission.

I say this, Sir, for a very simple reason. I believe that it is in the interest of any Government, any politician, the public and the Press that such a commission should be in place so that the daily diet of wild rumours you hear out there in the community will come to an end very rapidly, because people will know that when they start their rumours against a Minister, a MP or anyone holding a public office then that can attract the attention of the Integrity Commission who can report publicly on these matters.

In this case, Sir, the Minister of Education would have had an instrument available to her if in her judgment she found matters on the files which in her view when interpreted in a particular way, would be the kind of thing

that should be sent to such a commission. The Commission would have the power to call the Honourable Member for St John, to call all of those persons at Omota and whoever they want, listen to them and what we would have today if the matter ever came to Parliament, would be the report of such a Commission. It can only benefit this House. It can only benefit the Government. It can only benefit all Members of Parliament if we all sit down and look at the institutional framework that we have and why it has failed over the years.

Just imagine, Sir, what would have happened since last year if this matter of kola syrup had gone to the Commission and that Commission had deliberated and today, if necessary, such a report would have been available to Parliament that would form the basis of a debate. Everybody could not be other than happy with the outcome of such a process.

Now what do we have in Barbados? We have ^ the Public Accounts Committee, Sir, and to the best of my knowledge and recollection there has not been a completed report of the Public Accounts Committee submitted to this Honourable House in the past 21 years. I think the last completed report submitted to this Honourable House was way back in the early 1970's by the late Tom Adams. We have had, Sir, occasional Commissions of Inquiry on an ad hoc basis and in between we have had a situation that has simply festered on and on and has created more and more problems.

I believe, Sir, and I want to conclude now because I do not wish to speak for very long for the simple reason that I do not wish my proposals to be diluted by anything else.

My suggestion, Mr. Speaker, if we are going to improve the governance of this country, if we are going to deal with the kind of problems that we are debating here today, we have to do four things:

1. Reinforce and enshrine the role of the Public Service Commission of Barbados as the only body responsible for all appointments, promotions, transfers, discipline and dismissals in the Public Service. That is the first suggestion;
2. To create an independent Office of Contractor General similar in status to that of the Auditor General and the Accountant General of this country;
3. To put into legislation an Affirmative Action Bill with appropriate regulations, so that each and every Member of a Cabinet would know precisely what is the legal framework within which they

operate in respect of putting in place policies that I would consider to be progressive policies in relation to distributing the benefits of Government's expenditure, and finally;

4. To put in place an Integrity and Anti-corruption Commission which will be the body to deal with the numerous allegations and charges which will arise day after day in the context of modern day Barbados and which threaten to undermine the stability of the country if it continues.

Sir, I believe that those four things will cost very little to put in place. But I think, Sir, arising out of all of this either we take these kinds of steps or you can be guaranteed that next year or the year after we will be back here with the same type of debate. It does not stop.

Sir, have you noticed that there are a million things that I could have adverted to during my presentation? I have a good knowledge of all the scandals that have surfaced over the years. I have pretty good knowledge of what people are saying out there. I know that deep within me that 90 per cent of the charges that you hear against politicians and public officers are nothing but naked lies. I know and I have knowledge that there may be an element of truth in some of them. But the point that I am making is that Barbados has reached the point now where the two mechanisms that we have, the Public Accounts Committee which has failed us and the Intermittent Commissions of Inquiry, that we have do not solve the problems.

I have brought to this House what I consider to be a framework that does not involve a lot of expenditure which can deal with these problems and deal with them expeditiously, deal with them fairly not only for the protection of the public officers and the protection of politicians but also to expose where there is a case for exposure any kind of unacceptable behaviour by those in public life.

Sir, I have given a lot of thought to what is going on in Barbados and to what has happened over the years. I believe that a House should not be afraid to accept these proposals because they come from the NDP. Do not be afraid. You have accepted a whole lot of them lock, stock and barrel and you have put them in place. You have taken a whole lot Now add these four which I think that all Barbados would benefit from. I thank you very much, Mr. Speaker.

SUSPENSION

Hon. Miss B. A. MILLER: Mr. Speaker, I beg to move that this House be suspended until 2.10 p.m.

Hon. Miss M. A. MOTTLEY: I beg to second that, Mr. Speaker.

The question that this Honourable House be suspended until 2:10 p.m. was put and resolved in the affirmative without division, and Mr. SPEAKER suspended the sitting accordingly. 1.05 p.m.

RESUMPTION

Mr. SPEAKER: This sitting is resumed. The Honourable Member for the City.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, I feel constrained to speak in this debate. This is a debate about many things, not the least of which is the integrity of the tendering process.

I have been a Minister of Education in my time, the Honourable Member for St. George South has been a Minister of Education in his time, and in a former Barbados Labour Party administration nothing of this kind ever occurred in the process of tendering in the School Meals or in any other tendering process that I am aware of.

I heard a number of words and phrases fall from the mouth of the Leader of the Opposition today which, Mr. Speaker, give me great cause for concern. I was already concerned, but I am much disquieted. The Honourable Leader of the Opposition spoke of monopolising the tendering system. He suggested that there was nothing particularly wrong with Ministers drafting Cabinet Papers, a procedure unknown in our style of Government and certainly not practised nor encouraged in a Barbados Labour Party administration either in the past or in the present. I heard him speak of unfair policies, but I would want to begin with the Leader of the Opposition himself.

Having heard the Honourable Member for St Michael North East, the Honourable Minister of Education, Youth Affairs and Culture, it is clear to me that the Honourable Leader of the Opposition in his former capacity as a Minister of Finance had a role to play in what is now described as the kola syrup affair, and I consider it really quite impolitic, unfortunate and unprofessional that he could see no conflict of interest in his accepting a brief from these people knowing that there was a role he played, so at the beginning this is where my discomfiture starts.

I am aware that the Honourable Leader of the Opposition has grown up in the Democratic Labour Party in a culture where these things are normal and where these things are thought to be proper. On this side of the House we have different views and the public of Barbados

needs to understand that this is a new and different dispensation and that in these early months and weeks of a Barbados Labour Party administration, late 1994 and early 1995, apart from all the other important things that we have to do, putting our policies on the ground, trying to turn around the economy of this country, trying to generate jobs for the 30 000 people that the Democratic Labour Party put into the sphere of unemployment, we have had to spend time, as we have in earlier administrations, mopping up the inequities and the infelicities of the Democratic Labour Party.

It is nothing new to us, and I give great credit to the Honourable Minister of Education for the way in which she has handled this matter, with the highest propriety, and I wish her well. I believe she will go from strength to strength and when many of us no longer sit in here she will be in here defending the integrity of the process of Government, because all of that is at stake.

That is my first difficulty, Sir, that we are dealing here with a person, namely the Honourable Leader of the Opposition, in whose name this Resolution stands, who sees no conflict of professional legal interest in accepting a brief from these people, knowing that if there was ever a court case he might have to be a witness.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, on a point of order. To the best of my knowledge there is no action standing in the name of any company which I have called today against anybody for which I have accepted any brief. There is no action before the law courts in Barbados on any such matter, as far as I know.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, the Leader of the Opposition constantly sets up these straw men to knock them down. I never said there was an action. The Leader of the Opposition himself said that he was acting on behalf of these people in his political capacity subsequent to the fact in this matter legal action has been threatened. It cannot get higher than a threat. Just like this Resolution has no substance in it, all it has is a Resolution, whereas what? The Honourable Minister acted with the highest propriety in this matter and I want to speak to the whole question of the integrity of the tendering process in this country.

In my opinion the tendering system is outdated and it is something which I hope that this new administration will modernise, but, Mr. Speaker, it does not mean Oh, the letter has come to hand, Sir, Thompson & Patterson, Attorneys-at-Law, dated 14th November, 1994. It is addressed to the Permanent Secretary, Ministry of Education and Culture, Jemmotts Lane, St. Michael:

"Dear Madam,

Re Ometa Distributors Ltd.

We act for the Principals of Ometa Distributors Ltd. regarding the contract to supply commodities to the School Meals Department and in response to your letter dated 7th November, 1994.

We are instructed to request from you the reasons for your decision in accordance with Section 13 of the Administrative Justice Act, Cap. 109B of the Laws of Barbados.

The address for service of the statement of reason is Thompson & Patterson, Fields House, Spry Street, Bridgetown.

Grateful to have your response in the next 14 days,

Yours faithfully,
Thompson & Patterson."

And do you know who it is signed by, Mr. Speaker, Sir? Not Patterson, David Thompson, M.P. When I practised as an Attorney-at-Law, Sir, I never wrote "M.P." after my name.

Aside.

Hon. Miss B. A. MILLER: You do not have any understanding of the fitness of things. You have no understanding of the propriety that attaches to these matters.

Aside.

Mr. SPEAKER: Let us continue orderly, please.

Hon. Miss B. A. MILLER: It is this that I have difficulty with, to begin with.

Mr. SPEAKER: Are you making that a document of the House?

Hon. Miss B. A. MILLER: Oh, yes, Sir, I would like to make this a document of the House. What I am saying is that the ice the Honourable Leader of the Opposition is standing on is exceedingly thin and he will fall in before this debate is over.

Mr. Speaker, as I have said, and as has been said in this debate already, and I am sure it will be said time and again during the course of the debate, the Honourable Leader of the Opposition has come up in a tradition of CARSICOT, Sherbourne and the St. Joseph Hospital, again another area where a Minister of the Democratic

Labour Party Government had no understanding of conflict of interest. In that case you have a situation where a Minister had a major capital work going on under the auspices of his Ministry and had at one and the same time contractors working on his private premises. An obvious conflict of interest A blind man could see this, but the Democratic Labour Party is blind to these niceties. The Democratic Labour Party is blind, deaf and dumb to these notions of integrity.

I want to speak, Sir, particularly about what....

Aside.

Hon. Miss B. A. MILLER: No, no, no, no. The only person who ever built my houses is me, and I have the documentation to prove it, and will keep it till the day I die.

Mr. Speaker, Sir, the Honourable Leader of the Opposition spoke about monopoly in the tendering system. There is another matter, and I just want to draw it to his attention, because I heard a lot of self-righteous rage, I heard a lot of behaviour such as you see quoted in the Bible like Scribes and Pharisees at the side of the road beating their breasts about how righteous they are and who sits on the church synod and all of that 2.20 p.m.

I have a file here, Mr. Speaker, Sir, and on it is the unmistakable manuscript of the Prime Minister of Barbados, and it has a question. "Is there any possibility of having this quite sordid matter reopened?"¹¹ The Honourable Prime Minister was not speaking of the Kola Syrup affair. There is another affair which has now come to my attention in my new incarnation as Minister of International Transport It is a matter dealing with the award of a concession to one Amanda Incorporated to operate a shop for the sale of liquor and smokers' requisites at the Airport.

Asides.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, tenders were invited for the award of a concession to sell these things - liquors and cigarettes and the like - in the departure area of Terminal 1 of the Grantley Adams International Airport Eleven tenders were received and the Tenders Committee recommended a Mr. Walter Forde to be awarded the contract, he having offered a fixed annual fee of \$948 000 or 30% of gross sales whichever is the greater. That was the way in which the invitation to bid was framed, either a fixed fee CM* a percentage of gross sales.

Do you know what happened here, Mr. Speaker, Sir? To give the lie to what the Honourable Leader of the

Opposition was saying, neither the Minister of International Transport nor the Minister of Finance accepted the recommendation of the Tenders Committee. I see the Honourable Member for St. Michael South looking at me quizzically as though he is hearing of this for the first time. Most probably he is. This is how they flouted the tendering process. This is how monopolies were established. They disagreed with the Tenders Committee. The Minister of Finance who at that time was the Honourable Member for St. John, the Honourable Leader of the Opposition, and the Minister of International Transport-Here is what they said:

"In the light of the Amanda Incorporated track" [they forgot the word "record"] - "I recommend that the Tenders Committee's advice be set aside in favour of Amanda Inc."

[And you talk about monopoly?]

"The sole criterion for the award of a tender in the instant case should not be the highest rental revenue but rather whether a reliable quality service can be offered at competitive prices."

Mr. SPEAKER: Could you tell us, please, where you are quoting from?

Hon. Miss B. A. MILLER: I am quoting from Minute 164. It is not a Cabinet Paper. It is a Minute addressed to the Attorney General from the Permanent Secretary, International Transport Division.

Amanda's base bid fee was \$840 000 compared to \$948 000 from Mr. Forde or 28% of gross sales compared to Mr. Forde's 30% of gross sales.

Asides.

Hon. Miss B. A. MILLER: I don't care who Mr. Forde is, but whoever he is his tender was the better tender. Mr. Speaker, to add insult to injury and again I am seeking to give the lie, the monstrous monumental lie, to what the Leader of the Opposition said earlier today. They did something that was quite unprecedented in the history of tendering in Barbados. At a subsequent meeting - and all of this happened in August, 1994. Even on the 6th of September on this file documents were being signed.

"At a subsequent meeting in August, 1994, the Cabinet..." - and that is why the Honourable Member for St. Michael South must know about it - varied its earlier decision to give to Amanda and ignore the Tenders Committee to give to Mr. Forde, to grant to Amanda

further and above the option to renew the lease. Are you hearing me, Mr. Speaker? They gave further and above to Amanda the option to renew and yet the Leader of the Opposition got up in here this morning and said that we mustn't support the principle of monopoly in the tendering process. Yet the greatest proponent of monopoly in the tendering process is practised under the Democratic Labour Party.

Not only do they carry away the tenders that rightfully should have gone to Mr. Forde and give it to Amanda Inc., but come back a few weeks later and add on to that to give him an option to renew the lease. Properly speaking, Sir, at the end of the lease the tendering process would have been re-opened and people would get a chance to bid at the time, but no. They are giving the principals of Amanda Inc., people who are known to be associated with the Democratic Labour Party, former members of Parliament sitting on the Democratic Labour Party benches, financiers of the Democratic Labour Party, an option to renew. So it means that the Walter Forde of this world cannot get a pick even to tender in the future.

There is more insult to be added to this injury.

Aside.

Hon. Miss B. A. MILLER: The Prime Minister. It is signed Arthur, 21st November, 1994:

"Minister of State,

Is there any possibility of having this quite sordid matter re-opened?"

It was sent by the then Minister of International Transport, the Honourable Member for Joseph. It was sent to the Attorney General and the Attorney General quite properly gave an opinion to the effect that the Government is bound by this. Do you know when all this documentation was signed, Mr. Speaker, Sir? The 31st of August 1994. There were things on this file that were signed even on the day of the election itself.

There is a Minute here saying, "Please send a copy of the agreement and of the bond to Amanda Inc." There is a Minute on this file dated the 5th of September, 1994 saying, "please send a copy of the agreement and of the bond to Amanda Inc." In other words, get this thing sewn up before the morning of, the 6th of September.

So how does it now lie in the mouth of the Honourable Leader of the Opposition to say that there should be no monopolising or no monopoly or even the semblance of monopoly imported into the tendering system. This was something quite unprecedented.

There is more insult to be added to this injury, because the lease for this shop at the Airport used to be a lease - the Honourable Member for Christ Church South may be able to remind me. I think it was a 2-year or 3-year lease. They extended the lease and gave them an option to renew plus they disregarded the advice of the Tenders Committee.

Aside.

Hon. Miss B/ A. MILLER: A copy of it is here. It is disgraceful. This is obscene. This agreement is made the 31st day of August 1994 between the Crown hereinafter called the Government on the one part and Amanda Inc, a Company incorporated and registered of the other part. It goes on. All of what they must provide. The terms of the lease would be somewhere in here, but I don't want to waste precious time dealing with it. I do not want to waste precious time. The Attorney General has examined it The last page of the document says "In witness whereof and these are the parties " signed by R.D.S. Goodridge, Permanent Secretary, International Transport Division" and signed on behalf of Amanda Inc. by James Barrymore Springer, Amanda Inc. per Barry Springer, Director. 2.30 p.m.

Mr. Speaker, I do not care who is James Barrymore Springer anymore than I care who is Walter Forde. What is at issue here is the iniquitous, corrupting behaviour of the Democratic Labour Party who will now stand up like whited sepulchres, Scribes and Pharisees, outside the Temple, rending their garments in sack cloth and ashes - Oh me, Oh my - full of self-righteousness, to tell the Honourable Minister of Education, who is being nurtured in this Barbados Labour Party in a tradition of propriety and integrity, and who has learned well from those who went before her in this Parliament, that she is to follow the tradition of the Democratic Labour Party?

Mr. Speaker, in another part of the world, and if it was this party, she would not be sitting on this front bench now. You hear me, Sir? In another part of the world she would have to have left and if what they have done over there had been done by her over here she would not be sitting on this front bench now. This is a new dispensation. That is why I say, Sir, that this debate is, in my view, largely about the integrity of the tendering system, about the propriety of how one conducts oneself when one is a Minister of Government. What I am saying, Sir, is that the Honourable Leader of the Opposition should have been the last person - if they had felt constrained to bring this Resolution - to bring it knowing that he was party to the iniquities and the infelicities. He should have been the last.

Mr. D. J. H. THOMPSON: Mr. Speaker, on a point of order. The Honourable Member is imputing improper motives to a member of this House. She says I am

party to iniquities and infelicitous. Those words have definitive meanings which would suggest that I am participating in some kind of activity which is illegal or immoral. Therefore, Sir, I wish the Honourable Member to be asked to withdraw those words.

Mr. SPEAKER: The Honourable Member is saying that you are imputing words on him.

Hon. Miss B. A. MILLER: You mean iniquity and infelicitous?

Mr. SPEAKER: The Honourable Member is saying that he was not involved in iniquities and infelicities.

Hon. Miss B. A. MILLER: Perhaps, now, I am being forced to expatiate on what is infelicitous and what is iniquitous.

I find it unprecedented in the history of this Chamber and certainly in all of my political dealings...

Mr. D. J. H. THOMPSON: Mr. Speaker, I have asked you to rule on the matter. If you rule that it is not a point of order, then that is one thing but I am asking you, Sir, to please rule on whether those words are acceptable. She said I was party to infelicities, party to iniquitous activities. I am saying that it is a matter for the Speaker to rule on. The Honourable Member cannot continue. It is for you, Sir, to rule on the matter.

Mr. SPEAKER: Okay. Order, please. I am asking the Honourable Member to withdraw the words "iniquities" and "infelicities", please.

Hon. Miss B. A. MILLER: Very well, Sir, but I notice that the Honourable Member had no difficulty with the Honourable Prime Minister's language which was to the effect that this is a quite sordid matter.

Aside.

Hon. Miss B. A. MILLER: I withdraw the words. But I will now give further and better particulars. I find it difficult, Sir, and this again is where now the behaviour of the Honourable Leader of the Opposition is contemptuous of this House and of Your Honour, that the Honourable Leader of the Opposition would stand up in this House and seek to introduce as a document of this Honourable Chamber a document which is known to be a fraud.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, on a point of order. I have never introduced into this House of Assembly any document which I have known to be a fraud and there is no member who can impute those kinds of motives to any member of the House. I am therefore asking

on Your Honour to rule in this matter. I have not introduced any document in my entire parliamentary career which I have known to be fraudulent and I am saying the Honourable Member cannot impute those motives to a member. That is not the style or standard of debate to which we are accustomed.

Mr. SPEAKER: The Honourable Member for the City, we will try to keep this at the level we want it to be.

Hon. Miss B. A. MILLER: Yes. I am trying to keep within the bounds. All that is happening here is that the Honourable Leader of the Opposition is claiming that he did not know that the document was a fraud. That is all what he has just said amounts to. Let us get down to the nitty-gritty now.

Mr. D. J. H. THOMPSON: Mr. Speaker, on a point of order. Any document that I have introduced in the course of this debate is a document the authenticity of which I have relied based either on the fact that they form part of files in my possession, copies of Cabinet documents or otherwise, or documents handed to me by bona fide persons on whose principles I have relied.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, what the Honourable Leader of the Opposition is saying is that he cannot speak to the authenticity of the document. He can speak to the provenance of the document, if he knows the word, but he may not be able to speak to the authenticity of it. The point I am making is this, Sir, that it is a letter, the original of which can be found nowhere in the Ministry of Education, a letter in respect of kola syrup, or in the Ministry of Finance, or anywhere in the documents which are kept by the Tenders Committee.

Now we have ample evidence that Ometa Distributors made representations in respect of English potatoes, rice and other commodities but significantly not kola syrup. But then we hear about a letter which nobody else has seen, a letter which I believe was born in November of 1994. That is a very serious thing, and to seek to produce that as a document on which a case is being built to impugn the integrity of the Minister of Education is a shocking and serious thing. It is akin to lying to the House. Ministers in other jurisdictions have resigned for less. But again, the Leader of the Opposition has come up in a culture where Ministers do not resign. In fact they rejoice in their iniquities.

Mr. Speaker, perhaps you may be called upon before this debate is over to rule in respect of conduct which you will or will not tolerate in this Your House because it is Your House. You preside over this. We have had a situation time and time again where the Honourable Leader of the Opposition, he is like the boy crying wolf

and we know what happened to that fellow. He got eaten up by the wolf. He is slipping and sliding on a slippery slope and you know what has the slope slippery now for the Leader of the Opposition? Kola syrup; and he will slide down and take a bad, bad fall in it before this day is out. He is like the boy crying wolf all the time.

He tried to impugn the integrity of the Honourable Prime Minister when he was Leader of the Opposition to say he had a secret deal with the IMF and the whole of Barbados was waiting and is still waiting. He is always crying wolf. I have told him in his private capacity and I have told him in his public persona already that he has the style of a guerilla. He is always in the bush sniping. He will not come out and stand face to face with you. 2.40 p.m.

Mr. SPEAKER: The Honourable Member has two minutes to conclude.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir - scrambling about in the bush. How else do guerrillas operate? Come out. I told the Honourable Minister of Education keep your powder dry and stand-by.

Mr. Speaker, Sir, the Honourable Leader of the Opposition spoke of unfair policies. When I see what I have seen on this International Transport Division file about Amanda Inc. unfair is far too tame a word. You would have to invent a new word to describe the nastiness that attaches to this. This was done within 7 days of the election. The Agreement itself is dated the 31st August. The election was on the 6th September.

All that has happened with the kola syrup is that by her diligence the Minister of Education discovered the attempt at a scam and uncovered it. And not only uncovered it, she cleaned it up. She has since shown how the tenders process should be dealt with and should be addressed. I want to say that I have, and I believe I speak for all of this House, the largest confidence in the Minister of Education. And far from calling upon her to resign, I would wish to call upon the Honourable Prime Minister to have her reign as long as she is willing and able.

Thank you, Sir.

Mr. SPEAKER: The Honourable Member for St. Michael East.

Mr. J. O. TUDOR: Mr. Speaker, this debate today is certainly one that we in Barbados will have to take a very serious note on since it is not simply a debate on the question of the issue of kola syrup because ! think it is

fairly well established that the issue of kola syrup is basically a non issue. I think the debate must go beyond the whole question of kola syrup because it has been clearly established that not one single ounce of kola syrup was sold or delivered to the School Meals Service and, as a result, not one single cent was paid, by the Government, for any kola syrup. A lot has been said...

Asides.

Mr. SPEAKER: Please. Could we have some order, please.

Mr. J. O. TUDOR: I sat and I listened very patiently to everybody. I did not interrupt anybody. This is a serious debate and I think that both sides must be able to put their case very clearly. I think that it is a debate we must not take for granted.

Aside.

Mr. J. O. TUDOR: I can speak honestly about the licences. I can speak about any issue because I acted in good faith and in relation to policies that I believe in.

Aside.

Mr. SPEAKER: Continue, please.

Mr. J. O. TUDOR: Mr. Speaker, this debate is not one that I intend to take lightly because this Parliament in Barbados is going to suffer these kinds of debate every other month, every other 6 months, every change of Government, because a serious development is taking place in Barbados where members of the Barbados Labour Party, when they are in Government look after supporters of the Barbados Labour Party, when the Democratic Labour Party traditionally has been the Government we have looked after our supporters. That has become a convention that is accepted. We could go on and on and argue about what they have done, what we have done and I would not even go so far to say that within 9 months of their being in office there are a number of things that we can already point to related to the whole question of integrity. If they want to challenge us and if they want to produce documents, we can also do the same from this side. Within 9 months, the same Administration that is pomposetting and indicating that they are so glorious, they are so upright, they are the only ones that have the answers and so decent, and are the only ones capable of leading honestly and decently in this country. We have a lot of information that we can disclose the same way. There has been no act of impropriety with regards to the Government awarding any contract to Amanda Inc. Amanda Inc. is a company that established a good track record at the Airport. It is a company that spent its own money to refurbish the

departure area. They spent their own money to develop and re-arrange the Departure Lounge. As a result of that, several things were taken into consideration with the award of the contract to Amanda Inc.

I will say something on this. We have to be very careful in this country when we talk in terms of awarding contracts to people because there is this myth that you must award a contract to the highest bidder. There are several scenarios in this country where it just, simply, will not work. The Airport concessions are areas that we have to be very careful because the revenue base...

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, on a point of order. The Honourable Member whether wittingly or unwittingly is misleading the House. Amanda Inc. offered to make some minor adjustments in repair of the ceiling and to improve the lighting in the Departure Lounge. Their offer was rejected, given the small size of their investment, the irrelevancy of the offer to their immediate operating environment and the accompanying request for an extension of their contract

Mr. J. O. TUDOR: Mr. Speaker, we were satisfied on this side that Amanda Inc. was a reputable company that had done a good job and we felt that the bid that they had tendered was a bid that was acceptable to the Government and that it was at a level that was not disadvantages! in the Government because that bid was the highest ever on record for the tender of that contract at the Airport

Aside.

Mr. SPEAKER: Order, please. Order, please.

Aside.

Mr. SPEAKER: Order, please.

Mr. J. O. TUDOR: Yes. The highest ever accepted. I have seen and I was making the point that there are different types of tender. The Government in every clause always...

Aside.

Mr. SPEAKER: One minute, please. Honourable Members, I need to hear the Honourable Member. I have given him permission to speak. You will have your turn. Please, let us do this orderly.

Mr. J. O. TUDOR: On every tender there is a notice which says that the Government is not bound to accept the highest tender or any tender, for that matter. That is a proviso that is stated in every tender and it is the whole question of the policy determination of the Administration of the day that determines who gets tenders, at what prices, for what reason and so forth. The tendering system varies.

I have seen, when I was a Minister at Public Works, the tender, for example, for the lime stone where there are a number of suppliers that supply lime stone to the Ministry. We had a situation developed where one person would have the lowest tender but then they would not have the material. Because the tender was awarded to them, it meant that material could not be supplied to the Ministry of Public Works because the person who had submitted the lowest tender could not supply the material.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, on a point of order. It is not fair that the Honourable Member should be doing this to somebody who is not here to speak for themselves.

There was nothing to suggest that Mr. Walter Forde could not supply the tender.

Aside.

Hon. Miss B. A. MILLER: I do not know who he is and I do not care.

Mr. SPEAKER: Please, please, please you have made your point Continue, please.

Mr. J. O. TUDOR: Mr. Speaker, Sir, the process where the award was given to the person who had tendered the lowest meant that the Ministry of Public Works could not satisfy their work programme because they were unable to provide material, the person who had won the tender at the lowest bid. What the Democratic Labour Party did was that they accepted tenders and accepted the recommendation and noted all the prices that were tendered by the various persons and we put in place a system where we would award the tenders to the lowest tender, if that person could not supply we would go to the second highest tender. If the person could not supply we would go to the next tender *et cetera*. There are varying types of methods that have to be used in terms of awarding tenders. I remember, Sir, there was one for the water meters where we had set out asking a tender for 40 000 meters. Sir, we invited the public to come and witness the opening of the tenders. 2.50 p.m.

Aside.

Mr. J. O. TUDOR: For the first time as far as that is concerned. So, Sir, if it is their policy or it is our policy to award contracts or concessions or awards to persons that we feel comfortable with that is a matter for us. Right now, within three months of that administration, the Ministry of Finance, where they have responsibility for National Petroleum Corporation, within three months they have rearranged contracts to increase the price of cleaning contracts by over \$1 200 to a Member of the Barbados

Labour Party in the name of Lionel Craig. They gave him an additional \$1 200 on a cleaning contract against a person who was considered to be doing it for \$3 200 and within three months they gave the contract to Lionel Craig and a company called Lursam Enterprises Limited from Bay Street, and if you want me to make it a document of the House, Mr. Speaker, I will make it a document of the House too, because they have been speaking as if they are the only ones that have any integrity in this country and that the Democratic Labour Party is some moral corrupt group. We are persons that have the same integrity that they have. If they are bragging that they are decent, we are decent. If they are saying that they are decent we are just as decent. We are far more decent so do not let us come in here ... The public of Barbados is not interested ...

Mr. SPEAKER: Just one minute, please. Honourable Members let us have some order, please. We are not only decent but we are orderly.

Mr. J. O. TUDOR: I am talking, Sir, about a situation that has happened in the Ministry of the Prime Minister. Mr. Speaker, I have made it a document of the House.

Mr. SPEAKER: Honourable Member ...

Mr. J. O. TUDOR: I am not speaking for the sake of speaking or I have any agenda. I have no agenda. We have to defend our integrity as well as they have to defend theirs. We have a determination as a Government. We have our own policy determination. Whether we are right or whether we are wrong, the point is we have the right.

Asides.

Mr. J. O. TUDOR: I had the policy determination to determine about licences or any thing. I had the power to do it. No problem. That was my determination.

Asides.

Mr. SPEAKER: Order, please.

Mr. J. O. TUDOR: The same way the Prime Minister had the right to introduce 200 new licences for one arm bandits, I had the right to introduce 15 ZR permits.

Mr. SPEAKER: Honourable Member for St. Michael East, please.

Mr. J. O. TUDOR: 15 ZR permits. Go and check the inquiry that you all refused to hold in public. Go and tell the public exactly what I did that was wrong, 15 ZR permits. Go and check the records.

Asides.

Mr. SPEAKER: The Honourable Member for St. Michael East please, could we proceed orderly? Do not let it get out of hand.

Asides.

Mr. J. O. TUDOR: Not one. Go and check the record.

Mr. SPEAKER: Honourable Member for St. Michael East, let me say this please. We have a Resolution before the House and I allowed some latitude as you attempted to make your point about contracts but I think it is going a bit far now and I recognise the point that both sides have been trying to make but do not let us go down the road of justifying contracts that have been made so many years ago. Let us get back to the Resolution before the House, please.

Hon. O. S. ARTHUR: Mr. Speaker ... Mr.

SPEAKER: On what do you rise?

Hon. O. S. ARTHUR: Mr. Speaker, on a point of order.

Mr. SPEAKER: I recognise the Honourable Member for St. Thomas on a point of order.

Hon. D. A. C. SIMMONS: The point of order I wanted to make was that contrary to what the Honourable Member said, it is my information that the Commission of Inquiry into the ZR licences or permits will be holding public sessions from the week of the 12th of July. There is nobody writing any letter ...

Mr. SPEAKER: Just make your point of order and let us move on please.

Hon. D. A. C. SIMMONS: The notices will shortly be published in the newspapers and a member of the commission has been out of the island and should return on the weekend and my information last week was that the public hearings will start on the week of the 12th of July.

Mr. SPEAKER: The Honourable Member for St. Michael East, I am suggesting to you, Sir, that we do not go down that line.

Mr. J. O. TUDOR: Mr. Speaker, I am speaking about the policy determination of the Democratic Labour Party and I am defending that we have the right just as they have the right as an administration to determine our own policy. Now if the former Minister of Education ...

Hon. O. S. ARTHUR: Mr. Speaker, earlier a statement was made in this House that would seem to implicate the Minister of Finance in the award of a contract at the National Petroleum Corporation. I want to

say, Sir, that that is grossly misleading this House, that no matter pertaining to any award for any cleaning at the National Petroleum Corporation has been referred to the Minister of Finance for any adjudication and I want to read that into the record of this House because what has come across, Sir, is that I have been party to the award of a contract at the National Petroleum Corporation knowing that it was not the lowest bid. I want to read that into the records of Parliament, Sir.

Mr. SPEAKER: Okay, let us proceed, please.

Mr. J. O. TUDOR: Mr. Speaker, Sir, the information that I was referring to and it is my understanding, Sir, that it comes under the jurisdiction or the portfolio of the Honourable Minister of Finance. That is my understanding. And if as we have recently heard about the whole question of accountability, I expect that is a matter that the Prime Minister will have to be accountable for.

Now the question that we have to debate, Sir. We can go on, Sir, and we can come down in the gutter. We can take this debate however we want to take it. The point is, that when we were a Government as the Democratic Labour Party, whether we were right or whether we were wrong, the...

Mr. SPEAKER: On what do you rise, Sir?

Hon. O. S. ARTHUR: I am asking that the record of Parliament be correct. I am asking that the reference made to the Minister of Finance in relation to the award of a contract to the National Petroleum Corporation be withdrawn. No contract to any matter pertaining to the NPC has been referred to my attention, Mr. Speaker. I am asking that that be withdrawn and struck from the records of this Parliament. It is not true.

Mr. J. O. TUDOR: Mr. Speaker, Sir ...

Mr. SPEAKER: You referred to the Minister, so could you withdraw?

Mr. J. O. TUDOR: I am now saying that the Board ...

Mr. SPEAKER: So you are withdrawing what said? you >

Mr. J. O. TUDOR: No, I am not withdrawing. Mr.

SPEAKER: The Honourable Member, please...

Mr. J. O. TUDOR: You are ruling, Sir, that I withdraw. Fine. I will rephrase it, Sir, by saying that the information that I referred to comes under a Board within

the Ministry of the Prime Minister's portfolio and the Prime Minister by extension has to be accountable for it. But that is their policy determination. They decided that they wanted to give Lionel Craig a 38 per cent increase in fees over what was being tendered before. But that is their policy determination. They are the administration as far as that is concerned. The point that I want to make Sir, is that the former Minister of Education is a man known personally to me and a man with very high integrity and of good standing in this society. The present Honourable Minister of Education also knows that. They are also good friends. The Honourable Minister knows full well that at no time was any attempt made by that Honourable Member to involve himself in activity that was underhand, corrupt or dishonourable to this country. The Honourable Minister... 3.00 p.m.

Hon. Miss M. A. MOTTLEY: On a point of order, Sir. The Honourable Member for St. Michael East would like to do many things. But the one thing he cannot do yet or ever is to speak on my behalf or on my knowledge and I therefore, resent any statement being put into the record that he is misleading the Chamber by seeking to say what I know. I do not know any such thing.

Mr. J. O. TUDOR: Mr. Speaker, I know the gentleman very well. He is a very decent young man and has very good standing in this society and he said openly in public when this matter came to a head that it was a storm in a tea cup, it was blown out of proportion and that if the mistake had been spotted he would have corrected it forthwith.

I recall, Sir, during a Budget debate or an Estimate debate when the Honourable Member for St. Michael South Central, when he was the Minister of Finance, that a mistake was made in the Estimates and it was brought to the attention of the Minister by the then Leader of the Opposition or the then shadow Minister of Finance and it was settled without this kind of acrimony. It was a genuine mistake. It was brought to the attention of both sides and this situation, Sir, could have been dealt with in that similar manner. There was absolutely no attempt and even the comment, Sir, that the Honourable Minister said that Mr. Best did not even purchase one single gallon of kola syrup at the price that was supposedly quoted because he felt that it was astronomical. Any normal person would understand that had to be an aberration or something had to be wrong. Any normal person would question that. I do not think that any member of the public really believes that anybody was trying to get away with a price of \$69.00 a gallon for kola syrup. I really find, Sir, that is something we really should not be indulging in. But the point, Sir, is that the Barbados Labour Party last year asked this House...

Aside.

Mr. SPEAKER: Just one minute. The Honourable Members please. The Honourable Member for the City please. Continue please.

Mr. J. O. TUDOR: The Barbados Labour Party made a request to this House sometime between November and December last year that they wanted to debate three items. They wanted to debate political life on television even though the Honourable Leader of the House denied it a couple of sessions again. They wanted to debate the No-Confidence motion in the Minister of Education. They wanted to debate the 8 per cent case and they wanted to debate the Casino Gambling Resolution. There were three items that they made a request to debate live. That request, Sir, was done in an effort to continue the public relations exercise to deal with the Democratic Labour Party publicly, because this is not a question that they want to prove that they are upright and that they are looking after what they were mandated to do to look after jobs which they said they would do. This is not a question, Sir. This is a matter of trying to put the Democratic Labour Party to rest for a long time so that they can have a free hand to win the Government and refuse to concentrate on what they have been mandated to do, and that is the promise of jobs. There are several people out there in the community today, Sir, in my constituency that are not interested in the kola syrup issue. They are not interested in it because they know that not one single cent has been spent. Nobody has carried away a cent from the Government. The Government does not have to spend a cent on kola syrup, but what they are interested in is the Government getting down to work and dealing with the issues that have been mandated by them.

I will close and say that I am concerned, Sir, that in this House and in this country sensationalism seems to be taking over. If we want to get down and have the respect of the people in this country, we have got to stop this kind of behaviour as far as that is concerned. We can go backward and forward at each other but we must respect that we have a right to determine policy in this country. If it is our desire on this side and our interpretation that we are assisting small, black businesses or whoever we feel like assisting on this side, that is our policy. We cannot be challenged as far as that is concerned.

Mr. Speaker, Sir, the Honourable Minister of Education came to this House and suggested that this Honourable House may in fact have to go for a supplementary vote as a result of the excess money that has been spent on kola syrup. I recall the asides and I recall everything in this House where they accused us of having taken the money and we did this with it which was absolutely nonsense not a single cent, Sir. They have tried to indicate to this House that this House will have to seek a supplementary vote as a result of expenditure of kola syrup. I went and checked it because I wanted to be very

clear. I want to be fair to you. But that, Sir, is treading on very dangerous grounds because this Honourable House is being held and used as a whipping dog and I do not believe that debate in this country needs to be brought to this level. What the Government needs to do is to press on with the work and the mandate that they have been given and they must stop seeking to pull the Democratic Labour Party into the mud.

Hon. Miss B. A. MILLER: On a point of order, Sir. The Honourable Member has gotten himself into horrible matters. We are not the ones who brought this Resolution to make the House any whipping dog. It is them.

Mr. J. O. TUDOR: Mr. Speaker, as I said at the beginning, this is an important debate and we had to bring this motion so that we would have been in a position to debate the Ministerial Statement. So whether we brought it or they brought it or whoever brought it, the point is that this debate is important to this country because the country must clearly understand that political parties in this country have the right to determine policy. From time to time you are going to have accusations left and right because the members of the Barbados Labour Party will want to contribute to supporters of their administration. This is a norm. This is acceptable. This is a convention almost in Barbados and when we were in administration there were people who we wanted to feel comfortable working with and that is precisely what we did. 3.10p.m.

I think that this debate is one that must be used, we must put to bed the whole question of any corruption or anything as far as any kola syrup is concerned. It is a non-issue. No corruption took place, no malpractices, no impropriety, nothing of the sort took place as far as that was concerned. I think that very shortly, if this is the standard they have set for themselves, apart from not having confidence in the Minister of Education we might probably have to bring a motion of no-confidence in the Government itself when we have unearthed the remaining things we have to unearth against this administration.

I thank you.

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, I wish to make a few comments during this debate, but my intervention will perhaps be in a different vein from the speeches which have been made so far.

I believe that one of the buzz words we are hearing now is "accountability", as though accountability was not a characteristic of Governments of Barbados from the time that this country has known Government. Governments have been accountable in a variety of ways and one way by which Government is held accountable is by way of

motions of no-confidence, such as the Leader of the Opposition on this occasion has brought. Yet, Sir, when we are talking about accountability, a concept which the Government states and affirms that it is very much committed to, the very Members of the Government get highly annoyed and incensed when matters are raised in order to hold them accountable.

The Leader of the Opposition and Member for St. John has noted a statement made by the Minister of Education, has found that statement defective and has therefore brought a motion dealing with accountability. Instead of dealing with the issues involved, all kinds of extraneous matters are being brought in in order to divert attention from the essence of the debate and to try to turn the tables on the Opposition for bringing this resolution.

Let me say at the outset that I was not present at the relevant Cabinet meeting.

Aside.

Rt. Hon. L. E. SANDIFORD: That is a fact. I was the Leader of the Government. Let me refute, Sir, any charges, innuendos or implications that the administration that I headed was guilty of any iniquity or any wrongdoing or of breaking any of the laws, including the Financial Administration and Audit Act, or any rules made thereunder. I refute that completely. My administration sought at all times to operate in an atmosphere of integrity and in an atmosphere of good governance. I think we have to say that, Sir.

I want to advert also to the fact that the Standing Orders under which we operate indicate that the names of persons should not be called in debate in their official or public capacity when they are acting in such capacity; and if the names of persons, individual citizens, or those citizens who have an artificial corporate personality, are being called, notice must be given to you, Mr. Speaker, of the points that are to be made in accordance with the Standing Order. I refer to Standing Order 28, and particularly 28(9) and (10). We have to be vigilant in this House about the conduct of our debates and the parameters within which to carry out these debates.

Mr. SPEAKER: The Honourable Member, please. You seem to be imputing, relating to the conduct of the House by the Chair. Let me just say that Standing Order 28(10)(a) and (b) was brought very clearly to the Members of the Opposition and of course to the person who was supposed to be defending. References have been made to names. The Chair does not believe that there was anything derogatory in what was stated, it was just a casual reference to a name to illustrate a point

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, be it far from me to question your wise conduct of the proceedings of this House. Be it far from me even to impute any such thing. I was not making any such imputation. I am sorry that you drew that conclusion, but I said nothing that would indicate that you erred in any particular way or any particular instance. I was simply setting the framework within which the Standing Orders should be viewed; and I have done that in order to lay a foundation and to point out that these rules are so framed in order to protect individuals and corporate bodies as they go about their lawful activities as citizens in this country, as they go about earning their living, providing employment, and carrying out the other responsibilities that their citizenship has imposed upon them.

Therefore, I think when we take all of that into account, we should realise that there are individuals and corporate groups who are seeking to make a contribution to the level of economic activity in this country. I refer especially to individuals and corporate entities who have not been at the peak of the economic mountain in this country, who have not been part of the traditional structure of economic power in this country. We as a Government should not deny the majority of Barbadians. We should be committed to the objective of trying to raise up those who are under-privileged and depressed and who wish to make a living in this country. We as a people and in this Assembly are supposed to be trying to open up the economic avenues that lead upward to progress and development. Why then the most we can do is to try to pull down individuals, and pull down corporate entities whenever we come to debate? That worries me, Sir! And I believe that at the root of it is not just kola syrup, which is probably not good for health anyhow!! do not know why they should be providing that for the school children! It is not good on a nutritional basis. 3.20 p.m.

I do not know why we should get involved in that kind of debate over this issue. So there must be something more behind it. Let me come to the heart of the problem, Sir. Unless in our political arrangements in Barbados we find a way of financing political parties that do not depend upon hand outs, hand-overs, and transmission of contributions from individuals and corporate groups.

Hon. D. A. C. SIMMONS: On a point of order. I don't understand it. Was the Kola Syrup to finance a political party? That is a new angle to this debate.

Mr. SPEAKER: No point of order. Let us proceed, please.

Rt. Hon. L. E. SANDIFORD: I am proceeding, Sir. I am in here not to give aid and comfort to any point of view that partisan positions may indicate. I am here to

speak on matters of public importance that affect this Barbadian polity. That is what I am interested in, Sir. We are interested in the probity and integrity of our political system. It is not a perfect system and we the members of this Chamber have the task of trying to make the political system and the economic system better.

I am saying that from my own observations down through the years there has been a temptation, a tendency for individuals and groups who make contributions to political parties to try to get some recouping afterwards down the road. That is fair enough.

Let me say this, Sir and I repeat it since it is one of my firmly held convictions arising out of my observations on Government activity and Government operations. There is a temptation, or a feeling, or a tendency or proclivity that because someone or some group has made a contribution, that when they come to tender for any contract to provide goods or services, somehow or another their deeds to a political organisation might be taken into account.

Fortunately, that is why we have the Financial Administration and Audit Act and the Rules made thereunder. The Rules are quite clear on the awards of contracts, on the role of the public officers, on the role of the Minister, and on the role of the Cabinet I am not aware of any breaches of those laws in the award of contracts. The rules make it quite clear that Government is not bound by the highest bid or by the lowest bid, and that Government can take into account a number of factors.

Asides.

Rt. Hon. L. E. SANDIFORD: This Democratic Labour Party Administration never made any infringements or committed any breaches under the Act or its Rules. We must refute any implications and innuendos that the Leader of the Opposition or any of us who held portfolios in the last Administration were guilty of any breaches.

Sir, I would like to make it abundantly clear that when we believe we are safe and secure, there are certain twists and quirks that can take place in political life. I heard, in my own case - I believe, Sir, you were presiding - the Prime Minister say that "he had the honour" to introduce a Resolution of No-Confidence against the Prime Minister and Minister of Finance. "He had the honour" to do it! I cannot understand where he learnt that language!

But we are looking at the record very carefully, Sir. Each one of the Ministers from the top right through will have to face this House in terms of accountability, if they are found to be lying to this House, or in any way to be in breach of the standards that are expected of them in their public capacity. I hope that those high-flown words that we

hear from them and those high standards that they will be upheld, and that when their time comes, they will exercise the same sagacity of conduct and control when they are called to account. I go no further on that particular matter.

I do not wish to dilate anymore on these matters. We as members of Parliament seem to believe that our political survival depends upon how much we can attack and destroy one another. Let me say that is not why the people of Barbados elected us to this Chamber. We are here in order to improve the living standards of our constituents and the people of Barbados generally. Until and unless we stop this kind of behaviour and this kind of conduct, we will not send the right message, and we will not do the right things on behalf of our people. The people of St. Michael South and St Michael West, and St Peter, expect a lot from us.

I don't speak in any partisan way, and I hope that we will all seek to make our public policies and our public operations much better. Let me say, Sir, I heard the Leader * of the Opposition being castigated for writing a Cabinet Paper. 3:30 p.m.

I wish to say, Sir, that a Cabinet Paper is the Minister's Paper, and those Papers can be generated up through the system with the Permanent Secretary taking responsibility for the Paper. In any event, it is the Permanent Secretary who, through the mechanisms, forwards the *Paper* to the Cabinet. Papers can be written by the Minister. There is nothing to say the Minister cannot do original work.

Aside.

Mr. SPEAKER: Please, please. Let us continue.

Rt. Hon. L. E. SANDIFORD: I am seeking to continue, Sir. I do not think that we should hide behind those kinds of little things like the Minister, the Paper, or something else! I do not think either that because a Minister determines that something should be done speedily, it should be a cause for concern, since it is the Minister who determines the pace at which matters should move at those times. I think that with those words, Sir, I can rest my case.

I express my own full support for the Leader of the Opposition in his efforts to hold the Government accountable, but the government is uncomfortable with that particular role, it seems to me.

Thank you, Sir.

Hon. Miss H. E. THOMPSON: Mr. Speaker, Sir, I rise in this debate to make a few comments which I think are of some pertinence. The last time I was in this Chamber before September 6, I sat in that part of the Gallery and listened to what is now the historical no-confidence debate against the then Prime Minister.

On or about the last 20 years there have been eight, I believe, no-confidence motions brought in this Chamber - one against the Speaker as he then was, Burton Hinds, now deceased, one against Lionel Craig, one against Vic Johnson, one against Warwick Franklin, one against the Honourable Member for St. Michael West, and three against the Honourable Member for St. Michael South, only one of which was debated but it took only one to cause him and his party to sit on the other side.

I have listened today to the contributions of members on both sides of the Chamber and as they spoke, I wrote a list of what clearly has emerged over the course of the debate and what I think we must put to the public as being clear and indisputable facts, and I will go through them slowly, Sir.

It is now indisputable, Mr. Speaker, that the Cabinet's decision to award the contract to Ometa Distributors raised the price of kola syrup from \$4 162 670.80 to \$5 667 715.65 of which the increase in the cost of overall commodities including the award of the kola syrup would have caused the taxpayers to pay \$1 505 046.85 more. That is the result of this decision. We will get later to whether socio-economic inequities and inequalities were being resolved or whether or not ethnic inequalities were being corrected but that is a separate issue. The fact is that the taxpayers of Barbados were being asked by the Cabinet decision to bear a burden of \$1.5 million more at a time when they were already under severe stress as a result of the policies of that administration. That is the first indisputable fact.

The second indisputable fact is that the tendering process is a formal and rigid process and that the tender was for a 1 gallon container of kola syrup and that there was never any invitation to tender for a quantity more than that. So that Ometa Distributors could not have tendered for a 5V₂ gallon container of kola syrup because the tender was always for 1 gallon containers. That is a fact

It is also a fact, Mr. Speaker, that a woman who is well known to me met me after this matter hit the news and said to me, "Miss Thompson, I want to tell you something. I am a woman much older than you. I was involved in catering for over 30 years and there is no such thing as a 5V₂ gallon container of kola syrup". Now, this is a woman who works in the industry. Mr. Speaker, I work only as a housewife. I can tell you that it does not exist for

household purposes but the fact is that the Opposition and the member for St. John are now saying that Ometa Distributors tendered for a size which was not part of the requirement of the tendering process and for a size that does not exist. That is the second indisputable fact.

The third indisputable fact, Mr. Speaker, is that the recommendation of the Tenders Committee was that the kola syrup should be purchased at \$15 a gallon on the open market and that the decision of Cabinet, if we are to accept it as it was, was for Ometa Distributors to supply the syrup at \$69 per gallon. That is the third indisputable fact.

The fourth indisputable fact, Mr. Speaker, is that a letter dated May 25, 1994 which seeks to change the size from a 1 gallon to a 5V₂ gallon container first surfaced in November of 1994, that the then Minister of Education knew nothing about it. He said he had never seen it That is a fact. It is a fact that it appears nowhere at the Ministry of Finance, that this letter appears nowhere on the records of the Ministry of Education, that it does not appear in the files of the Chairman of the Tenders Committee but the only place the letter could be found is in the possession of the Honourable Member for St John who is now the attorney for the same company and who was also the Minister of Finance who made the decision to change the tender. That is also an indisputable fact. A letter that can be found nowhere else in the world. It cannot be found on the files where it should have been sent, no record can be shown to prove that this letter ever came into the Ministry, but the Honourable Member for St. John has it in his possession after the Minister of Education said publicly that something was amiss in relation to the kola syrup tender. About six months after the event, Tyrone Estwick, the Minister publicly stated that he had never seen the letter before.

It is a fact that at the time of tendering in 1994 Ometa Distributors Ltd. did not exist as a legal entity. Mr. Speaker, they were dead in law. The Honourable Member for St. John who has himself admitted that he has practised law neither long nor well, sought to give some explanation how one can recognise a company in law when it has been amalgamated with another company. You can only recognise the Company up to the date of the amalgamation and legal action can ensue for conduct up to that point but after the point of the amalgamation the company no longer exists in law and therefore at the time that Ometa Distributors sought to tender for this commodity they were, in fact, not an existing company known to the laws of Barbados. 3.40 p.m.

The Honourable Member for St. John said that few of us will understand the point, that it is a fine

legal point Mr. Speaker, I say only that it is as fine as the Emperor's new clothes, completely non-existent

The sixth indisputable point is two-pronged. It deals with the fact that the Minister of Education, by the 29th June had indicated that he was not prepared to accept the recommendations of the Tenders Committee and that, by the 14th July in the heart of an election campaign - and one wonders why - he sends a note to the Permanent Secretary which says:

"Submit his recommendations to Cabinet to vary the same."

This is interesting. This matter was not going to Cabinet for discussion. At this stage, they already had taken the internal decision and it is going to Cabinet to be "varied" to ensure that a certain company gets the contract.

In addition, we note that instructions came from the Ministry of Finance on the 21st June and the 21st July, that the Minister of Education made notes on the Hie on the 21st July and that the Cabinet decision followed almost immediately. No processing through the Ministry. No evidence that civil servants had any contact with the file at all. That it was all done at the level of the politicians and therefore one has to ask, why the speed and political involvement, at this level.

I want to suggest that it had to do with ensuring that certain things were done before the 6th September. Members on the other side are suggesting that it had to do with correcting certain ethnic inequalities, but I will get to that.

The seventh indisputable fact is that a Mr. Ko(hdiwala acting for Ometa Distributors wrote to the Ministry of Education and indicated that he had gone through the document line by line and that all was well. Not that there was anything wrong with the kola syrup tender. Not that there was a mistake in the size of the container. All he was saying was that all was well. He had conversation with the staff of the Ministry and indicated, in those conversations that he wanted to change only the price of rice. How then do you explain this letter which surfaces for the first time in November, after he indicated, acting on behalf of Ometa that all was well?

What is also indisputable, at this stage, is that this decision of the Cabinet did not seek to put an end to monopolies or did not purport to avoid monopolies as was suggested by the Hon. Member for St John because, by the same decision of Cabinet, the Cabinet then went on to award Ometa 32 commodities of the 80 that were tendered for while other small black businesses were allowed only

5, 7, 9, or 10 but Ometa got 32. Who then, therefore, has the monopoly?

It is also indisputable, at this stage, Mr. Speaker, that were it not for the intervention of a vigilant and serious public servant who recognized what it would cost the taxpayers and who therefore did not actually order the syrup, were it not for the action of this officer, the Government would have been involved in excessive expenditure of the taxpayers' money.

We have heard much about the fact that the Democratic Labour Party's Government, as it then was, sought to protect the interest of Black business. I think that we need to focus on that for a few minutes. It is clear for those who know anything about Ometa Distributors, NSR Limited and Julie'N that this is not a Black company. That its principal acting officer who has the same complexion and shares the same ethnic grouping as myself so emulates his business principals and his company's true owners that he would even curl his hair to imitate the appearance of the true owners of the company.

Mr. Speaker, this company is a company that shows no commitment to our local economy. In many cases, it does not even sell products which are manufactured and produced in Barbados. And that is critical in examining whether this is a company with commitment to Black people or not. But we need to go further because the Democratic Labour Party says that it was protecting the interest of a black company in making this decision. One therefore has to examine its wider record on black companies, in Barbados. Let us go to that wider record.

Mr. Speaker, first of all let-us deal with their approach to the individual. Many Barbadians all over Barbados lost their homes as a result of policies that were instituted by the Democratic Labour Party, many of those were black. Many Barbadians were affected by the wage freezes, many of them were black. Similarly the civil servants, the majority of whom are black were adversely affected by the salary cuts of the last Administration. All workers in Barbados were affected by the drop in unemployment benefits and severance payments. The Honourable Member for St. John, speaking in his capacity as Minister of Finance, sought to offer the black and unemployed young people of this country bus fare and lunch money. They have no proud record of assisting black people in this country.

But I go further because we have to look at how they administered their wider policies in relation to black business. When the opportunity came for the cruise facility to be handed out to certain black companies, they chose instead to give a lease for 99 years to a white monopoly company. Bobby Moms' son was made the Manager.

That is critical, that there was a golden opportunity to put economic power into the hands of the black people of this country and the black working class and black people who had the wherewithal to invest and they chose to go white. They talk black but act white.

I want to make my views on this very clear. I believe that all Barbadians of whatever complexion are to be given a share in the economy. But, at the same time, this fallacy that the Democratic Labour Party revels in, that they are the protectors of the black and that they do a lot to advance the cause of black people in this country must be blown apart and dissipated for what it is. It is not fact. It is fallacy. It is myth.

The granting of that cruise facility to a white monopoly company, excluded from economic activity a lot of the black entrepreneurs at Pelican Village who were adversely affected by the setting up of the cruise facility, under white ownership, in the Port

Almond Beach, then Hey woods, was to be sold - that Administration was concerned about black people or so they say. As the vendors of Heywoods, they had the opportunity to set up a contract which would have let the staff be passed on as part of the sale of the hotel. They did not seek to protect the rights of a single black employee. But the majority of black workers who worked with Heywoods had to go home when it was sold to the white owned company BS&T. That is a fact. That is part of the history of the Democratic Labour Party, that while they were purporting to protect the interest of black people in this country they were talking black and handing the economy to whites. 3.50 p.m.

When BET was to be sold, Mr. Speaker, all the shares went to non-Barbadians and indeed white multi-national corporations. When they had the opportunity, Mr. Speaker, to invest the fastest growing industry, that of telecommunications, in the hands of black groups to sell the shares on the market amongst Barbadians living overseas who had means or amongst black Barbadians living right here in Barbados once again they showed where their real commitment was and handed the shares of BET to a Caucasian multi-national corporation. I can speak in relation to the sugar industry where we had the opportunity to say to those people, our grandparents and our foreparents and our cousins who have slaved in the sugar industry for years, "form a cooperative and buy into the sugar industry."¹* Again under the DLP it went to a non-black, non-national company and the Dems now dare to say that we were trying to award contracts to white people in this country.

Mr. Speaker, I am not finished because under that administration they promoted the concept of the all

inclusive hotel. I have no difficulty with the concept of the all inclusive but a Government must be vigilant and therefore all inclusive hotels in Barbados must be developed in such a way so that we say to the companies, you small black concessionaires like the black taxi drivers on Broad Street who cannot now get work, "use the same ZR vans and give them work," so that they do the transportation, so that small black companies get a piece of the cake rather than having all of the money sit in the all inclusive and sit in the hands of large white concessionaires. Give piece to the black people too. Who was knighted under the Democratic Labour Party? All of their Caucasian supporters. They like to speak about the Goddards that support the Barbados Labour Party. There is only one Goddard who really supports the Barbados Labour Party. But Mr. Speaker, there is more to be said.

Asides.

Mr. SPEAKER: Order, order, please.

Hon. Miss H. E. THOMPSON: We need to examine this matter of whether or not the award of the contract was intended to benefit the black companies or not

Mr. SPEAKER: Honourable Member please. Order please. Let us hear the Honourable Member.

Hon. Miss H. E. THOMPSON: Mr. Speaker, the evidence on the record of the Democratic Labour Party is that though they talk black that their conduct as a Government in fact ensured that white business was treated better than black business in Barbados and that is indisputable.

Now that we are on this whole matter of a no-confidence motion, Mr. Speaker, we must examine who in fact have confidence in whom and whether Honourable Members on that side who bring this motion of no-confidence in the name of the Honourable Member for St. John are themselves worthy of confidence.

Mr. Speaker, the Honourable Member for St John in whose name the motion is brought has already said in Barbados that this Barbados Labour Party was entering into a secret deal with the IMF. We now know that was not true. The Honourable Member for St John said that we had a plan to bring casino gambling to Barbados. We now know, as a people, that that was not true, that we let the national discussion process go on and took a decision based on what the national will was. We also know that while his party said that they did not want casino gambling that his minutes of the files of his Ministry showed that he was working to ensure that casino gambling was established in Barbados with alacrity and were it not for September 6, we would have had a casino under that administration. It was put on halt because of the election.

Mr. D. J. H. THOMPSON: Mr. Speaker, on a point of order. The first point I want to make is that the Honourable Member is misleading this House. A commission met under a judge and found that all that she has just said to this House is untrue. In fact, Sir, we never made any allegation that the Barbados Labour Party would bring casino gambling to Barbados first. The Barbados Labour Party made the allegation that we had given a commitment which they were bound to keep in introducing casino gambling in Barbados in St. Philip. Now, apart from several other distortions I thought at least I needed to correct that one for the time being.

Hon. Miss H. E. THOMPSON: He cannot correct, Mr. Speaker, his reputation on the fact that prior to the elections he went all over Barbados saying that if we won we would devalue the dollar and that has again proven to be another untruth. That is another fact.

Mr. Speaker, it is also a fact that we have seen in this Chamber documents signed by Senator Harcourt Lewis on behalf of the Government of Barbados, the then Government, the Democratic Labour Party Government, to introduce from last September term user fees at the Barbados Community College, the Samuel Jackman Prescod Polytechnic and the University of the West Indies. All of that is a fact.

We have heard, Mr. Speaker, Sir, that the Honourable Member for St. Michael North East approached the Honourable Member for St. John with regard to which primary school in St. John should be closed. The Honourable Member for St. John gave his input but then made a public statement which suggested that he knew nothing about it.

Mr. D. J. H. THOMPSON: On a point of order, the only input I gave in response to anything the Minister of Education said to me is that she is the Minister of Education and she has to do what she has to do and that was the end of my conversation with respect to that matter. I gave no commitment. I gave no views one way or the other until I listened to my constituents.

Hon. Miss H. E. THOMPSON: Mr. Speaker, it is a fact that those who attended the meeting in St. John, held recently, including officials of the Ministry of Education heard the Honourable Member for St. John who is now on record as saying that what he thinks does not matter because his children do not go to school there. Could you understand what that means? Because his children are not going to be affected by the process he can say anything. He has no duty to present a case for his constituents. He does not care what happens to their future. He got up at the meeting and said that his children do not go to school there so what he says does not matter.

Mr. D. J. H. THOMPSON: On a point of order, it is quite the opposite. It is because my children do not go to

school there and I want to know what the views of the parents of children who go to school there are, that I took a position in consonance with them and not in consonance with my personal views. That is what representation is about as I understand it. I said that at the meeting too.

Hon. Miss H. E. THOMPSON: That is what he is saying now. At the time he should have said, I will confer with my constituents and get back to you.

Mr. SPEAKER: The Honourable Member, please.

Hon. Miss H. E. THOMPSON: But the Honourable Member for St. John gave a position which he started to peddle back from after the facts were brought at the meeting.

Mr. Speaker, we have to ask ourselves whether or not, given the conduct of the Honourable Member for St. John, the very fact that the no-confidence motion is brought in his name means that it is suspect. That is the fact. Not only that, it is brought by the Democratic Labour Party and Mr. Speaker, we have heard so far the Honourable Member for St. Michael East, a person who is on record as saying that his Prime Minister was performing very poorly but after himself having a seat in Cabinet was heard to reverse himself very spectacularly as saying, "Oh the Honourable Prime Minister is doing wonderfully, I just did not understand everything that was going on before". That is a fact.

The evidence says too, Mr. Speaker, that in the run up to the elections in the same way that Ometa Distributors position was thought to be secure that the Honourable Member for St. Michael East gave out more licences, 300+, in the six weeks prior to elections than the Democratic Labour Party Government had given out for their whole term in office. We saw him speak today on this matter of licences with arrogance and without remorse. That is a pan of how they conducted themselves in Government and now they seek to bring a no-confidence motion against the Honourable Member for St. Michael North East whom they are yet to prove has done any wrong. It is a fact, Mr. Speaker, Sir, that the Honourable Member for...

Mr. SPEAKER: The Honourable Member has one minute to conclude.

Hon. Miss H. E. THOMPSON: It is a fact, Mr. Speaker, Sir, that under the Honourable Member for St. Michael West Mount Stinkeroo became such a terrible mess and that all over the world people give birth in hospitals and maternity hospitals but he is the first Minister of Health whose hospital gave birth to a \$110 000 study. That is a fact and yet it is that side that seeks to bring a No-Confidence Motion against this administration. 4.00 p.m.

Mr. Speaker, given the fact that I have only one minute left, I will say that this No-Confidence Motion and the fact that it is before the House is almost like Lady Macbeth who having encouraged so much wrong-doing in the end sought to wash hands and say look I am clean here.

Aside.

Mr. SPEAKER: Could you wind up please?

Hon. Miss H. E. THOMPSON: The fact is that the examination of the performance of the Democratic Labour Party Administration will show them to be like Macbeth - covered and steeped in blood and that the bringing of this No-Confidence Motion, self-righteous though they may sound instead of showing that the Member for St. Michael North-East has done any wrong in fact exposes them for their history of wrong-doing while nothing wrong has been done by this administration. So whatever size containers the Honourable Member for St. John is now bringing in, it does not change the fact that the indisputable evidence in this matter is that they have no record of protection of black Government and that much wrong went on in the award of this contract.

Mr. SPEAKER: The Honourable Member for St. Thomas.

Hon. D. A. C. SIMMONS: Mr. Speaker, I shall be short in this matter because those on this side who have preceded me have adequately dealt with it. But I feel obliged to enter the debate because we have now had four speeches from Members on the other side and three of the spokesmen have not found any merit in the Resolution to castigate the Minister and then to call for action against her. In other words, we have had speeches which have been in fact speechless and by inference of the speech of the Leader of the Opposition, the other speeches have not been the types of speeches where one could deduce that those Honourable Members found fault with what the Minister of Education did and as a result found her to be worthy of censure. We are, therefore, at the point where it would appear that the Resolution promoted by the other side has fallen flat even before it got off the ground and there really is no need to prolong this debate unnecessarily. What I understand of the matters which are germane to this debate is that the Tenders Committee made a recommendation for the supply of a variety of commodities by a variety of suppliers and thereafter the procedure seems to have gone wrong principally because of Ministerial intervention at appropriate points of that procedure.

Now let us get a couple of things straight for public education. We have talked of a Tenders Committee and I have no doubt that there are many members of the public who believe that the Tenders Committee is really some kind of body which is comprised of politicians and which makes political decisions. I wish first of all to disabuse the

public's mind about the Tenders Committee. Rule 129 of the Financial Rules says that there shall be a Committee known as the Tenders Committee which shall consist of:

- a. The Chief Supply Officer;
- b. Solicitor General or another legal officer in the Public Service nominated by him and,
- c. Five other Public Officers appointed by the Minister.

It had no political representation. Its composition is entirely from members of the Public Service.

Sir, under Rule 148 the procedure is set out. Unfortunately, this volume of the subsidiary legislation of Barbados is defective. It has Rule 141 and then the next one is Rule 155. So the Rules between 141 and 154 are missing from this volume, but in this version it is the more used volume. When the Tenders Committee comes to deliberate upon tenders, Rule 148 says: "The Committee shall send the tenders and its recommendations thereon to the Head of Department." Now that means Permanent Secretary but not a Minister. What I am trying to get the public to understand is that Ministers do not really have any involvement in these matters.

Aside.

Hon. D. A. C. SIMMONS: I will repeat it. I have a duty. The Committee shall send the tenders and the recommendations thereon to the Head of Department who shall submit the recommendation to the Minister *too*: acceptance. Now that Minister referred to means the Minister of Finance.

Aside.

Hon. D. A. C. SIMMONS: For 20 years people did not understand it apparently. Anyhow, it means the Minister of Finance. That is the only time that a Minister or a politician is interposed between the public officers. If the Minister of Finance does not accept the recommendation of the Committee, it then goes back to Cabinet for a final decision. What happened in this case... I am working on the law and I have read the law but I am dealing now with the facts and applying the facts to the law. The Minister of Education was written on the 22nd June, 1994 by the Head of the Department in the Ministry of Education who was the Permanent Secretary in these terms:

"The Tenders Committee has made its recommendations at 32 and the Manager has commented at 35 with regard to past reliability...."

[That's the Manager of the School Meals]

"... and whether or not the item is being used next year as well as quality of past items. Subject to the Manager's comments as to quality and those items to be taken off I recommend the Tenders Committee's conclusions at 32 for approval." 4.10 p.m.

So the Head of the Department was saying to her Minister that she recommended that he accept what the Tenders Committee has recommended.

Now, a Minister intervened. On the next Minute the Minister replied to the Permanent Secretary not the Minister of Finance who is the only Minister of Finance who is the only Minister that can deal with these matters under the law. The Minister of Education intervened to say:

"I am not in agreement with the recommendations of the Tenders Committee." [Now how did he get in it?]

"Please seek permission to have this matter submitted to Cabinet to vary the said recommendations."

He signed that on June 24. The Minister of Education intervened and it is my submission that at that point it was sent to him and then the next Minute was...

Asides.

Mr. SPEAKER: Please let's continue.

Hon. D. A. C. SIMMONS: "We spoke. I have submitted at cover for your perusal a copy of a circular DF & E regarding the procedure for rejecting a recommendation of the Tenders Committee".

The Permanent Secretary at Minute 39 was drawing to the attention of the Minister that there is a proper procedure for rejecting the recommendations and thereafter obviously the file went from the Minister of Education then to the Minister of Finance because the Minister of Education wrote the Minister of Finance saying:

"I am not in agreement with the recommendations of the Tenders Committee and seek your permission to submit the same to Cabinet to vary the same."

And that is where the Minister of Finance then dealt with the matter, rejecting the decision of the Tenders Committee.

So then it went to Cabinet, without discussing a Cabinet Paper. It went to Cabinet. Obviously the decision of Cabinet was to vary the decision of the Tenders Committee. There are no reasons given.

Aside.

Hon. D. A. C. SIMMONS: Now, Sir, the result of that Cabinet decision and one would like to know whether the computations and the financial implications were part

of the Cabinet Paper. That would be the key. But Cabinet varied the decision and awarded a contract to a company which the Tenders Committee had ruled was non-conforming. One among others.

In respect of the Kola Syrup the relevant company was Ometa and the effect of that Cabinet decision was to add \$1.4 million on to the amount of money previously voted by Parliament. It appears that when the contract was to be performed because letters passed between the Ministry and Ometa explaining to them that they had been awarded the contract. That was all in the vacation period last summer. At that time when the contract was awarded the Ministry was now doing its calculations and by the time we became the Government it was found that one item alone would have caused the vote to burst.

Asides.

Hon. D.A.C. SIMMONS: There was no error. How can 11 members of Cabinet sit down and tell me that they all agreed to an error. All 11 men are 11 negligent careless people.

Mr. SPEAKER: Order, please!

Hon. D. A. C. SIMMONS: It was after the Minister was faced with the distinct probability of having to request supplementary provisions because of this item that the whole matter came to public attention. Now at that time surely the Minister has a duty to explain to the Minister of Finance when she is approaching him for a Supplementary how come all of a sudden one item is bursting the vote. She has to explain that and she has a duty to explain to the Minister of Finance and she has a duty to explain to Parliament and she did it.

Now, Sir, when the matter was investigated there are features of the matter which cause concern. I am not repeating anything that anybody else has dealt with in here today. The Minister of Education has explained the matters which caused her Ministry concern. All of a sudden in this debate - this thing took place at election time - the former Prime Minister introduces a theory that we have to be careful - let me get his words - "because we have to find new ways of financing political parties' campaigns." How did that get into this debate?

The former Prime Minister, the member for St. Michael South in this debate was telling us about people supporting parties and contributing money and so on. I don't know if it had to do with the financing of any party's campaign. If that was a reason for making the mistake, for 13 members of Cabinet saying that they made a mistake, then we have to deal with this matter on a different basis altogether because if that was the reason then this would be the epitome of corruption.

It is clear, Sir, that the decision of the previous Cabinet, made knowingly or unwittingly, could have caused the Government of Barbados to waste \$1.4 million of the taxpayers money.

The former Prime Minister said that he was not aware that his Administration had been in breach of the Financial Rules at anytime. I just want to remind him and I have heard in this debate all kinds of considerations that should attend a decision to award a contract 4:20 p.m.

In 1988 there was a debate in here in which one of his Ministers, Blackman, Don Blackman not Harold Blackman, spoke about the award of a contract and the considerations that were taken into account by him wrongfully, and by the Cabinet..

Aside.

Hon. D. A. C. SIMMONS: The point I am making is, Sir, that the Privy Council has made it very clear in the decision that there was enough material before them and before the two courts in Barbados to suggest that the decision of the Cabinet in 1988 is judiciary reviewable.

Aside.

Hon. D. A. C. SIMMONS: Well, if Ometa had grounds, bring the case. I want Ometa to bring the case, as Attorney General, I am calling on the Leader of the Opposition to carry out his threat. Bring the case by Ometa and let us get a chance to cross examine those who signed the mysterious letter that you produced six months after.

Aside.

Hon. D. A. C. SIMMONS: What commission? I want them in court before a judge. Bring them. Let me get all the directors, Kothdiwala and the lady Miss Belgrave who signed it. Bring all of them let me get a chance to cross-examine them in open court so the public can hear.

Asides.

Mr. SPEAKER: Please, let us do it orderly.

Hon. D. A. C. SIMMONS: That letter, Sir, is an element in this matter that causes grave concern. You have an allegation that a letter of May 14 was purportedly written and there is no record. Every other document is accounted for, recorded and registered in the files of the Ministry.

I go farther. If you are not satisfied with the files of the Ministry, what complaint can you have about the filing system at the Tenders Committee? In the Tenders Committee files they have no record of that mysterious

document either and nobody hears anything about that until after the ministerial statement is made in November and subsequent to that a Press Conference is called and a document appears. All of us know that every document which goes to a Ministry has a stamp and the date received in the Ministry on it. This document has none. Show me where it is. Now, we are not judging the matter in here. I want it in court so we can get adjudication on it. But it looks very fishy, very, very fishy, that after six months a document turns up which nobody in any Government office knows anything about

Mr. D. J. H. THOMPSON: Mr. Speaker, on a point of order. The Honourable Member is misleading the House if he says it is after six months. From the time the issue was raised and the statement was delivered in this Chamber by the Minister of Education, the document, as I understand it, from the time the Minister made the statement in this House and the matter became a public matter as a result of a House of Assembly debate, that letter was produced and appeared on the front page of the newspaper in November. That is not six months after it came to light. The contract was awarded some time in August.

Mr. SPEAKER: Okay. Let us continue, please.

Hon. D. A. C. SIMMONS: Really I am not in court on a matter of pleadings and quibbling about the precision of dates. I really am not getting into that, Sir.

On November 15, the Minister made her statement in here. In the "Nation" of November 17, two days after she made it, the Honourable Member for St John disclosed the letter to the Press and that letter was dated May 25, 1994 "as allowed under paragraph 7 in the instructions to tender we specify that the price quoted for kola syrup is a 5V₂ gallon case."

Aside.

Hon. D. A. C. SIMMONS: Approximately six months after it was originally sent. That is why I say, Sir, that if we are going to quibble on these little things let us get in court and deal with the nitty-gritty.

Sir, the Opposition has a duty to explain beyond reasonable doubt the authenticity of this letter and to give a proper explanation for its late appearance and to explain why an original is what was produced, an original that should have been on the Government's files. They must tell us why the then Minister of Education did not see it. Why there is no reference to it in these files. That Minister said he never saw it Those are four matters they must explain about this letter. That is why I say I want court I have not been in there for almost a year now, so I want a little piece of that again to get all those points that I have made to hold them and nail them down.

The fax machine, a wonderful instrument. It is capable of great abuse as we saw only as recently as last Friday when they had, and I accuse the Democratic Labour Party of starting the most vicious, scurrilous, scandalous campaign of abuse, particularly against two female Ministers, two of my colleagues, one my cousin, and the Honourable Prime Minister. I warn them.

Asides.

Hon. D. A. C. SIMMONS: Don't give me that self-righteous thing and you set up your face like that. Do not give me that, that you all do not know about it. I have three copies. Thank heavens we have been able to trace the source. Repeat it and we will deal with criminal libel. Make no mistake. I am not speaking of you personally but the perpetrators and the originators who are starting it - if you think you are starting a campaign of character assassination by fax in this country - will be dealt with in the Defamation Bill.

Aside.

Hon. D. A. C. SIMMONS: Go ahead. The same kind of fax, not the same fax, that was used with this other letter. A word to the wise or the foolish.

Aside.

Hon. D. A. C. SIMMONS: I do not wish to be much more explicit. I will send you copies tomorrow.

Mr. D. J. H. THOMPSON: On a point of order, Sir. Less any imputation against any Honourable Member of this House is being drawn because the Honourable Member said about people's faces and the only people's faces he can see in here are Honourable Members', according to the Standing Orders. I know and I certainly have had no involvement whatsoever in the publication whether by way of fax or otherwise of any document which is scurrilous, abusive or otherwise of any Member of this House, on any side of this House. 4.30 p.m.

Therefore, I wish to make it very clear that the Honourable Member for St. Thomas could not be referring to me at all, in this matter. I do not know who he is referring to. I leave him to reveal his sources because he always has some secret information too, but it cannot concern me.

Mr. SPEAKER: Continue, please.

Hon. D. A. C. SIMMONS: I know all those tactics. The time will come when I will reveal.

Mr. Speaker, there really is nothing in this debate for the Minister of Education to defend. Governments in the past have been accused of not giving information to the public. I heard the former Prime Minister, when he intervened in this debate speak about accountability and

gave the impression that his Government was accountable. He does not understand, obviously, what accountability involves.

Aside.

Hon. D. A. C. SIMMONS: The legal point. He has to face me in court with that. Sir, accountability involves not only financial accountability but accounting to your constituents, accounting to the country about what is happening in your department, from time to time. The Minister of Education is doing no less than to inform the country of a matter which came to her attention, quite properly, in her Ministry and which had severe implications for Government expenditure. She had a duty to tell the country, in exercise of her ministerial responsibility, what she found. There has been nothing alleged on the other side, either in the body of the Resolution or in the speeches to date in support of that Resolution which, in any way, show that the Minister acted improperly or did not observe the best standards of conduct associated with ministerial responsibility.

Mr. SPEAKER: The Honourable Member has two minutes more.

Hon. D. A. C. SIMMONS: Therefore the Resolution must fail. I am not going to argue legal matters in here in two minutes. But I would just ask the Honourable Member to read carefully again Section 212 of the Companies Act that he drew my attention to this morning and in particular the matters in paragraphs (a) to (g) under subsection 2:

"On the date shown on a Certificate of Amalgamation in respect of an amalgamated company:

- (a) the amalgamation of the amalgamating companies and their continuance, as one company becomes effective;
- (b) the property of each amalgamating company including, in my submission a contractual right becomes the property of the amalgamated company;
- (c) the amalgamated company"

whatever it is now called, NSR or something like that:

"becomes liable for the obligations of each amalgamating company"

Aside.

Hon. D. A. C. SIMMONS: What said, "subject to the Agreement"? Do you mean their internal Agreement?

Aside.

Hon. D. A. C. SIMMONS: The amalgamating Agreement. He cannot contract, under the Act. That is a matter that can be explored when we get to court.

I therefore have the utmost pleasure in supporting everything that the Minister of Education did, in this regard, in relation to the kola syrup and you can be assured, Sir, that I shall be voting against this foolish Resolution that has been moved on the other side. It is absolutely without merit. Vacuous.

Mr. SPEAKER: The Honourable Member for St. Michael North.

Mr. R. St. C. TOPPIN: Mr. Speaker, initially I had not really intended to intervene in this debate since Members on this side have adequately taken care of the arguments presented by, especially the Member for St. John. But on that side, comments have washed far and wide and the Member for St. Michael East, in the course of his presentation, saw it fit to refer to the National Petroleum Corporation and the question of the tender process, at that institution. He made reference to the Honourable Prime Minister but this has nothing to do with the Prime Minister, Sir.

Sir, I am the Chairman of that Corporation and I will now seek, as briefly as possible, to explain exactly what the Member for St. Michael East seemed to have been referring to. When I assumed the Chairmanship at the National Petroleum Corporation, there was, on file - this is relating to the cleaning contract and cleaning services at that institution - a list of complaints about the cleaning service being then provided to the Corporation.

I have, which I can make available to the House, letters dating from between May 5, 1993 to November 3, 1993 in which management was expressing concern and making complaints about the cleaning being provided, at that institution, Sir. In the month of November or December, a Board Paper prepared not by the Board or the Chairman but by management, was presented to the Board at the Meeting in which management invited the Board of which I am Chairman...

Aside.

Mr. R. St. C. TOPPIN: ...1994. The Board Paper is dated December 7, 1994. Invited the Board to consider inviting tenders for the provision of janitorial services in respect of the Corporation's building at Wildey. At the end of the document, it went on specifically to state that it is management's view that the major reason for poor performance has been the acceptance of unrealistically low tender rates. This is the view, not of the Board or of the Chairman, but of management presented to the Board. The

management also gave a list of the companies that, in recent years, have provided janitorial services to the Corporation. Five companies were listed. I will get back to them in a minute. Pursuant to that Board paper, the Board took a decision to invite tenders from 3 companies. At the time the name of the company providing the services was Magic Touch Janitorial Service at a fee of \$3 200 per month. Tenders were invited on the recommendation of the Board from 2 other companies, in addition to that one namely, Nursing Enterprises Ltd. formerly General Cleaners Ltd. and Premier Cleaners.

The Tendering Committee, the Finance Committee met on Tuesday December 20, 1994 at 2.00 o'clock at the headquarters in Wildey. Present were Mr. Ronald Toppin, Chairman, Mr. Harold Blackman, Director, Mr. Desmond Crichlow, Director, Mr. Grantley Haynes, Director, Mr. David Trotman, Director. In attendance Mr. Ken Linton, Acting General Manager, Mrs. Carol Nurse, Manager, Administration, Mr. Alfred Rock, Secretary to the Committee and, by invitation, Mr. Ronald King, General Manager on leave. In other words, although the General Manager was on leave, we wanted such a full and frank discussion of the matter that we even invited him from on leave to come and make an input into the selection of the company who would be awarded the tender.

The tenders of the 3 companies tendering were all opened at that meeting in the presence of all then present. Tender figures were Nursing Enterprises Limited as I said formerly General Cleaners Ltd. \$4 400 per month, Premier Cleaners \$4 800 per month and Magic Touch Janitorial Service, the same company providing the unsatisfactory service that was constantly being complained about tendered the same \$3 200 that they were already receiving. Sir, in the circumstances, a decision had to be made. The management was clearly not satisfied with Magic Touch Janitorial Services and if I may go back, Sir, to the five companies presented to the Board, and the comments on them, 1995-96 - General Cleaners Limited, now Lursam Enterprises Ltd., the comment on that company, Sir, was there were no complaints against this company. However when tenders were invited for the next year's contract Bajan Cleaners Enterprises who submitted a lower tender \$1 865 as compared to \$2 132.56 were awarded the contract. Sir there were no complaints against General Cleaners Limited now Lursam Enterprises Ltd. 4.40 p.m.

Bajan Cleaners Services Limited, the comments were: This company was in 1988 and 1989 sent letters expressing the corporation's dissatisfaction with various aspects of their claim.

Nineteen eighty-nine to nineteen ninety-one Sani Services Limited who initially provided a high standard of

of service, by 1991 this had declined and towards the end of that year's 1990-91 contract tenders were invited and the contract was awarded to R M General Services.

Nineteen ninety-one to ninety-three RM General Services: This company was hired on a month to month basis in spite of several complaints to the NPC about this poor service, the Government seemed unable to sustain any improvements in their performance.

Nineteen ninety-three to present: Magic Touch Janitorial Service which was also hired on a month to month basis, this company's performance has been inconsistent and NPC has several times expressed its dissatisfaction.

Sir, in the circumstances it was impossible to award the contract to Magic Touch Janitorial Services to continue with its level of service that was unsatisfactory. It was impossible, Sir. The lower tender of \$4 400 a month tendered by Lursam Enterprises Limited who had a clean record with the corporation as Management said, there were no complaints against this company previously. The Finance Committee on the 20th of December 1994 decided after comments from the General Manager and full and frank discussion of the issue to award the contract to Lursam Enterprises Ltd.

Sir, everything in this matter has been totally above board. There is no suspicion. Sir, it is not a kola syrup issue. It is not a St. Joseph Hospital issue. It is nothing of the sort. I know, Mr. Speaker, that somebody on the other side has been snooping around NPC trying to search for something but, Sir, I give this House the assurance that once I am in charge at National Petroleum Corporation, Sir, everything will always be done above board and I dare say that if at any time in the future any complaints should be received against the said Lursam Enterprises Limited that cannot be tolerated their contract too will be terminated.

Sir, with those few comments I will take my seat. The comment of the Member for St. Michael East is scurrilous and will fail in the same way that the Resolution brought by the Member for St. John will fail this afternoon. I thank you, Mr. Speaker.

Mr. SPEAKER: The Honourable Member for St. Philip North.

Hon. R. N. GREENIDGE: Mr. Speaker, Sir, I believe that as a Member of the Barbados Labour Party, as a Member of Cabinet, but perhaps even more important, Sir, as the Minister responsible for women's affairs I will have to rise and lend support, not to the Resolution, but to the Minister of Education on this occasion.

I want to begin, Sir, by saying that everyone in Barbados knows that the Minister of Education is an extremely able and competent person. Indeed, Sir, I go as far as to say that she is one of the strongest women in our country. She is young, but she is an extremely strong and able person.

Barbadians will no doubt recall, Sir, that some time just prior to the elections she teamed up with another lady from the National Democratic Party and "catspraddled", for want of a better word, the then Minister of Education in the last Government. I believe it was at that point that most Barbadians realised the kind of substance of which she is made. It was a performance which even today many Barbadians speak about. The Leader of the Opposition was himself I believe to suffer a similar fate at the hands of the Prime Minister and the Leader of the National Democratic Party in a similar debate and when he was cornered I believe that is when we first heard of this IMF deal that he was going to expose. But the Minister of Education went on from strength to strength and by the end of 1994 it would have been extremely difficult for anyone to try to appoint in Barbados a woman of the year without giving due consideration to the Minister of Education to be woman of the year in 1994. Indeed I recall two journalists actually stating that where they were concerned she was their woman of the year.

I know that she is a very fearless politician and I believe, Sir, that no amount of coercion and no amount of intimidation by the Leader of the Opposition will cause her to back down or retract from anything which she has said.

On this side of the House, Sir, we, like the public of Barbados have the utmost confidence in her. That is why we have placed her where she is today. That is why she is the youngest Member of the Cabinet today. That is why she is the youngest Minister of Education ever in the history of Barbados. That says a lot for her. I believe that teachers and pupils alike in this country will tell you that she is doing an excellent job as Minister of Education and I remember the National Forum of Education applauding her, Sir, for introducing the code of ethics which I believe is going to go a long way into bringing back some dignity and instilling some kind of discipline back into our children at schools.

In an unprecedented move, Sir, she has gone through the length and breadth of this country already meeting the entire teaching family in Barbados and certainly from what the teachers are saying they have enjoyed it and indeed they all say that she is a Minister of Education with a difference and that she is clearly showing that she is interested in our school children.

I believe too, Sir, that she is going to revolutionise cultural activities in this country. I believe that when

Crop-Over comes we can watch out for a lot of very positive changes which will be brought about by the Minister of Education, Culture and Youth Affairs. But what has the Minister done to deserve a motion of No-Confidence hanging over her head for such a long time? 4.50 p.m.

Mr. Speaker, nowadays in Barbados a lot of people purchase commodities by the gallon and I believe that the ladies more than anyone else tend to have a feel for the prices of things in gallons, whether it be a gallon of bleach, a gallon of cooking oil or what have you. It would therefore strike anyone with a quick eye when they look and see a gallon of kola syrup for \$69.00 and this obviously would have sent a message to the Minister of Education that something was wrong. It would shock almost anyone to see such a price. I believe, Mr. Speaker, that most people not just the ladies would question it and if you were told, Sir, that the price referred to a 5V₂ gallon container wouldn't you point out that it says a gallon container and not a 5V₂ gallon container and that there is no mention whatsoever of the 5V₂ gallon? If you were told that it was a mistake, wouldn't you point out then that the company already had the opportunity to correct all of the mistakes and that the company had actually corrected the mistakes relating to rice and potatoes and then they had written to say that they were now satisfied that the price of all of the other commodities was correct? Would that not also include the price of kola syrup at \$69.00 per gallon, Sir? They had the opportunity to correct it. They corrected and said that they were correcting rice and potatoes and everything else was correct. Wouldn't you therefore assume that they meant that the price was correct of \$69.00 for a gallon of kola syrup?

But nearly all of the points that I would want to make concerning the factual and the chronological order of them, they have already been made and I would not waste time on that, Sir. But I believe what she has done is to save the Treasury about \$1.5 million. That is all she has done. She saved the country \$1.5 million. That is the only sin she has committed to save this country \$1.5 million.

So in my mind, Mr. Speaker, this No-Confidence motion can be described as an empty fiction. It is nothing more than that and the arguments by the Leader of the Opposition are neither apparent or real - honestly, Sir, they are not. The Leader of the Opposition would want us to believe that Ometa Distributors Limited was more sinned against than sinning. I do not share that view, Sir. I do not share that view at all. The Minister of Education went by the files. She went by the records and therefore no imputation of wrong-doing whatsoever can be levelled at her. The nonsense which was revealed on that file I believe, Mr. Speaker, might have escaped someone else but it did not escape the Minister of Education, because as I

said she is much too sharp. I believe, too, that it did not escape other people in the Ministry either because I do believe that there is a combination which I do not want to drag public officers into the debate. But I do believe that the Ministry of Education with the Minister and the combination of the Permanent Secretary are really doing a fantastic job. I believe that she has every right to expose what went on behind closed doors and she did it.

Now I believe that I could have supported a motion of No-Confidence if, Mr. Speaker, the Minister of Education was the Minister of Finance and \$17 million of this country's money could not have been accounted for and she had said that she was not going to lose any sleep over it. I would have supported a No-Confidence Motion against her. If, Mr. Speaker, she had invited the entire island down to Queens Park on September 5th because she was going to drop a bombshell about a secret deal with the IMF and when the entire Barbadian population flocked to Queens Park there was neither a bomb nor a shell, I might have supported a motion of No-Confidence against her. If, Mr. Speaker, she used to represent St. John for more than 8 years and her party was in power for all of that time and then three weeks after they lost the elections she came on the Floor of this House and said, "I hope that you on the other side will now repair the roads in St. John", I might have supported a vote of No-Confidence against her. Mr. Speaker, if on February 7, 1995 on the very Floor of this House she had said that the Barbados Labour Party Government should pay back the public servants the entire 8 per cent, pay it back not restore it, which her party had cut, I might have supported a motion of No-Confidence against her. If in full contradiction of a directive from her Prime Minister she had sought by self to introduce casino gambling to this country, I believe, Mr. Speaker, I would have supported a motion of No-Confidence against her. If during the Estimates debate, Mr. Speaker, when the heat was on she was forced to say, "I take full responsibility for the fact that the polyclinic in my constituency was not completed", I would have supported a vote of No-Confidence against her. If during the same Estimates debate the present Prime Minister with an admonishing finger had castigated and chastised her and had told her "you did not prepare these Estimates. Try and prepare these Estimates properly." I would have supported a motion of No-Confidence against her. But I cannot do it, Sir, because like Pontius Pilot had said, "I find no fault with her". So I cannot support any motion of No-Confidence against the Minister of Education.

I do believe, Mr. Speaker, that the motion is brought by one who is an actor and a poor one at that. In cricketing terms, Sir...

Mr. SPEAKER: The Honourable Member, let us keep your language on parliamentary level please.

Hon. R. N. GREENIDGE: No, in cricketing terms, it was just what I said that he was a swiper. Yes, in cricketing terms, he is a swiper. This is what I am saying and not a good one either, Sir.

Sir, it is therefore impossible for me to support a Motion of No-Confidence which is clearly lacking in substance and I want to say that I give 100% support to the Minister of Education in this debate. Thank you very much. 5.00 p.m.

Mr. W. C. C. CALLENDER: Mr. Speaker, Sir, I believe that Resolutions such as these perhaps do more harm than good to the politicians in this country. When we have a situation in which we have innocent citizens having their names called, we have companies' names being called in here and we have attempts to drag the names of politicians in this House into the mud, I believe it does not serve any good to us in here, neither will it serve any good to the country, the economy or the society.

Sir, we are in an age in which there seems to be growing disrespect of parliamentarians and this disrespect was shown to me just recently when I saw that civil servants are now tending to believe that parliamentarians, MPs of constituencies apparently should play no role in the activities of their communities. They seem to believe that parliamentarians are devils, Sir. If you reach a stage when even civil servants can treat members of Parliament as if they have no place, no rights to be involved in the activities in their communities, whether it relates to a cricket club, whether it relates to a youth group or whether it relates to a school, when it reaches a stage when these people feel that a parliamentarian far less a politician has no right to have a say in issues in the communities in which he or she has grown up then that tells us, Sir, that there is growing disrespect for politicians in this country.

I had to tell a gentleman - I am not going to call his name. I am not going to drag his name in the mud. I am dealing with a point of principle - that the time has come for us to examine the role of a parliamentarian because there seems to be a cloud over the role of a parliamentarian and I believe this stems from the way how we treat one another.

If we do not let people understand that members of Parliament are playing a key role and they deserve respect then these kinds of situations will arise. I would hope that we do not see a recurrence of a situation where we are bringing to the House Resolutions of No-Confidence on issues as trifling as this one, because what it does is to force members on both sides to have to bring to the fore, and in this case on national television, people who are

striving to make a living and they have to have their names called simply because one side is trying to defend its case against the other side.

In that context, Sir, I wish to point out that I hope that we never again see a Resolution brought on these kinds of trifling matters. I am not saying that a Resolution cannot be brought. A Resolution can be brought when there is clear evidence that there is grave wrongdoing of the kind which can jeopardise the management of the country. I have no problem with that kind of Resolution.

I am saying that we as a group owe it to ourselves not to be placed in a position where the public is going to lose respect for us and not understand the serious role that we are playing.

Sir, I was speaking to a group of constituents just a few days ago and I pointed out to them that an MJP. is supposed to be the one who is supposed to lead the constituency, the one who is supposed to provide guidance. That is my concept of what a member of Parliament is, what a representative is all about. He is there to represent all persons in that constituency whether they be B, D, N or Nothing at all. That is what the member of Parliament is there for.

I wish to point out that I cannot support the Resolution because when the Minister of Education spoke in the House I believe in her zeal to ensure that there was economic prudence within her Ministry also in the thrust to ensure that we have greater financial management that she thought it best to disband that arrangement so that a fresh approach could be given to the Kola Syrup issue. What we are seeing is a case where there were perhaps wrong numbers. Some said it was 69, some said it was a mistake. We are hearing all kinds of things. We still have a very grey area of a letter that was said to have been somewhere there not seen on the files. All of that we are hearing.

It is clearly a case in which there was serious doubt. So what the Minister did was to say, "I am in doubt about this and therefore I am saying finish this agreement and we can start fresh. There is doubt. Let us start fresh." This means that the tenderer had an opportunity to re-apply, but the tenderer did not re-apply. It was not a case of saying that we are not accepting you now and forever. It was a case of saying that there are errors here, there seems to be problems, here, the Tenders Committee has said that you didn't meet certain requirements. When it went to Cabinet it was a case of bringing it into the realm where a political decision has to be made - "We are giving you this contract. We are not sure about it but the safe thing to do is to say let us go back to tender. You have a right to re-apply."

I have no problem with a tenderer being given a right to re-apply; but that tenderer did not re-apply. I therefore see nothing wrong with the Minister of Education deciding as in her statement when she said and I quote:

"The foregoing matters which were ventilated in here today have been drawn to the attention of the present Minister of Education and referred to the Cabinet on November 2, 1994 and Cabinet decided to rescind the contract awarded to Ometa Distributors."

She also went on to point out in the final sentence:

"Commodities which have been awarded to Ometa will be re-advertised for fresh competitive bidding."

Sir, I have no difficulty with that. I want to point out that any Minister who does that I believe is doing a service to that Ministry, a service to the Cabinet and a service to the country. The presentation made by the Minister was well researched, the facts were well presented and this shows that the Minister was serious about her work. Of course, I believe she would have been assisted by officers in her department.

The issue of accountability would have been one that would have been hanging over her head as well and she would not have wanted to be in a situation where she would be held accountable so the best thing for her to do was to bring this matter to a situation where we said we are going to start this whole thing over again.

Sir, I do not want to detain this House but to point out that I do not support the Resolution as given. I have confidence in the Minister. She is giving her best shot to the Ministry, I therefore cannot support a Resolution which seeks to deprive the Government of a young able Minister who is trying her best and who in her zeal is striving for economic prudence and greater financial management made a statement to the House in which she pointed out that a tender had to be voided and that the tender had to go back out again. I see no problem with that and I therefore am not going to support the Resolution. 5.10 p.m.

Mr. G. A. CLARKE: Mr. Speaker, I just want to make a few brief comments at this time because most Honourable Members have made the points here. I have noticed that on the Opposition benches only three Honourable Members have supported their Resolution and it seems to me to be a foregone conclusion that they too are not in agreement with the Resolution.

I would like to say that when a vote of no-confidence of this nature comes to the House that one must first seek public opinion. One must first find out what the public

thinks about a resolution of this nature and if we should ask the public what they think about the confidence of the Minister, we would surely get the result that most Barbadians think that the Minister is doing a wonderful job and we must congratulate the Minister for making a fresh start in the Ministry of Education.

We must congratulate, Mr. Speaker, the Ministry of Education. I believe that the Ministry of Education seems to be vigilant in their approach and they have told the Minister that there were problems and she acted so we must congratulate the staff of the Ministry for doing a fine job. I believe that if we have this type of approach more and more Ministers would not have to face these types of no-confidence motions.

I would also like to say, Mr. Speaker, that since the Minister of Education took over the Ministry all throughout Barbados in the schools, the Parent-Teacher Associations - and the Honourable Minister of Labour made the point that she has talked to the teachers, staff, parents and so on - people in general believe that she is doing a good job.

Further, Mr. Speaker, the Minister of Education has spoken out on some of the problems that confront the educational system in this country and we must congratulate her. Therefore, I would want to place on record that it is my intention to vote against this Resolution. I believe we must say that this Resolution should read that all Honourable Members have confidence in the Minister. We must show this in the vote we will take today.

I would like to say, Sir, that I will not be supporting this Resolution and I feel all Honourable Members should have confidence in the Minister.

Hon. O. S. ARTHUR: Mr. Speaker, Sir, a no-confidence motion against a member of Parliament is a very serious matter. I regard it with such seriousness that early last year, although there was strong evidence that there might have been the basis for a no-confidence motion against the then Prime Minister of this country, I resisted public pressure from many quarters to bring the motion on the ground that I did not believe then that there was a sufficient basis for the motion to be treated with seriousness. This Parliament, Sir, is really the highest court in the land and a no-confidence motion that calls upon Parliament to censure a member who is a Minister, is really the highest stricture that can be applied against a member of this House. It is for this reason, therefore, that we have to treat this motion very seriously.

I just want to say that in this debate, Sir, the member for St. Michael North East and Minister of Education has

been made, regrettably so, the victim of a piece of political mischief. In the course of her discharge of responsibilities as a Minister of the Crown she came across a matter that warranted investigation, that warranted the clearest public statement and she is now being pilloried by the Opposition for her attempt, not to award a contract against the rules, but to bring to this House a statement to clear up a matter that, in all the circumstances, can only be regarded as a quite sordid matter.

I do not believe that in the entire history of this Parliament there has ever been a more frivolous and vexatious no-confidence motion brought against a Member for a more ridiculous reason. I want to use this opportunity, not only to speak against the motion, but to express my utter and complete confidence in the integrity of the Honourable Member for St. Michael North East and also to express my total support for her performance as a Minister of the Crown and to say that I look forward to her being able to discharge her ministerial responsibilities with great credit, not only to this Government, but to the country as a whole, for many years to come.

In my judgment, Mr. Speaker, there are two outstanding issues that have been raised by this entire debate that warrant serious consideration. I do not believe that you will find in the entire history of public administration of this country a situation where a claim could be made that a letter was sent to a Government Department and copied to others, where no record can be found in any of those Government Departments of that letter. This is a very, very serious matter. I need to repeat the point that in the entire history of the administration of public affairs in this country there is no precedent of a claim of a letter having been sent to any Government department with copies sent to another and no record being found of such a letter.

I believe this matter is so serious that I am going to require of the Attorney General that he should refer the letter that has been made a document of this House to the Director of Public Prosecutions and to the Commissioner of Police for their investigation and determination as to whether the sudden public production of the letter was an attempt to commit a fraud on the public of this country. It is a very serious matter, Sir.

I should also want you, Mr. Speaker, to remember that there is an Act of Parliament called the Parliament (Privileges, Immunities and Powers) Act, Cap. 9. It says at clause 21:

"Any person who precepts to either House or a committee any false, untrue, fabricated or falsified document with intent to deceive the House or committee is guilty of an offence and liable on

conviction thereof by a magistrate's court to a fine of five hundred dollars or to imprisonment for twelve months or to both such fine and imprisonment." 5.20 p.m.

Sir, this is not a laughing matter at all. This is a matter for which a particular remedy has been envisioned, by the laws of this country. This whole issue before this Parliament has engaged our attention for a whole day and has excited public controversy for almost 9 months, swings on the issue as to whether a company called Ometa Distributors Ltd. did, in fact, on May 25, 1994 send a letter to the Chairman of the Tenders Committee purporting, as the letter says, "as allowed under paragraph No.7 in the instructions to tenders, we specify that the price quoted for kola syrup is a 5V₂ gallon case."

The Chairman of the Tenders Committee has said that he has seen no record of this letter and that there is no evidence, on his files, that such a letter exists. The Ministry of Education has said that there is no evidence of any such letter on their file. What we must not have in this country is a situation developing where people can just come and produce letters of this kind, after the fact, to falsify the record, in order to absolve themselves from a situation of penalty or stricture or from having to comply with rules applicable to themselves. This is the part of this matter that is worthy of further investigation. As I said, I intend to press this matter by requiring the Attorney-General to have this referred to the Director of Public Prosecutions and the Police such that an investigation in relation to the authenticity of it should be undertaken.

The Member for St. Michael South also introduced an element in this debate that this House cannot be unmindful of. In his judgement - and the Member for St. Michael South, as you know, is the former Prime Minister of Barbados, when he speaks, he speaks from the vantage point of that high office that he has held - as he said, Sir, this debate has nothing to do with kola syrup. It has something to do with the financing of campaigns. That is and in my judgement has been the most damaging statement in this entire episode.

I should say to this House that this particular matter has to be set within the context of the behaviour of the Democratic Labour Party between the period when the date of the election was announced and the holding of the general election in this country. It would be my representation to this Parliament that the behaviour of the Democratic Labour Party administration, in that interval, between the announcement of a date for a General Election and the holding of a General Election was very much akin to the behaviour of the Iraqi army on its retreat, after its invasion of Kuwait. It was pillaged on a scale that has hardly ever been seen in democratic societies.

We, as a new Administration, have been forced to find ourselves saddled with contracts entered into at the last minute, on the most outrageous terms, by an Administration which knew that it was on its way out and thought that, in such circumstances, the public interest could be compromised. We have had a situation where, at the last minute, people were appointed to posts without reference to the claims of other persons in similar circumstances. In due course, the record of that unfortunate interval will have to be properly told. There are contractual arrangements which, if we were to try to break them, we will find ourselves saddled with costs running into hundreds of thousands of dollars, things done at the very last minute for the most wrong reasons.

I believe, Mr. Speaker, that, arising out of all of this, the Commission on the Constitution soon to be established in this country, should really speak to the issue as to the kinds of powers and authorities that should be exercised and exercisable by an Administration in that critical interval between an election being called and an election being held. This experience of the Democratic Labour Party, for that 3 months period, will go down as one of the dingiest chapters in the whole history of Barbados. We had things done on September 5 which were shocking. We had things that were done throughout that entire campaign which appals the political and social conscience. I feel that we have a responsibility to ourselves to discipline ourselves.

I am making the call, from the Floor of this Parliament to that Constitution Commission, to deal with the question as to what really should be the powers exercisable by Ministers, in that period, between elections being called and elections being held, particularly as we have now seen, what can be the implications of people guided by short-term considerations acting in matters that bind future Governments and, very often, can be contrary to the public interest. I am concerned about it and I am speaking, in that vein, because I feel that the record of that period must be properly told.

I also want to say for the record, Mr. Speaker, that this whole matter that has been raised by the Leader of the Opposition is regarded, by me, as part of a general syndrome. I know what it is, to have to live through an entire election campaign with a charge hanging over my head that I had entered a secret deal with the International Monetary Fund, in which was the secret deal to devalue the Barbados dollar. I was impressed from that experience that, in the Member for St. John, the Democratic Labour Party has a Leader who will brazenly stoop at anything for the purposes purely of securing office and power in this country. Because he knew it was a lie. He knows that only a sovereign Government can enter any relationship with the International Monetary Fund. He knows that the

International Monetary Fund is not some bread and fish institution. It is an institution governed by Law. But he felt that it was politically expedient for him in search of power, night after night, to pollute the political atmosphere of this country by the awful and awesome lie that I had entered a secret deal with the International Monetary Fund. There are thousands of Barbadians who were invited to meeting after meeting to come to hear the big bombshell about the secret deal.

I am saying to this House that it is my judgement that a person who can be capable of such a brazen act - because at some stage he would have to know the facts and the facts would have to be told - that any person who is capable of such a brazen act would do anything.

I therefore truly believe the Member for St. Michael South, the former Leader of the Democratic Labour Party and a former Prime Minister of this country, when he delivered the stricture that this has absolutely nothing to do with kola syrup, that it has everything to do with the financing of political campaigns. That matter is worthy of investigation.

If a Member of the Barbados Labour Party had made that, perhaps there would be the temptation for persons to dismiss it as people involved in adversarial politics trying to indulge in cheap shots at each other. But those words, very serious words have fallen from the lips of a former Prime Minister of this country and they must not be taken lightly. I believe that now that those matters have been entered into the records of this Parliament that nothing but the fullest investigation into this quite sordid matter can suffice, particularly, to clear the records of the issue that has been raised by the Member for St. Michael South in relation to this being a matter to do with campaign financing.

I think that the public will have to be told now, whether in point of fact, the agreement to a price that was so much higher than the market price was an arrangement by which the Democratic Labour Party was to have part of its campaign finances met. That issue becomes a relevant issue, given the contribution made by the Member for St. Michael South who was the Leader of the Party and a candidate in that campaign. I do not think that either the public or this House can now be satisfied with less than the fullest disclosure and that we cannot now brush this under any carpet.

I want to hear the Member for St. John, when he responds, Mr. Speaker, speak to the issue as to whether, in point of fact, this matter had anything to do with the campaign financing of the Democratic Labour Party. That charge has been put there, Sir, not by me but by his

predecessor and in any other country in which democracy is practised, that kind of issue, Sir, would have to be addressed and addressed directly and since we are now in the new era of accountability I believe that this House would expect that the Member for St. John should feel himself accountable since he was the person who, by his admission wrote the Cabinet Paper. 5.30 p.m.

Mr. D. J. H. THOMPSON: Mr. Speaker, on a point of order, the Honourable Member is distorting the record entirely. I never said I wrote that Cabinet Paper. I said I have written other Cabinet Papers, many. If I go back into a Cabinet I will continue to write Cabinet Papers, particularly if I want them to reflect views that I think are relevant and others do not necessarily have the skills to produce those view points.

Hon. O. S. ARTHUR: Mr. Speaker, Sir, I am very pleased that he has intervened. Now, Sir, an issue that was raised in this whole debate and appears to be a small issue was the question as to whether public servants had anything to do with the writing of the Cabinet Paper that varied the recommendation of the Tenders Committee in favour, not of the lowest bidder, but of this company that was charging this outrageous price per gallon.

Now we know, Mr. Speaker, that the public servants now had nothing to do with this. They did not write the Cabinet Paper at all. We know now from the Member for St. Michael South that it has to do with campaign financing of the Democratic Labour Party. I just want to ask the question again, Sir: Who were the people responsible for the writing of this Cabinet Paper who so varied the recommendation of the Tenders Committee as to put the Democratic Labour Party in a position whereby the award of a contract for the supply of kola syrup to the School Meals Department could be an instrument and device by which the Democratic Labour Party could raise funds to carry elections in this country? That, Sir, is what this issue comes down to.

The Member for St. John has put the Democratic Labour Party politicians at the centre of this in so far as they were the persons who by his own admission were responsible, not the public servants, for writing the Cabinet Paper. This Cabinet Paper was not based on any recommendation from any Permanent Secretary, nor any other public official. It was politicians acting as politicians guided by political motives, Sir, who prepared this paper, and without, Sir, any reference to any Permanent Secretary, any Chief Education Officer. This paper was written to raise funds. We therefore need to have to ask the question, if it was intended to raise funds as the Member for St. Michael South has said, how much in terms of funds was it intended to raise and how much did it raise, because

these matters now become relevant in this debate. It cannot now, Sir, be held as a matter to be swept under the carpet if the people of Barbados are to be satisfied that those of us to whom the responsibility for the conduct of public affairs has been entrusted, Sir, are going to be honest in our dealings.

I say, Sir, that it stands as a stain on the integrity of the Democratic Labour Party that it should seek to use syrup that was intended to feed school children as a means of raising funds to finance a campaign in this country. It is an ugly, ugly stain and nothing but the forthcoming statement from that side can set this record straight.

I do not believe that in this matter the Member for St. Michael North East, the distinguished Minister of Education, has anything to be ashamed of. Her being under the threat of censure for this matter is like a murderer trying to bring a charge against the Director of Public Prosecutions alleging that he was the victim in the murder case. It would be a tragedy and a mischief for this House now to find itself in a position of having to censure a Minister only for trying to do what was right when everything showed her that so much wrong had been done. I am going to vote against this Resolution, Sir.

I believe that all men and women of conscience in this House would recognise the mischief in the motive of the Leader of the Opposition and I want to end on this point, Sir. There is a convention in this Parliament that Members who are speaking for the first time are granted the courtesy of the applause of Parliament when they make their maiden speech. In my entire period in this House that courtesy has generally been extended to Members of Parliament. It was extended to me, Sir, when I came to this House. It was extended to the Member for St. John, but one of the striking things about this Session, Sir, is that when the Member for St. Michael North East gave her maiden speech she was continuously heckled by the Member for St. John and after she spoke he was so entirely lacking in graciousness and courtesy that he got up, Sir, against all of the traditions of this Parliament and lapsed into one of the most vitriolic attacks on a Member making a maiden speech that has ever been observed in any House of Parliament where the Westminster system is respected. It, in my judgement, captures the spirit of the relationship that the Leader of the Opposition intends to establish between himself and other young persons in this country who he believes have potential. It is a relationship that has been expressed previously in the general attitude of the Honourable Member for St. John towards people on his own side. I am saying to this House, Sir, this worthless Resolution that is based on such a fraud is but part and parcel of the general pattern of behaviour of the Member for St. John that is most unworthy of this Parliament I give him the assurance, Sir, that this matter will

be pursued to the hilt and that, as we are accountable with our side, Sir, we will also be accountable with him. I am obliged to you and this House, Mr. Speaker.

Mr. SPEAKER: The Honourable Member for St. Michael West

Mr. B. M. TAITT: Mr. Speaker, Sir, this debate has been going for some time now and we have begun to get a measure of the approaches which Honourable Members are making.

In the course of this debate, Sir, it has occurred to me that the Honourable Member for St. Michael North East had the opportunity to deal with this matter some time after she actually dealt with it, would probably not have made, certainly could not have made the kind of statement which she made to this House which led to this Resolution.

Mr. Speaker, I think it is necessary to remind Honourable Members that this statement to the House was made almost within weeks of the Honourable Member assuming her position in the Ministry of Education.

Aside.

Mr. B. M. TAITT: Well, within a short time, and therefore I have always tended to blame those senior Members of her Cabinet, who apparently led her into making this Ministerial statement. If one examines file details which must have been available to all and sundry, given the amount of research which is alleged to have been done, it is difficult to believe that the Honourable Member could have delivered herself of some of the paragraphs which can be found in this statement. And it was necessary for the reasons which the Leader of the Opposition has already adumbrated to have this Resolution or some Resolution before this House in order to discuss these matters in such a way as to give the citizens of this country an opportunity to weigh the pros and cons, the facts and the non facts. 5.40 p.m

In the course of this debate, I have heard many statements which bear no relation to the major issue before us but which indicate that persons feel bound in the course of a No-Confidence Motion to make statements especially if those persons are representing the side against which the no-confidence is being moved. But the speech by the Honourable Attorney General is the one that puts the issue in focus and it seems that the Honourable Member for St. Thomas was the only one who understood what the issue is in relation to this kola syrup matter and, even though he uttered the words about the \$69.00 and the \$1.4 million, there was a lack of conviction in his presentation as compared with some of the more vitriolic utterances which

came from some of the neophytes who were not familiar with the Cabinet system and therefore who could easily be misled.

Mr. SPEAKER: These neophytes that you are referring to are not Honourable Members? Those neophytes are not in here.

Mr. B. M. TAITT: No, Sir. But I was going on to deal with the ones in here, Sir...

Mr. SPEAKER: Which ones in here?

Mr. B. M. TAITT: The Honourable Members in here, Sir. I was going on to make the point that I would have no quarrel with any Honourable Member on the back bench who fell into the trap of assuming some of the utterances made in the statement to be verities. But I am disappointed that Honourable Members on the front bench who perhaps when the Resolution was brought might not have had experience but who by now have had experience with the Ministerial system have allowed themselves to have words fall from their mouths not really worthy of persons who participate in this Ministerial system.

Mr. Speaker, I beg leave of the House to allow me to depart from what has been, as I understand it, a tradition that Cabinet Papers are treated with the utmost caution in this House. They are never made documents of the House. They are never quoted in full. But when you form part of a Government and that Government is subsequently under attack and the only defense is to produce the total facts, then it is a question of which is the lesser evil. The Honourable Member, the Attorney General, said that the key to this issue is whether there was computation in the Cabinet Paper and all of the utterances from the day the Minister made her Statement and including the Statement leave the impression that 11 or 13 - (They vary between 11 and 13 because the Honourable Member for St. Michael South says he was not there. Let us say 11.) - Eleven Ministers sat in a room and were so moronic that they would look at the cost of something, it does not matter what it is, at \$15.00 and a comparable cost of \$69.00 and make the decision for the \$69.00.

Mr. Speaker, not even the smallest child can believe that any grown people without any name of "Cabinet Ministers" or everything could sit down in a room and make that decision. I have listened for the last umpteen months and heard distinguished Honourable Members refer to us in terms as if we sat down in a Cabinet room and made decisions to award a contract that said \$15.00 on the one hand versus \$69.00.

Aside.

Mr. B. M. TAITT: The only larceny that I have ever had in my heart had nothing to do with kola syrup. As it applies to the Honourable Member for the City, it has nothing to do with kola syrup - syrup maybe, Sir, but never kola syrup.

Mr. Speaker, I am disappointed and have been disappointed all through this debate and I am going to ignore the very large red herring raised by the Prime Minister. The Prime Minister is a master at red herring fishing and to take that red herring of the Honourable Member of St. Michael South's statement and turn it into a *cause célèbre* is nothing unusual because the Prime Minister is very good at recognizing a storm in a tea cup on the one hand and a massive mountain on a molehill on the other. I have no problem with the Prime Minister if he seeks to suggest that the Cabinet Paper was written for purposes of campaign financing. I am not going to get into that, Sir, because I cannot let the Prime Minister steer me in any direction. I will steer with the Attorney General.

Aside.

Mr. B. M. TAITT: I mean the present Prime Minister. I would not let this Prime Minister steer me down the road either. But I am dealing with the source. I always deal with the Honourable Member for St. Thomas because he is the keel, Sir, in this boat. He keeps this thing going in a certain direction and when they are out making "tack-a-toos" in all directions, he keeps his nose to the grindstone. He understands where he is and I stay with him. It was his language...

Aside.

Mr/ SPEAKER: Order please.

Mr. B. M. TAITT: It was the Attorney General who said that the key would be whether the computations were in the Cabinet Paper. Mr. Speaker, I state categorically, Sir, that I never sat down in any Cabinet room anywhere and saw any computations that made a distinction between \$15.00 and \$69.00 in this Cabinet Paper or any similar cabinet paper and agreed to \$69.00. As a matter of fact, Sir, I was in the Cabinet when the decision was made. Now the suggestion that the Cabinet Paper was written by the Minister as a politician for politicians is again another middle-sized red herring, because the Cabinet Paper has the same nomenclature numbering that all Cabinet Papers must have. But the reason why I started off the way I did, Sir, is because I do not wish to accuse any Honourable Member who is not familiar with the system of talking foolishness because you can only talk foolishness if you know what you are saying and talk foolishness. But if they do not know* they are just plain ignorant of the matter and therefore I do not hold that against them. But the Cabinet Ministers who ought to know better know that the Cabinet,

at least the ones that I have been in, will not consider a matter unless the Cabinet Secretary has put it on the agenda after consultation with the Chairman or the Acting Chairman. That has to have a number, that it has to be part of a system but it is not a Permanent Secretary's Cabinet Paper or any other official's Cabinet Paper. It is the Minister's Cabinet Paper. No Cabinet Paper can go to the Cabinet unless the Minister writes in his or her own hand "Cabinet Paper Approved" or "Draft Cabinet Paper Approved". It is a standard accepted methodology that when I adopt your words, Sir, they then become mine. So all papers whether they are written originally by a clerk, by an assistant secretary, by a Deputy Permanent Secretary, by the Permanent Secretary himself or herself - all Cabinet Papers eventually become the Minister's Cabinet Papers. Any Cabinet Minister who is worth his or her salt will never accept any draft that comes up, look at it and simply write "Draft Cabinet Paper Approved". They have to read it. They have to read every single word. They have to change every word that needs changing. They have to change the sense if it needs changing and they have to ensure what they are asking the Cabinet to decide is precisely what they wish the Cabinet to decide. 5.50 p.m.

That is the Cabinet System. Now when the Paper reaches the Cabinet it ceases to be of any importance, so far as the Public Officers are concerned, and so they should be left severely out of the equation. Attempts to bring in the Public Officers into this debate are not acceptable to me, Sir, because we are not and should never be discussing Public Officers in here, unless we have a debate that is dealing specifically with them.

I wish to say in passing that I deplore the practice that has been creeping into this governmental system in the last few years of bringing public officials, statements, comments into this House and airing them. You cannot expect any Public Officer to give of his or her best if he or she has to run the risk that some day soon the Minute is going to be read in the public domain, and more particularly in the Parliament.

Hon. Miss B. A. MILLER: On a point of order, Sir. I would not like the Honourable Member to mislead the House, particularly in matters, especially like this one, to do with public tendering. A Minister would wish to be a three arms' lengths away from it. That is why we make the point that the Public Officer must draft the Cabinet Paper.

Mr. B. M. TAITT: The Honourable Member has been known to give portmanteau decisions and opinions from the top of her head and I have never been able to follow them. I am making the point that it is reprehensible for Public Officers to be brought to boot, brought to account in this House by virtue of argumentation by their Ministers *ex post facto* sometimes. Since I have been in this House

in more recent times I have seen and heard Minutes being read out in here. And I think it is not acceptable. As a matter of fact, it is part of the traditional teaching of public administration in the Westminster system and systems deriving from it that the Public Officers are always shielded from what they have said on files, except in matters of national security.

Aside.

Mr. B. M. TAITT: This physician has been taking the medicine that is necessary.

Aside.

Mr. B. M. TAITT: Mr. Speaker, I lay no blame on who started it I am telling you, Sir, about how I feel because it has been for a large part of my life my responsibility to spend some time on this particular subject and I feel very strongly about it, that Public Officers are to be protected and Ministers have no right going around making statements or casting aspersions on the character of Public Officers, male or female, either. The ministerial system must not do it. How a person behaves as a Permanent Secretary to a Minister is privileged information and I have noticed that Ministers are taking it upon themselves to feel able to discuss the proclivities and other paraphernalia connected to the methodologies of various Permanent Secretaries.

I say in passing, just as the Attorney General wants to give a warning about who is sending out what, I say that Government Ministers in particular sometimes have to take blows, a lot of blows, and not reveal everything they know, because otherwise the system will not Work. And I am not talking about any gathering of any fish, Sir. I am speaking about serious matters.

Now, Sir, to come to the Cabinet Paper. Page 1 of this Cabinet Paper, which is authentic. It is my property, Sir. I keep all of them. Page 1 opens with a statement that the tender for the supply of various commodities in the quantities specified...

Hon. Sir Harold St. JOHN: Mr. Speaker, Sir, on a point of order. The Honourable Member is going to quote from a document. I am going to request that that document be made a document of this House, irrespective of whether it is a Cabinet Paper or not

Mr. B. M. TAITT: The Honourable Member is entitled to do that, Sir, and under the circumstances you will remember that I sought the leave of the House, but I will satisfy the Honourable Member's requirements. I have no difficulty with that.

Paragraph 2 says:

"The following 13 companies responded to the Tender Notice"

and it lists the 13 companies. I think it would be improper for me to call their names.

Paragraph 3 went on to say:

"In assessing the tenders, the Tenders Committee recommended that contracts be awarded as follows:"

and again they list the contracts on pages 2 and 3 and I do not think it is proper for me to disclose. It went on to paragraph 5 and then to paragraph 6.

This I can read:

"In 1993..."

and somebody raised questions of the Leader of the Opposition when he quoted this, but the Cabinet Paper said "in 1993", so the Leader of the Opposition is not misleading anybody. The Cabinet Paper said:

"In 1993 the Manager, School Meals Department commented that while it is desirable that competing firms be up to date with their documentation, such as MS, CIR, MOH certificate and the food business certificate, lack of these should not debar companies from being considered as possible tenderers initially... However, any company which is awarded a tender should submit evidence of up to date documentation before being allowed to sign contract forms."

Paragraph 8 is the key, Sir.

"The Minister is of the view that the Tenders Committee's recommendations should not be accepted *in toto* but should be varied to take into account the comments and recommendations of the Manager, School Meals Department, as well as current thinking that monopoly situations should not be encouraged."

Now, Sir, this is the caveat which came into Cabinet Papers from the day the Chief Justice of Barbados delivered the opinion in *COW Williams v Blackman et al* when, for the first time in 20 years, it became clear that governmental practice was in error for all of those years, when they used to read that "Minister" in the Financial Administration and Audit Act to mean Minister in the particular Ministry, when the Chief Justice discovered that that "Minister" in fact is the Minister of Finance. From that day forward all tenders' recommendations to be varied then had to be sent to the Minister of Finance.

Now, a Permanent Secretary in the Ministry of Education cannot send anything to the Minister of Finance. No Permanent Secretary on his or her own can write to a Minister in another Department, and I heard in here such arrant foolishness when somebody suggested that the matter should have gone straight to the Minister of Finance. It is impossible for a Permanent Secretary or any other official in the Ministry to write to another Minister, except and unless on the direction of his or her Minister. Ministerial communication is from Minister to Minister. Therefore in order for this to go to the Minister of Finance, it must go via the Minister of Education or Health or whatever as the case may be.

The Minister of Finance had commented and the Minister only has to disagree with the Tenders Committee. It does not matter how he does it He can say: "I disagree with them" and that is sufficient. It comes to Cabinet by virtue of the law, the same Financial Administration and Audit Act and the Rules. This is the next paragraph that is the key. This is what they call in law the ratio decidendi. This is how the decision is made and they have put us all across Barbados as if we are a bunch of idiots. This is the decision we were called upon to make.

"This Paper seeks to vary certain recommendations on the basis of cost, reliability, policy and current thinking. However, it is a standing requirement of the Cabinet that inter alia certain certificates should be submitted along with the tenders. The Tenders Committee considered this in making its recommendations and such tenderers should submit the documents before a contract can be awarded."

Paragraph 10.

"The Cabinet is accordingly invited to agree..."

and, Mr. Speaker, it then sets out here, Sir, the actual allocation of commodities and the Cabinet Paper finishes at the end of that setting out. 6.00 p.m.

At no point is a single, solitary price mentioned in this Cabinet Paper. Not a cent. What it did was to rearrange allocations. That is what it did. That is what we agreed to on the days before the election. Yet we hear the Prime Minister jumping up and down in here trying to give the impression that we were seeking... All of them over there except him are lawyers. They are persons who practise at the Bar and they know that to go out and give the impression that we were out there looking to say let us join together and get this \$1.4 million for the Democratic Labour Party election.... The only people who could believe

that are people who have practised it. Only someone who has much practice in that sort of thing could believe that

There are many ways in which corruption is happening in this country. They have painted the few they wish to. They have targeted a few and they have pilloried them but, Sir, some of us have never borrowed a cent from the Development Bank. The methodology that is used by many of the people connected with the Barbados Labour Party is to borrow large sums from the Barbados Development Bank and don't pay back a cent and then subsequently it is written off. I challenge them to bring forth the record of the Barbados Development Bank for all the time the Barbados Labour Party was in power and let us see who, which companies, and then we will know how the Barbados Labour Party does its corruption. I have no problem with that.

Hon. Miss B. A. MILLER: On a point of order. It is grossly misleading for the Honourable Member for St. Michael West to get up in here and say that members on this side borrow large sums of money from the Barbados Development Bank and then those sums get written off. I heard that with my two ears and I am asking for those remarks to be withdrawn because they are untruthful.

Mr. B. M. TAITT: Mr. Speaker, I said members of the Barbados Labour Party. I never said anything about the Honourable Members over there.

Mr. SPEAKER: Proceed, please.

Mr. B. M. TAITT: Thank you, Sir. If the Honourable Member feels that I am addressing her that is unfortunate. I am making the point that when it suits the Barbados Labour Party... If you heard them in here today and if you hear some of them carrying on, Sir, some of the these Honourable Members some of them are so righteous. I shudder at how God will have to judge some of us. So righteous and there is one in particular who manages no matter what the discussion is to take a particular dig. But her time will come.

The truth is that all of us need to be examined from head to toe. We should be spread out, opened up. There should be examination of every single one so that we all could see who is clean and who is not clean. If you are without sin, fcast the first stone!

Aside.

Mr. SPEAKER: Please, please.

Mr. B. M. TAITT: Mr. Speaker, this Resolution was about the inexperience of a young Minister. The inexperience that allowed a young Minister to come here with a statement. Had she been in a Cabinet with

experienced and sagacious Ministers they would have said to her, "Put some blows in them the next time something comes up in the House." But they would not have sent her down here with a Ministerial Statement.

Mr. Speaker, when you examine the statement in detail you see that the same Honourable Member for St. Michael North East who talked about sophistry, when you examine that statement, it is a patent example of political sophistry being practised at the official level. It left the impression which we had to ferret out subsequently that the members of the Democratic Labour Party, and we heard it coming to its fullness this evening when the Prime Minister suggested that we made a decision to finance our campaign, walking on a very small statement made by the former Prime Minister.

I would only say, Sir, that I am General Secretary of the Democratic Labour Party. At the moment my name along with that of the President appears on a loan at a major bank in Barbados to the tune... We are responsible for \$240 000. I hope my colleagues pay it back, because otherwise the Bank is in a lot of trouble.

Asides.

Mr. B. M. TAITT: You know that better than anybody else. The fellows better pay it back. The Honourable Member is young and practising, so over the years... And he is a little tight with a dollar bill. So if I were the fellows... they have to make sure it is paid back. I make that point to say that the financing of the Democratic Labour Party's campaign did not require any finagling over Kola Syrup. And how would anyone have known even" so that Kola Syrup was in the offing. How would anyone have known that Kola Syrup in 1994-95 was going to be part of an election which nobody expected to be called until the same Honourable Member brought some Resolution similar to this one here? Who in Barbados expected...

Asides.

Mr. SPEAKER: Continue, please. Please let us hear the Honourable Member.

Mr. B. M. TAITT: It makes a mockery of us, Sir. The only body who knew that there was going to be an election is God Almighty. The only one who could possibly have predicted that we would be the Opposition on this day would be God Almighty. Even when the No-Confidence Motion was brought by the Honourable Member for St. Peter he did not have any real hope that it would succeed. He himself has said so. He has said himself that he brought the Resolution but he was not sure. It was only when 3 or 4 of my colleagues who did not quite understand the enormity of the political act which was being clothed by

the unrighteous as well as the righteous in moral terms that allowed for a decision that no one could have predicted. It is only then that we were all sent scrambling looking to get the election going.

So there goes the question of organising the Kola Syrup to get finance for the election. The Honourable Member for St. Peter has said that he is going to see that the fishermen of Barbados get good facilities. He forgot to say that the two sums of money that they just signed with the European Union were negotiated by the Democratic Labour Party. He forgot to say that. Even so he did say that this is in keeping with his Government's policy. So the Democratic Labour Party's policy and his coincided.

Sir, I see him ...

Mr. SPEAKER: Could the Honourable Member conclude, please.

Mr. B. M. TAITT:... looking after the fishermen, but today he himself was the best fisherman when he went out and hooked the biggest red herring I have ever seen.

Mr. Speaker, I am very grateful to you, Sir.

Hon. Sir Harold ST. JOHN: Mr. Speaker, I am not going to engage this House for any long period of time but the conclusion of the speech of the Honourable Member who just sat down has forced me to rise.

The Honourable Member has made a very serious statement and that statement is serious because what the Prime Minister referred to as being of great importance in this debate was a statement from no less a person than the former Prime Minister, the Honourable Member for St. Michael South. It was he who raised the very serious point that this Resolution had nothing to do with Kola Syrup but had to do with the way how elections are financed. That could never be a red herring in a democratic society, because the import of the statement from the Honourable Member, a member who prides himself on his knowledge of Government, a member who in his capacity as Minister of Education and as Prime Minister has done everything in his power to ensure that Barbadians and Barbados in particular are aware of the fundamental assumptions under which our democratic system of Government is carried out. He found the Academy of Politics, he said. He is very important among them and it was the Honourable Member for St. Michael South that drew the link between this Resolution and the financing of election campaigns. It could never be a red herring. The force of that statement is such that one must agree with the Honourable Prime Minister that the implications of this Resolution are so profound that they do merit a full-scale investigation. 6.10 p.m.

I also want to point out something. There was a lot of talk here about this matter not being connected in any way with elections because, according to the Honourable Member for St. Michael West who just spoke, nobody knew at the time of the award of this tender that there was going to be a no-confidence motion, or that it would have been successful. The record is completely different. The election, as I understand it, was called on June 18. The actual award of the tender, according to the documents produced by the Leader of the Opposition, was 1994.07.27. That, I understand to be July 27, 1994, and I am only reading from the documents produced by the Leader of the Opposition and addressed to the Manager of Ometa Ltd., Bridge Street, Bridgetown:

"Dear Sir:

I am directed to refer to your tender dated May 25, 1994 and addressed to the Chairman, Tenders Committee, and to inform you that you have been awarded the contract to supply the following commodities to the School Meals Department for Terms I - III of the 1994-95 academic year."

Aside.

Hon. Sir Harold St. JOHN: What is more, Sir, it says:-

"Grateful if you would reply by 1994-08-12 indicating whether you accept the award."

It is signed by a public officer.

Far from being outside of the time when there was an election, this was at the heart of the time when politicians would be looking for election finance. This is when the campaign was gathering steam and that last minute drive to collect funds was most important.

As the Honourable Member for St. Michael South knows, political parties like to have a lot of money in the last week of a campaign. They like to have the big show and on this occasion the Democratic Labour Party was able to put on the biggest show that they ever had at an election campaign. That is the difficulty that the Honourable Member for St. Michael West found himself in and therefore he cannot be allowed to say that it is a red herring.

Now, Sir, there is another point I want to deal with. The Honourable Member thought it wise to read from a Cabinet Paper. Now, I would like the Clerk to bring that document, which is now a document of the House, for me to see. I think it is a matter of grave import how we run our Government that that is allowed. My understanding of the convention is that a Cabinet Paper should not be used

except under compulsion of law and only after there has been a deliberate policy by the Government in office to allow it to be revealed and also after the passage of a requisite period of time. We do not have a law saying what period of time it is. Other countries have a law.

Now, I am saying, Sir, it is my firm belief that if we are going to continue with the system of Government we have, if we want to promote the maximum efficiency, the maximum disclosure, the maximum honesty in the presentation of these matters, that we have to amend the Rules of this House to make specific provision on this. We have to. This is a very, very serious import and if there is one thing that has come out of this debate it is that point.

Now, Sir, when I look at this Cabinet Paper, I am going to examine it critically now because it would seem to me that if the letter was in existence at the time when this Cabinet Paper was being prepared, it would be of such a material nature that it would be adverted to in the Cabinet Paper because, after all, what the Honourable Leader of the Opposition is saying is, that Ometa Distributors, the tenderer, had made a fundamental mistake in their tender and that they sought to correct the mistake very early after...

Mr. D. J. H. THOMPSON: Mr. Speaker, on a point of order. I never said Ometa made a mistake. I said that Ometa alleged that it was required by Tender Rule No. 7 to submit a tender respecting unit sizes that were different from what was quoted in the Tender documents on a separate sheet and that they have indicated that they did so and produced that document as, the document which accompanied their tender in May. It is not an error. It was required.

Hon. Sir Harold ST. JOHN: Then, Sir, if that is so, one would expect, having regard to the document that was placed before the Cabinet - it is here. A minute examination can take place of that - one would have expected that the error would have been looked at, and seen that the difference between what was actually tendered and what Ometa in its letter of May 25 claimed was its real price for that item and it would have been adverted to. It is not adverted to in this Cabinet Paper and this Cabinet Paper is dated July 21, 1994. That is the position, Sir. That letter is supposed to have been written, according to the documentation here, on May 25, 1994 so the whole Cabinet, the whole Ministry proceeded upon the assumption that that letter was not received. It is a very serious matter. 6.20 p.m.

These matters are of such great import that if Parliament is going to be used as a vehicle for the search for the truth, where Parliament finds itself in a position in which documents are produced by important functionaries

in Parliament, such as the Leader of the Opposition, which themselves suggest that there is something seriously wrong then Parliament is under a duty to ensure that the fullest investigation takes place. The fullest investigation must take place as to how the whole Cabinet of Barbados was misled.

Where did that letter come from? Who produced it? It is a very serious thing. We have the evidence here, produced by the other side. We also have another set of documents here - these things cannot be taken lightly - part of the documentation from the Leader of the Opposition. He says that somebody gave an opinion. He was very critical of the Attorney-General's opinion. The Honourable Member has quoted from paragraphs 3 and 4 of the opinion. He has given us the conclusion of the opinion. Therefore, after 14th September, 1994 Ometa Distributors Ltd. constituted a legal entity with which the Crown did value the contract. This is a very funny affair. Nobody knows who produced it. It is not signed. There is no signature. This is what I have here. These are the documents I specifically asked for, the documents that were made documents of the House by the Honourable Leader of the Opposition. I see here at page 4....

Mr. D. J. H. THOMPSON: Sir, on a point of order. Perhaps I should say explanation. That document was produced for the purposes of identifying the specific cases. If you wish me to elucidate on the conclusion, I can do that too. But I was drawing to the attention of the House two Canadian cases on the point I was thinking on that point as to whether it validly existed after amalgamation and the two cases are persuasive on the point.

Hon. Sir Harold ST. JOHN: Sir, this document indicates, quite clearly, that the Honourable Member is telling this House that an opinion has been obtained from the relevant party which contradicts the opinion which has been given, by the Attorney-General. That is what I said. I said that the opinion is a very funny opinion. It has no author.

Aside.

Hon. Sir Harold ST. JOHN: I am not interested in the cases because the cases say, specifically, different from what you say they say. The cases say specifically that, in the context of a Canadian Statute, worded in a particular way, the Judges made that decision. For a proper opinion to be made, you are going to have to take the Statute in Canada, the Statute in Barbados, compare word by word and see whether there is a material variation in the wording.

Aside.

Mr. D. J. H. THOMPSON: Why did you not do that before you made the opinion? Because I believe this opinion is the Honourable Member for St. John's opinion. Pages 1 and 2 are missing from the opinion.

Asides.

Mr. SPEAKER: Please, please, please.

Hon. Sir Harold B. ST. JOHN: I would not say that the Honourable Member for St. John is trying to mislead this House.

Mr. SPEAKER: Please.

Hon. Sir Harold ST. JOHN: But I say this, Sir, that the way in which he has marshalled his argument, it is very clear that the Honourable Member wishes to conceal, from this House, the source of this opinion.

I prefer the opinion of the Attorney-General because the Attorney-General never sought, in any way, to deny the fact that he gave an opinion in a particular conclusion. This one states a conclusion and the identity of the giver of the opinion is concealed.

I want to say something about this matter, Sir. If the Law, in Barbados is - I want to say it very clearly - that you can have an amalgamation and, at the same time, after you are amalgamated you can continue notwithstanding the fact that the Statute says that the effect of amalgamation is that you continue as the new Government, you can continue to use your old company for trading. I say this, that Law must be amended immediately because it would permit a vehicle for amalgamating companies to continue to trade under their own name, do not pay any National Insurance, do not pay any kind of insurance at all. The National Insurance would have great difficulty in tracing them because you are supposed to have one company. Do not pay any income tax. Do not comply with any of your statutory obligations without placing an undue burden upon the statutory authorities to trace you. That is not the intention of the Act. If we have failed with the wording that we use, a new amendment to the Companies Act has to take place.

Again, Sir, I would invite the Attorney-General to have his officers have a serious look at this because this is a gap that I feel should not be allowed to continue to exist. It is a serious gap. This debate has highlighted a number of matters which I feel merit further investigation.

I want also to say, Sir, that as long as there are tenders, there will be scope for judgement. I have been in this House long enough to know and to have heard the spokesman for the Democratic Labour Party say, in the past, that in a country like Barbados where you have

tenders which are close the only distinguishing feature is, very often, the party card. I have heard that said in here repeatedly. I believe that system operates in many countries of the world.

But what is necessary for us to ensure is that there are rules and regulations which indicate, very clearly, that if you call for competitive tenders which involves, very often, people incurring expenses to comply with the tender notices, that there is an implied obligation that there is fairness in the award of tenders. That is the significant contribution that the case of C. O. Williams and the Attorney-General has made to this law. The ruling now is very clear that if you invite the public to tender administrative justice demands that if you set out that the basis of the award is going to be on certain criteria, you must follow the criteria, otherwise the award would be void. That is what it says. If you wish to have the basis of your criteria that the party card is the determining criteria, put it down in the tender so that everybody will know. Only you will have to have limited tendering because, whether you like it or not there will be so many holders of the party card that they will then compete among each other. That will happen. I am not making any sport. This is a very serious thing.

During the course of this debate, we also had a statement made with respect to tendering at the Airport. We always made it very clear, at the Airport, that the object of having those shops at the Airport was to collect the maximum amount of revenue to pay back the loan that you borrowed to finance the Airport. There is no question of party anything. I remember. I was the Minister when some tenders first came. And I awarded in my Ministry, went up to the Cabinet and suggested and it was approved by the Cabinet, that there was a competition for a drug store and the then Honourable Member for St. John's family tendered better than the now Honourable Member for Christ Church West Central. They got it, not him.

Aside.

Hon. Sir Harold ST. JOHN: I beg your pardon. We were interested. Our criteria was clear. Best tender capable because we wanted to pay back to the Airport. Those were our criteria and we stuck by that. I would have thought that at the time when we were in this great financial stringency in which the Government had committed such a great onslaught upon the standard of living of the people that at that time the Government should have been out for saving money and the political considerations should have been reduced to the lowest level in the circumstances of 1994 because of the economic blows that you had inflicted on the people of Barbados. But no, it is quite obvious,

according to the Member for St. Michael South, that the considerations which were most predominant in your mind were how to finance the elections. 6.30 p.m.

Mr. Speaker, Sir, I am going to support the Honourable Member....

Rt. Hon. L. E. SANDIFORD: I rise on a point of order, Sir, and I am submitting to you that the distinguished Member for Christ Church South is misinterpreting and distorting what I said. I never made any statement that the consideration that was uppermost in the minds of the Cabinet was the consideration for financing the election. I never made any such statement, Sir, and I would request you to call on him to withdraw that. I could not have made it, Sir, because I made it clear I was not present at the meeting.

Hon. Sir Harold STJOHN: I am very pleased to exempt the Honourable Member for St. Michael South of any such conduct and I withdraw the statement I would say, Sir, that my understanding of the very clear words he used was that this debate was not about kola syrup it was about how we finance elections, Sir, which leads me to come to the reasonable conclusion that in his opinion, which I share, the award of this contract was to some extent influenced by the financing of the elections. I am obliged to you.

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

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, I am pleased to wind up this debate and wish to thank those Honourable Members who contributed on this side, particularly my colleagues in the former Cabinet, in seeking to set the record straight.

Mr. Speaker, Sir, if I were to reflect on the period in which I have been in Parliament which probably is only, in recency, closest to the Honourable Member for St. Peter's since he was elected in 1984 and I was elected in 1987. We have been through this before. The Honourable Member for St. Peter has a very short memory. He turns facts to suit his own interpretation of them. But, Mr. Speaker, Sir, it is not true to say that the tender process and the functioning of Government Departments has not come up for the kind of scrutiny by a commission of inquiry or an investigative commission before and those who made that assertion have forgotten, Sir, that in 1987 on the 29th May a Report of a Committee of Inquiry into the activities of the National Assistance Board, I do not think the public knows about this very much, for

the period April 1984 which included the St. Peter Bye-elections and the September 1986 period. Now the Committee did not recommend that there should be a commission of inquiry. They did not think it would serve any useful purpose but in terms of this whole issue of financing campaigns, the tenders system which we had a debate on, I hope you will permit me, I will be very brief, Sir, to say a few things about what the Committee said because we have had concerns about this for a long time in the Democratic Labour Party. There was a problem with six welfare houses in St. Peter during the bye-election. Millions of dollars were spent in that St. Peter bye-election that is why I am glad the Honourable Member for St. Peter is like a Daniel come to judgement that he now realises how important it is that politicians should avoid using Government funds to secure the election of their political party to public office because there is never an occasion in the political history of this country that as much Government money was washed around in this country as when the St. Peter bye-election was held in 1984. Sir, I want to make this point clear.

Mr. SPEAKER: Please. The Honourable Member you are going down the wrong line now. There is no need for that. I have given you permission to refer to the document.

Mr. D. J. H. THOMPSON: A lot of things were said about IMF, my honesty...

Mr. SPEAKER: Please, please ...

Hon. O. S. ARTHUR: Mr. Speaker, on a point of order. The Member is holding a report in his hand and he has said that millions of dollars were spent in the St. Peter Bye-election. There is no report to which this Member can reference, including the one in his hand, Sir, that will show that millions of dollars were spent in the St. Peter Bye-election so he is misleading the House. I ask that the remarks be withdrawn.

Mr. SPEAKER: The Honourable Member, please, I am asking you to withdraw the remarks and I am also asking you, please as you continue your winding up, do not let us go down that road.

Mr. D. J. H. THOMPSON: I am not delivering an original speech. I am responding to issues that were raised.

Mr. SPEAKER: Could you withdraw the comments?

Mr. D. J. H. THOMPSON: I withdraw whatever the Honourable Member wants withdrawn. I am not going to let him keep me back in this debate. So you are permitting me to quote, Mr. Speaker, Sir, from this report.

The findings of that report were as follows:

Page 23, clause 104, this is regarding the NAB under the Barbados Labour Party. No.3. "The systematic and not demonstrably unlawful exploitation by the reigning executive of every facet of the statutory authority vested in the Minister to the advantage of the Party in Power and its friends". And Clause 4.1 am not going to read any further, Sir.

Mr. SPEAKER: Could you give us the source?

Hon. O. S. ARTHUR: On a point of order, Sir. This matter has been debated in this House and the Minister to whom it was referring was Don Blackman and the Report says that of the 88 houses built, Sir, 87 were in his constituency.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, they went on to say, "the consequential administrative anarchy to which reference has been made earlier". And in the body of this Report, Sir, you will see the story of the houses in St. Peter, the stoves, all of the other items distributed as largesse. Government Funds, not funds from any statutory body. I made that report available but I will move on.

Mr. Speaker, Sir, what needs to be brought to the attention of this House, and I want to go from the end forward. The comments of the Honourable Member for Christ Church South: The Honourable Member for Chris* Church South well knows that the Companies Act of Barbados which he piloted through this House, that many of the provisions were based on the Ontario Business Corporation Statute and I am going to refer him to the relevant statutes and he can compare the wording of 197 (4)(b) of the Business Corporations Act to section 212 of the Barbados Act and then he can go on to compare section 206 of the Barbados Act to section 137(1) of the Canadian Act. The Canadian Act says this, Mr. Speaker: "Any two or more companies to which this part applies may amalgamate and continue as one company". The Barbados Act, Sir, says: "Two or more companies, including holding a subsidiary company, may amalgamate and continue as one company". If you go, Sir, to section 197 (4) of the Business Corporations Act, the very sections the Honourable Member for St. Thomas quoted. "Upon the date set forth in the certificate of amalgamation... (b) the amalgamated corporation possesses all the property"... I remember the Honourable Member for St. Thomas pointed out that as far as he is concerned property would include a right of action on the contract. I assume he meant the contract, "rights, privileges and franchises and is subject to all liabilities, contract disabilities and debts of each of the amalgamating corporations." The sections are similar.

Now, Sir, the Honourable Member for Christ Church South can doubt the authenticity of that opinion. The Attorney General has given his. 6.40 p.m.

I am saying that the reason why it is relevant is that when you wade through all of the chat, when you wade through all of the sea weed and the confusion which was sought to be created by that Ministerial Statement that at the end of the day the Ministry of Education, Mr. Speaker, Sir, did not terminate the contract because of the kola syrup. When they wrote to Ometa, they made it clear they were asked for reasons and, if the kola syrup was the reason, they would have written in the letter that the previous administration...

Hon. O. S. ARTHUR: Sir, on a point of order. It is very important that Members speaking before this House, Sir, speak the truth. The Member just purported to refer to a document called "The Activities of the National Assistance Board" in which he said that the report cited the distribution of stoves and other kinds of materials in the St. Peter Bye-Election. The only reference this report has to this entire matter is Paragraphs 93 and 94 where the Member has just misled the*House. The only reference that this report makes about that whole episode and this was the business in this House before, Mr. Speaker, was in relation to a matter of a house to a Mr. Everton Greene, a person well known to the Member for St. John and it concluded, Sir, that because information of this matter was received relatively late, the Committee was unable to investigate it thoroughly. But there is no other reference in this report, Mr. Speaker of any expenditures about stoves being given away. The Member, Sir, has just deliberately misled this House explaining that something is contained in the report that is not in the report.

Mr. SPEAKER: Let us proceed please.

Aside.

Mr. SPEAKER: Order please.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, the Ministry "of Education and Culture writing to Ometa Distributors Limited on November 7,1994 said this: (They did not say anything about kola syrup.) "I am writing to inform you that as a result of searches in the Corporate Registry and other information received, the Cabinet has deemed that the contract for the supply of commodities by you to the School Meals Department should be rescinded and treated as void *ab initio*".

Mr. Speaker, Sir, if it involved kola syrup, this letter would have specified that the Government believed that there was fraud and dishonesty.

Mr. SPEAKER: Point of order please.

Hon. Miss M. A. MOTTLEY: On a point of order, Sir. I really cannot allow the Honourable Leader of the Opposition to continue to mislead this House. He made that allegation this morning. I stated then that there were two

Cabinet decisions by this Government - the first one seeking to rescind because of the abuse of Ministerial power in relation to kola syrup and the second one only came about when we discovered Ometa did not have legal status and that at that time the other 31 commodities were rescinded. So the letter to which he referred speaks not of kola syrup but of the 32 commodities and that letter was written by Messrs. Thompson & Patterson, Attorneys-at-Law on behalf of Ometa Distributors Limited. It is the same person who would have to be called as a witness if we ever had to go to Court.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, on a point of order. I quoted a letter of November 7th. The letter from Thompson & Patterson came a long time after November 7th and I am disabusing what the Honourable Member is saying. I am saying that, if kola syrup was a sufficient issue on which to terminate the contract with Ometa Distributors, then there would have been no need to go into the Corporate Registry and put out all of this pretty thing about a company search was done. If there was fraud, the Government would have been able to say this is a fraudulent contract, we are sending it down to the Director of Public Prosecutions, we are having a full investigation and, therefore, the contract is on hold.

What I am saying to you, Sir, is that the Minister of Education knows that she does not have a ground to stand on in relation to that issue of kola syrup and that therefore a valid justification had to be found, and the search in the Corporate Registry turned up this particular result. If it was about kola syrup, that would have been raised a long time ago. But, Mr. Speaker, Sir, let me tell you what it is about because the official voice of the Barbados Labour Party writing in the newspaper on November 18,1994 - (I know that I cannot quote from it, Sir. I cannot do it. I am going from my memory.) - launched a vitriolic attack on a gentleman known as Mr. Neville Rowe who they said in this article and they were talking about kola syrup.

Hon. Sir Harold St.JOHN: On a point of order, Sir. I am asking your assistance that Your Honour rules whether it is proper for a Member of Parliament to get up in this House and say that the official voice of the Barbados Labour Party in a newspaper - the word "newspaper" was specifically mentioned - and he said I cannot quote from it but then proceeds to read from the context of the article. Your Honour, I ask for you to rule. It is my submission that it is improper for the Honourable Number to use the newspaper article to mention it and then proceed to form a debate on it. I am objecting to everything that the Honourable Member said in relation to the newspaper article.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, I will withdraw it. They are not going to stop me from saying what I have to say today, Sir. I am saying that

I read a publication with a column purported to be the official voice of the Barbados Labour Party and bearing its logo in which, Sir, it was said that a Mr. Neville Rowe was seen posing with me at Haggatt Hall...

Hon. Sir Harold St. JOHN: On a point of order, Sir. I am asking you to rule whether it is proper in the course of a debate *for* an Honourable Member to say in his speech that he read a newspaper article which was captioned by the official logo of the Barbados Labour Party in which the name of a specific person is mentioned. I am also asking you to rule whether you have received...

Aside.

Hon. Sir Harold ST. JOHN: I beg your pardon, Sir. I am not finished...whether you have received in accordance with the rules of this House and information from the Honourable Member that he is going to call Neville Rowe's name in here.

Mr. SPEAKER: The Honourable Member, please let us proceed following the rules of the House. You know very well that you cannot refer to that.

Aside.

Mr. SPEAKER: You say what you have to say.

Mr. D. J. H. THOMPSON: I will find a better way to say it, Sir. I am saying that based on information received by me, information read by me in a local journal...

Aside.

Mr. D. J. H. THOMPSON: I am not finished.

Hon. Sir Harold ST. JOHN: We must come to an end with this. Mr. Speaker, I am asking you to rule.

Mr. SPEAKER: I am saying to the Honourable Member for St. John that the rule clearly states that you are not supposed to refer, make reference...

Aside.

Mr. SPEAKER: Let me quote the rule for you. Standing Order 28(1) - I think that I am correct. Yes.

"1. A Member may not read his speech, but he may read extracts from books or papers other than newspapers in support of his argument, and may refresh his memory by reference to notes."

Mr. D. J. H. THOMPSON: I am not reading anything, Sir. I am not reading. I will ask Barbadians, Sir, to turn to

the Advocate Newspaper of November 18, 1994 and in that newspaper they will see a reference to an event which took place with me as Minister of Finance and the Managing Director of Julie 'N where I went to Haggatt Hall to do the ground breaking ceremony for a project up there and the writer of that article attacked viciously the Managing Director of that company and gave the impression that he was in some kind of scam with me to say that a building was being built to create jobs and the building did not exist. 6.50 p.m.

Mr. SPEAKER: Could I ask, what has the writer of that article have to do with the debate?

Mr. D. J. H. THOMPSON: That is the motive, Mr. Speaker, that the person was purporting to write a viewpoint on behalf of the Barbados Labour Party, and they were purporting to say. . .

Mr. SPEAKER: But can you substantiate that? That is a serious allegation.

Mr. D. J. H. THOMPSON: The only thing I can substantiate, Sir, they appeared in what is called a column under this heading with the BLP logo. It was never disowned, it was called "Another Example of Impropriety" and the attempt was made to show that because that person was at Haggatt Hall with me, and subsequently there was something about kola syrup, that that person obviously was a supporter of the Democratic Labour Party upon whom favours have been preferred. Now that rests at the very motive of this issue.

The Honourable Member for Christ Church South got into a lot of technical argument, he wanted to obfuscate the issue, but I want to say this, Sir. When it comes to Cabinet Papers relative to powers exercised by the Cabinet under a law, this is the only power that Cabinet exercises by law under the Financial Administration and Audit Act, everything else the Minister is responsible for as Minister, and the Cabinet is only an informal meeting of Ministers, but the Cabinet has powers under the Financial Administration and Audit Act which it does not have. There is no other Act which gives the Cabinet powers to vary things. The Constitution says a Cabinet exists and shall be responsible for general direction and policy, but the ultimate repository of the power is the Minister. So if you disagree with a decision which is made, the person to take action against is not the Cabinet of Barbados, it is the relevant Minister through the Attorney General. But in relation to matters under the Financial Administration and Audit Act, the Cabinet is exercising a statutory duty to review a decision. It is a function that is reviewable by law, and I contend other decisions of Cabinet are

not reviewable by law, and that is why it is important that those kinds of Cabinet Papers should be available for public scrutiny. If the Cabinet Paper relating to the award of contracts for the School Meals Service under the Democratic Labour Party is available for scrutiny, as it has been made available by the Honourable Member for St. Michael West - and I think he is right to do so - it sets out clearly that there were four bases for awarding the contract to Ometa: cost, reliability, quality and the avoidance of monopolies.

Now we have an Act in Barbados called the Administrative Justice Act, Mr. Speaker, and anybody who feels aggrieved by a decision of a Minister or other statutory authority, including the Cabinet when exercising powers under the Financial Administration and Audit Act, can come under Section 4 of that Act. I am saying that the only thing the Minister of Education has left to do to this House to discharge her responsibility is to tell me which of these Heads under Section 4 of the Administrative Justice Act the then Cabinet breached. If anybody feels that the then Cabinet disadvantaged them, they are entitled to take action in the law courts, but I am standing by the decision because I think the decision was a fair decision, it was a decision to redistribute wealth, Government contracts in this country and I was in favour of that. I make the point, Mr. Speaker, Sir, that at no stage during the proceedings of Cabinet was there appearing before the Cabinet any comparison of the cost of tenders for kola syrup or any other item. They took the items and they spread the items among 13 people.

But I will go further than that, Mr. Speaker. The Manager of the School Meals Department had recommended in 1993 that items which are imported into Barbados should not be purchased on the open market. That was her recommendation then. Kola syrup is imported. This is the then Manager of the School Meals Department:

"In my opinion items which are imported should not be purchased on the open market, since this presents problems with obtaining requisite amounts."

Mr. SPEAKER: What are you quoting from, Sir?

Mr. D. J. H. THOMPSON: I am quoting from a page of a previous Cabinet Paper. It does not matter because it was a Cabinet decision on tenders, a 1993 Cabinet decision in respect of tenders for the supply of various commodities for the School Meals Programme 1993-94.

The reason why that is important is that if we were supposed to follow the recommendations of the Manager of the School Meals Department, as some people are suggesting, it would mean that we should not buy kola

syrup on the open market. But that was the recommendation of the Tenders Committee, so there is nothing wrong with reviewing that decision.

Mr. Speaker, Sir, we have had a lot of talk in here. The Honourable Member for St James South, as usual, Sir - and I do not interrupt her, because I think when she is flowing she should be permitted to continue flowing, because the records of Hansard are there for evermore - but she did not attribute her knowledge of 5Y₂ gallon cases to herself, she was quite smart, she said a lady who sells against the road or somewhere told her they do not have such a thing.

Aside.

Mr. D. J. H. THOMPSON: You cannot specially make this. Have you ever seen wholesale goods with labels on them? Mr. Speaker, this is 5V₂ gallons. All the talk about labels and so on, take it outside if you want to and check, 5Y₂ gallons. Some people have said there is not even in existence a 5Y₂ gallon container, that they do not sell it that way.

Asides.

Mr. SPEAKER: Order, please! Order! Order, please! Honourable Members, order, please! Just a minute, please! Honourable Members, could we have some order, please? I believe the Honourable Member is making that a document of the House.

Mr. D. J. H. THOMPSON: I know you want it, Sir. I know you would like it, I would lend it to you. But, Mr. Speaker, let us be serious. Industrial quantities nowadays are in litres. 25 litres equal 5.5 imperial gallons, 21 U.S. litres equal 5.5 U.S. gallons. These are normal industrial quantities. Now, why would a company in Barbados which is involved in wholesaling buy gallon bottles of kola syrup? Let us be frank. They are entitled by law to say we do not buy it in gallon bottles, we buy it in 5V₂ gallon bottles and quote per bottle, as they did, \$69 per bottle.

At the end of the day the Honourable Member for St. Michael North East sought to make a mountain out of a mole hill. Do you know, Sir, that in this entire scenario the Minister has not said on one occasion that this thing was so unbelievable that she asked her Public Officers to call Ometa and let them come in and see if there was anything to clarify? There was no attempt to find out what was really happening. The first time I heard about it, because I did not read the speech of the Honourable Member at his Annual Conference, in all fairness, and when I heard that today I was surprised, but the first time I heard about it is when the Honourable Member for St. Michael North East

came in this Chamber and read a ministerial statement. Had I read the speech of the Honourable Member for St. Peter, including the lashes that he put in me, which I now read subsequently and I congratulate him for the effort to once again distort the record on what I said about his relationship with the IMF, but I am going to let him ride full rein. This is now the fifth time we have had a debate in this House that the Honourable Member for St. Peter has quoted it and he can quote it from now right down to 1999, because a lot will happen between now and 1999, Sir, and if anybody thinks they are going to get up on a platform and quote that, when thousands of jobs need to be created, when this economy is in a serious state right now and is not on the same growth path that it was in at thread of 1994, when tenders.... 7.00 p.m.

Mr. SPEAKER: Honourable Member, don't go too far and wide.

Mr. D. J. H. THOMPSON: When in the distributive sector, certain kinds of persons are preferred over others...

Mr. SPEAKER: I thought you were getting back.

Mr. D. J. H. THOMPSON: The tender system. That is it.

Mr. Speaker, those are going to be all issues between now and 1999 and if the same issues in 1994 are going to be issues again in 1999 then it means the Honourable Member for St. Peter would not have achieved anything, because the whole process of our development means that by 1999 there should be new issues on the national agenda.

Therefore, Mr. Speaker, I want to make my point clear. The Honourable Member should take every document I laid in this House and carry them to the Commissioner of Police and the Director of Public Prosecutions, all of them. If he asks me for anymore I will produce all that I have without reservation because I have absolutely no fears. As I have said already, I can walk the streets of Barbados free, knowing that anytime the police or a bailiff or anybody like that is approaching me they could only be asking me the time. I have always tried to keep myself above reproach. The Commissioner of Inland Revenue, the Director of National Insurance, none of them have to have any conversation with me on matters relating to any indebtedness or any other act of impropriety or indifference on my part. I seek to keep my affairs at a certain level in this country.

Asides.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, the Honourable Members over on that side will not find me...

Mr. SPEAKER: Just continue to address the Chair.

Mr. D. J. H. THOMPSON: A lot was said in the course of this debate, Mr. Speaker. They said how could 12 men make such a decision and miss a mistake in relation to price.

Mr. SPEAKER: Could we have some order on this side, please.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, the Cabinet Paper did not deal with a comparison of prices. The decision was made to reallocate and a letter was written in the newspaper by somebody who had tendered for school meals contracts, he said for the past 20 years. I am not referring to it because you warned me already and I am not quoting from it either. I thought that it was incredulous to think that for 20 years one supplier had had the lion's share of school meals contracts in Barbados and for the first time in 20 years the Democratic Labour Party tried to spread those contracts among other people who could not have had a track record because they were never in a position to get a look through the door and all of a sudden all kinds of specious arguments are developed: Kola Syrup at \$69 a gallon; the company does not exist; somebody was up in Haggatt Hall talking about jobs when they only have a building. All of that was sought to discredit a company, a company, Sir, the holding company of which is investing nearly \$60 million in this economy. All I am saying to the Prime Minister is this. I ask for no special favours for anybody but if in this country you have a company that is investing \$60 million and that is the largest investment that the Honourable Member for St. Peter can claim to date because he cannot claim Westmoreland. He cannot claim any of those major hotel investments which the Democratic Labour Party did. St. James Beach Hotel, none of them. So the only one that will come to fruition in the private sector during his tenure so far will be Julie's building at Haggatt Hall.

If a man is going to invest that kind of money in this economy my view is that politicians have a duty to respect that contribution and where an opportunity exists for him to share in allocation of school meals contracts he should be allowed to share.

Mr. SPEAKER: the Honourable Member has two minutes to conclude.

Mr. D. J. H. THOMPSON: Thank you, Mr. Speaker. So Mr. Speaker, Sir, we have had all the talk. We have heard all the slurs, all the trivia about Sweet Davey, all of that; but that is not going to erase the problem out there. Nobody can leave here tonight and go and tell a fellow liming on the block who doesn't have a job about Sweet Davey. The problem at the end of the day is that

the Government has had all of these months to do serious matters and has brought more gusto... In fact, Mr. Speaker, Sir, it is interesting. More people have spoken on this No-Confidence Resolution which they say is trivia and which is not important and the Democratic Labour Party should never bring.

Hon. Miss B. A. MILLER: On a point of order, Sir. Nobody on this side has said that it is trivia and not important. It is the people on that side who said that. We treat it with grave importance.

Mr. D. J. H. THOMPSON: Mr. Speaker, the Honourable Member for Christ Church East Central made it quite clear that he thought it was a trivial matter and nobody should bring something like this back before the House again and I agree because I don't think any Minister again even with the kind of experience which the Honourable Member for St. Michael North East now has would seek to bring a Ministerial Statement to this House which seeks to distort the record, to discredit people, which seeks to take opportunities from citizens who are investing in this economy and the principal objective of which is to discredit the character of members of this House without one scintilla of evidence in that regard.

In that regard, Sir, I cannot have confidence. I am not talking about the Minister's record as a whole in education. This incident is a dingy chapter. I use the Honourable Member for St. Peter's words. It is sordid and therefore I am saying that on that basis I have no choice but to bring this Resolution and have the strongest message of censure go out to the Minister of Education that this House must not be treated in this way and the people of Barbados must not be treated in this way, but from tomorrow it is back to serious business.

Hon. Miss M. A. MOTTLEY: Sir, the last statement made by the Honourable Member for St. John about the resumption of serious business tomorrow clearly is an indication that we have now seen the display in this House within the last 30 minutes of two empty vessels, one sitting next to the honourable Member for St. Michael East and one at the top.

Sir, if this matter related to my costing the Government of Barbados \$1.4 million more to the Treasury or if this matter related to my costing the Barbados National Bank \$2 million more after you are finished purporting to send a loan to the Barbados Agricultural Management Company and when he was in charge of the Ministry of Finance, the Honourable Member for St. John costed the Barbados National Bank \$2 million in losses because the National Bank had to borrow at a higher rate than it was lending on to the Barbados Agricultural Management Company. I could understand Sir, being asked to face a No-Confidence Motion in this House.

Sir, if I were a Minister of Finance that presided over the breach of a Central Bank overdraft I could understand facing a motion of No-Confidence.

I stand here tonight having been accused by the Leader of the Opposition of doing no more than bringing to the knowledge of Parliament the facts relating to the abuse of ministerial power as exhibited by the then Minister of Finance who is now the Leader of the Opposition. I have nowhere in my Ministerial Statement then or now referred to the fact of any breach of the Financial Administration and Audit Act, but I have laid the charge that the Minister of Finance participated in an action that would have cost the Government and taxpayers of this country \$1.4 million more for the supply of one single product.

Now we now know, Sir, why that was required and I am eternally grateful for the Honourable Member for St. Michael South's speech, the former Prime Minister of this country particularly when he stated that this matter had nothing at all to do with Kola Syrup. 7.10 p.m.

Now, Sir, the Honourable Leader of the Opposition in his wind up sought to deal with the fact, and relied on the fact of the Cabinet Paper produced by the Honourable Member for St. Michael West. But the Honourable Member for St. Michael West should know that I have the Cabinet Paper too and I will also read from the context of which the decision was made. It says here at paragraph 10:-

"This Paper seeks to vary certain recommendations on the basis of cost, reliability, quality and current thinking."

It also states in paragraph 7 to rely on the comments of the Manager of the School Meals Department. Now, Sir, the comments which they sought to rely on from the School Meals Manager were not, in fact, the comments he made...

Mr. B. M. TAITT: On a point of order, Sir. If the Honourable Member will look in the paragraph she would see that the Paper said "in 1993". The paragraph begins "In 1993". The School Meals Manager commented in 1993. You made the point earlier and tried to give the impression that we were misleading.

Mr. SPEAKER: You have made your point.

Hon. Miss M. A. MOTTLEY: Sir, unlike the Honourable Member for St. Michael West I have no intention of misleading on anything at all, St. Joseph Hospital or anything otherwise.

Now, Sir, I want to say this. The School Meals Manager's comments were selectively taken for 1993 but what they did not do was to take the comments of the School Meals Manager dated June 13, 1994, and I want you to see it I am going to let this be made a document of the House. I do not have a photocopy but it can be photocopied. It is from the School Meals Manager to the Permanent Secretary of the Ministry of Education and Culture, comments and evaluation of Tenders Committee's recommendations for the supplies to the Schools feeding programme 1994-95, the same year to which these tenders apply.

One, this would have been available to them had they carried the file to Cabinet through the proper way.

Mr. B. M. TAITT: On a point of order, Sir. The only way a file is called for in the Cabinet is if there is a matter which one has seen in a Cabinet Paper which requires reference to a file and they really should stop misleading the public about how Cabinet is run. No one calls for the files. It is not as if the file comes with everything on it. The Paper comes.

Hon. Miss B. A. MILLER: On a point of order, Sir. The last comment from the Honourable Member for St. Michael West will mislead. When the Cabinet meets, every file relating to Papers before the Cabinet are sitting in the Cabinet Room and available to all members of the Cabinet for reference, but the file should have been there.

Hon. Miss M. A. MOTTLEY: Of course, Mr. Speaker, that comment would have applied had this matter been dealt with in the proper way and gone through the system in the proper way but since it ended up in the Cabinet not via the Permanent Secretary, and not via anybody from the Ministry of Education in the Civil Service, then we can understand the comments of the Honourable Member for St. Michael West.

But I want to continue reading the document, Sir, because it was the duty...

Mr. B. M. TAITT: On a point of order, Sir. Cabinet Ministers get their Cabinet Papers from the Cabinet Secretary. That is how they get the Papers. They are distributed through the Cabinet Secretary and each Cabinet Minister gets each Paper from the Cabinet Secretary who distributes them so they come through the system. That is how we get the Papers. The Minister does not pass them around.

Hon. Miss M. A. MOTTLEY: Sir, I will not be deterred by red herrings because I have half an hour and the public must know what they did not include in their Cabinet Paper of July 21, 1994.

Sir, it goes on here. It starts: -

1. Performance of specific tenderers to the 1993/94 programme:

Hanschell Inniss Ltd. - generally reliable. There were some instances when supplies were not delivered at the time requested.

R. L. Seale - A reliable supplier. No problems experienced with the quality of the supplies nor their delivery.

Shamrock Trading Co. - Few problems experienced with this supplier. Called the supervisors if they were experiencing problems at the plant.

Mount Wilton - Products of good quality. No problem with deliveries.

King's Agio Foods - made an effort to fulfill contractual obligations. Problems experienced sometimes with delivery of food items.

Chickmont and Montrose - No problems experienced.

Lach Limited - This supplier performed creditably.

Ocean Fisheries Ltd. - Good qualities of products delivered at all times.

But it does not end there, Sir. You know what the deceit of this matter is? Do you know that these comments of the School Meals Department go on to list every item which was not recommended to be supplied from the open market but recommended to be supplied from a supplier, item by item, 1 page, 2 pages, 3 pages, 4 pages, 5 pages of items and next to almost every single item, next to the Chairman of the Tenders Committee recommendations which the Cabinet under which the Honourable Member for the Opposition presided as Minister of Finance, she agreed with every single recommendation virtually of the Chairman of the Tenders Committee. So when he gets in here and seeks to mislead people that it was taken on the basis of cost, reliability, quality, when the comments dated June 13, 1994, which are documents of the House, show that the person who is in charge of the programme says in almost every instance that the cost, reliability, and the quality is agreed to, then, Sir, that deserves a censure motion being brought against the Honourable Leader of the Opposition.

I continue, Sir, that when he talked then also about monopoly, the same Cabinet Paper has already been

made a document by the Honourable Member for St. Michael West. If you talk about replacing monopolies then one would not have expected the last Government to create another monopolistic situation in the manner in which they awarded the supply of commodities. But look what happened, Sir? You can perhaps see if only because of the sparseness of items next to the names:-

"Montrose Poultry Farms - 1 item.

Chickmont Foods - 1 item. Ometa

Distributors -

You see that big block there, Sir? All those lines going down, going across?

Mr. SPEAKER: Yes. I can see it.

Hon. Miss M. A. MOTTLEY: Thirty-two commodities.

R. L. Seale & Company - 5

King's Agro Foods - 2

Hanschell Inniss - 7

Mount.Wilton Plantation - 1

Lach Ltd. - 4

Shamrock Trading Company - 8

BADMC - 10 Purity Bakeries -

1.

Mind you, Ometa was given the right to supply bread too and Purity Bakeries only had one set of bread but Ometa supplied 2 or 3 different sets of bread.

Open market - two from the open market and three directly from the manufacturer so that out of almost 80 items, the Minister of Finance directed a variation that led to Cabinet taking a decision that in effect created a new monopoly in this country. If you want to speak to the Parliament of this country, let us speak with clean hands and a frank tongue. If we want to speak about what happened since they left office, let us speak about that too because I have nothing to hide in this matter.

I showed, Sir, the level of transparency that I was prepared to bring to the Ministry of Education by the holding of a Press Conference earlier this year once all of the contract had been awarded. I want now to make these

documents of the House too, Sir, for the record because the record must not be tarnished by the long hops and intellectual gymnastics of the Honourable Leader of the Opposition. 7.20 p.m.

Minute 16-1 know, Sir, that the Honourable Member for St Michael West would like nothing more than to see the Honourable Member for St. John marauded in terms of this matter.

Mr. B. M. TAITT: On a point of order, Sir, I would like to see no such thing. What I was in fact mumbling is that she should also make the Cabinet Paper of 1993 a document of the House for comparison.

That is all I was saying, Sir.

Mr. SPEAKER: Okay, please.

Hon. Miss M. A. MOTTLEY: I always remember the saying that "He who doth protest too much." He knows why he got up to protest, Sir.

Anyhow at Minute 16 is the Chairman of the Tenders Committee's recommendation signed by all 5 members. At that time, it was the acting Chairman and that recommendation was dated January 26, 1995. Attached to this is Appendix A which reflects all of the items which they received tenders for and all that they submitted

At Minute 17 is a Minute to the Manager of the School Meals Department.

At Minute 18 is a Minute to the PS from the Ministry of Education and Culture from the Manager, School Meals.

At Minute 19 is a Minute from the PS to me, as Minister.

And at Minute 20 in my hand I state:

"I approve the award of tenders as recommended by the Tenders Committee."

I want to repeat that, Sir:

"I approve the award of tenders as recommended by the Tenders Committee."

I want to make the point that we did not seek to vary in any way and, contrary to the views coming out of the Democratic Labour Party column, which reflected a level of malice and worthlessness...

Mr. SPEAKER: Please, please, please.

Hon. Miss M. A. MOTTLEY: ...unknown in the history of the Democratic Labour Party today.

Mr. SPEAKER: The Honourable Member...

Hon. Miss M. A. MOTTLEY: I am so sorry, Sir. I said the Party, Sir.

Mr. SPEAKER: Yes, the other word.

Hon. Miss M. A. MOTTLEY: Worthlessness, Sir?

Mr. SPEAKER: Yes.

Hon. Miss M. A. MOTTLEY: W-o-r-t-h-l-e-s-s-n-e-s-s. I have a little difficulty in pronouncing words.

The point is this, Sir, that in every instance, we agreed with the recommendations of the Chairman of the Tenders Committee. There was only one instance where their recommendation was not the lowest bid and I explained that earlier. That was in respect of corned beef and it was a choice between 2 brands, one called Delta another called Deli Pride. The Chairman of the Tenders Committee went with Delta which was the same one that Omata Distributors were buying from the same R. L. Seale & Co. and supplying to the School Meals, as they were also buying a whole host of other items from the same R.L.Seale & Co.Ltd. that the Honourable Member for St John referred to, and supplying to the School Meals. They were not importing a lot of these items.

All they were therefore doing - because Omata Distributors was not an original importer in many of these items - was creating an extra layer of percentage for the middle man. That is all they were doing. And therefore, when the Honourable Leader of the Opposition says that they wanted to redistribute wealth, when they took the decision to alter the recommendations of the Chairman of the Tenders Committee, it is the first true thing he has said for the day. They wanted to redistribute wealth in favour of the Democratic Labour Party. That is why they stand condemned tonight, Sir, because they sought to do so not within a reasonable percentage range. You could not even say that there was a \$50 000 range that they could exercise that discretion. But they sought to do so in the exercise of a discretion that left \$1.4 million more on the taxpayers' bill of this country. That is the dastardly nature of this whole item.

I have no fears because history will also, in the same way that it will judge the Honourable Member for St. James South as the Honourable Member for St. John is so anxious for it to do, it will also judge him, the Honourable Member for St John. I will also wonder, when reading Hansard, why the person who was charged and alleged

with the conduct that led to an abuse of Ministerial power was the one who sought to cover himself by bringing an action against me merely for informing the people of this country. The most he can do is call me a tell tale. Since he is so enamoured with childish and boyish tactics, I would expect that of him.

I also want to deal with this same document he put out about the amalgamation because he said earlier in here today that he and I had never...

Mr. SPEAKER: The Honourable Member.

Hon. Miss M. A. MOTTLEY: The Honourable Member - ... crossed paths in court. He is quite correct. I would not know what do if I saw him there. I am happy to say that no Court of Appeal Judge has ever asked me to stop seeking advice from the person sitting next to me because I was also able to stand up and argue the Law before the courts and never had to rely on anybody else next to my coat tails.

I want to say this, Sir. In his document relating to the amalgamation, at paragraph 10 it speaks specifically that after the issue of the Certificate of Amalgamation which took place in September 1992 by the Registrar, the shareholders of NSR, Omata and Julie'N when requested by the amalgamating company to do so shall surrender the certificates representing the shares of NSR, Omata and Julie'N held by them respectively for cancellation and shall be entitled to receive certificates for shares in the amalgamated company as the certificate aforesaid.

What he has failed to tell this Honourable Chamber, and the case would be argued if they ever have the courage to sue the Government of Barbados because we have been waiting for it for 7V₂ months. But that is like the secret deal with the IMF, an elusive threat.

Aside.

Hon. Miss M. A. MOTTLEY: I want it to come because I want to see him being cross-examined on the witness stand, particularly as it relates to the production of this letter which I suggest to you, Sir, today is a fraud in Parliament. But anyhow, I want to make a point that what the Honourable Member for St. John failed to tell this Chamber is that the Companies Act refers to liabilities that emanate from a company when it is performing and functioning and what should happen to those liabilities that they should go to the amalgamated company.

But the Companies Act neither in the spirit nor in the Law itself does nor relate to a company who almost 2 years after it ceases to exist through amalgamation purports to enter a contract anew. It was not the case of a

continuing contract It was a case that, for 2 years, it was not doing anything as Ometa because of the amalgamation and lo and behold - I was going to say like a thief in the night but I cannot say so, Sir - out of the darkness comes Ometa seeking to contract, for the very first time, as a company that ceased to exist in September, 1992 for a contract in July, 1994. The Companies Act of Barbados does not contemplate that 2-year act.

Aside.

Hon. Miss M. A. MOTTLEY: If they want to deal with the Law, let us deal with the true, true fine points of the Law. But as the Honourable Member for Christ Church South said, I would not expect any better of anybody who seeks to produce, as a document of the House, 2 pages of an opinion missing pages 1* and 2 without indicating who the author is. The conduct is reprehensible and not befitting of a Member of this Chamber. That is my opinion. It may not be anybody else's in here.

I want to deal with this letter because you know, Sir, the strange thing was when I received my documents for the House, the same elusive letter was not even with them. Look at them here. He had to beg for that letter to be produced even in here at 5.30 p.m. this evening. Why, Sir? Because there is not even a record...

Mr. D. J. H. THOMPSON: On a point of order. All of the documents I spoke on and produced I left on my desk there for the Clerk. When I was asked, I discovered that one of them was not with them and I went to my desk and immediately gave it to the Clerk. That, apparently, is the letter. I was quite surprised to discover that it was not among those which meant that some other Member may very well have had it. But there was no attempt to hide it. I made 4 copies of it.

Hon. Miss M. A. MOTTLEY: I accept that explanation by the Honourable Member. But what I do not accept is that this is a letter that ever came into the custody of the Government

Sir, look at it. May 25, 1994. No date stamp. No record by the Chairman of the Tenders Committee. No record by the Ministry of Education. No record in the Registry of either department But you know, Sir, what is even more fascinating is that on November 19, 1994, the person who was the Minister of Education, at the time, Mr. Tyrone Estwick stated clearly and unambiguously that this letter was never brought to his attention, that he had never seen it while he was Minister, if not he would have corrected the letter.

I want you to stop a minute, Mr. Speaker. Listen to the position of Mr. Tyrone Estwick. I never saw the letter

before September 6, is in effect what he is saying. Had it been brought to my attention, I would have corrected this matter. In fact, if it had been brought to his attention before it went to Cabinet, it would have been corrected. Up until September 6, no corrections. Listen to the position of the Honourable Leader of the Opposition, that this letter exists and so much so does it exist that the cost to Government would not have been \$1.4 million more but \$77 000 less. That is the same diatribe that we saw in ads that even libelled me coming from Ometa Distributors run in the *Advocate* and the *Nation*. But I believe, Sir, that in politics your back has to be broad and I am not running to the law courts for any and everything. They can continue to make the allegations, the nasty and scurrilous allegations that they made against my integrity. But I know one thing for certain, Sir, that I will not be investigated for any fraud because this letter has never come into the Ministry of Education, has never gone into the Chairman of the Tenders Committee nor have we sought to rely on it to justify a cost of \$77 000 less. 7.30 p.m.

Now who is telling the truth, Sir? Is it Mr. Estwick who said that he never saw it, or is it the Honourable Leader of the Opposition who purports to rely on it up until today and who in fact was the source of this document being printed in the *Nation* Newspaper on the 19th November 1994? Who is telling the truth? Sir, that is an eternal matter for the Democratic Labour Party but in so far as it relates to the public of this country, Sir, it relates to the credibility of the Democratic Labour Party as an organisation fit to run the Government of this country and I hope, Sir, that the public will continue to remember what this country and this Parliament has been subjected to in the production of documents that have no authenticity or no veracity, Sir.

I want to say, Sir, before I sit down on this matter, that if there was a true thing said by the Honourable Member for St. Michael South and I want to support him on it because the time has come in this country for us to be frank with the future development of our parliamentary democracy and I hope that he will seize the opportunity to be able to deal with the question of financing of campaigns so that no Government, certainly to which I belong, and no Government which may well be responsible for the affairs of this country, would be subjected to the kind of political shenanigans that characterise this whole episode with Julie-N. Perhaps the time has come for us to look at models that exist in other commonwealth countries where the State finances the campaign of political parties according to the number of candidates fielded by that political party. I just leave that there, Sir, and we will get a chance to debate that in the future.

I want to say, Sir, that if you do not want to believe me in this matter, Sir, if Honourable Members do not

want to believe me, accept the word of the Honourable Member for St Michael South and accept the word of the former Minister of Education, Mr. Tyrone Estwick. Both of whom have levelled in a sense, in my view, the greatest charge against the Honourable Leader of the Opposition. Sir, I want the Honourable Leader of the Opposition to carry it to court. I may not be able to be a witness but I certainly can be a spectator and I intend to be there because I want the Honourable Member for St. John to know that he cannot continue threatening people in this country by his motives, by his action and by his voice as he did with the Honourable Prime Minister in the election campaign, as he did with myself when he got up in here and said that it was a deliberate lie for me to have stated that that Government intended to charge fees and had to retract it once I produced the document. As he did, Sir, with this kola syrup affair, as he did, Sir, with the Hothersal Primary School where he sought to suggest that I did not consult with him but never actually said so because he is a master in sophistry, Sir, in my opinion.

Sir, I want to say this. I do not intend to be threatened by him or anybody of his ilk. He does not have the standing either physically, morally or otherwise in my eyes to bring any charge against me on anything to do with morality and integrity and he can level as much charges about not owing the Commissioner of Inland Revenue or not owing Glendairy or not owing policemen but I want to say this, Sir, that I neither suffer from the congenital defects of any jailbird nor do I neither suffer from not knowing who I am.

Mr. SPEAKER: Listen, please.

Hon. Miss M. A. MOTTLEY: I know who I am.

Mr. SPEAKER: The Honourable Member, please. I believe that you have been going on and going down the wrong road. As we come to an end, let us keep it at a higher level than how you are going.

Hon. Miss M. A. MOTTLEY: Sir, I know who I am. I am confident in who I am. I am confident in my lineage and I am proud of my lineage and in the same way I do not know that others are. I will leave that matter where it rests. I know who my father is and I am proud of him.

Now, Sir, I want finally to end this matter by stating very clearly that if this were to occur again that I would be as frank with this Honourable Chamber as I was on 17th November 1994. My responsibility is not to friendship with the Honourable Member for St. John. My responsibility, Sir, is to the people of this country who not only by the way voted us in for 30 000 jobs but voted us in because they wanted integrity in Government in this country again and were tired with CARSICOT, were tired with St. Joseph Hospital, and who were tired with Sherbourne and who

wanted to see a level of financial propriety governing the affairs of this country and I want, Sir, to say that no amount of bringing of no-confidence motions, whether it is me they are threatening or my colleague the Minister of the Health, let them bring it, because the Honourable Member for St. Michael East will have to face the consequences of the Commission of Inquiry starting to hear from the public on the 12th July as to the 300 permits granted by him.

Let me say this, Sir, that no amount of bringing of no-confidence motions in this Honourable Chamber will derail this Government from the commitment given to the people of this country on the 6th of September 1994. I am happy to report to this Honourable Chamber that not only have we held faith with the people in terms of financial propriety but we have held faith in terms of our promises. We have started a housing programme that this country never saw for over 5 years. We have started, Sir, in education, a code of discipline, diagnostic testing of every single primary school child between now and next year, testing of the 1015 below 30%. We have implemented every single promise in the Manifesto of the Barbados Labour Party regarding Youth Affairs with one exception. Do you know, Sir, that that one exception will be implemented by the 1st of August so that in less than 12 months we would have completed our faith and commitment to the people of Barbados regarding the programme for young people, Not like the Honourable Member for St John who set up a National Commission on Youth and did not even give it secretarial service to record the Minutes.

Now, Sir, I do not therefore intend to be derailed nor does this Government and I pledge, Sir, on behalf of this Government again to honour the commitment of integrity and financial probity and if it means, Sir, that we will crush a few corns in our attempt to tell the truth and to be honest with the people of this country, then so be it. But no amount of threats from the man who stands as the Honourable Leader of the Opposition will seek to cower us into reneging from what is our duty according to the people of this country.

I want to thank, Sir, the public servants in this matter. Not only for the level of work that they put into it but for their commitment to honesty and financial integrity by bringing this matter to my attention in the first place, by also ensuring that the facts were there for all to see on the file.

I want last of all, Sir, to thank the Honourable Leader of the Opposition for giving me the opportunity for filling in the gaps that I left out in the Ministerial statement I thank you very much, Sir, and I ask this House for the blessings of this House as it relates to the continued

governance of financial probity and integrity on the part of Members in this Chamber. 7.40 p.m.

The question that the Resolution do now pass was put and resolved in the negative, the House dividing as follows:

NOES: Hon. O. S. ARTHUR, Hon. Miss B. A. MILLER, Hon. D.A.C. SIMMONS, Hon. Miss M. A. MOTTLEY, Hon. R. C. EASTMOND, Hon. Miss H. E. THOMPSON, Hon. R. N. GREENIDGE, Hon. Sir Harold StJOHN, Mr. W. C. C. CALLENDER, Mr. R. D. MARSHALL, Mr. L. R. TOLL, Mr. D. CARTER, Mr. J. M. EDGHILL, Mr. G. A. CLARKE, and Mr. R. St. C. TOPPIN

75 Honourable Members voted No.

AYES: Mr. D. J. H. THOMPSON, Mr. B. M. TAITT, Mr. L. E. SANDIFORD, Mr. J. O. TUDOR, Mr. L. A. WEEKES, Mr. F. J. STUART, and Mr. D. St.E. KELLMAN.

7 Honourable Members voted Yes.

ADJOURNMENT

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, I beg to move that this Honourable House be adjourned until July 11, 1995 at 11:00 o'clock in the morning.

Hon. D. A. C. SIMMONS: I beg to second that, Sir.

The question that this Honourable House be adjourned until July 77, 7995 was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the sitting accordingly. 7.45 p.m.

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1995.

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1. Guarantees granted under the Exempt Insurance Act, Cap. 308A to the following -

- (a) Dover Insurance Inc.
- (b) IPL Insurance (Barbados) Limited.
- (c) MIC Life Reinsurance Company Limited.
- (d) MIC Life Reinsurance Company - Canada Limited.
- (e) Phoenix Guarantee Insurance Limited.
- (f) Selecta Insurance Inc.
- (g) Western Insurance Company (Barbados) Limited.

2. The Consumption Tax Order, 1995.

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