

THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1994 - 99

HOUSE OF ASSEMBLY

Tuesday, November 14, 1995.

Pursuant to the adjournment, the House of Assembly met at 11.15 a.m. on Tuesday, November 14, 1995.

PRESENT

His Honour I. A. ROETT, B.A., ^{Dj^} tkT, (Speaker)
His Honour R. D. MARSHALL, /fDeputy Speaker)
Rt. Hon. L. E. SANDIFORD, B.A., M.A., (Econ.),

J.P.

Mr. H. deB. FORDE, Q.C., M.A., LL.B.

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. TULL, Q.C., M.A.

Mr. G. W. PAYNE, (Minister of Public Works,
Transport and Housing)

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

Mr. D. CARTER

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

Mr. G. A. CLARKE, B.Sc., Dip. Ed., (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. H. F. LASHLEY

Hon. R. St. C. TOPPIN, LL.B., (Minister of State in
the Ministry of Foreign Affairs/Tourism and International
Transport)

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 Mr. Speaker. Mr.

SPEAKER: The House is now in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, 24th
October and Friday, 27th October, 1995.

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to
move that those minutes be taken as read.

Hon. G. W. PAYNE: I beg to second that, Sir.

Mr. SPEAKER: If there are no corrections or
observations then let those Minutes stand confirmed.

ANNOUNCEMENTS BY HIS HONOUR

Mr. SPEAKER: I am to report that I am in receipt
of the Accounts and Statements for the month of July 1995,
prepared by the Accountant General. I am also to report
that I am in receipt of the National Insurance Board Annual
Report 1994.

PAPERS

Hon. D. A. C. SIMMONS: Mr. Speaker, I am
commanded to lay the Annual Report of the National
Insurance Board for the year 1994.

FIRST READING OF BILLS

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, I beg
to move that the Veterinary Surgeons (Registration) Bill
1995 be read a first time.

Hon. G. W. PAYNE: I beg to second that.

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

Hon. D. A. C. SIMMONS: I also beg to move, Mr. Speaker, that a Bill to amend the International Trusts Act, 1995 be now read a first time.

Hon. G. W. PAYNE: I beg to second that.

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

SUSPENSION OF STANDING ORDERS

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, I beg to move that standing orders 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the remainder of today's sitting, and in so moving, Mr. Speaker, I wish to inform the House of two matters. First of all the Bills which were read a first time today, the Veterinary Surgeons Bill and the International Trusts (Amendment) Bill are matters of some urgency and the Government would be obliged if we do them in all their stages today. I have consulted with the Leader of the Opposition already, Mr. Speaker.

Secondly, Mr. Speaker, notwithstanding the suspension of the Standing Orders just moved it is the Government's intention to make time available to the Opposition today, as near as possible to 2.00 o'clock, for the Opposition to commence debate on a Resolution pertaining to Combermere School.

Hon. R. C. EASTMOND: I beg to seconded that, Sir,

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

Mr. SPEAKER: Government business is now the order of the day.

GOVERNMENT BUSINESS

ORDER NO. 2 - AGRICULTURAL, DIAGNOSTIC AND OTHER SERVICES (FEES) BILL, 1995.

Hon. R. C. EASTMOND: Mr. Speaker, Sir, in 1988 in the month of January the Government of the day felt it expeditious to require every Government Department to undertake a monitoring and review of the various fees and charges that were required for the performance of services by the various departments and units within the Government. As a result of this the Ministry of Agriculture, Food and Fisheries, as it then was, was asked to look at the question of the various services offered by the units within the Ministry with the view to ascertaining what these services were, what their real value was, what were

reasonable charges and then recommending to the Ministry of Finance what level of charges should be required for the performance of these services.

Recommendations were given to the Ministry of Finance by the Ministry of Agriculture, Food and Fisheries as it then was, and after these recommendations were made, the Ministry indicated to the Ministry of Finance that fees should be imposed for many services provided by: (1) Veterinary Diagnostic Laboratory, (2) Government Analytical Services Lab, (3) Central Livestock Station, and (4) Soil Conservation Unit. 11.25 a.m.

Out of a sense of responsibility, the Ministry thought it wise to indicate to Government that even though it favoured imposing fees in a discreet way at the same time fees should not be levied for services performed in the care of farm animals. So I want to make it clear from the outset, Mr. Speaker, that the purpose of this Bill excludes the question of the charging of fees for services rendered to farm animals. I believe, Mr. Speaker, that since farm animals represent an integral part of the agricultural sector in this country and since the services required of Vets in particular are for the care and maintenance of good health for farm animals, that the examination of farm animals, surgery to farm animals and services rendered to farm animals should be exempt from fees. The following farm animals have been involved and these farm animals are therefore left out. There will be no fees charged by Vets for performing services to these animals and they are: Cattle, pigs, sheep, goats, rabbits, chickens, turkeys, ducks and geese.

In time, having isolated 4 units within the Ministry as units where the charging of fees would be recommended to Government, the Ministry went on to suggest that in time the Animals (Diseases and Importation Control) (Amendment) Regulations and the fees for haul-up services at the Fisheries Division and fees relevant to charges for ice and water will also be looked at.

The Ministry of Finance and Economic Affairs in July 1988 more or less agreed with the Ministry of Agriculture, Food and Fisheries that what the Ministry had recommended to be charged should indeed be charged. In July 1992, Government approved the fees recommended and Government indicated that the appropriate legislation to make these fees effective should be prepared. The first draft of the Bill was received by Government in July 1993 and I believe that by July 1993, Mr. Speaker, the Prices and Incomes Protocol had by that time been established. However, notwithstanding the fact that policy in 1993 had introduced a Prices, Wages and Incomes Protocol, these fees were not deemed to be inflationary or oppressive. Since they left out farm animals in any case, no controversy was seen by way of a policy to ask for

charges for the various services performed by various sections within the Ministry.

Action at the parliamentary level was contemplated and it was expected that sometime in mid-1994, the Bill brought here today would have been brought. But by mid-1994 there was an indication from the then Prime Minister that an election would have been called in September 1994 and Parliament was dissolved. The dissolution of Parliament therefore meant that this Bill was not brought then. Mr. Speaker, this basically is the background.

To continue, with the coming into office of this new administration, the matters in this Bill was re-submitted to Cabinet and on June 6, 1995 Cabinet approved these fees and that is why we have brought the Bill here today.

Mr. Speaker, the view has been expressed that all of the proposed increases could be justified on grounds that the increases and charges have either been in place for several years in the absence of a legislative framework or in the case when new fees are required that these fees should be imposed to cover costs. In addition, it is also being urged that there will still be some level of subsidization of costs for the services because fees that are being asked are not economic fees. There is still then the element, Mr. Speaker, of Government subsidy, meaning of course that if a truly commercial rate was required it would be so high as to cause some oppression.

So what I am respectfully submitting to this House, Mr. Speaker, is that even though we are asking this Honourable House to approve these fees they have been kept down as far as they could be kept down and they are by no means fees of a truly commercial nature. As indicated, Mr. Speaker, the animals known as farm animals which are so important to the agricultural sector have been exempted but the fees will apply in cases like surgery done to pets, surgery done to horses and such like and, in the context of work done by the Government Lab, some of the fees imposed will be on the following: tests on soil, vegetables, water samples, tests where high cost implementation is involved, tests on leaves, aerated drinks, tests on trace elements in alcohol and animal feed, and such like. Apart from that, Mr. Speaker, it is also proposed by way of this Bill that fees should be charged for services done by the Livestock Station and these will be fees in relation to certain eggs, broilers and goat milk.

Mr. Speaker, at Soil Conservation there are services provided by that Unit by way of sale of plants, spraying of fruit trees, butting and graphing, flouting and hiring of soil, and rental of heavy equipment. The Bill seeks to provide the legislative framework in which charges can be imposed not liberally or excessively but realistically for services rendered by those Departments.

Mr. Speaker, I therefore am asking this Honourable House to permit me to ask that this Bill be read a second time.

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

Mr. D. St. E. KELLMAN: Mr. Speaker, even though the Minister said that this legislation was first thought of in 1988, one has to look at it from a new framework, Sir. That is that we are in a situation where in 1988 we did not have an Incomes and Prices Protocol but in 1995 we are having a new Incomes and Prices Protocol. We are also having another situation where our farmers will have to compete with our Caribbean neighbours and also the North American market for vegetables, et cetera as is happening at the present moment, Sir.

In light of these things, Sir, we will find it very difficult if I were to agree with this lock, stock and barrel for the simple reason that there is no justification, Sir, at this point in time for increasing costs to our local farmers when they are at the same time trying to compete and keep out vegetables from entering this country. As you know, Sir, the North American market has economies of scale and they can mass produce, whereas our farmers having to fight the drought and other problems will not be able to compete against those farmers. So we as a Parliament, Sir, will have to rethink our position in charging fees at this point in time. 11.35a.m.

We must look after the interests of our farmers and we must be aware, at a time when we have a problem with the mealy bug, that we cannot ignore the fact that that is also one section covered under this legislation. If a farmer has a problem with the mealy bug, that those services will be charged for.

Further, Sir, in light of what was shown to us a couple Sundays ago, where people are claiming that the mealy bug might be in Barbados at this time, we must gear ourselves to make sure that we do not put a situation where a small farmer has a problem with the mealy bug but because he knows that he is going to be charged a fee by the Ministry of Agriculture, he fails to report that particular case because he feels he cannot afford the cost. I am saying that we have to look at these situations and make sure we do everything in our authority not to put an unnecessary burden on the poor people of this country.

Sir, I have a problem with vegetables. I cannot be the M.P. for St. Lucy and agree with a policy that will be inflicting a cost on the small farmers at the Springhall Land Lease Project. At the same time I cannot be the shadow Minister for Agriculture and agree with a cost that will affect the farmers in Barbados at this time. In 1988

I might have agreed, because we did not go into an economic programme with the IMF at that time. We did not have the Incomes Protocol at that time, but at present we have an Incomes Protocol, and if we are to respect the principles of the Incomes Protocol, we cannot be inflicting increased costs on the small farmers in this country. At the same time we have predicted that the agricultural industry is about to take off. We said in 1994, prior to the elections, that by 1996 we should see growth in the sugar industry. We also said we were expecting growth in the cotton industry, so how can I today come to this House and agree to a cost to these farmers which will set back the growth of this country? I am not saying that there might not be something which should be charged for, but we have to be very careful how we time these charges.

We have to be sure, Sir, that if we have an outbreak of the white fly in this country again the small farmer will not be asked to undertake that cost. We must also be careful that if we have a problem with the pink boll worm in cotton we will not be asking the farmer to pay for that, because there are some farmers in this country who would see the pink boll worm and ignore the fact that it is in their fields, and do you know what that means to the country as a whole? It means that we will not be able to get any revenue from our cotton crop.

Also, Sir, let us think about the onion blast disease. We spent a lot of money in the early 1970s to eradicate this disease. I remember the gentleman at Harrison College in the Entomology Unit and others at Sugar Technology Research and CARDI who spent a lot of money trying to get rid of the onion blast disease. Today we are in a situation, providing we do the right thing, where we can have an onion crop year round. I am saying that we must pay these costs. The Minister said they are not economic costs. I agree they might not be economic costs, but that is why we can afford to waive them. They are not tangible. The important thing is the service, not the cost. There are more long term benefits you can get by ignoring these charges than if we implement these charges.

I will ask the Honourable Minister to rethink what he has said. I agree it might have been a Cabinet decision, but on June 6, 1995 when this was decided we did not have a problem with the mealy bug, as far as I know, but this is November 14, 1995 and we have a problem with the mealy bug.

Aside.

Mr. D. St. E. KELLMAN: If we do not have a problem with the mealy bug, I stand to be corrected. If I stand to be corrected, I feel the Press should stand to be corrected too.

Sir, we also had a severe drought and the farmers are only now getting back on their feet, so we have to give

them breathing space. Farmers on the Land Lease Project are complaining that they have vegetables but they cannot get them sold. There are other vegetables that are taking over the market. Competition is good but we are aware that most of our problems are imported, and I believe that most of the diseases that are presently in this country are imported diseases, and I am saying that wherever we can keep out the foreign products we should, because then we will be able to protect ourselves and our farmers.

We have other problems, Sir, where we do not know when we will get a problem again with the root borer disease in sugar cane. That is something a fee should be charged for. Can you imagine if every plantation in this country reports a problem with root borer disease and we were to send officials from the Ministry of Agriculture to set the pace, what cost that would be to our farmers? I can tell you that they would ignore the problem and they would be asking the Government for a subsidy. We have to weigh the situation, whether we are prepared to charge fees to these farmers or whether we are prepared to ignore the fees, let them report the problems to us and we will solve the problems and get the necessary foreign exchange.

Thank you very much, Sir,

Hon. Miss H. E. THOMPSON: Mr. Speaker, it has been reported in sections of the Press that members and officers of the Democratic Labour Party and Opposition are not to speak out of turn, and therefore after listening to the Honourable Member for St. Lucy I can only wonder if he had the permission of the leadership of his party to oppose the policies of his own party.

Mr. D. St. E. KELLMAN: On a point of order, Sir. The Honourable Member is misleading the House when she says I am opposing the policies of the Democratic Labour Party. Mr. Speaker, a policy at one point in time is a policy, but when the situation changes you have to change. What happened in 1988 cannot be similar to 1995. This is a dynamic year.

Hon. Miss H. E. THOMPSON: Mr. Speaker, let me demonstrate what I mean about contradicting the stated policy of the then administration and his own party. In July of 1992 the Cabinet approved the revised fees for the very services now coming before this Parliament, and at that time there was some difficulty with the legislation and the first draft of the Bill was received in July of 1993. It went to Cabinet and was approved by the Democratic Labour Party Cabinet in May of 1994. 11.45a.m.

So that where the Honourable Member for St. Lucy says he does not agree with the imposition of these fees, he is, in fact, saying that he does not agree with the

decision taken by his administration. He speaks in terms of the economic hardship existing and I want to say that at the time when this decision was taken the level of economic hardship in Barbados was far more acute than exists today. There were larger numbers of people unemployed. We were subjected to a situation where civil servants were on an 8% salary cut and all over Barbados other people were on a wage freeze.

In that context, it could then be argued that these fees would have caused extreme hardship, but since September of 1994, this Government has come to this very Parliament and initiated and passed legislation so as to prevent the civil servants' salaries from being cut again. We have indicated that we are going back to a situation of wage increases and a larger number of people, whatever measurement you use, are now employed. Therefore, no argument can be made in support of a level of hardship that the imposition of these fees would have cost.

Two other points need to be made and they are that in Barbados a culture has developed where we want everything free. Increasingly, the cost of services, whether it is health services or other, is escalating throughout the world and people in Barbados are increasingly understanding that members of the public and citizens of the country must help to bear some part of what the cost of the services are. The fees proposed are not exorbitant. In fact, every effort, as I understand it from the Minister, was made to keep the fees at an affordable level.

In addition to that, Government still continues to subsidise what the full fee would be so that the public is not being asked to bear the full cost. Further assistance has also been given to those who would be affected by those fees, by ensuring that certain grades are exempted: cattle, pigs, sheep, goats, rabbits, chickens, turkeys, ducks and geese. By far the largest number of livestock raised by Barbadians have been exempted from fees. So that every effort has been made to help the poor man to make sure that livestock production and livestock farming continues as a viable industry when, at the same time, Government continues to subsidise the fees relating to these matters and to ask the public to pay some marginal cost of the value of the provision of the service.

I have to support this measure, Mr. Speaker, because it is done in a most practical, humane and sensible way. The approach has been comprehensive. It shows that it has been long thought out and, in fact, has not been rushed because it came back to this new Cabinet after we assumed office and we have had the time to have input on it from the various agencies and sectors of the Ministry involved before bringing it to this Parliament today.

Mr. Speaker, while I am on this topic, I want to broaden the discussion now that we are looking at

veterinary services to speak on a related area and that is the matter of the control of veterinary drugs. This legislation relates to the price and cost of veterinary and other related services, but while we are looking at that, I think we also need to have regard to the control of veterinary drugs. I would want to alert the Chamber that we are having some difficulty with the absence of control of veterinary drugs. A Committee exists in law for review of matters relating to veterinary drugs and that legislation is the Health Services Act and specifically the Drug Control Advisory Committee.

That Committee was last appointed in 1984 for a period of 3 years, but was not re-appointed since then. In other words, Mr. Speaker, this very important committee, which has the responsibility of advising the Minister on matters relating to the control of drugs, particularly veterinary drugs, to the prescription of drugs and to the distribution of drugs, has not been appointed since the Barbados Labour Party last left office. As a result of that, Mr. Speaker, you will recall that earlier this year, I think in or about February, an article appeared in the newspaper by a reporter from the Advocate Newspaper who alleged that she was able to go to pharmacies in town and buy veterinary products at will and without prescription.

Mr. Speaker, this is a matter for grave concern. The Health Services (Control of Drugs) Regulations 1970 says that no drug can be sold except by a druggist under prescription issued by a medical practitioner, dentist or veterinary surgeon. Then section 9(3) goes on to say that no druggist may refill the prescription unless the person issuing the certificate specifies the number of times for which it can be repeated. This Act specifically says that it does not apply to any drugs produced or manufactured for veterinary use.

As a result, vets have for several years been asking the last Administration to deal with this gap in the legislation and to appoint a committee to meet to determine how the problem is going to be dealt with.

Let me explain, Mr. Speaker, Sir, for the benefit of the Chamber what the nature of the problem is. It means that any individual can walk into a pharmacy, whether he is a farmer or not, whether he owns animals or not, and buy large quantities of medication which should only be dispensed under prescription. It means then that very powerful antibiotics, which should be carefully monitored, are going on to the market and are being administered in many cases to farm animals. As a result of this, the Veterinary Association has indicated that tests have shown that residues of medicines in meat, meat products and milk are increasingly being found.

The immediate consequence of this is that animal meat, even when the dosage is low, can retain residues

of drugs for very long periods so that when the drug is administered, even after slaughter, the residue remains in the meat or in the milk. This can have a negative impact on human health. There is tremendous documentation to show that where there is a residue of drugs in meat, depending on the nature of the residues, penicillin in particular, sulfonamides and various types of antibiotics can have the impact of causing allergic skin reactions and other allergies in humans, increase the incidence of diarrhea or cause diarrhea in some cases, or cause resistance to treatment by medication, including antibiotics. In other words, what happens is that resistant bacterial strains are produced, and that can therefore be transferred to the human being who is consuming the meat. A person with flu* who has to be given antibiotics may not then respond readily to treatments by antibiotics because their immune level to the drugs will have been built up. This, Mr. Speaker, relates generally to the matter now before the Chamber and is of extreme importance. 11.55 a.m.

Since that article appeared, Mr. Speaker, the Ministry of Health and the Environment has met with the Vets, the Ministry of Agriculture, farmers and other persons who are interested in this matter to seek guidance on how the legislation can best be amended to rectify the problem, the reason being that some balance must be brought between what the legislation says and providing a regime in which farmers can still administer certain drugs to their animals.

Now often, Mr. Speaker, the farmers have said that it is easy for them when they know the animal has a mastitis, or something else, to go and get the medication and give it to the animal without having to go to a vet, pay for veterinary services, get a prescription and so on. We want to accommodate some ease for the farmers, but, at the same time, we must be able to monitor and trace where drugs are going and how they are being used.

There is also a possibility that drugs of this ilk can be used not only for animals but could, in fact, be given to humans for good or bad purposes. It is important that this legislation be dealt with now that the committee which was appointed for 3 years and no new committee was re-appointed, that one now be re-appointed to deal with the whole problem, and that farmers' interest be balanced so that they do have some access to drugs, but also, that there is some supervision of the way in which these highly toxic substances are administered.

I would wish, Mr. Speaker, to commend the Minister of Agriculture for bringing this matter to Parliament at this time and, at the same time, I would simultaneously like to throw out a caution and an update to members of the public on where we are on this matter of veterinary drugs because I know that when the article appeared earlier in the year, it did cause tremendous concern among members of

the public and the farming community, who feared that there would be a hasty withdrawal of drugs to which they could have access for treating their animals. The new committee, as reconstituted, will shortly be going to Cabinet and will then start meeting to determine how these and other related matters are going to be resolved.

There are a number of other issues relating to the control of drugs for which the committee has responsibility, and on which the committee must advise the Minister. These matters have to do with amending the Schedule to include veterinary drugs, the desirability or otherwise of local manufacture of some of these substances, because some are dangerous, the approval of persons or firms carrying out tests, analyses and drugs of this type, and other matters relating to the general control of these drugs on which decisions need to be made.

Thank you very much, Sir.

Hon. Sir HAROLD ST. JOHN: Mr. Speaker, I listened with great interest to my friend from St. Lucy, and I know his interest in this area. I really do feel that some of his fears are exaggerated and, in particular, his claim that because of the fees that would be charged in this area, diseases such as mealybug, and other diseases, are likely to proliferate because where they occur they are not likely to be notified on account of the charges.

I would draw to his attention, in particular, section 4 of the Act which specifically empowers the Minister to waive, remit or refund any amount payable or paid when he considers it equitable to do so.

There cannot be any doubt about it, that if there is a mealybug outbreak in Barbados, no Minister with any sense of responsibility could expect that they would be able to charge people for notifying and trying to eradicate and enlist the services of the very institution whose duty it is to protect agriculture as a whole. Now, had this not been in the Bill, the Honourable Member may have some concern. What, as I understand it, is being done is to attempt in this department, as has been done in many other departments, is to try and equate present-day costs with the historical costs we have had.

There are many departments in Barbados which have not looked at user fees since 1980. It is a fact. Now, if there was a level of charges which were appropriate in 1980, clearly, in light of what has occurred since then in the cost of those very services, there ought to be some increase. It is a matter, of course, of judgment and discretion how you introduce the charges today, whether you decide that in one effort you are going to bring pp-to-date all of these charges, some of which are 20 years old. It may be better to say that having regard to

the negligence of Governments over the period of time it would be necessary to temper the rigour of bringing the charges up-to-date. That is a matter that can be legitimately attended to.

I know that is so with respect to ice for fish because I understand that Government's charges have not been increased since 1981 or 1982, and there is now an attempt, a mad scramble to try and bring them up-to-date in one effort. Now, I would expect that very careful examination is going to take place in that area. We must not, as responsible members of Parliament, seek all the time to give to the public the impression that the Government can provide services and not get some measure of reimbursement. That is an impossibility because if those services are to be provided at present day cost, some other area of taxation will have to be increased in order to cross subsidize it. That is a fact of life. Sir, this is a matter that, in my opinion, should be a bipartisan approach. The Honourable Member finds himself in great difficulty. He has to say something today, but it should be really and truly a bipartisan approach. There is no doubt about it that agricultural services, veterinary services and pathological services, both in relation to plants and animals, are provided. They must have some cost.

When you go to the Hospital the Government provides some services for which you have to pay a token fee, a small contribution, to the total cost, so all they are doing here is trying to ensure that there is some element of cost recovery. You only have to go up by the Pine and see what has happened to the Central Livestock Station. You will see what a rundown condition it is in. Obviously, whatever they are doing there, they are not even recovering a small part of the cost. Would the Honourable Member like that to continue or would he like the rest of the taxpayers in Barbados to cross subsidize that? For what purpose? 12.05 p.m.

All I hope and I know is that in circumstances where there is real potential for a national disaster that all inducements will be given for people to utilize the services to diagnose. The power is specifically granted by Section 4 to the Minister in those circumstances to remit the fees or refund any fees that have been payable. If we have a mealy bug outbreak, I am positive, at the present moment, that it would be wrong to impose a fee when we want to give all encouragement.

I really do believe that there is nothing in the Bill which should excite objection from the Other Side.

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

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, I would be very brief on this matter.

I want to congratulate the Honourable Member for St. Lucy for his presentation in which, taking into consideration the responsibilities which he has as Shadow Minister of Agriculture, he put before this House the concerns particularly of the small farming community in Barbados and the concerns of persons who have to use Government's services. I think that is the responsible role of an Opposition and though there are many in here who may forget their previous role or what they previously said, whilst sitting on this side, about even the most minuscule or minute increases of prices on any product, whether supplied by Government or otherwise, they can now find it easy to get up, with much gusto and self righteousness, to attack the Honourable Member for St. Lucy, for in, I think, a bland way pitting forward some basic concerns which he has. That is the role of an Opposition.

Mr. Speaker, Sir, I am particularly surprised at the Honourable Member for Christ Church South because I cannot think that there is anybody that I know of, in this House, who from time to time has been able to pick these very minor points and blow them out of proportion with a *gravitas* and seriousness which they do not even merit.

The Honourable Member for St. Lucy was merely saying, "Look, I represent a rural constituency. I have some concerns. I am interested in the development of agriculture. But overriding concerns for me" this is what he is saying, "that there is in place, in this country, a mechanism which seeks to control price increases of any kind including fees charged by Government under regulations." He is merely asking, can the Government explain why it is that in a situation where you would have had negative inflation in Barbados or low levels of inflation, where the private sector has been holding strain, where the public sector is being asked to take a certain course of action, temper their demands, reduce their demands on Government, what would have propelled this? I think the Honourable Member for St. James North sought to put it into context. The only thing that he did not come to grips with, and that is because Cabinet Minutes, nor Cabinet Papers, nor briefs written by persons who do not even attend Cabinet meetings are not going to assist in that process.

In 1992, 1993 and 1994 the Democratic Labour Party Government was operating under a Prices and Incomes policy which was buttressed by a protocol negotiated between the Government, the private sector and labour. As a result of that, all of those increases which had been contemplated, whether from 1988 or from 1985 or whatever, were put on hold. There were 2 other areas. I cannot remember what they were, but they were put on hold.

With respect to this particular matter, Mr. Speaker, Sir, there were 2 critical problems. The first was that

it was necessary to validate past collections. I think when the Bill first came before Cabinet, the section which sought to validate those past collections was not in the Bill. Therefore the Cabinet sent the Bill for revision and it was revised.

However, at the point of implementation, there were valid concerns with respect to the trade union movement. The Cabinet did approve, some time in 1994, the Bill which is being brought before this House for implementation at such point as the Minister determined. That had to take into account the prevailing macro economic framework. The fact that the Cabinet had approved it does not mean that it was ready for implementation because the Cabinet had approved the National Housing Corporation's rents and the previous Cabinet had improved a whole range of other cost recovery measures which were put on hold.

Mr. Speaker, Sir, a lot of talk has been generated in this Chamber about cost recovery as if it were a bad word, I have now discovered from the Honourable Member for Christ Church South that it is not a bad word. I have discovered from the Honourable Minister of Health that Barbadians like freeness and that, therefore, cost recovery appears to be an acceptable policy position. I am very glad we have come to this stage in the debate. Perhaps the Honourable Member for St. Lucy was merely articulating the concerns which Members on that side have continued to articulate and now find themselves in the difficult position of disbanding their arguments, the reality of Government faces them and they are saying that, even in the face of prices and incomes protocol, even in the face of restraint in other areas, even in the face of all that the public has to complain about, we are going to introduce these measures. The Government is free to say so.

The Opposition's job, as an Opposition is to put the case for those who would have been affected by such increases. But that is also the case of the Minister of Agriculture in a Cabinet. I do not think the Honourable Member for St. James North could really be naïve to put this on the statute books. He is doing it, probably, because it is a nitpicking matter that has been around for a long time. It is true that there are some services for which people were being charged odd cents and therefore to bring this more in line with the kind of services which Government has to provide and the need for cost recovery, he is introducing the measure. Normally Ministers of Agriculture would be reluctant, would probably even be reticent, argumentative even in the face of the views of the rest of the Cabinet or even the House. I do not know what the Honourable Member's position is in this matter but what I will say is that it is clear that there is some discomfort somewhere and it is not for the Honourable Member for St. Lucy to play to that discomfort. It is for him to make the case clearly and unequivocally on behalf

of the people who he seeks to represent. He only entered the House on September 7, 1994 and is, therefore, free to put that case, unfettered, if he so wishes. He has given a view to this Chamber and I would urge that view upon the Honourable Member for St. James North. Therefore if there are any areas - I do not know and I do not need to see the list - in which mitigation is desirable, what the Honourable Member for St. Lucy is saying is that he would like the Minister to exercise that kind of spirit where it is necessary, that if he has to make a request on behalf of the people of St. Lucy at Springhall or wherever that the Minister would exercise appropriate leniency because since prices are, by and large, being controlled through the protocol or restraint is supposed to be in place, since remuneration for services is supposed to be an area of restraint, then Government's charges should also be reflective of that policy. That is all he is saying. We are entitled to say that in the spirit in which this economy is supposed to be functioning at this time.

I see no basis on which the Honourable Member for St. Lucy can be criticized. I thought that Honourable Members on that side including senior and experienced ones would praise him for taking the side of those who are going to feel the impact of these particular measures.

Aside.

Mr. D. J. H. THOMPSON: We have never said we are not voting for it. The Government introduces it. There is no big divide. He is saying he cannot support the concept at this time. 12.15 p.m.

He is talking about the policy implications but these do not come into effect immediately, I believe the Minister still has to do something so he is appealing to the Minister to be sensitive. Maybe the two of them can sit down and work out an appropriate time frame, that is all. It is nothing to get so excited about, Mr. Speaker, Sir, so we are not fighting the Government on it, we are expressing the concerns and they are valid concerns. Thank you, Sir.

Hon. R. C. EASTMOND: Mr. Speaker, even though I cannot boast any large and long parliamentary experience, what I can say is that it has never been my style either to seek to want to shut up an Honourable Member for expressing his gut level feeling or for embracing or advocating *ad hominem* arguments against a particular member. Suffice it to say, Mr. Speaker, that at the highest the Honourable Member for St. Lucy was expressing some concern that the passage of this Bill may act as a disincentive to VAT. At the highest that is the most favourable and liberal construction that can be put on what the Honourable Member for St. Lucy was saying.

Mr. Speaker, we live in a culture, and without at all being irrelevant, where we must ask ourselves how often does a person apply for a marriage licence in his life time? How often does a person buy a birth certificate? Very, very seldom. So that whatever the cost of such things those costs cannot be repressive or inflationary because you do not require them regularly. Similarly these fees and charges will not operate across the board in a wide-spread situation where the various units would even contemplate having a person come to them as a frequent client. A lot of these are one off charges. For example, suppose a fanner spotted his vegetables in a certain state to which he was not accustomed and he had never seen that before, he has been farming 20 years, had never seen it, he goes to the Government lab and asks for tests. The Government lab does the test, gives him the report, charges him a small fee. He would hardly ever, except that things may recur frequently, go back there. So these charges are generally speaking not charges that would be imposed on any given individual, groups of individuals or sects of the community with any great frequency.

Secondly, Mr. Speaker, as the Honourable Member for Christ Church South, the noble and Honourable Member for Christ Church South has indicated, discretion is given to the Minister in clause 4 to be as generous as possible and to be equitable in the way the Minister applies the fees.

Clause 4 says: "The Minister may waive, remit or refund any amount payable or paid where he considers it equitable to do so."

Currently what happens, Mr. Speaker, is that in the Ministry of Agriculture sometimes a charitable organisation like a church or a school comes forward and asks for services and in every case where the institution is charitable, like a church or a school, I say do not charge. Even if the institution is not fully charitable but is quasi charitable I would drop the fee. Similarly this clause empowers the Minister, whoever he is, operating under this clause, to waive or remit where the Minister thinks it equitable to do so.

In addition, Mr. Speaker, Clause 3 states very clearly that unless otherwise specifically provided by any other enactment, the Minister may by order prescribe the fee payable for any agricultural, diagnostic or other service performed by the Ministry of Agriculture and Rural Development. I believe that in the Act there is a section that says that anybody who fears that he or she has been charged excessively can apply for rebate.

Mr. Speaker, the Honourable Member for St. Lucy made reference to a type of situational change where he inferred that even if the Democratic Labour Party Government, he being a Member of the Democratic Labour

Party, had contemplated introducing this Bill that a situational change has occurred now rendering it inappropriate to bring the Bill. Mr. Speaker, Sir, the only situational change that has occurred is that the Democratic Labour Party has ceased being Government Apart from that I do not think there are any pressing matters of grave national concern that have so altered things in Barbados as to warrant a situation where this will be brought. By Note 94 355 MAP 22 on or about the 12th day of May 1994 when the wages and incomes protocol had already been established, I believe MAP means Ministry of Agriculture Food and Fisheries, the Cabinet approved the draft Agricultural, Diagnostic and Other Services (Fees) Bill 1994, agreed that the draft Bill should be introduced into Parliament, agreed to the making by the Minister of the Agricultural, Diagnostic and Other Services Order 1994 after the draft Bill had been passed by Parliament and approved the Animal (Diseases and Importation Control) (Amendment) Regulations 1994. This was May 1994.

It is clear, Mr. Speaker, that in May, 1994, the Cabinet, having agreed to introduce this particular Bill, would naturally have said, if we agree to introduce this Bill, then whenever an opportune time presents itself to Parliament the Bill will be introduced. However, if my memory serves me correctly, on or about Saturday, the 18th day of June 1994, at about 10.30 a.m., even the FM Radio stations in Barbados said that the Right Honourable Prime Minister, as he then was, had decided to ask the Governor General to issue a Writ for the keeping of elections and that elections would be held in September and Parliament would be dissolved.

The Right Honourable Member for St. Michael South is a man of some astuteness, a man of some decency and always even when we, his opponents, have our own views, always a man of some fairness. Always, in the character of people who come from St. James, Mr. Speaker. The Honourable Member for St. Michael South would say that because Parliament was prorogued and dissolved then the action to bring this into Parliament could not be consummated. There was an intention to bring this Bill to Parliament, Mr. Speaker ...

Rt. Hon. L. E. Sandiford rose.

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

Rt. Hon. L. E. SANDIFORD: The Member for St. James North has indicated that I am a man of some astuteness. I take objection to that, Sir, and ask him to rephrase his statement and say a man of total astuteness.

Hon. R. C. EASTMOND: Mr. Speaker, Sir, so astute that having been overcome gravely by events preceding June 1994 as to say, like Pontius Pilate: Lord, not I, let the people decide. Anyway, Mr. Speaker, as I come to ask

this Parliament to allow this Bill to be read a second time, I really want to truly congratulate the Honourable Member for St. James South on a truly brilliant delivery here today. I thought that she manifested, Mr. Speaker, a clear intellect. She understood the Bill clearly. She put her position properly and I only would have wanted the Member for St. Lucy to follow suit but he, of course, had preceded her in his delivery. 12.25 p.m.

Mr. Speaker, the Honourable Member for St. Lucy had referred to a concern in Barbados about the mealy bug. Now I want to tell Barbados this. There are various species of mealy bug. The mealy bug to worry about is the pink mealy bug which is also called the Hibiscus Mealy Bug. That has not to date been located in Barbados and that will give comfort to the Honourable Member for St. John who is a practising farmer and the Honourable Member for St. Michael South who is also a practising farmer, specializing in the production of melons. The pink mealy bug, Mr. Speaker, has not yet been found in Barbados. There are other species of mealy bug which are totally benign and it is the pink mealy bug to worry about. So I want to assure the Honourable Member for St. Lucy and all the Honourable Members of this House that the pink mealy bug has caused havoc in Grenada and to some extent in Trinidad, but it is not in Barbados. We have increased our system of surveillance and there is no need to panic.

Mr. Speaker, with these closing remarks, I do now humbly beg that this Bill be read a second time.

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

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

COMMIT FEE

On the motion of Hon. R. C. EASTMOND, seconded by Hon. D. A. C. SIMMONS, Mr. SPEAKER left the Chair and the House went into Committee of Supply on the Bill, Mr. W. C. C. CALLENDER in the Chair.

Mr. CHAIRMAN: This Honourable Chamber is now in Committee.

Clauses 1 through 5 inclusive were called and passed.

On the motion of Hon. R. C. EASTMOND, seconded by Hon. D. A. C. SIMMONS, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. R. C. EASTMOND, seconded by Hon. D. A. C. SIMMONS, the Bill was read a third time and passed.

Mr. Speaker vacated the Chair which was assumed by the Deputy Speaker.

ORDER NO. 8 - TO MOVE THE SECOND READING OF THE VETERINARY SURGEONS (REGISTRATION) BILL, 1995

Hon. R. C. EASTMOND: Mr. Deputy Speaker, this Government has felt the need to modernize the law relating to Veterinary Surgeons especially the means by which they are admitted to practise.

Mr. Deputy Speaker, in 1932 the Veterinary Surgeons Act was passed and even though some modifications to it have been made over time, I believe 3 or 4 down to around 1978, by current standards the Act of 1932 really is in need of total and complete overhaul. Mr. Deputy Speaker, a close examination of the current Chapter 374 of the Veterinary Surgeons Act will show for example that in 1995 which this Act still applies nowhere defines what is veterinary medicine. We live in an era, Mr. Deputy Speaker, where both the legal profession and the judiciary are clamouring for Acts and rules to be crystal clear and to leave nothing to doubt, and to be always completely transparent so that persons interested in reading law can understand law. Nobody in this era is given to the view that the law should be expressed in such high flowing language or to be so arcane that it should mystify people. At the same time, Mr. Deputy Speaker, there is a current view that where anything is referred to in a Bill or an Act then it should be clearly defined. The old Act of 1932, Mr. Deputy Speaker, nowhere defines what veterinary medicine is.

However, this Bill before us today clearly sets out in Clause 2 what we perceive by way of legislative definition veterinary medicine to be. For example, Clause 2 (a) treats veterinary medicine as the diagnosis of diseases in and injuries to animals including tests performed on animals for diagnostic purposes. Clause 2 (b) deals with the giving of advice based on such diagnosis. Clause 2 (c) deals with the medical and surgical treatment of animals. Clause 2 (d) deals with the prescription of medicine for animals while Clause 2 (e) indicates the performance of surgical operations on animals. In addition, Clause 2 (f) says the collection and transfer of embryos and animals and Clause 2 (g) says pathological examination of animals.

A point that should be made, Mr. Deputy Speaker, is that while Clause 2 (a) sets out a modern day definition it also would have added to the state of veterinary science in 1932 where Clause 2 (f) talks about the collection and transfer over an embryo. In 1932, that was not known to veterinary medicine, Mr. Deputy Speaker. So in essence what we are doing here in addition to defining what is veterinary medicine is modernizing the current legal position on the question of veterinary surgeons. Clause 3, Mr. Deputy Speaker, again modifies and modernizes the law because Clause 3 is giving modern effect to the manner in which a profession should govern itself. Under the old Act of 1932, Mr. Deputy Speaker, the Minister

of Agriculture was given permission to establish a body called Veterinary Assessors. Interestingly, those assessors were the creatures of the Minister 100 per cent of the time. No one was appointed then *ex officio* to the body. No truly professional person in his own right as a professional got on to the body in terms of the 1932 Act. Apart from that, the Veterinary Assessors in those days were not given the status of being a body corporate and therefore could not take legal action as a body corporate nor could legal action be taken against them as a body corporate. 12.35 p.m.

What we are doing, however, today, Mr. Deputy Speaker, is establishing in Clause 3 a Council known as the Veterinary Council. I just adverted to a situation where in 1932 the Veterinary Assessors appointed by the Minister were the Minister's creatures 100% of the time. However, according to what we propose in Clause 3, the Council to which I refer and which, according to the new Bill, will be a body corporate, is going to be made up in this way, where the Minister will not be able to dominate the Council by choosing his own lackeys or hench people. However, the Council as contemplated in this piece of legislation says in the First Schedule:

"1. Subject to section 3, the Veterinary Council shall consist of

(a) the Senior Veterinary Officer, *ex officio*, or his nominee,"

in other words, whoever is the Senior Veterinary Officer, in his own right, as the ancient Romans would have said, *sua sponte*, but the Standing Orders want me to speak English so in his own right the Senior Veterinary Officer walks on to the Council as a member of the Council.

Clause 1(c) of the First Schedule says "3 veterinary surgeons appointed by the Minister on the nomination of an association. , ,", so in other words, where there is a bona fide grouping of vets they have power, according to the proposed law, to choose their own persons and send on to this Council after consulting with the Minister. The position is that the Minister shall appoint on the nomination of this grouping, so the Minister does not have absolute power, he has to go with the suggestion made by the body. I agree with that. I am one of these adherents to administrative law, like the Honourable Member for St. Philip South and the Honourable Member for St John, which says you should not give a Minister absolute power.

By this Schedule these three persons nominated by the Veterinary Association will, as nominees of the Association and not as creatures of any Minister, walk on to the Council in their own right. Clause 1 gives the Minister power in his own discretion to appoint one member. I have no difficulty with that.

So much, Mr. Deputy Speaker, for the Council. This Council will have large powers. This Council will be able to look at applications from persons interested in being registered as vets, question their bona fides where they deem it appropriate and will very much be responsible for the implementation and administration of discipline in the profession. As I say, it departs substantially from the veterinary assessors of 1932, who were then exclusively the creatures of the Minister.

Mr. Deputy Speaker, the Bill before us from Clause 6 onwards sets out clearer and more detailed procedures for registration than the old Cap. 374. Cap. 374 is brief and to the point but has not kept pace with the times and therefore has to be replaced by something more substantial and more substantive. The procedures in this Bill are clear, they are well set out.

If you will permit me, Mr. Deputy Speaker, I might also advert to a situation where the 1932 Act, by amendment between 1968 and 1978, was challenged to look to the question of accreditation, which surfaced between 1968 and 1978. In the First Schedule to Cap. 374 they listed:

"1. Any degree, diploma or licence in respect of which the holder would be entitled to be registered in the United Kingdom; or. . ."

Well and fine. It goes on to say:

"2. Any degree, diploma, or licence obtained in any part of the Commonwealth, in respect of which the holder would be entitled to practise in that part of the Commonwealth; or. . ."

Then, in my view, a little solecism was committed in 3:

"3. Evidence of qualification to hold an appointment under the Bureau of Animal Industry of the United States of America,"

I refer to the "Bureau of Animal Industry" as the solecism. There is no such thing. There has never been any such thing. Perhaps the intention was "Bureau of Animal Husbandry" but even then by some form of legislative accident you had reference in the old legislation to "Bureau of Animal Industry". Certainly we are saying it never existed as that, it should have been "Bureau of Animal Husbandry" and in any case there is nothing called "animal industry".

You will notice, Mr. Deputy Speaker, that even though this talks about qualifications for registration, no express mention is made here of the University of the West Indies. An argument might be maintained

that "Commonwealth" would cover the University of the West Indies but, I should ask, where is the definition for Commonwealth? Even if you ask a court to take judicial notice of the composition of the Commonwealth, the Commonwealth has changed from time to time. There was a time when Pakistan and South Africa were kicked out, and now Nigeria, lo and behold, might be kicked out. So even if a court were to take judicial notice of what the Commonwealth is, and the Commonwealth changes character by way of composition of membership, do you want to tell me then that when a country ceases to be a member of the Commonwealth the person trained in that country should be swept out with the member?

Therefore, Mr. Deputy Speaker, we have brought something more complete and more modern. Clause 6(2) says:

"... a person is qualified to be registered as a veterinary surgeon if he. . . " [and of course "he" includes "she" under the Interpretation Act] ". . . , holds a diploma, degree, certificate or other status or form of recognition granted by a University or College of Veterinary Medicine and which in the opinion of the Council is evidence of satisfactory training in veterinary medicine."

This clause gives the Council, to which I referred earlier, power to review applications and to make suggestions,

Without in any way forecasting what might be said later on, I want to say that nothing in this Bill prevents a person who feels aggrieved at not being registered either from appeal or from judicial review. I am suggesting, therefore, that where a person feels that he or she is qualified to practise and has not been admitted to practise, the person has basically two recourses. The person can ask an appellate court to appeal the decision of the Council, or the person can apply to a High Court for judicial review on the grounds that he was wantonly debarred from asserting a right, he might even have legitimate expectation if he had been practising somewhere else in the world successfully, and things like that, and then he will have some recourse. Of interest though, Mr. Deputy Speaker, and not at all irrelevant to the same point, is that where the Council suspects that a person may not be properly qualified by having not attended a proper university, the Council could give the person a provisional type of admission subject to review by the Council itself. I believe that in this era such safeguards should be recommended in legislation. Also relevant is the question of the disciplinary proceedings for persons who breach the ethics of the profession which, I believe, are set out in clause 17. 12.45 p.m.

A radical and fundamental departure from the 1932 Act is this section which is headed Part III, Animal Health

Assistant, found at page 8 of this Bill and beginning at clause 7 and continuing.

In recent years, successive Governments in Barbados have made financial contributions to a programme called RPTHA, the Regional Programme for Training for Health Assistants. Health assistants represent a category of persons functioning either within the Ministry of Health or at the Government Lab or the Ministry of Agriculture to serve as auxiliaries to genuine professional people. An animal health assistant for purposes of this Act is such a person who has been given training at RPTHA - and part of the funding at RPTHA is provided by the sovereign Government of Barbados - who comes back here, having done 3 or 6 months and is able to do the following things in support of the vets who will always supervise them.

They prepare and sterilise equipment supportive of the vets. They help the vets. They also administer vaccinations under supervision by the vets and they prepare medicinal solutions and other things as part of their practice...

Clause 12 permits animal health assistants for the first time in the history of Barbados to be enrolled as such and to continue functioning as vets. They were always functioning as a sort of non-legislative, informal arrangement. We want to give legislative effect to their existence and enrol them by way of a new statute.

I am respectfully submitting before Your Honour, Mr. Deputy Speaker, that this Part III... I would really want to compliment the Office of the learned Attorney General on this, for being aware of the role to be played by animal health assistants, and we can forecast that for the next 5-10 years the Ministry of Health in particular will increasingly make greater and greater use of the services of such professionals. Aware of this, the Department of the learned Attorney General had included a provision in this Bill to enact rules and regulations to recognise the existence of these animal health assistants.

Nowhere in the old Act of 1932 was it contemplated that there would have been a RPTHA, where people would have gone for training, and so, consistent with our desire to continue modernising the law and making the law respond to new changes, we have had this inserted.

Mr. Deputy Speaker, except that I could assist you further, I now ask that this Bill be read a second time.

Rt. Hon. L. E. SANDIFORD: Mr. Deputy Speaker, I don't think that there will be any quarrel on this particular measure, because it follows the practice in respect of the other professions and it is to bring in line this whole area of veterinary medicine and surgery, or however it may be styled.

I want to look at this perhaps from a slightly different perspective to say that while we are trying to regulate entry into the profession and also the qualifications and the integrity of the profession, we have perhaps to look even beyond that and to ensure that there is a regular or steady supply of persons qualified in these areas. If Barbados is to progress in terms of its agriculture, in terms of its health and in terms of its environment, generally it is necessary that there should be a regular supply of persons qualified in the area of veterinary medicine and surgery.

It is not an easy task, Sir, I know that way back in the late 1960s and the 1970s there was a shortage of such professionals in Barbados, and I recall myself in a different incarnation, whether I had responsibility for the Ministry of Education, going to try to open up avenues in universities and similar institutions abroad for Barbadians to gain access to such institutions so that they would qualify in this particular discipline at the highest level.

It was not an easy task, Sir. I recall going to Canada and visiting the University of Guelph which had, and I believe still continues to have, a very high reputation in this particular area and, of course, it breathed all of the exclusivity of top universities in such a, let me call it, rarefied discipline, and I got the impression that I was given a very polite hearing but that the competition would be extremely difficult.

We went, Sir, to the Tuskegee Institute. I think that is where Brooker T, Washington did a lot of his original work and, surprisingly, I heard about this, what you call it? The Minister referred to something "Rabba" or "Rabat". I am not sure if we were in the Middle East or where we were. But that is where, Sir, the Guyanese were obtaining their training and we have the regional programme in Guyana and I know from that particular development they have been able to build up expertise and competence in that area.

The fact is that training at the level of assistant takes place here. We do not know if such training or similar might be necessary in Barbados. We have to look at these developments, but the plea I really wish to make Sir, is that we revisit the award of National Development Scholarships in Barbados. I do not know if they are still awarded, but the concept was that we would identify those areas of national need and award specific scholarships to Barbadians in those areas so that they can return to Barbados and make a contribution after they have had their training.

Veterinary medicine was one of the disciplines earmarked at that time in the early 1970s for the award of National Development Scholarships. I believe the Honourable Member for St. George South had something to do with awards in these areas as well. He has followed in good footsteps. The groundwork was well laid for him,

and he was able to make awards in some of those areas. Accounting was one of the areas at that time. 12.55 p.m.

I just mention it, Sir, because I believe that if we are to supply the trained manpower, not only in this particular discipline but in other disciplines as well, we should have an ongoing programme of training, not a hit and miss situation in which somebody may win a scholarship, or they may say they want to do something and that there should be provision for that as well, but if an area of distinct need, a national need is demonstrated, I certainly believe and would advocate that there should be the award of National Development Scholarships in that particular area.

Sir, we have had problems, and I do not know if this particular piece of legislation will get over some of the problems we have encountered, because people come and claim that they have certain qualifications, and it is very difficult at times to establish the *bona fides* of such claims. I know at one time this was true in the field of education. People would come and claim they have qualifications, degrees and whatever else from certain institutions and it is only years after that it would be discovered that there was some kind of uncertainty as to the prominence of the claim. I think it is a simple thing.

Asides.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I beg to move that further consideration of the Bill be deferred until later today.

Hon. G. W. PAYNE: I beg to second that.

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

SUSPENSION OF SITTING

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, it now being 1.00 o'clock, I beg to move that the sitting be suspended until 2.00 p.m.

Hon. G. W. PAYNE: I beg to second that.

The question that the sitting be suspended until 2.00 p.m. was put and resolved in the affirmative without division. Mr. DEPUTY SPEAKER suspended the sitting accordingly. 1.00 p.m.

RESUMPTION Mr.

SPEAKER: This sitting is resumed.

Hon. D. A. C. SIMMONS: Mr. Speaker, as I indicated, the Government is prepared to take Private Members' Business at this time.

Mr. SPEAKER: There being no objection, we will proceed with Private Members' Business.

PRIVATE MEMBERS' BUSINESS

ORDER NO. 2: RESOLUTION TO NOTE
THE SOOTH ANNIVERSARY OF
COMBERMERE SCHOOL AND
ITS PLACE OF HONOUR
IN BARBADOS

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, I have great pleasure in moving this Resolution today. Even though it stands under Private Members' Business in my name, I want to say I know that I enjoy the support of all members of the House of Assembly in paying tribute to the outstanding educational institution, Combermere School. Without ingratiating myself to you, Sir, I know that you are especially proud to be Speaker of this Chamber at a time when your old school is celebrating its 300th anniversary.

Perhaps I should take a little time, Mr. Speaker, to say something about the origins of Combermere School. In the first part of my presentation today I want to speak on the first 200 years of the school, and then the latter part to deal with the last 100 years.

In the Journal of the Barbados Museum and Historical Society, Volume XL1, of 1993, Keith A. P. Sandiford, himself an old scholar of Combermere and Professor of History at Manitoba University, noted at the outset that Combermere School is one of the oldest academic institutions in the Commonwealth. Its roots go back as far as the 17th Century when public education had not yet become the norm even in Britain itself. Combermere's origins are to be found in the Will of Colonel Henry Drax, son of Sir James Drax, the famous Roundhead who had been one of the original planters in Barbados, and had established the substantial Drax Hall estate in the parish of St. George. Colonel Drax died in London in September, 1683, leaving a considerable sum from his private fortune to found a free school in Bridgetown, St. Michael, for poor white children. He was also hoping for £20 000 from various vestries to make the plan viable. In this learned article by Professor Sandiford, Mr. Speaker, he...

Aside.

Mr. D. J. H. THOMPSON: ...no relation, as I understand it, to the Honourable Member for St. Michael South - I will check the record and see - Professor Sandiford spoke first of all of the enlightened headmastership of Rev. Henry W. Moore. He indicated that Moore was the last headmaster of the Boys' Central School, which was the predecessor school to Combermere, and he was still in office when the Governor of Barbados, Rawson W. Rawson, appointed the famous Commission, under Bishop John Michinson, to investigate all aspects of education in the colony. The Commission interviewed Moore on April 15, 1874, and left an appendix on that

conversation which throws some useful light on the Boys' Central School in the early 1870s.

Some of those interesting things, Sir, you may wish to compare to the Combermere School of your day, the Combermere School of my day, and the Honourable Member for St. Michael South since he wishes to be included, and cannot be included under either of those heads, though he was the Minister of Education and performed so outstandingly in that role. Moore has revealed that his total annual salary was £200 plus about £30 from capitation fees. 2.10 p.m.

"Boarders were then required to pay £10 per annum and day boys were charged one shilling per week payable, in advance, for tuition. Total fees received from students in 1873 amounted to £33 15 s Od. In that year there were 68 boys on the register including 12 foundation boarders, 28 free, and 28 paying day pupils. While the admission age was flexible, the school leaving age was fixed at 16, except for pupil teachers who stayed on for some years or more in the role of apprentices. Moore testified that most of the students from the Boys' Central went off to become clerks and bookkeepers. Only 2 of them, so far as he knew, had become teachers. He concluded that the majority avoided teaching for the simple reason that commerce and industry were far more lucrative fields,"

as they are now. He also observed that most of the free scholars in recent years had been black.

"After Emancipation, it had apparently become increasingly impossible to exclude black children from the parish schools, which had originally been intended purely for the training of poor white children. Black families clearly understood that education was the only escape from poverty and the tedium of farm labour. While Emancipation had provided them with personal freedom, it had done too little to improve their social and economic status."

I am reading from this Report, Sir, because I think that parts of this should be read into the Record of the House. The eminence of Professor Sandiford is not in doubt and therefore this sets a good background to some of the very early achievements of Combermere School and you can see that, even before it became a second grade secondary school, under the old system and certainly prior to the implementation of the Mitchinson Report Combermere was already making strides, in an innovative and aggressive way, and achieving things which other institutions had not, at that time, been able to achieve.

The Mitchinson Commission to the Boys' Central which was then trapped in no man's land some-

where between first grade schools and dozens of primary schools which dotted the landscape argued that the Boys Central was ideally situated to be converted into a Government aided secondary school and suggested that the large grant from the Legislature now expended on this institution without commensurate advantages derived from it may, more widely, be distributed in grants and aid to a series of second grade schools as indicated above. So that the recommendation was then that a school like Combermere should be converted from being trapped somewhere between first grade schools and primary schools into what was known as a second grade secondary school. It was from that that the Boys' Central came to be promoted in 1879 to a full fledged secondary school while ironically losing a considerable portion of its former Government subsidy.

In addition to that, the Education Act of 1878 had also established Combermere, thanks to its strategic location, as the leading second grade secondary school in the island.

Mr. Speaker, Sir, the final important point in that first 200 years was the contribution of Reverend Thomas Lyall Speed as the Headmaster of the newly constituted Combermere School. He was a former curate of St. David's and St. Lawrence Church and he had been educated at Lodge School which I am certain the Honourable Member for St. Thomas, who is not now in his seat, would be happy to know. He describes the Speed administration as follows:

"Speed administered Combermere with conspicuous success during his 17 years as headmaster. It was he who patiently laid the foundations upon which the reputation of the school could be built by his immediate successors. He made Combermere one of the finest academic institutions in the Caribbean during the late Victorian age. It became famous as a commercial school as distinct from the first grade schools which were still focusing too narrowly on the classics. By 1896 Combermere had become known as one of the best training grounds for future businessmen in the West Indies. It was no longer catering simply to children of the middle class whites but had already begun to provide black children with secondary education. It was, in fact, the first Barbadian school to do so, although the whites in that colony had long been outnumbered by more than ten to one."

And finally, in that regard, he says:

"Reverend Lyall Speed, however, did not have to contend with some of the restrictions which have, in some ways, reduced the effectiveness of Barbadian headmasters and headmistresses in our own time. He

was still left by the Scheme of Government of 1890 with very wide powers with respect to the choice of books, methods of teaching, arrangements of classes and school hours and in general the whole internal organization of the school. He acted, of course, under the general supervision of the Government Body that was responsible to the Education Board, but he was allowed considerable latitude in areas affecting staffing and discipline. He, in effect, administered Combermere School and was expected to do so. This remained the Barbadian tradition until very recently."... "His commitment to drawing, vocal music, drill and cricket allowed those disciplines to take such deep root that none of his successors could easily have eradicated them."

That, perhaps, gives a brief background, Mr. Speaker, Sir, to the first 200 years of Combermere School, some of the personalities that contributed significantly to the development of the school and the early impact of the institution in Barbados.

The last 100 years would be part of that period during which persons like yourself would have attended school, the Honourable Member for St. Andrew, many other former Members of this House as well as other present Members of the House and would largely have been dominated by the figure known as Major Cecil Noot, followed by Stanton Gittens, Cuthbert De Vere Moore, Charles W. Pilgrim and Keith Roach who is the present headmaster. I must say that, certainly, during the course of the 300th Anniversary of Combermere School that considerable attention has been paid to the contribution of Major Noot.

Those who would have attended Combermere during that time have always been proud to point out the major contribution that Noot made in advancing the institution, in developing or creating the Sixth Form for Combermere in the face of stiff opposition, in developing the prefect corps, in strengthening the role of the Cadet Corps and in focussing, very clearly, on the importance of extra curricula activities. So that in terms of the modern Combermere School, as we know it, the trajectory on which the school moved was, basically, provided or the foundation for it was provided by Major Cecil Noot.

When he returned to Barbados in 1978 I think it was, when I was about to leave school, he commented, as do many people on the fact that throughout his life, after retiring from Combermere, he was always in the company of, whether by way of telephone calls or letters or personal visits particularly from people like Wes Hall, Rawle Brancker and others who came under his very strong influence, he was always in the company of Combermerians. That spirit which he sought to develop at the institution continued thereafter.

In my own experience, Mr. Speaker, Sir, I can only speak of the Combermere of 1972 and thereafter which, certainly, would be a long time after your own experience and therefore I am certain you would be interested in this part of it. I think that one of the strong points of the institution, and I firmly believe that every educational institution in Barbados has its own special or peculiar features, is that it has its own culture. It has its own ethos, There are traditions which bind those persons who attended that institution. 2.20 p.m.

Each institution has, because of the system of education that we practise by and large been able to break free and to pursue most of those things which the persons administering the schools, the parents, the old scholars and other interested parties have been able to project or have demonstrated an interest in pursuing in the institution,

I think the strong point that this Parliament should know about Combermere School and about the teaching tradition and the ethos which it has, is the fact that it has always had a very warm relationship between staff and students and certainly a great effort has always been made in the senior school, and I assume it is still so, because I see some of the teachers who taught me are still around working very hard or even harder. Certainly they made a lot of effort in involving themselves, communicating with the students of the senior school and providing them with very real opportunities at leadership. That is the critical difference that by and large during my time at Combermere School the students always had a major say in the way the institution was administered and was run.

In the more recent attempts to write the history of Combermere there has been a yawning gap after the contribution of Major Cecil Noott has been noted. Perhaps many people have forgotten that it was under the headmastership of Mr. C. deVere Moore that major reforms were instituted in the school, that girls under the system of co-education introduced by the Democratic Labour Party came to the school from 1975. That there were major reforms taking place in education in Barbados and that therefore he would have had the very difficult task of negotiating the future of the school through these many reforms and that those reforms were followed by another set of controversies, some of which eventually took their toll on the school and the then Headmaster, Mr, Charlie Pilgrim, left as a result of the pressure which was being faced at that time.

During the Moore Headmastership I think a lot was done, Mr. Speaker, Sir, to give the students a greater and more active say in the running of the school. The programme of extra curricular activities was expanded and certainly during my time I recall that the school had associations spanning the Photographic Society, Geographic

Society, Dramatic Society, Literary and Debating Society, Games Club, a group called "Challenge", Library Association, Science Society, Inter School Christian Fellowship, Dance Club, Scouts, Guides, Cadets, History Association, and then there was also the Students Council. There were probably many others which I have not mentioned in the course of this presentation. Eventually there was the Kiwanis Key Club which the Honourable Member for St. Andrew would have had a major part in introducing at the institution and then there was the Combermere Old Scholars.

My first major service when I left school was to join the Honourable Member for St. Andrew who was then President of Combermere Old Scholars, as his Vice President, and I served him faithfully, Since then he went a bit haywire and I cannot serve him faithfully nor he, me. The point is that the school has very healthy extra curricular programmes and the staff certainly encouraged the active involvement of students.

My own interest in the Democratic Labour Party came because of the large amount of time available to Democratic Labour Party politicians who were then in opposition and we had regular visits from Dr. Rameses Caddie, Branford Taitt, Sir James Tudor and others who addressed the Literary Debating Society and engaged students in active debate. Again, I believe the only reason why the Honourable Member for St. Michael South was not on that particular panel was because he was in other active and full time employment at that time.

Certainly Combermere has made its contribution in the field of literature, one of the most outstanding writers in the Third World, George Lamming, and a very distinguished and outstanding conservator of Barbadiana, if you want to call it that, Frank Collymore. The institution has boasted probably one of the longest serving teachers in the Barbadian educational system, Mr, Karl Broodhagen. Then you have very outstanding teachers, in my time, which it would be invidious of me to name but some who again have spanned generations, Mr, Harry Sealy, and I remember the Combermere tradition being carried to its extreme, Mr. Speaker, Sir, in that when I first sat the Common Entrance Exam in Barbados, I sat the exam in error for my brother. My then teacher, Mr. "Shell" Harris, sent th§ wrong Thompson to sit the exam and I went and sat the exam and passed it, was unable to be placed because the rules had changed and had to sit it again. I sat it on the second occasion, passed for Combermere and when I was in Lower First at Combermere there was another opportunity to sit and five of us decided to sit the exam again, under pressure, one of whom is Gladstone Small, the English Cricketer whom many people may not have realised went to Combermere and sat next to me in Lower First.

We went to sit the exam again and the morning before the exam, Mr. Harry Sealy came into the classroom and said to us, "I understand there are five students in this class who are sitting the Common Entrance Exam over and obviously it is your intention, you wish to go to another school." We all know what the school is but I do not want to be invidious again in this particular debate. He said, "Well you had better pass the exam because if you do not like Combermere we do not want you here". It was a very sad moment for all five of us. In fact we were taunted for the rest of the day and later on in the evening we met, or it may have been on the following morning before the exam and we decided that we would consciously fail the exam. Not that I felt we would have passed. At least we made an effort to fail it. In each case we would have been under pressure from other people to sit.

I certainly have no regrets. I do not think any of the other four have any regrets, just as persons who attend other institutions for whatever reason would have no regrets about that. Certainly I would credit Combermere School with having the most definitive impact on my life so far. I will wait to see what other institutions could influence my life in that way. I doubt there will be any.

I was really on to the point of excellence in many fields. We were talking about excellence of teachers in the literary field. There was excellence in the field of sport, in cricket. There has been excellence in a whole range of sporting activities, Combermere was the progenitor. We gave birth, I should say, in Barbados to field hockey and have always been the leader in that area. It has an impressive and proud record in almost every area of sports and athletics in Barbados,

On the academic side, Combermere has not been able to produce the impressive array of scholarships and exhibitions which other schools have been able to produce but I am certain if you looked on the board at Combermere you will discover that most of those who won scholarships or exhibitions, won them on their first sitting. There are very few Combermerians who had to sit 'A' Levels twice to achieve either a scholarship or an exhibition. That is not the case with other institutions. It is not a criticism, it is an interesting phenomenon which perhaps should be examined but we have had our successes in that field and few and far between we have had outstanding Barbados Scholars, Exhibitioners and people peak at different stages in their life and it is clear that at Combermere the peak is not at 'A* Levels. 2.30 p.m.

The peak may be at Other stages in the life of the persons who pass through this distinguished institution and you can see right through the entire history of the school and the achievements of its members that they have been

able to peak in various fields at various times. But that is not to take away the fact that it is definitely an above average institution in terms of academic achievement. It is in the top two institutions in Barbados and it currently has had a very proud record of significant achievement both at 'O' and 'A' Level.

Aside.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, I am being distracted by people who want more facts but I will give them more facts privately. I am being taunted here, Sir, by those who want to know more about Combermere. So, Mr. Speaker, we have had that outstanding record in terms of the number of passes, the number of students who are successful and some of the academic attainments of the institutions have been high. It would be remiss of me if I did not as I get near to the close of the presentation point out, Mr. Speaker, Sir, that Combermere also produced one of the most historically important and also talented cricketers in Barbados, Sir Frank Worrell. He made a contribution throughout the region but more importantly those who write the history of cricket seem to detect in Frank Worrell many of those qualities which are traditionally associated with persons who attend Combermere School and, therefore, the institution is very proud of those distinguished sons and daughters.

In addition to that, Mr. Speaker, I think by and large the institution has played a very important role in relation to the community which is immediately on its boundary and which is so near to you, Mr. Speaker, the community of Waterford Housing area which is part of your constituency. I was always disturbed myself when I attended school and I saw this as probably more important then than it is now, that the only part of Combermere which had a solid stone wall was the part which divided the school from Waterford Housing area and the rest of it was fenced by wire or whatever. Clearly, I suppose at the time when the institution was built Waterford Tenantry would have probably been there already and it may have been necessary to make a distinction between the tenantry and the institution. Over time that distinction which some headmasters had tried to play up significantly was whittled away as the students of the institution integrated themselves actively in the community and I do not mean the kind of activity which would first come to mind. I mean actively involved in sporting activities, cultural activities and so on.

I remember when we had dance programmes introduced at Combermere and certainly one of Barbados' better and internationally recognised dancers, Mr. Tony Payne, who returned to Barbados in the 1970's was in the forefront of that. He was involved in a programme at Combermere in which youngsters from Waterford Housing area were also encouraged to be actively involved in the dance programme. In relation to other cultural activities which the school promoted and developed, attempts

were made to integrate the school fully into the community. This is very important, Mr, Speaker, Sir. Some people think of it only from the point of view that it reduces vandalism, but that is not the most significant factor. Anybody who has had a passing acquaintance with George Lamming's work "In The Castle of My Skin" or any of the more path-breaking novelists or writers of Barbadian society would recognize that those kinds of divisions where they are either superficial or otherwise enforced need to be broken down and the institution need to make themselves more accountable and more relevant to the society by ensuring that they are open to all citizens to have an opportunity to participate fully, I think that the essence of that active community involvement is something that should be considered, and I urge the authorities at Combermere to keep that open-minded policy on the environment of the community in the affairs of the institution as a whole.

For example, I think somebody from the immediate vicinity should be sitting on the Board of Combermere School. I do not know if that has ever been introduced, but I think there must be ways in which you can demonstrate the relevance of the institution to the lives of its citizens and I will leave you to work on that particular reform, Mr. Speaker, Sir, I am only throwing it out although I know you probably said this to me on a previous occasion. I only forgot when it was that you said so. That active involvement is something that, as I say, is very important. Throughout the history of the institution, there are many characters and individuals who would have had a very profound and lasting effect on it, some whose names have lasted from generation to generation, and some of more recent vintage. We have been able to boast entrance at all publicly funded institutions in Barbados including the ones closest to Combermere which is now under the responsibility of the Honourable Member for St. Thomas - when I used to go up to interview prisoners years ago, I would always meet a Classmate at the gate; he was a trusty and certainly he was a very respected one for he had made an error in life but even in there he was seeking to reform his own life and also to have an impact on others from that level - to the highest educational institutions persons who serve in the field of law, and persons who serve in the field of politics. The Honourable Member for St. Michael South was able to boast of a Cabinet which had in it about 11 old Combermerians.

Aside.

Mr. D. J. H. THOMPSON: He said that he is not boasting anymore and I agree with that assessment. But up until September he could have boasted of having a Cabinet of 11 outstanding Combermerians and the House of Assembly at that time even though having 28 Members had a majority who had attended Combermere as an institution and who like me would have had a very active development at the institution particularly in the area of

debating. In my time at Combermere, we had our own elections. You had a Student Government and political parties. The Deputy Head Teacher sent me an old Manifesto that I had written many years ago which I will pass on to the Minister of Education because it certainly would help her in reforming the White Paper and it was written from the point of view of a student and not a teacher. But we had very active political involvement and certainly as an institution the students have always been able to grow and to flourish and to find their own space in the institution.

Finally, Mr. Speaker, Sir, I wish on behalf of the House as a whole, since I believe that I am being given that remit today although the debate will continue after today, to extend my congratulations to Combermere School on its 300th Anniversary to say that this country is proud of those many persons who have served as teachers and administrators at the institution and those who continue to serve and continue to mould young minds in this country with such great success, to congratulate those who have attended the institution and have been successful. I want to congratulate the Ministers of Education, past Ministers of Education, particularly the Honourable Member for St. George South who likes to deny his short period at Combermere. 2.40 p.m.

Aside.

Mr. D. J. H. THOMPSON: That is what I am referring to. It is because you walked across the pasture that you are what you are now, so that very short stay was very beneficial to the Honourable Member for St. George South and he likes to deny it. Nevertheless, I want to congratulate those administrators at the political level who have maintained our system of education and who have worked so hard on reforms which have contributed to the emergence and continuance of Combermere as an institution. I want to extend my best wishes to all those who are presently at the institution, all those who may be passing through the institution in the future. We expect more achievement from Combermere School at the highest levels of all fields of endeavour and we have high hopes for the development of Barbados because an institution like Combermere exists in addition to others,

I am very glad that there has been a lot of interest in the activities of the Committee which was established to plan the 300th anniversary, I want to thank them for suggesting that we have a debate such as this and to give the opportunity to this House to focus on the fact that right here in Barbados exists one of the oldest secondary schools in the Commonwealth and that it has made an outstanding contribution to the development of Barbados and of our region, and to move that this Resolution do now pass.

Hon. Miss H. E. THOMPSON: Mr. Speaker, I beg to second that. It is my distinct pleasure to be the sole speaker on behalf of the Government today in this debate on the Combermere School. I wish to say that when the debate comes up next week I will not be in the Chamber and I therefore want to make my own comments and observations at this time.

For any institution of the achievements and age of the Combermere School in a country as small as Barbados it is in fact a tremendous achievement, Mr. Speaker. Clearly I cannot speak as one who has been to Combermere myself, but over the years I have had many friends who have in fact been Combermerians. The Honourable Member for St. John when he spoke a few minutes ago, though he did not say it, could have observed that during our school days when he was at Combermere and I was at St. Michael's we enjoyed a very close friendship. . .

Aside.

Hon. Miss H. E. THOMPSON: Not as close as some might like to suggest. We enjoyed a very close friendship which lasted for many years. In fact, he and I often shared much discussion over politics, because even then he was a strong supporter of the Democratic Labour Party and I was a strong supporter of the Barbados Labour Party. We appeared together in the old TV programme "Understanding" which was developed under the Barbados Labour Party administration and of course was a nurturing ground for many of the young people who have come on to develop in various spheres and in fact in politics today.

But, Mr. Speaker, I think one of the things that must be noted about Combermere, even though the Honourable Member for St. John did not make the observation during the time he was speaking, is that over the years the Combermere School has been located on several sites. I would argue that one of the reasons why it has had such distinction is because one of the places it was sited is on the grounds of the old Queen's College. It was also at one point sited at the Garrison, after it was at Weymouth, and then it went to Waterford where it has remained. But throughout this period Combermere has managed to maintain an identity not only as a place of learning, but as a place in the community that developed the character of young men, and later on young women,

Combermere, to my mind and certainly from my observation over the years, has been the school in Barbados that served to produce some of the most well rounded students. Looking at the Combermerian, one never saw a focus on any one aspect of the personality or of the psyche or the constituent elements of the individual. What one saw was that the teachers of Combermere historically created an environment where people could best be themselves and develop a sense of self worth and self identity, so that that

individual could go on not necessarily to be the best academician but to be the best person that they could be. That in itself is of tremendous note, because it meant that for some 300 years Combermere has been nurturing persons who have a strong sense of self. One of the things that one notices about Combermerians is the sense of loyalty and identification with the school and with one another.

Aside.

Hon. Miss H. E. THOMPSON: Not necessarily with Harrisonians. The spirit of camaraderie and loyalty to one another formed a band across the society so powerful that many young people today, without knowing anything about the history of Combermere, will tell you "I want to go to Combermere, I want to be a Combermerian." To say that you are a Combermerian in Barbados, or you have been a Combermerian, carries with it several connotations which in the social culture and context of Barbados is really a powerful and positive statement.

I was making the point earlier that Combermere did not necessarily focus on a single-faceted personality. I would also want to make the point that Combermere has produced academicians of the repute and skill of Professor Keith Sandiford. It has had people who have excelled in literature such as George Lamming, as the Honourable Member for St. John has said; one of the well-known authors and writers, Tom Clarke; Frank Collymore has, I think, been a student but most importantly a teacher at the Combermere School and has helped to develop within the Combermere School a history of literature and the use of words and the appreciation of language within the setting of Combermere.

Combermere has, in my view, always also had a strong Debating Society. The Honourable Member for St. John is one of the products of it. The Honourable Member for St. Michael West is another one of the orators that has been produced by Combermere, and if one looks across the landscape of Barbados one will see a large number of people with oratorical skill and excellent oratorical style who have passed through Combermere as their place of learning.

Combermere has also over the years, Mr. Speaker, produced a large number of very well-known athletes. The Honourable Member for St. Andrew while he was still a schoolboy was in fact a long distance runner and represented Barbados as a marathon runner. 2.50 p.m.

Mr. Speaker, Sir, Anton Norris who now I think is Deputy Manager of the Barbados Industrial Development Corporation, has the record in history in the world for the highest scissors jump ever. He was a Combermerian. He was an excellent cricketer himself and I would add to

that that he represented Barbados and that the Honourable Member for St. Andrew did play some cricket though at what kid level I am unable to say.

Mr. Speaker, Combermere has also been a nursery for cricketers, and I will pause to make the point that cricket has been a medium through which the poor black Barbadians was able to rise to some degree of recognition, not only nationally but internationally and that was also nurtured at Combermere. The Speaker of this Chamber as it is currently constituted in yourself, Sir, played at Combermere, led the University to victory in cricket and distinguished yourself on the cricket field.

I believe too and I am being told that you also went as far as national trials for Barbados.

Mr. SPEAKER: Very true.

Hon. Miss H. E. THOMPSON; But there were others, Mr. Speaker, who grew out of the Combermere nursery who went a little beyond trials like yourself. Wes Hall is another example of a Combermerian who was nurtured in the game at the school. Rawle Brancker, a very well known businessman in this community, was also a cricketer of some skill, having passed through Combermere. Sir Frank Worrell, and many will argue in some instances the greatest of them all, but we will not get in that debate today, he, too, was nurtured on the field at Waterford.

The Combermere School over the years has also had a sound tradition of music having a cadet band which has played extremely well and has performed not only inside of Barbados but outside of Barbados as well. There have been musicians who have passed through Combermere who have developed reputations not only nationally but regionally: the late James Millington, John Fletcher of the St. Michael's Cathedral, Colin Hudson, Arturo Tappin and the producer and keyboard player, Chris Allman, to give a more modern link, and Joy Knight. Those are the kinds of people who learnt their music sitting at Waterford and at other locations.

While I am on music, Sir, it would be convenient to make the point here that over the years the Combermere school has served as a centre for culture and art. Karl Broodhagen was one of the artists whom the school has produced and I think that he has also taught at the Combermere School.

The school has also been a centre for the performing arts being the home to the Rontana Dance Movement and many other dancers. It was a place, Mr. Speaker, before the Daphne Joseph Hackett Theatre was refurbished, that many people could go to Bimshire productions, to Okras in the Stew. It saw the birth of NIFCA under the Barbados Labour Party, the National Independence Festival of

Creative Arts. It has been the place to which one could go for all sorts of entertainment and theatrical productions over the years. Only next week it will again continue in this long tradition by hosting the Barbadian flavoured show which was taken to Carifesta, Barabajan.

The sense of community and what a society is worth can always be measured by looking at the quality of its art, its artistes and its performing arts. The sense of inner self, the finer side, can always be witnessed through the arts; and insofar as Combermere has served as the place to nurture our culture, not only by producing people who have distinguished themselves in this field by itself being the centre for the performing arts and a place that was known that one could come to for high quality theatre production, then Combermere has helped to develop what is the finer and maybe, as some would argue, the nobler side of the Barbadian.

This school has over the years distinguished itself by having a number of firsts. The first female to join the military was a Combermerian, The first cadet under-officer was a Combermerian. The first scout troop in the island was born so to speak at Combermere, The sport of hockey which is now attracting regional competition and every year has reached a state that there is a national hockey festival inviting and attracting players, participants and spectators from all across the region must also be attributed to Combermere because the sport of hockey in Barbados was started at the Combermere School.

It was at Combermere too, Mr. Speaker, that shorthand and typing for boys was introduced and a great deal must be said about that because, in an era where many felt that the role of boys was to play a traditional male role and not do shorthand and typing which was perceived as a woman's profession, that the teachers of Combermere had the strength to recognise that this was a skill that could still be useful to men, is to be commended.

The role of the military and paramilitary in the development of Combermere cannot go unrecognised. The school over the years has had a strong tradition of discipline. Some have argued that it was in fact this disciplinary base that caused the school to emerge and to remain strong in the way that it has, Major Noott, for instance, was one of the very well known headmasters. Col Deighton Maynard of the Barbados Defence Force was also a product of the Combermere school and has helped to develop the military in Barbados and is a strict disciplinarian. In fact, many of my female friends who went to Combermere went into the cadet corps and one could see the change on them, the influence of the discipline wrought by the military and the paramilitary which was encouraged and fostered at the Combermere School.

This school too has distinguished itself as a place of learning and I spent a long time talking about that so far; but, Mr. Speaker, it would be remiss of me while I speak of Combermere as a place of learning if I did not recognise Combermere School as a place of teaching, because throughout the years Combermere has had a tradition of headmasters and teachers who have been able to be good role models for their students, with whom students have felt that they have had a good rapport and a long-lasting relationship so that even when these students are men they will see the teachers and say, "Yes, Sir."¹¹, and go to the teachers and ask them for advice. It is that sort of thing that very often people lament in the society when they think in terms of the role that a teacher could play to lift a student up and help him to be better than his clay.

I, myself, would want to pause to say I have known what it is like to have a teacher positively influence my life and to save me from a point when my life could have gone either way and make sure that she set me on the straight and narrow upward path. Insofar as that is true, and I am paying tribute to the teachers and the role of teachers at Combermere and the role of teachers in developing the lives of young people, I would want to take this opportunity to pay tribute to a very great teacher herself, Senator Pat Symmonds who was my headmistress.

I want to make a few more points, Mr. Speaker, I have spoken in general terms and in anecdotal terms. 3.00 p.m.

I want the students in the Gallery to make it live because very often one goes to school and does not know what the tradition of the school has been. One does not necessarily know who were the former students of that school, or what their achievements have been. In speaking earlier I tried to do that. I want now to ask a broader question, and to point to other things Combermere has done within the Barbadian society, and within the Barbadian culture.

Combermere has been the place of development for a cadre of black managers and black businessmen in Barbados. I spoke earlier in terms of Rawle Brancker, but all over Barbados one can see that there was a core of people developed at the Combermere School who had their roots in the Combermere School, and their seminal years in the Combermere School, who have risen to positions of prominence in this society.

It is part of the role of what education has been about, where it opened the doors to those who would not normally have had access, and became for them the agent of upward, social mobility. In so far as Combermere has done that, then it has played a tremendous role in the development of a black middle-class in Barbados.

It has allowed, Mr. Speaker, in the whole slavery era, the sons, daughters, granddaughters and grandsons of slaves to become, in the words of our National Anthem, "firm craftsmen of our fate", because we went from being the oppressed by means of education imparted at institutions like Combermere, to being ourselves the policy makers, and the people in major institutions in this country.

It is not without significance, Mr. Speaker, that the present Chief Justice spent some time at Combermere, nor that our first Prime Minister* the late Errol Barrow, was himself a Combermerian, if only for a short time, nor can it go unnoticed that in the last administration, almost the whole Cabinet, with only one exception, that of the Prime Minister, were Combermerians and, of course, the then member for St Lucy, Mr. Evelyn Greaves.

When one looks at the development of democracy in any society, one looks to certain institutions to see how they have developed the democracy, and how they have helped developed the country. In Barbados we can be proud that our Parliament is 350 years old, and that we have in such a small country of only 166 square miles, not only such a long history of democracy, but a long history of education and learning, as is exemplified by the Combermere School. The role of education for Barbadians, Mr. Speaker, cannot be underscored. In many cases it is the only thing a parent has to offer to his child. It was something my parents taught me as I grew up: "Make sure that you learn and make sure that you learn well". Combermere has provided the setting for that.

I want to make one last point before I sit down, Sir, and it is that though it may not give pleasure to the Democratic Labour Party, and to the former Prime Minister, I think we must make the point that past students of Combermere led what will go down as one of the historical and political developments in the history of this country. Last year we saw in this Parliament - and I sat here and listened to the debate very keenly - 4 members of the then Government vote with the Opposition against the then Prime Minister in a no-confidence motion. Of those there were 3 who were Combermerians -, Keith Simmons, Wes Hall and Harold Blackman. Now, this may not bring any joy to us as individuals. It may bring no joy to the Democratic Labour Party, and I have no doubt that it brings no joy to the Honourable Member for St. Michael South.

At the same time, Mr. Speaker, when one casts it in the broader framework, one would have to ask the question, what qualities were so nurtured in these individuals at Combermere that they had the strength of character, and the backbone, to act in this way. Those people who write our political history in the future might want to look at that question. At this time I would make no more of it except to say that really, in terms of the

political development of this country, it is worthy of note that of those 4 people, 3 of them were Combermerians.

Mr. Speaker, my parents were born extremely poor. They have always impressed on me the importance and value of education. I think apart from engendering in me qualities that helped to shape me as an individual, I would say that my parents, instilling in me a love and a desire for learning, have singlehandedly contributed to my development as an individual. In so far as the Combermere School has been a distinguished institution of learning for some 300 years, I would like to pay tribute to all of those who went to school there and to all of those who taught there. I would wish to say to those who will go to that institution in the future that they inherit a great tradition which they must nurture and keep well.

Thank you, Sir.

Hon. D. A. C. SIMMONS: Mr. Speaker, that brings us to the end of Private Members' Business. I move that further consideration of this item of Private Members' Business be postponed until a later date.

Hon. G. W. PAYNE: I beg to second that.

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

Hon. D. A. C. SIMMONS: When we suspended, Mr. Speaker, we were debating Order No. 8.1 beg to move that we now revert to that for the Honourable Member for St. Michael South to continue his speech.

ORDER NO. 8 (RESUMED) - VETERINARY SURGEONS (REGISTRATION) BILL, 1995

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, I making my contribution on this Bill, the Veterinary Surgeons (Registration) Act, 1995 as the short title indicates. 3.10 p.m.

I was making the point and I wish to stress the point that many young Barbadians as they make their choice about careers should be able to have an option of studying veterinary medicine and not only have an option but one that may be realizable. The resources should be available that each year or may I say, periodically, scholarship[^] or assistance should be available which would enable young Barbadians to go to study this discipline, if it is available in the Caribbean or anywhere else that it may be available, so long as the standards of the educational and training institution would be acceptable to the authorities hcf§ in Barbados.

I repeat my plea that National Development Scholarships should be available in this as well as in other areas to enable our human resources to be developed so that we may keep pace with the economic and social demands and requirements of our country.

I hope, Sir, that this particular piece of legislation would bring the type of regulation and management of the practice of the discipline of veterinary medicine within the framework of what a small, enlightened country should be pursuing. I would therefore wish to commend this to the Government, that is, the availability of resources and the revisiting of the allocation of National Development Scholarships.

I hope that this particular Bill, when enacted into law, would give the kind of regulation that would ensure that all those who practise veterinary medicine and those who require the services of the surgeons in that discipline would get good and competent care for their animals and that animal husbandry in Barbados would be so developed that our economic circumstances would improve as a result.

I know that when the proposal was made in the early 1970s, there were not as many veterinary surgeons as there are today. I believe we have more around now although I (Jo not know if they are enough. I am not in a position to say that. I do not know. But, certainly, early in the 1970s there was a very limited number of persons who had qualified in this field. This is a continuing thing and we have to replenish the field. As I said, I would wish to commend this to the Government.

I think that that represents most of what I have to say on this particular Bill. As I indicated, it simply sets out the framework within which the discipline would be regulated. It speaks about the registration and other matters incidental to the practice of veterinary medicine in Barbados and, therefore, from the Opposition Benches, we will give this our support.

Thank you, Sir.

Mr. SPEAKER: The Honourable Member for St. James South.

Hon. Miss H. E. THOMPSON: Mr. Speaker, Sir, I just want to speak, very briefly, in relation to this legislation. I think it does a number of very positive things the first of which I would want to mention is the change of the provisions relating to qualification in the Commonwealth so that those persons who do qualify can never be disadvantaged by any change in the constituent members of the Commonwealth, That is a very positive thing because the way the legislation was framed before, it could have led to an exclusion, on that basis. It would be a useful tool, I think, in the regulation of this profession,

as all others, because over time there are many people who have passed themselves off as professionals of one sort or another whether it has been contractors, dentists, doctors, vets or other professionals.

I remember, not so long ago, there was a question of whether a person who was appointed to head a statutory corporation, a CEO in fact had the PhD that the person allegedly had got. A system of registration always could prevent these situations occurring.

It is desirable that such legislation be passed, that the council is really a council of the peers of vets who can police and discipline themselves, in whose interest it is to maintain the standards of the profession and therefore who would feel a higher sense of duty in policing how the practice of this profession is done.

Insofar as that is true, there are other professional councils already existing in relation to health, generally, and it is therefore desirable that animal health should have a council of this sort. Of course one can think of the dental council which plays a similar role, the medical council and the council for paramedical professions. I would just pause here to comment that, very shortly, legislation is going to be coming before this Chamber which is going to broaden the parameters of those who are recognized as paramedic type professionals. We recognize, I think, at the moment chiropractors and some others. But it must be broadened because increasingly, as there is a tendency towards non-traditional forms of medicine, increasing numbers of people who have health ailments are going to practitioners of non-traditional medicine, people who are osteopaths, people who are masseurs, people who are reflexologists, chiropodists, who I do not think are currently registered, and acupuncturists. 3.20 p.m.

There is a whole range of people who provide paramedical services who are not currently recognised in the legislation and we want to legitimise their existence in Barbados and therefore extend the legislation to include them.

There is another consequence of this legitimization of the individuals who practise in these areas and it has to do with the fact that sometimes people who are injured in motor vehicle accidents and so on, or other personal injuries accidents, do not go to a traditional doctor but they seek help from somebody who is in one of the non registered areas. They often say that they get a high degree of relief from a reflexologist, the herbalist and so on. But the problem is that because there is no legislation recognising them insurance companies do not accept medical reports coming from those individuals and that has a consequence for the claim and the quantum of claim that a person who is injured and legitimately seeks the claim

from an insurance company can get. So that is a problem I am paying immediate attention to and which must be redressed and the legislation will shortly be coming.

Since I am speaking of this matter of professional councils I just thought I would take the opportunity to apprise Parliament of the status of this whole matter of the para-medical council. I would wish also to make two very brief points here, and that is, the provision for health aides, under this legislation, in my view, has two positive consequences: one is that it will provide a level of jobs and for the recognition so to speak of a new type of professional within the health sector.

There are those persons who have 5 'O' levels, 3 'O' levels and so on who may not want to become clerical officers but may want to get into some aspect of health care. They may not be qualified to be a vet, they may not be qualified to be a doctor or they may not want to be a doctor or a vet but the introduction of animal health assistant, as this class of health aide is being called, will give those persons with 'O' level certification who want to become involved in the care of animals, the opportunity to become involved in this profession without going on to study veterinary medicine.

I think too that it opens the whole discussion on the use of the health aide in the health setting in Barbados. In my view, we have traditionally used our nurses very badly in the sense that very often nurses are required in the polyclinic setting and in the hospital to provide services that could be usefully done by the health aide. The taking out of bedpans for instance, checking of blood pressure, those kinds of skills, so that the highly trained specialised nurse can be free to deal with urgent cases, the emergency cases, the acute cases while all of the preliminary work is done by the health aide.

Again this will provide job opportunities for a wider base of people. Now the health aide, quite apart from the veterinary health assistant, could also be well utilized in a series of geriatric hospitals or as home help for old people because very often people who live in the Geriatric Hospital really want somebody to sing them a little hymn, rub them on their back, plait their hair and provide that kind of service for them, a service that is not technically medical and does not have to be carried out by a sister or a highly trained nurse. You can then take that individual, that highly trained nurse or sister, deploy them in the hospital and have a few sisters or nurses supervising and working in the geriatric hospital with the majority of these kinds of services which are more of a humane nature and therapeutic more than technically medical. They can then be deployed throughout the geriatric services like I said and in some cases in the polyclinic services, leaving the specialised nurse and the highly trained nurse to deal with the serious medical care problems.

Sir, I wanted to speak to this use of the health aides and the fact that we are within the Ministry of Health now looking at expanding the role of the integration of health aides into the system.

We have been talking about opening at least one or two polyclinics late in the evening to take some of the stress off the Accident and Emergency Department. This is another area in which the Health Aide can be used to be the first line of contact when a person comes in because very often people complain, they go into accident and emergency and they sit for a very long time. They do not have anybody making contact with them. Aides can be used in this way.

I just wanted, Mr. Speaker, to speak very briefly to open the debate by saying some of the things that the introduction of this legislation allowed us to get into discussion on and to commend the Minister for these changes and for the introduction of this legislation which in my view will make a very positive impact on the practice of veterinary medicine in Barbados.

Hon. R. C. EASTMOND: Mr. Speaker, I want to thank all those Honourable Members who contributed to this debate. It is clear that from the mood of Members there is support for the Bill. To respond briefly to two concerns mentioned by the Right Honourable Member for St. Michael South, the Right Honourable Member for St. Michael South queried

- (a) what is the current status of National Development Scholarships, and
- (b) to what extent should the training of vets be a priority?

I am advised by the Honourable Minister of Education that this year 3 National Development Scholarships were awarded and that National Development Scholarships are still very much in vogue.

Now, in relation the training of vets and whether this is a priority, yes it is priority. In my view Barbados still does not have enough vets. There are two concerns that I would like to share with Honourable Members:

- (1) that the cost is prohibitive, and
- (2) that even when people can meet the costs, young Barbadians interested in becoming vets have been arguing that in the Caribbean the total range of animals is limited so where they can afford to, or raise the money, they go very far to be exposed to a wider variety of animals.

For example, I take it that one or two Barbadians are currently in Australia, not because they are rejecting the

training and the quality of training in the Caribbean but because, by going to Australia they would be exposed to more animals in their training and be able to do experiments because veterinary surgery is about animals. What therefore is going to be necessary is for us in authority to work with the Veterinary Council, for the Council itself to play some role in sensitising young potential students of veterinary science as to what the expectations would be of them, and perhaps helping them at a point before they go on to University.

Apart from these two concerns, Mr. Speaker, I would just want to briefly mention a provision in Clause 22, Clause 22, foreseeing how a person who keeps pets for his own enjoyment may very well have a small emergency and may know what to do, In a situation where a fellow has a cat and the cat has a little problem, clause 22 permits him, when he is not a vet and certainly not acting professionally, to do something to care that pet without necessarily having to take it to a vet. People who are in the business of keeping animals beyond a certain point get the experience to know what to do in cases of emergency. Sometimes at 2:00 o'clock a farmer, for example, who has sheep may find the sheep sick, cannot find a vet and knows what to prescribe. The older people used *nux vomica*.

Interestingly in the Legal Profession Act, Mr. Speaker, a person who is not a lawyer can write a will, but for no fee or charge. The Legal Profession Act permits non professionals to do small drafting work, not for a fee, I am sure about that. Similarly this clause here permits a keeper of animals, not a vet, to do small things to enhance the welfare of the animals. 3,30 p.m.

With these brief remarks then, Mr. Speaker, I do now beg to move that this Bill be read a second time.

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

COMMITTEE

On the motion of Hon. H. C. EASTMOND, seconded Hon. D. A. C. SIMMONS, Mr. SPEAKER left the Chair and the House went into Committee on the Bill Mr. W. C. C. CALLENOER in the Chair.*

Mr. CHAIRMAN: The House is now in Committee,

Clauses 1 and 2 were called and passed. Part I was called,

Hon. R. C. EASTMOND; Mr. Chairman, I beg to move that Part I stand part,

Rt. Hon. L. E. SANDIFORD: Mr. Chairman, I am raising this question in this Bill in reference to veterinary medicine and also reference to veterinary surgeon. It speaks certainly in Clause 2 in reference to veterinary medicine and veterinary surgeon and also in Parts I and IV there is reference to veterinary surgeon and apparently there is a register of veterinary surgeons. As I said, there was reference to veterinary medicine. I am wondering if the Minister could clarify for me the different senses in which these two terms are used.

Hon. R. C. EASTMOND: Mr. Chairman, I am advised that veterinary medicine has to do with the dispensing of medicines, liquids, tablets and such like for the veterinary purposes for surgery for the effects of cutting. A veterinary surgeon is a person that performs operations. In dentistry, a dental technician can do technical work but a dental surgeon can do dental surgery. In medicine, a physician is very much a general practitioner dispensing and a surgeon is one who cuts. So the same distinction applies here, Mr. Chairman.

Aside.

Hon. R. C. EASTMOND: Mr. Chairman, the surgeon can also dispense medicine. The surgeon who is an expert in dissection and cutting still has authority to dispense medicine generally. In fact, in the medical profession that is what happens in private practice. A lot of persons are really specialist surgeons and do general physician's work because you are usually trained in the general art of the business before going on to surgery.

Part 1 was passed.

Part 2 to Part 6 were called and passed.

The First Schedule to the Sixth Schedule were called and passed.

On the motion of Hon. R. C. EASTMOND, seconded by Hon. D. A. C. SIMMONS, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. R. C. EASTMOND, seconded by Hon. D. A. C. SIMMONS, the Bill was read a third time and passed.

Mr. Speaker vacated the Chair which was assumed by the Deputy Speaker.

ORDER NO. 7 - TO MOVE THE SECOND READING
OF A BILL TO AMEND THE INTERNATIONAL
TRUSTS ACT, 1995-14

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, the International Trusts Act passed Parliament on

August 8 and was assented to by the Governor-General on August 21, 1995. Since the passing of that Act, however, representations have been made to Government by very important practitioners in the field of offshore services and who are residents outside of Barbados that the original Act as presently drafted poses some problems particularly for Canadian residents. 3.40 p.m.

It has been the better opinion that if the legislation remained unamended, it would result in domestic trusts that are resident in Barbados losing their eligibility for benefits under the convention that exists between Canada and Barbados, the Canada-Barbados Income Tax Convention.

Under Article 4 of that Convention, a person is resident in Barbados for the purposes of the Convention if, under the law of Barbados, he is liable to be taxed in Barbados by reason of domicile, residence, a place of management or any other similar criteria.

Section 17 of Chapter 43 of the Income Tax Act provides for taxation on a remittance basis in the case of a person who is resident but not domiciled in Barbados. Section 4 of the International Trusts Act purports to apply the legislation to all trusts, whether domestic or international, which have been created after the commencement of the Act and trusts created before its commencement if such trusts have all of the characteristics of an international trust and section 29(5) and 29(6) exempts such trusts and the beneficiaries of the trust from taxation.

In the circumstances, it is considered appropriate that section 4 of the existing Act should be amended to allow a settler of property to determine whether he wishes his trust to be an international trust whenever it was created and that therefore requires that section 29(5) and (6) should be replaced by a new sub-section that clearly brings trusts within section 17 of the Income Tax Act so that there can then be compliance with article 4 of the Convention.

We have received, as I said, significant comments and contributions which were examined by the Committee, IPSAC, and they were satisfied that there was something worthy of amending. The Honourable Member for Christ Church West and the Honourable Member for Christ Church South also gave freely of their knowledge and expertise in this area and we have therefore come up with this amendment which is before Honourable Members today which we hope will cure the mischiefs that remain and will therefore make Barbados still more attractive as a destination for offshore business.

Section 2 of the draft Bill replaces section 4 of the Act and provides for trusts created after the commencement of the Act to state in the actual trust deed whether the International Trusts Act applies to them or not. A

trust created before the commencement of the International Trusts Act which contains the characteristics of an international trust will then be given the option within 90 days after the commencement of the Act to decide whether the Act should apply to them or not.

When we indicated earlier this year some of this legislation was being held up because of a desire for perfection, the Honourable Leader of the Opposition made a point, which I take, that once we are satisfied that the basic structure and contents of the Bill were in a state that was not offensive to the Constitution or other laws that we should come with the legislation and, as experience reveals the need to amend, then we should amend from time to time. I thought that was a very useful suggestion to allow us to get out into the market with the new devices, the new mechanisms; and if somebody makes a representation that is worthwhile, then we do the amendment. So it is in that spirit that we have brought this amendment which has been the brainchild of several high-powered legal firms overseas which have studied the legislation and pointed out to us the ambiguity in what we did pass in July.

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

Mr. D. J. H. THOMPSON: Mr. Deputy Speaker, I won't be very long. I appreciate the need for this amendment. It is certainly something that came up at the recent CDBA promotion in Canada. I didn't know that the legislation would be drafted so quickly thereafter, but I must say that, regrettably, during the course of that promotion the officials of the Government did not seem to know what the amendment was going to do and what the reason for the amendment was, if any. Some officials said that there was no need for the amendment so that there was absolute confusion at the end of the promotion about this. That was unfortunate, because the CDBA promotion is supposed to be one of the premier promotions which is undertaken by Barbados and I will get to that shortly.

Aside..

Mr. D. J. H. THOMPSON: I would say that opposition is that we need to get these new products marketed as soon as possible and, to that extent, we agree that the need is to have this legislation, particularly which gives effect to new products on the Statute Book as soon as possible. Because of this legislation, I have seen an upsurge in the number of applications for offshore banks. I was greatly interested in that area for the administration of trusts, but there is also a predominance of interest in the Canadian domicile by Canadian investors, by our accounting firms attracting investment out of Canada, and they are very Canada-centred in their approach. That is another concern which has to be addressed because the real opportunities will exhaust themselves shortly, because the

players who are going to come to Barbados out of Canada already know the domicile and will be reconfiguring what next.

Therefore, there is certainly need for a lot more work in the other markets to attract the business of administration of trusts and the establishment of banking operations in Barbados from the U.S.A. and elsewhere.

I hope also that the mutual funds legislation will be on the Statute Book soon. There is a lot of interest in that as well and people are keen to know what some of the features of the legislation will be and, hopefully, you can wrest that out of the hands of IPSAC as soon as possible. 3,50 p.m.

I want to say something about the CDBA promotion though because that is something that highlights the very big problem the offshore sector has. This battle between accountants and lawyers which the Attorney General addressed in a speech recently, is something that needs some attention. You had a CDBA promotion which probably had about 15 or 16 lawyers from illustrious Chambers, young lawyers and more established ones, but there was not one single lawyer on any of the panels discussing any of the issues relative to Barbados as a domicile.

Furthermore, there is a preponderance of persons from one particular accounting firm on the panel. I do not know what the problem is with that - I am not saying that I have any jealousy or that lawyers should harbour any jealousies ^ but I still feel that if you have a promotion which is organised through the CDBA, or even a national promotion, or a promotion in which Government Ministers or officials are involved, that one should ensure that there is a process there which provides the greatest possible participation by everybody.

I have no need to participate myself because people may interpret that one way or the other. You have to understand that in Barbados, although I am a Barbadian, there are some people who are not Barbadians who have more say about the promotion of this domicile than Barbadian practitioners. I accept that for now but, I am not going to say that it will continue. The only reason why I do not intervene is because I hold other positions which may make it appear that I am seeking to promote myself. But once the cadre of young lawyers who are interested in this sector is identified, and they are serious, it is about time they make a major push to be involved actively in the offshore sector.

Aside.

Mr. D. J. H. THOMPSON; Well, they have to invest resources. They have to go to the bank and borrow

some money and invest. They also have to get involved in the associations and vote in favour of the involvement of their colleagues so that their colleagues can get a slice of the cake. The sector must have some element of accountability to Barbadians. If it is going to enjoy tax incentives and other benefits, Barbadian citizens must feel that they have some stake and some influence on its direction.

I am not going to go along with the charade, and I know there is no other parliamentarian who would, of passing legislation in here simply for other people to come to Barbados and enjoy benefits in servicing the operations, or the investments which are made by persons who benefit from those tax incentives. I am not saying this as a criticism of those persons who may be working for the offshore companies. That is not the area I am getting at.

I am saying that the problems which are being faced between the lawyers and the accountants now have to be examined at 2 levels, at the level of the official trespassing, or unofficial trespassing, or poaching, or however you want to describe it, but then you have to go to the higher conceptual level and determine how you are going to get Barbadians who are well trained and qualified - and we have a lot of them getting called to the Bar every year - more actively involved. It is about time that Government, which is now spending more in promotions, which is doing a lot more than it ever did before, also influence the character of the service providers in Barbados in the sense of the involvement of more professionals in it.

I only would describe that as a warning shot across the bow because I would not like to see any monopolistic practices developing, particularly in relation to promotions which the Government assists in supporting because apart from withholding my own contribution, I would also be calling on Government to withhold its contribution if transparency, and if it is not a major developmental element to it which seeks to bring more of our professionals involved in receiving a piece of the action.

There is a lot of resentment out there. It is not a small amount. There is resentment among young accountants and young people who are working in the IDCs because the accountants are saying that they are too highly paid and if they go to other domiciles they do not get as well paid, and so on. You have seen the undercurrent in letters to the editor. This is something we need to examine because, in my view, we are not in the same position as countries like Toitola, Bermuda and so on, which do not have educational systems which can support servicing the sector. We have invested a lot in our educational system, and we have young professionals who need to be able to find their way into the system.

We support the legislation. We support the initiatives of Government. Nobody denies that. Some of the concerns

I raised some time ago when the Honourable Member for the City was the Minister responsible she did not take to heart but, in essence, sometimes the legislation which you pass, or the statements which you make as Minister, may send mixed signals.

I will give you an example. In this case, as I understand it, the key issue was that trusts established with beneficiaries who were from treaty countries like Canada, would not enjoy the same benefits under the tax treaty with the new legislation, and they would therefore have to be established under the old trusts legislation. So that is really at the heart of the problem. That issue is an issue that has been raised, and is an issue which could not easily be detected.

The overriding concern is that it must never appear, in my view, that Barbados is moving in the direction of becoming a tax haven, because we have already committed ourselves to being a low tax jurisdiction, operating on the basis of tax treaties and other kinds of reciprocal arrangements, and this is what makes Barbados a unique and important domicile.

Those Canadians who are now establishing offshore banks and other kinds of vehicles for their investments, are not always doing it mainly or solely for tax benefits. They are doing it because of the kind of domicile we have here, the quality of the persons who can be involved, the professionals, the quality of life which their employees enjoy when they live in Barbados, and those are critical factors. You do not want to have that disrupted by an indelicate balance which does not seek to provide opportunities for Barbadian professionals to be more involved.

I blame some of the people who are not involved because they have the resources but they will not spend the resources in that direction. That is not so for all because if on this last promotion you had over 10 Barbadian practitioners there, it is inconceivable that there was no way in which they could be making an input on the panels, or to be more actively involved in the promotion - the CDB A executive. I really do not know much about it, but we all pay the same money for the promotion and, therefore, all of us should have equal opportunity to be involved. 4.00 p.m.

Those are the only concerns that I would raise and as I said I hope the other pieces of legislation particularly the ones relating to mutual funds, headquarters, companies legislation and whatever other legislation is going to be made available will come on stream soon and that we can see the benefits of these new vehicles to Barbados investment

Mr. DEPUTY SPEAKER: The Honourable Member for Christ Church South.

Hon. Sir HAROLD St. JOHN: Mr. Deputy Speaker, Sir, I just want to say a few words because it is important that we return to a number of first principles in dealing with our offshore regime.

There is no doubt about it that there are lobbies operating in this area of activity in Barbados and as lobbies, the lobbyists promote the interest of their particular clients. However, it is the duty of the Government, as a whole, and others who are interested in this area of activity in Barbados to keep reminding the lobbyists that Barbados made a choice when it first introduced this area of activity and that choice was that we were not to be a country in which there was to be no tax. That is a fundamental problem that we constantly have to deal with.

This Bill seeks to correct a problem which had arisen because of the nature of the transitional arrangements which were made at the time when the Bill was drafted. Nobody clearly envisaged that there would still be trusts who were in existence already and who would want to continue in their own fashion in which they were created. Those trusts had a clear understanding which understanding had been established with both the revenue in Canada and the revenue in Barbados that once the trustees were Barbadian, the income of the trust was liable to tax in Barbados. But our particular tax law made it very clear that, although a trust is liable to tax, if you distribute all of the money to the beneficiaries all of that distribution is subject to deduction. If those beneficiaries are abroad and they do not reside in Barbados and are non-resident in Barbados, they are not liable to be taxed here. That was clearly established and was in operation without the international trusts.

The International Trusts Bill had its origin, I believe, and it is quite remarkable in this respect that this problem having arisen, everybody who was responsible for its origin disowned it. Nobody could find out where the origin of this Bill was. This problem having arisen because there are some lobbyists who have American clients who are interested in seeing Barbados the same as the Caymans and the British Virgin Islands. The offending clauses, the section which is now being repealed here was that a trust was to be exempted from tax. Once you use those words the Canadian Tax Treaty is going to not bite, as they say.

We have to be careful, and I think that I have made this point before, that when we are doing our draft legislation that we should send it to some of our known advisers, not only in the United States of America but in Canada and increasingly too in some of the Scandinavian countries who are now seen to be becoming more familiar with the Barbados international business regime.

The amendments here are amendments which do not do violence to the original concept and, that is, that we wanted to create a vehicle which would facilitate the formation of international trusts in Barbados and that those trusts would be able to operate against the background of a legal regime which had already been proven. If, therefore, they wish to have a trust which is totally exempt from tax in Barbados, this is not the jurisdiction for them. That is a choice you have to make. If you want that, this is not the jurisdiction for you.

There is nothing wrong with the Bill and I hope that we will learn from what has happened in this, that where we are seeking to amend existing legislation, we have to make sure that there are specific transitional arrangements to deal with people who were in existence before. The way in which the Bill was drafted originally, it applied to whether you were in existence before or not. Here, it will make it clear that in either case, you have to do a positive act to come within the international trusts. Those who want to do the positive act will do it. Those who do not want to do it will not do it.

With respect to the other area about the offshore regime, I do not think it is generally known that one of the reasons why it would appear that a certain group of practitioners, namely, the accountants have dominated that area *m* because of the fact that the special tax exemptions which were granted as incentives to professionals in Barbados specifically dealt with accountants being eligible and there has always been a doubt as to whether lawyers were eligible or not. That is one of the problems. Someone said that young practitioners should get the resources and go into this area. One of the reasons why the accountants were able to go into this area was because they had a clear and distinct advantage over lawyers.

I am very glad to say that this year is the last tax year for all of those special exemptions. A new regime will have to be thought out and I am in favour of a regime, but that new regime, I would hope and I have already indicated very clearly, that new regime would be no different from the regime that deals with visible exports, that if the largest proportion or all of your money is earned from exports, you are able to get a substantial tax rebate up to 80% of whatever the relevant tax rate is. All you have to do is to put services upon the same basis as if you are an exporter of goods. That was the original intent. The original intent was that Barbados can encourage its service providers of whatever nature, whether they were architects, engineers, quantity surveyors, builders, doctors, lawyers to go out there, bring in this business to Barbados and get a special tax rate. It never quite worked that way. But we must go back to fundamentals again.

There is absolutely no doubt about it also that we are building up, within the legal profession, a group

of specialists whose interest is only in financial services. You have people who are only interested in criminal law, some who are interested in conveyancing. You are building up a group of people who are only interested in financial services and our community will be no different from other areas. These people will eventually form legal relationships, whether of a Chambers type of practice and they will be known and they will do all of the work, from companies formation right through and they will set up their offices accordingly. 4.10 p.m.

There is no doubt that there is a fair amount of work in companies formation and in maintaining the companies. The accountants at the present moment dominate that area and the interesting thing is that the need for a lawyer is so obvious that they are taking now to hiring lawyers to do that work for them. Lord Denning, in the United Kingdom, had to deal with this problem when large corporations started to hire in-house lawyers and he had to make a very famous speech in which he said that lawyers must understand that times have changed and there was nothing wrong in having a client who was so wealthy that they wanted to command the services of that lawyer throughout the year and were prepared to pay him once he understood that that was his own client that he still had his professional obligations.

Now, where I think that there has been a mashing of the crease, so to speak, in this area is that some firms are advertising that they can give legal services to people other than their own clients so they are doing what lawyers cannot do. Lawyers are not supposed to advertise and go out there. But some firms have lawyers in there, and they are advertising that they can provide these legal services. So that is an area that will be dealt with. It is going to be dealt with because I detect a determination in the legal profession to deal with it, but it is going to be dealt with upon the basis that there is a need in Barbados for groups of lawyers to specialise in this area.

With respect to the other points raised by the Leader of the Opposition I do agree with some of them because I do find it remarkable that when one reads about the Barbados jurisdiction in journals one sees articles on the law being written by accountants. I find that a little difficult to understand, and the intricacies of the trusts law too, I find that very, very difficult to understand. But I must say that things again have changed because increasingly, particularly on double taxation we are finding articles being written by young lawyers. I think the University of the West Indies will soon get around to the point that they will have to expand their financial law teaching there, not only to the income tax and company law, but in addition to that things like value added tax and all of those things will be an integral part of a whole comprehensive course in financial services law. It may be

a postgraduate course. I do not know what it is going to be but the point is, it is an area of specialty recognised all over the world now. Therefore we have to keep up with the world.

I still feel that it is a good area for Barbados and I know that the other pieces of legislation are in the pipe line. I hope that much wider publicity is given to that draft legislation than was given to the International Trusts legislation.

Now the question of mutual funds is an area of great interest because there are many people who have pointed out that it is possible to have mutual funds in Barbados today without any legislation because the Companies Act at the time when it was drafted made specific provision for mutual funds. Of course we have a problem that we do not want every Tom, Dick and Harry to be a Manager of a Mutual Fund where you do not have any regulatory regime to deal with discipline and standards.

I understand that the Offshore Banking Act is going to be amended. First of all they have to amend it for the reason that offshore banking is only one set of financial services. Everyone now has an Offshore Financial Services Act in which offshore trust management is one of the activities. That is coming too but the only plea I would make is that when these drafts are made, do not only keep them at the level of your advisory committee, let us publicise them for a period of time beforehand so that everybody would be able to make an input because none of us can sit down in here or anywhere and appreciate the full impact that legislation is going to have on your specific clients because of the great variety of uses that the Barbados regime will be put to, so we should not feel ashamed that we have to come and amend this again. It happens all the time in the practical application of this type of legislation because client's business is client's business and unless the draftsman knows how a particular piece of legislation is going to affect particular trusts...

Nobody knows how many trusts there are registered in Barbados in this area, so I think that it was a good thing that we were able to take the points and did not adopt the attitude that...

Some officials, I thought, gave the impression at the beginning, that was my understanding, well, that is the law, you like it or you lump it. I think that was very quickly removed when it was pointed out that all the advocates of change wanted was to be allowed to continue how they were. "Let me continue how I am, I am happy. I am happy to pay some tax". That is what we have. We must never close the door to those people who wish to say, I only want to use Barbados for the purpose of having a reduced tax and not for no tax at all.

Mr. L. R. TULL: Mr. Deputy Speaker, Sir, the whole business of offshore financial activities is relatively new in Barbados and is therefore in a state of evolution. There are some problems that will inevitably arise from time to time and therefore as the last Honourable Member is saying, we will have to come back to Parliament on occasion for amendments. I do however want to address a number of matters in my short address.

Recently, Sir, I was part of a Barbados Industrial Development Corporation team that was doing promotion in the United Kingdom and I, in the seminars, was dealing with the legal aspects of the offshore business. I remember repeatedly saying, much to the amazement of some of the persons who were involved, that the income from International Trusts in Barbados on the money that is paid to beneficiaries was not subject to tax, there were a lot of queries about it. I looked at the Act again and read the appropriate section of the Act which says specifically that they were exempt from all kinds of taxes. And that is not only income tax, Sir, but all the other bits of taxation that would normally follow that kind of activity. I left London and I went to Toronto and by the time I got to Toronto I was told by persons in the business in Toronto that the provision for no tax under the International Trusts legislation was a mistake and the reason they gave for that was that if you have a double taxation treaty between Canada and Barbados, no taxes were exigible on the income from trusts in Barbados. Then there was no benefit to a Canadian company that established a trust in Barbados because the double taxation treaty says that you cannot tax in both places. But if there is no tax in Barbados then the Canadian Government can tax a Canadian company that has established a trust in this country. So within the space of 24 hours leaving one jurisdiction where it is saying that this is the position in Barbados, I ran into a position where I was told that our legislation is not working for the best interest for investment from Canada in this particular area. Now I got to Barbados shortly thereafter to learn that legislation was in train to correct the situation that was complained of by the Canadian accountants. We are going to have a lot of this. 4.20 p.m.

Sir, one of the reasons why I feel more to get into this debate, Sir, is to say that we have to coordinate on a better basis the way in which we deal with our offshore business and indeed the way in which we promote it. There is a Ministry of International Business and an International Business Secretariat that is set up in that Ministry. I believe there is also an Advisory Committee in the Ministry of International Business. That is the agency of Government that conceptualizes offshore activity in terms of our legislation, policy and practice. That is the agency that is responsible for execution of that policy. But the Barbados Industrial Development Corporation which falls in another

Ministry is responsible for the offshore promotion of International Business.

I sense, Mr. Deputy Speaker, that the Barbados Industrial Development Corporation is not equipped by experience to deal properly with offshore financial services and to put them in the position to have to promote offshore financial services is not fair to them. They do have a long and good history of the promotion of Barbados as a destination for offshore investment in industry. That is where they are competent and they are very good at it. But it is difficult to divide up offshore activity into small segments and I believe and I have so recommended to persons in Government that there has to be a harmonization of the activities of the two institutions to make sure that one is not doing something different from the other.

Now I have heard the Honourable Member for St. John who mentioned the recent meeting in Toronto. I do not get these acronyms right - CPPA. That followed close on the heels of a promotion by the BIDC in the United Kingdom. Within a week after BIDC had finished the promotion in the United Kingdom, this private sector Government agency that was separate from the BIDC was doing roughly similar promotions in Canada. But as far as I know, Sir, there was no coordination at all between what was being sold in the International Financial Services and we have to do something about that.

Now the question about the role of lawyers *vis-a-vis* accountants and the offshore business. The accountants have a headstart, Sir, They are part of the international network of the big 8 international accounting companies, Ernst & Young and a whole lot of them. Therefore, they have the contacts and the track records of their partners and Colleagues in their businesses around the world. The lawyers in Barbados are not so well placed.

Aside.

Mr. L. R. TULL: I am extremely well placed. You gpi believe me. The names of the lawyers who are interested first of all and secondly competent to deal with offshore financial work are not known in the international gpmunity. The names of the accountants are extremely well-known. I will not mention the individual names but the company is well-known. But what has been happening in the past, Sir, is that one Government and then the others have allowed 3, 4 or 5 lawyers to jump on a band wagon Supported by the Government and give them exposure over and beyond the rest of the profession. I do not know what advertising means but these people were given promotion over and above everybody else by being sent on overseas missions. That gives them an excellent opportunity to tout themselves as the experts in the profession in

Barbados. Now the Convention says that you cannot advertise as a lawyer, but that means in Barbados. It does not mean that you cannot advertise when you are cozying up in a hotel room in some other country and all of us know that a handful of lawyers have been given the opportunity to go overseas and sell themselves as if they and they alone know what the law is in relation to the offshore financial business in this country.

Now there has been a strong attachment to Canadian precedent in all of our commercial law and not only in the offshore legislation and indeed from the Companies Act. Our Companies Act was based substantially on the Canadian precedent. So there has always been in the last 15 years or more the influence of the Canadian practices in Barbados and indeed it has been very useful. I say it not as a complaint but it is a fact. We have to be careful however, Sir, that in continuing to form our legislative tools to advance our offshore businesses we do not become as the Honourable Member for St. John says, "Canada-centric" of legislation like the Restricted Liability Act. That legislation in my view, Sir, is for Continental Europe. In fact, more impact will be made in Continental Europe than it would be in North America for very obvious reasons when one looks at the goal and structure of the legislation. So we have to be very careful that we do not allow ourselves to continue to be overly Canada-centric, to use the neologism coined by the Honourable Member for St. John. Under the Exempt Insurance Act we have almost entirely cornered here in Barbados the Canadian market. We have got almost all of the Canadian market captured under that particular piece of legislation. What I am in essence saying, Sir, is that our whole thrust must be international and that we must seek in every new set of instruments to provide and indeed in looking again as the need arises at our existing legislative instruments to bear in mind the nature of the competition. Offshore financial business is everybody's business these days. There are many countries across the globe that are involved in it. There are many parts of existing states that are involved in the offshore business and, therefore, we have to create as we have started to do from the beginning against the hostile remonstrations of members on the other side. We have started to build up for Barbados an excellent reputation as a domicile tot is attracting more and more attention across the globe. 4.30 p.m.

I just want to make one final point in relation to this trust legislation. The Offshore Banking Act of Barbados still makes provision for a trust to be managed under the 'aegis of an offshore bank. I am wondering since we are tidying up and removing doubt in certain areas whether we need to have international trusts legislation dealing with international trusts and at the same time having alongside of that a jurisdiction that allows offshore banks to manage these international trusts.

I have just had pointed out to me by my colleague, the Honourable Member for Christ Church West, the law as it relates to the management of international trusts and its exemption of tax, or otherwise in relation to those trusts that fall under the offshore banks. Having taken a cursory look at it, I am not in a position to say with any authority whether we do not still have a problem and whether we should not look at the section dealing with the offshore...

Aside.

Mr. L. R. TULL: ... I am taking the word of the Attorney General that the Government is looking in that area and will make the necessary amendments in the fullness of time. Thank you.

Mr. H. deB. FORDE: I wish to join in this debate to add a few words. I want to begin by saying it is not going to be possible for Barbados always to cater to the wishes of the full international offshore market. There are some instruments which we use which may cater for those persons who want a no-tax jurisdiction and there are other instruments which we may use which will cater to those persons who want to take the benefit of our Double Taxation Treaty, and in those treaties, we had gone essentially on the OECD model and had therefore gone for a low tax jurisdiction.

The problem which has arisen here is that, because of the nature of our double taxation arrangement, international trusts, as defined under the 1995 Act, may be considered as residents in Barbados for the purposes of double taxation; and if they are so resident, they may be considered exempted from taxation. This has posed problems for Canada and for Canadian trusts as such and hence the need to amend to make it clear that they are not domiciled within Barbados, although they may be resident in Barbados and therefore subject to taxation under section 17, to the extent that funds are remitted to Barbados.

We do have a category of trust as a result of the provision of section 105 of the Offshore Banking Act that is exempt from any tax, duty or impost in Barbados. To the extent that such trusts are allowed to flourish, they may well be outside the scope of the double taxation arrangement between ourselves and countries such as the United States and Canada.

What really is necessary is that Barbados should co-ordinate the various bits of legislation that impact on its taxation arrangements in a more long-term fashion. The truth is that although we have a lot of accounting firms which can buy and have access to the expertise in taxation and particularly double taxation, we, ourselves, do not have a large number of persons in Barbados who have made taxation a speciality. They may be generalists about taxation matters, but to give the instant expertise that is necessary sometimes to respond to the requests of

the offshore jurisdiction, we are lacking in that field. I agree with the words spoken by Honourable Members that we will have to say to the University of the West Indies, particularly to the Cave Hill Campus, that their courses which impact on the offshore jurisdiction and international services in general must now be co-ordinated in a consistent manner.

Let me be explicit and specific. We do teach the law of trusts here at Cave Hill. We do teach company law and we do teach taxation law. Unfortunately, we have not co-ordinated it, looking specifically at the problems which arise for us essentially, in our major industry which happens to be the offshore sector, tourism, etc.

It should be possible, as is now being done in other jurisdictions, for instance, certain of the universities in the United Kingdom, to teach the law of entertainment and leisure and sports as a subject because it has implications for your industry and for employing people.

I have said to the current Dean, Mr. Andrew Burgess, in a conversation that I had with him in Antigua when the Honourable Attorney General was so kind as to ask me to do a special assignment for him, and I have raised this matter specifically with the Dean that the Faculty will now have to recognise the necessity for re-ordering its subject matter, and its curriculum to reflect the necessity of the industries in Barbados for this type of teaching... I believe that the University will do this.

Likewise, at the Community College we need as well to have a programme, not at the university level but at a lower level, as we did in the para-legal field when back in 1978 I started a course, on \$10 000, it is true, for para-legal teaching at the University. But we need as well a course geared specifically for those persons who assist in the management and the day-to-day administration of international services in our country.

Once again, there is precedent for this, so I am not coming up with a new idea; but those of us who follow the various offshore jurisdictions will recognise that the Channel Islands, Jersey in particular, is a leader in this field, and they are educating people, providing avenues for work while at the same time it is a way of selling their jurisdiction so that the companies that are coming in recognise that they have a body of persons who are knowledgeable about the law, about the practices of their own jurisdictions as well as the jurisdictions which impact on the offshore sector. 4.40 p.m.

The third thing I think is necessary is that we will have to widen the category of persons who are advisory to the Government in the offshore field. We may co-opt them from time to time. So far the accountants have been the

dominant advisors, and I can very well understand why. As the Honourable Member for St. George South has said, they have gained recognition because most of them are affiliated to international firms. But we must recognise that the way of carrying on the professional business of accountancy, or the professional business of law, has been undergoing tremendous changes. Accountants are now allowed to incorporate as "limited liability companies".

Those of us who would have been reading the "Financial Times" in the last two weeks would recognise that K.M.G. Peat Marwick is now K.M.G. Peat Marwick PLC, and they have floated that company with something like £50 million, so that they are in the business of limited liability. It allows them to raise capital to expand their business and to organise their affairs much better, and yet they can do it in the context without diluting the personal professional liability that attaches to partners or shareholders in the company.

In Santa Barbara, California, for several years law firms have been allowed to incorporate and the English Solicitors' Act has been changed to allow law firms as welli those who want to, to incorporate in England. We, in Barbados, have lagged behind in this respect and hence our firms have been either one-man operations, or our firms which have been long established have remained centred in Barbados. Although there are a certain number of us who have practised the profession within the wider Caribbean, yet there is no Caribbean firm as such.

Jamaica is ahead of us in that there has been a fusion of two of the biggest firms in Jamaica. They are now establishing an international law practice in the Virgin Islands, the Cayman Islands and in the United Kingdom. That is of recent vintage, I believe the same will have to occur in Barbados. What will have to happen is that the legal profession must stop being what the late Tom Adams described as being crabs in a barrel. We are tremendously adept at tearing each other apart, particularly when you are successful, and if you succeed you find that very often you are pulled down as a lawyer. We must move beyond that and recognise that there really is business there, and just as we are saying to our manufacturers, just as we are saying to our trading companies that they have to go offshore, we too must recognise that the professions and services offer us an excellent opportunity for expanding into foreign exchange earning avenues. I would hope to see that the professions, like the entertainers and the sportsmen, take the opportunity, and that the Government recognises that it has to encourage this, both by making changes in the way we do business, and by having the necessary incentives in place.

Now, Sir, I believe this amendment is necessary but I would also like to suggest - I know the Attorney General has established the Law Reform Committee - that

very early the Law Reform Committee should have a look at the existing trusts legislation which we have, because not only must the offshore aspect of trusts be specially updated, but it is equally necessary to update the general domestic legislation dealing with trusts.

What we will find now, Sir, is that in relation to the Perpetuities Rule, we have 100 years as the perpetuity period for an international trusts, but we have 80 years as the perpetuity period for domestic trusts. Likewise we have made various changes in relation to areas of accumulation, *et cetera*, which are not the same in the domestic context. There is really no fundamental reason why there should be different rules affecting the domestic trusts in this context as against the international trusts.

Indeed, the Government would wish to know that the United Kingdom has set up a very high-powered committee under Professor David Hayton - I think the Honourable Attorney General would have come in contact with him at London University. He is a Professor there. His Committee is now financed, not by Government funds, and this is another thing that one has to say to the private sector, including the private professional sector, but it is financed essentially by funds provided by the professions and by the businesses which stand to benefit from updating of the legislation.

One of the reasons why Britain is updating its legislation is because it finds itself being challenged increasingly by overseas jurisdictions, and the rationale is that Britain must be a step forward so that its people will not move its capital out of Britain but realise that the British legislation is as modern and updated as the legislation in other jurisdictions.

Sir, we do have some other problems which I am aware are being attended to by the Advisory and Other Committees. We do have a pretty urgent problem in the field of captive insurance which raises a double taxation treaty. I am aware that the Government is looking at that problem. I have no doubt that the Attorney General will return to us shortly probably for amending that Act, once the correct advice is granted,

I would also like to suggest that within either the Attorney General's Office, or in the Ministry of International Business, we will have to provide long-term training for a larger number of people in the field of taxation, corporate affairs, structured financing, mutual funds, like derivatives, securitisation of mortgages, the whole lot of it so they are knowledgeable of these things and we are able to keep a step ahead of the competition, And the competition is very rigid.

We are receiving competition not only from developing countries such as ours, but from the developed

countries as well, including Quebec. Luckily Barbados has a very good reputation in the offshore field. There has not been a plethora of cases dealing with money laundering here. Whenever we have had to respond to preventing that from happening, there has been cooperation from the Government and otherwise. I think we ought to be aware that the law courts are already dealing with matters in relation to giving orders to prevent the laundering of money through Barbados. 4.50 p.m.

We have got in place a plethora of mutual assistance treaties and the relevant legislation to ensure that we avoid the pitfalls that are there. There are some who will still get through, Sir. Therefore we need co-operation between our Central Bank and other agencies with the Central Banks of other jurisdictions to weed out those who may come to spoil the good name of Barbados. But luckily for us, we have a jurisdiction that has respect. I saw the other day in an article, I think it is either *The Economist* or *The Times* that Cyprus and the Cayman Islands, 2 very thriving offshore jurisdictions were being regarded by Governments of the United Kingdom, the United States and elsewhere as countries where there is tremendous amount of money laundering of the worst order. We have to avoid that. If the Government has to come back to the House very often for changes that are necessary, I trust that Honourable Members will not interpret this as a Government not knowing its mind but really as a Government responding to the problems in what is, obviously, a very volatile industry such as the offshore sector or international services happens to be.

I am not as pessimistic about the professions in this field because the younger people, I think, are beginning to recognize that whilst the traditional field of litigation is becoming probably non-profitable; in fact, Sir, in parenthesis I may say that if you are going into the law courts in order to recover \$10 000 invariably you are losing money on it, if you take your overheads into account. So that we are now going to have to look at areas like dispute resolution, other alternative methods. But whilst those areas are drying up, I think that the possibility is there...

Aside.

Mr. H. deB. FORDE: ...of earning money for Barbados and foreign exchange in the other jurisdictions. My learned friend and colleague from St. George South *sotto voce* thinks that he can still make money in circumstances where you are going into court for less than \$10 000, Sir. He might be doing it out of his dedication to his constituent! and others. He must be more fortunate than I am. I can only say that you cannot do it if you are collecting debts or anything of the sort and you have to

go in many, many times in order to get orders and that sort of thing. But after a while it becomes very unprofitable. I am not saying that you cannot make probably a profit if you are merely dealing with, let us say, a traffic case or something of the sort I am talking on the civil side. I am talking of litigation in the High Court. Litigation in the High Court at that level, other than for summary judgement. The overheads are too high to attract a proper profit.

The Government can rely on whatever expertise those of us who are interested in this field have. We would readily make it available to the Government. We are not talking about it for cost or for money, Sir. I think the profession is very interested now, I am speaking about the legal profession, in seeing the offshore sector move as fast as possible. I agree with my friend the Honourable Member for Christ Church South when he said that we already have in place some legislation dealing with the creation of mutual funds.

There is legislation in the Companies Act and there is actually legislation in the Income Tax Act too dealing with unit trusts. We have already got a very thriving unit trusts in Barbados. The BMLAS segregated fund is probably, in value, close to I would think about \$400 million. That is a very significant amount of money in which is pooled funds usually pension funds whose investments are used for development and, obviously, they own units in them and the funds are mutual to this extent. I would expect that this would grow and that the expertise that our people here have gained in the management of mutual funds will extend regionally and, finally, extend internationally.

I am very aware that, already, some of the local mutual fund holders have gone into the Eastern Caribbean with mutual funds. One of the aims of the Government is to widen the area of co-operation in the capital market with the OECS countries. I had the privilege of being asked to be a member of the Government delegation dealing with a Treaty of Co-operation between ourselves and the OECS countries. That is one of the major aims. Already I will say that BMLA has been one of the companies that has formed an Eastern Caribbean segregated fund to do exactly that, as a pool of mutual funds within the Eastern Caribbean.

I would encourage the various pension funds in Barbados to look at this field - and declare an interest, as the Chairman of the National Insurance Board - and use this opportunity to say that the Board will be and must become a significant player in the capital market because, at the present, it has captured close to \$700 million in funds. This 'is the biggest collection of funds of any one player. I would expect that the instruments that we must use to invest those funds will have to be much wider than

merely deposits on commercial banks and lending to the Government by way of Treasury Bills or debentures and that we too will have to scour the offshore area.

Barbados is not only a jurisdiction which seeks out offshore business to come to its shores but Barbadian expertise and Barbadian business and funds can also go offshore in order to earn foreign exchange for Barbados. I regret very much when I read the sort of criticism I saw coming from a past Member of the Democratic Labour Party who crossed the Floor, was thrown out from the Senate and went and joined another Party, when he says, with the fact that Barbadian companies have now gone overseas into the international market whether it be in El Salvador or elsewhere to earn foreign exchange, that nothing has happened in the last 39 years to make a change in Barbados. That shows a complete misconception and misunderstanding of really where we must go as a people. It is a complete misunderstanding of history, of developments, of everything that goes.

To understand politics, you first have to understand that Barbados must become competitive in the world at large and that Barbadians must not only be the recipients of other funds but Barbadian fund holders whether it be governmental holders or individual holders at times have to use those funds in order to make a profit at the expense of other people in order to make Barbados stronger. If he does not understand that, I do not know how he will ever hope to come into this Parliament to make any worthwhile contribution to these types of developments.

I know now that the 2 major political parties in this country - and I have to make this clear that we do not issue the press statements that I see being issued by the other political party - now recognize that international business is the main area of growth in the twenty-first century. I think we both have to recognize that that international business will, of necessity, mean that our own business people and professionals have to sell their services offshore as well. I think that we have the human resources in order to maximize these opportunities.

I willingly support this legislation, Sir, and trust that the Attorney General will get, as I see we are getting, bipartisan support, on measures such as these.

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

Hon. Miss M. A. MOTTLEY: Thank you, Mr. Deputy Speaker. Sir, I rise in this debate to give support to the amendment, as proposed by the Government, in respect of international trusts and also to respond to what must be one of the clear challenges facing this country, if we are going to develop an effective offshore and financial services industry, and that is the human resources side of it.

It is interesting, Sir, because only on Friday last the Advisory Committee for tertiary education which met with me and which was recently established considered a number of issues before it including primarily, an expansion of training to be able to meet the demands in the informatics sector both at the high value added area which involves from software programming and courseware programming to summarizing texts and putting them in a form that is then sold on diskettes, *et cetera* which requires a far higher level of education than that at the lower end which tends to be simply data entry in that area. 5.00 p.m.

But one of the other areas, Sir, we considered in the whole question of services was whether or not Barbados should not move speedily to establish here a centre for services which would provide training at a number of levels and provide it in the blocks, particularly as required by persons working in the particular industry. By that I mean specifically, training for example, in financial services, training in corporate mechanisms, corporate affairs, training in the collateral matters to the entertainment and leisure business as the Honourable Member for Christ Church West referred to, both at the level of the professionals, the lawyers, the accountants, the bankers, but also at the level of those administrators who would in fact have to service the operations of the offices on a day-to-day basis. If we are going to meet certain challenges of developing this industry it is not only sufficient for us to bring to Parliament products created by new legislation, but indeed to back it up by the capacity to have persons who can effectively service these areas.

One of the critical advantages that we saw in so moving in that direction was that if we could so establish ourselves as a centre for excellence in the provision of training in these services, we would also go a long way towards promoting Barbados generally as a destination for the products that we are seeking to market in the international field now.

The Honourable Member for Christ Church West referred to Jersey and indeed, countries such as Malta are trying to make movements in this general area. It is significant because there are a number of international professional bodies that exist particularly in Switzerland and Jersey that provide training in the areas of financial services, banking, insurance and mutual funds management. They have standards which can be easily obtained by us in ensuring that whatever level of training we do eventually provide here is such that we can get accreditation for that training and indeed ensure therefore that our professionals can truly move through the world as is envisaged in the new world order set up by the World Trade Organisation in which the area of services has carried far more significance to the developed countries than the area of movement of goods. Therefore I believe, Sir, that Barbados

is well placed and we would hope to be able to work out in the coming months, the details of our capacity to so establish a school of services.

We have already, as I said at that Advisory Committee for Tertiary Education, been speaking to the Barbados Community College, the University of the West Indies, BIMAP and indeed once we have a blueprint we would be making contact with a number of major international professional bodies that in fact, as I said, have already established themselves in the provision of training courses in this area.

I think I can safely say that there is an absence of such training now in the Caribbean, both English speaking and Spanish speaking in particular, and one of the advantages of using the Barbados Community College, perhaps as one of the integral links of this training, would be to incorporate the language aspect of it which would not only open up a market in terms of us receiving persons from other countries to train, but equally allow Barbadians to begin to see emerging economies in Latin America as ripe for promotion and marketing of these very same international services.

The Honourable Leader of the Opposition said earlier that we were in danger with the Canadian focus that we had because there was only so much that one could get out of that market. He is correct in so saying and that is one of the reasons why this Government has been pursuing, as has the last Government, a number of bilateral treaties with other countries in Europe, in Latin America, and indeed I believe there is one with Cuba that is to be signed shortly which will ensure that our attractiveness as a destination of financial services will in fact be increased substantially.

I only wish, Sir, to say in this debate that the Government is very cognizant of the human resource element. If these industries are in fact to succeed properly, we believe that we have a good basic foundation on which to build in that our people have the basic educational requirement on which we can build; but equally as important, we believe that it is critical that professionals, accountants and lawyers and bankers in the Caribbean start to see the importance of training courses during their professional career and not simply believe that because they have trained as a lawyer or as an accountant or as a banker at the beginning of it they need no further training as they go along.

It is important that I say as well that these services will not be restricted simply to financial services but there are services in the entertainment industry, whether it be the management of copyright, whether it be the promotion of artists, whether it be the promotion of sports people, that must also be considered. One of the difficulties that we have, however, is that the sportsmen and the

artists themselves in the region have traditionally lived on the periphery of mainstream economic activity even if they make a lot of money doing so. We have, therefore, to face the challenge of incorporating them fully into the mainstream of economic activity, both in terms of regularising their earnings, and of understanding the tax benefits that in fact even presently exist from the earning of royalties. Many artists do not know, for example, that there is a 50% tax rebate on royalties earned under the Income Tax Act. Many of them also have never lobbied for further rebates on the earnings of foreign exchange while they are overseas. Many of them, for example, have not yet understood that if they are going to enter jurisdictions they must do so within the four limits of the law and get the work permits if that is what is required to work there legally. We would therefore wish to say that the National Cultural Foundation is mindful of many of these structural problems within the entertainment industry and we are systematically, particularly with the recent establishment of the business development section, seeking to deal with these structural issues, seeking to bring about a level of informal training as well as talking to these artists to ensure that they can become part and parcel of the mainstream economic activity and they too can make use, where the situation merits it, of the many ranges of financial instruments that are available, but that also the Government of Barbados, apart from our local artists, understand that the entertainment industry is a billion dollar industry worldwide and is a clear area where niche marketing can be done of many of these same services and products that we are speaking of today.

Perhaps the publishing industry, both music and book publishing could be one of the first areas that we look at and then thereafter perhaps the film industry because the type of marketing becomes easier because you are dealing with a localised community of people both in terms of producers, publishers, accountants and lawyers and it is therefore easier to spread the message of what is available and how you can in effect service their needs.

Sir, with those few words I would just wish to support the amendment to the International Trusts Act. Thank you. 5.10 p.m.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I was trying to wrack my brains but I think this has been the most satisfying debate that I have listened to in the last year. We have had very substantial, very thought provoking, very positive contributions from all who have spoken in this debate. But there is much that the Government can now go away and contemplate with a view to even making the offshore sector far more vibrant than it is, Sir.

I just want to respond to a few of the points that have been made. I think that in the area of offshore service there is a clear case for continuing legal education. Let me say this, Sir. I think that part of the problem which we do not admit is that there are only few lawyers in the profession who have a proper understanding of the offshore legislation and the offshore sector. It may be true that they are increasing everyday, Sir. If we just look at the numbers which are turned out from the Hugh Wooding Law School every October, this year there were 22 and last year there were about 24. It is almost 50 in two years. They are coming straight into a profession where they hear about all of these various vehicles and instruments of offshore banking, exempt insurance companies, international business companies, and society with restricted liability. Not one of those 46 in the last two years has had any special training either at Cave Hill or at the Law School in the area of offshore services.

Sir, it is going to be very difficult therefore for them to break into the field without a background. Some of them may have done income tax at Cave Hill and Company Law. That is as far as they would have got. But in the special area of offshore legislation, I am sure not one of them would have the little booklet that is published by the Government Printing Office containing all of the offshore laws. Therefore, I think that Government has a responsibility to assist in continuing education in this field.

When we brought the Shipping Corporations Bill a few weeks ago, I invited the promoter of that Bill, a Mr. Robinson from England, to come down to Sherbourne one evening to meet with the lawyers, accountants and whoever were interested and we had a little turn-out of about 7 and we went through the background of the Shipping Corporations Bill - the operations of the Bill, what it could mean for Barbados and I think people were sensitized. I intend to do a lot more of that. You know that we have a Registry in England and we have a Bill now. We had a meeting at Sherbourne and I think there needs to be more of that. I commit the Government to that in the future, Sir.

There was a time when the Central Bank I think did kind of promote in-breeding in this area because the Central Bank published booklets on the offshore business. You could send over to the Bank and get information about Barbados as an offshore sector in non-legalistic language. But in those books they had a small number of lawyers advertised. I do not know who gave them the right but there were about 4 or 5 lawyers who were mentioned here and they were the ones who had the headstart and have now after years been seen as leaders in the industry. I have no doubt that it was because of the kind of unfair advantage that was given by those publications that some have gone ahead and others have stayed behind. But I agree with the Honourable Leader of the Opposition. There has been a certain reticence on the part of the lawyers really to promote themselves. It is not a fear of

advertising. I have heard that at some of the conferences the lawyers are not as assertive - Can I put it that way? - as they ought to be whereas accountants would appear to be more aggressive.

Aside.

Hon. D. A. C. SIMMONS: I trust that the lawyers will take to heart the observations of the Honourable Leader of the Opposition who has been at these meetings and conferences and has seen them in operation. I think his words of advice are well worth paying attention to.

Mr. Deputy Speaker, the Law Reform Committee that was mentioned by the Honourable Member of Christ Church West will in due course be looking at rationalization, harmonization, need for amendment and repeal in some cases of some of the laws and I am sure that they will look at the trusts legislation. But I will make a specific reference to see if there are any anomalies which still remain.

I am sure too, Mr. Deputy, that sometime there will have to be consideration by the University authorities or the Law School for a change in the curriculum that will see the elements of the offshore business taught as a course. This can be done in different ways. It can be what they call a core course or the University can put on special courses and special lectures to sensitize the profession about the offshore business. But sooner or later there has to be special teaching either at Cave Hill or at the Law School in this area of offshore services, because the Caribbean is moving relentlessly towards the expansion of offshore financial services in almost every jurisdiction and sooner or later there is going to be harmonization of many of the laws. I think it will become a lot easier then for them to put on special courses either on the academic side or on the practical side, Sir,

There have been many points that have been made and I do not think it would be appropriate for me to respond to everyone in this debate. But I would give assurances to all of those who have spoken that I have taken to heart the comments that they have made in particular the Honourable Member for Christ Church South who expressed the view that when we draft legislation in this area perhaps we should send it out to interested parties in Canada and the States and so on to lawyers and accountants and get a more dispassionate view and a more objective view. 5.20 p.m.

Subject to the considerations of time, it is a worthwhile suggestion which can be followed up without any difficulty. Indeed, as I may have pointed out in my opening, this amendment this afternoon is the direct result

of contributions from firms of international accountants and lawyers overseas.

Mr. Deputy Speaker, before I finish, I would just wish to say that I am acutely concerned about the relationship between lawyers and accountants and the feelings of envy, jealousy, bitterness that are being engendered. That is why on Saturday I thought I should suggest that before one introduces any legislation to widen or limit the definition of "practise law" that at least we should have dialogue with the accountants and see what areas remain for discussion that we can ensure that there is not perhaps any more continuing trespass by the one profession into the province of the other.

I will try, as I have assured the Bar, in the new year to put together a meeting and see if I can resolve some of these difficulties without having to legislate what is meant by "practise law" and rule out certain people from the practice of law, or from purporting to practise law. I hope it does not come to that, because I think the two can co-exist.

There was a case a few years ago, Caparo, that has recently got home to the accountants, because I saw one on television two weeks ago making a plea for the Attorney General to bring legislation to limit their liability as accountants from actions for negligence, and I laughed and said to my wife that they have just read Caparo, which is a case I will not go into now, Sir. But those are the problems that arise, that is why I said that litigation is going to ensue, because where non-lawyers purport to practise law and give legal advice or opinion, sooner or later they are going to give negligent advice which is going to cause loss and somebody is going to sue them, and perhaps then they will stop practising.

I am aware of the trend towards multi-disciplinary partnerships. Again, we have to sit with the accountants and discuss this, because it can cause problems to have lawyers and accountants and chartered secretaries all in the same business offering advice and doing work for clients. The lawyers have very strict rules set out in a code about conflicts of interest, about advertising, about insurance and compensation. I am not sure that the accountants have the same stringency attaching to those areas, and you get problems in a multi-disciplinary situation where you have different rules applying to one set of professionals, as distinct from another, and they are all in the same pot, as it were. It is bad for the public, because the public will then get confused about the different levels and standards applying all in the same building but at different levels of profession.

These are some of the problems we have to work out, Sir. I have asked the Bar to initiate a dialogue with the accountants and I will be willing to do what can be

done on the part of Government to sponsor and facilitate a discussion next year.

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

Hon. G. W. PAYNE: I beg to second that.

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

On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. G. W. PAYNE, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. W. C. C. CALLENDER in the Chair.

Mr. CHAIRMAN: This Honourable Chamber is now in Committee.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

Hon. D. A. C. SIMMONS: Mr. Chairman, I beg to move that Clause 3 stand part.

Hon. G. W. PAYNE: I beg to second that.

Mr. D. J. H. THOMPSON: Mr. Chairman, just a point I think needs to be made on this. I listened to the speakers on the Government side very carefully and I listened to the Honourable Member for Christ Church South who made the point that the offshore sector as a whole has been developed or predicated on Barbados being a low tax jurisdiction, and that is a basic principle. Then I listened to the presentation of the Honourable Member for St. George South in which he contrasted the relative advantages of legislation to treaty countries as distinct from non-treaty countries, and then I listened to the Honourable Member for Christ Church West who said that different vehicles are being used in this domicile to attract investment for both treaty and non-treaty countries, and that you cannot essentially place yourself in an either/or category, with which I agree. This section, as I understand it, is seeking to address that issue, but I think the Government needs to make that viewpoint clear in the public domain.

At the start of the Government's term in office the then Minister made reference to an article appearing in Schneider's. Schneider is an expert on tax havens. Pick up any American Way magazine or any free publication and you open it and you see an advertisement to do with where best to hide your money, not pay tax, and I could give you a list of other things, or if you see any glossy books in the financial section of a bookshop with palm trees on it and dollar bills on white sand beaches, that is what Schneider

is talking about. What he says about Barbados is not relevant, because Barbados is not a tax haven, and in fact the kind of business that his journal promotes is not the kind of business that Barbados does.

I sought to make that point then and I was sharply rebuked, but the essence of this point is that it must be clear, not only by the tax policies in different kinds of legislation, but it must be very clear to the sector, to Barbadians functioning in the sector, other professions functioning, it also must be clear outside of the sector the kind of domicile that Barbados is. It is very critical for you, Sir, as Attorney General, because the requirements in relation to money laundering are becoming more and more onerous. I do not know what happens in Barbados, whether the banks really carry it to the extent that purports to happen in places like London and so on, but there are a whole range of concerns that are developing, and I think as a domicile, Barbados must not necessarily be in the either/or category, but needs to market itself in such a way that people do not view it as being a domicile which would attract the support or attention of those people who are writing, like Schneider, about tax havens and how to hide money and even in some cases the concerns that people have about asset protection trusts and that kind of thing. 5,30 p.m.

What I am really calling on is for Government to address that issue by stating whether those basic principles are still intact or whether in fact we are moving away from those principles. I detected in the speech of the Honourable Member for Christ Church South a view that he felt that a certain lobby was seeking to move Barbados in the direction of a tax haven and that is precisely the point that I was making some time ago to the Minister who did not then understand it. I don't want to talk in her absence. It is a very important factor, particularly for investment from domiciles like Canada. People do business in Barbados not just because of tax advantage but because of its reputation, the relationship with Revenue Canada and a whole range of Other features which are unique to Barbados.

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

On the motion of Hon. D. A. C. SIMMONS seconded by Hon. G. W. PAYNE, Mr. CHAIRMAN reported the passing of one Bill in Committee without amendment and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. D. A. C. SIMMONS seconded by Hon. G. W. PAYNE, the Bill was read a third and passed.

ORDER NO. 9 - RESOLUTION TO ABANDON
ACQUISITION OF LAND AT
CHARNOCKS, CH. CH.

Hon. G. W. PAYNE: Mr. Deputy Speaker, I beg to move this Resolution for the abandonment of the acquisition of 3 180 square feet of land at Charnocks, Christ Church. By Resolution No. 27 of 1971, Parliament had approved the compulsory acquisition of the said parcel of land for the purpose of constructing a bath and latrine. In accordance with section 5 of the Land Acquisition Act, Chapter 228, notification of the acquisition of the said parcel of land was published in the *Official Gazette* on 16th August, 1971.

Further to this formal vesting of the parcel of land in the Crown, the Chief Surveyor issued a notice under section 6 of the Land Acquisition Act, but no compensation was ever paid for the land. The parcel of land is no longer needed for the purposes for which it was acquired. Approval is now sought to abandon the acquisition of the said parcel of land by this Resolution and Parliament is now asked to approve the publication of the notice for abandonment as required by section 9(1) of the Land Acquisition Act, Chapter 228.

I now move that this Resolution do now pass. Hon.

Miss M. A. MOTTLEY: I beg to second it.

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

ADJOURNMENT

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, that brings us to the conclusion of Government Business for today. I now move that this Honourable House be adjourned until Friday, November 17 at 11 o'clock in the morning.

Hon. G. W. PAYNE: I beg to second that, Sir.

The question was put and resolved in the affirmative without division and Mr. Deputy Speaker adjourned the House accordingly. 5.40 p.m.

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