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THE House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1994 - 99

HOUSE OF ASSEMBLY

Friday, July 25, 1997

Pursuant to the adjournment, the House of Assembly met at 11.25 a.m. on Friday, 25th July, 1997.

PRESENT

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

J.P.

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

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

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

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

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

Sir HAROLD St. JOHN, Q.C., LL.B.

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

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

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

Hon. 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, Ministry of Foreign Affairs, Tourism and International Transport)

Mr. D. St. E. KELLMAN

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

Mr. C. A. MASCOLL, B.Sc. Econ. (Hons.), M.A. Public Finance.

Prayers were led by Mr. Speaker.

Mr. SPEAKER: The House is now in session.

MINUTES Mr. SPEAKER: The

Minutes for July 22, 1997.

Hon. D. A. C. SIMMONS: These are the Minutes for the Meeting of the House of Assembly for July 22, 1997. They are not yet fully circulated and I beg to move that these Minutes for the 22nd July, 1997 be deferred.

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

Mr. SPEAKER: If this is the will of the House then so be it.

ORDERS OF THE DAY

Hon. D. A. C. SIMMONS: I beg to move that the following Standing Orders, 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the balance of today's sitting.

Rt. Hon. O. S. ARTHUR: I beg to second that.

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

GOVERNMENT BUSINESS

Mr. SPEAKER: Resumption of discussion on the Urban Development Commission Bill.

Mr. F. J. STUART: Mr. Speaker, I rise to make a very brief contribution to this debate, the debate on the Urban Development Commission Bill. Debate on this Bill began on Tuesday last and a number of Honourable Members of this House spoke. The impression was given that the Democratic Labour Party is opposed to the concept of urban development, that we are opposed to people getting their houses repaired, that we are opposed to people getting their sanitary facilities improved, that we are opposed to people having slums around them cleared and that kind of thing.

I should like to begin by saying that that is an unfortunate misrepresentation of the Democratic Labour Party's position, that so far as the objectives of this Bill are concerned the Democratic Labour Party considers that the rationale of the Bill is laudable. Nobody can have any quarrel with the functions of a commission in Barbados in 1997 which is designed to provide housing having regard to the fact that there is so acute a shortage of housing, especially low income housing in Barbados. Nobody can have any quarrel with a commission one of whose functions is to construct houses or to refurbish buildings or to alter, enlarge, repair or improve houses or other buildings or to execute plans for slum clearance and redevelopment or to provide assistance in the establishment and development of cottage industries in urban areas.

It is not the rationale of the Bill with which the Opposition has a problem. As a political party we have committed ourselves to the concept of urban development. I believe our 1991 Manifesto speaks of urban renewal and committed the party to the concept and a programme of urban renewal. So it is an unfortunate misrepresentation of our position to suggest that the speech of the Honourable Member for St. Michael West was designed to suggest that the Opposition, the Democratic Labour Party, is against improving the physical and sanitary conditions of people who live in urban Barbados.

I was saddened by the scarcely veiled threats coming from the Other Side of the House that if the Opposition votes against this Bill, St. Michael M.Ps. cannot expect to benefit from the programmes which are to be carried out under the Bill. Those comments came by way.

Hon. G. W. PAYNE: On a point of order, Mr. Speaker, the Honourable Member is misleading the House. Nobody made such statement or gave such threats. The comments to which he is referring maybe are related to certain comments that were in the press.

Mr. F. J. STUART: Mr. Speaker, I will move on. I know what I heard. I do not doubt my own ears and I am still *compos mentis*. So it is not the rationale of the Bill with which we have any quarrel. What we on this side say is that the Bill has a dangerously long and flexible reach and I want to illustrate what I mean.

In August 1995, Mr. Speaker, this Parliament debated and passed a Rural Development Commission Bill which established a Rural Development Commission. The Rural Development Commission Act established a Rural Development Commission but nowhere in the Bill was the word rural defined. The Opposition, after expressing some of its concerns supported the legislation because again no serious and enlightened political party can have any quarrel with the improvement of the lot of persons who live in rural areas. So the Rural Development Commission was established to take care of the concerns of people who live in rural areas. We now have an Urban Development Commission Bill before the House and this Bill does not define urban area either. This Bill leaves it to the Minister of Housing to designate from time to time areas as urban areas in Barbados. So we do not know where the rural areas of Barbados are according to the Rural Development Commission Bill and we do not know where the urban areas of Barbados are according to the Urban Development Commission Bill.

Now the Barbados Labour Party's Manifesto, it is to be conceded, speaks of urban development and in speaking about urban development I believe it mentions the parish of St. Michael. I think it also mentions the parish of Christ Church. I speak subject to correction. I do not have the Manifesto before me. I am certain it mentions the parish of St. Michael and Honourable Members on the Other Side of the House who spoke on Tuesday, in their speeches mentioned the parishes of St. Michael and Christ Church. 11.35 a.m.

The Bill does not say what it means by urban areas. It leaves it to the whim or caprice of the Minister of Housing to decide what is an urban area in Barbados at any given time.

So, what will happen once this Bill is passed in its present form, is that nobody in Barbados will be able to say where the jurisdiction of the Urban Development Commission ends and where the jurisdiction of the Rural Development Commission begins. So conceivably you could have in Barbados, a situation where* the Rural Development Commission is doing work in

accordance with the powers vested in it by the Act at Church Village, St. Philip, while the Urban Development Commission is doing work in accordance with the powers vested in it by the Act at Marleyvale, St. Philip. One commission would be regarding a part of St. Philip as urban and another commission would be regarding another part of St. Philip as rural.

Now, we think that that is dangerous because the first requirement any law must satisfy is the requirement of certainty and the uncertainty of jurisdiction contained in this legislation is a cause of acute disquiet to the Opposition. It is not true to say that we impugn the rationale of the Bill so far as it intends to improve the quality of life of people in urban Barbados, wherever urban Barbados is.

But, this Bill has a long and dangerously flexible reach that puts the Commission in a position where one part of St. Philip South can be urban and another part rural, and both Commissions could be working in St. Philip South at the same time, pumping money into the constituency.

Asides.

Mr. F. J. STUART: Now, Mr. Speaker, what makes for a little more concern is this, Barbados has a physical development plan which is still in force. The Physical Development Plan has a concept of an urban zone.

The Chief Town Planner in the grant or refusal of permission to develop certain parts of Barbados has to contemplate where the urban zone of Barbados is. A corridor, from I believe somewhere in Checker Hall in St. Lucy, to Ragged Point in St. Philip. That is the urban corridor which, according to recent surveys, shows that about 70 percent of the population of Barbados live along this, so-called urban corridor.

What are we to make therefore, of a Bill that leaves urban area undefined where a Manifesto talks about St. Michael and, I believe, Christ Church and the Chief Town Planner has a completely different concept of urban area, altogether. What is going to be the role of the Chief Town Planner in all of this?

I noted, as I combed this legislation, that nowhere is the Town and Country Planning Act referred to or mentioned. The Housing Act is, the Land Acquisition Act is, but it seems to me that this piece of legislation, even if not designed so to do, will have the effect of marginalising the Chief Town Planner and that we view with a certain amount of disquiet. What is going to be the role of the Chief Town Planner?

The provisions of the Town and Country Planning Act have not been incorporated by reference. The jurisdiction of the Chief Town Planner has not been protected as has been the jurisdiction of the National Housing Corporation under the Housing Act. So what is going to be the role of the Chief Town Planner? He has his own concept of an urban zone under the Physical Development Plan. Is the Minister going to say, is the legislation intending to say that the Minister can designate urban areas notwithstanding what the Chief Town Planner feels, or are these urban areas going to be designated in accordance with what the Chief Town Planner and the Physical Development Plan prescribe?

Unless the Opposition can be clear on these things, our support for this Bill has to be withheld, because we now have a number of different definitions of urban and we do not see any protection for the Chief Town Planner in the legislation. We know that the procedures for acquisition under the Land Acquisition Act will be preserved, the Bill says so. We know that to a certain extent, although to what extent I am really not certain, the jurisdiction of the National Housing Corporation under the Housing Act will be protected. But nowhere in this legislation is any reference made to the Town and Country Planning Act or to the Chief Town Planner. And, that is a cause for concern, because, as I said, Barbados has a physical development plan which is still in force and the Chief Town Planner grants or withholds permission to develop urban areas in Barbados dependent on whether the applications comply with the framework laid down by the Physical Development Plan and satisfies the requirements of the Chief Town Planner.

That piece of legislation also makes provision for set procedures for appeal and therefore the citizen is protected and the Government is protected. What I do not understand is why the Chief Town Planner seems to be in danger of being rendered totally irrelevant, or certainly being marginalised by this legislation at present before the House.

So with the rationale of the Bill, the Opposition has no quarrel. With the reach of the Bill, however, we have every reason to quarrel because we do not know where the jurisdiction of the Urban Development Commission ends and where that of the Rural Development Commission begins. We think that the first requirement which the law has to satisfy is the requirement of certainty and this legislation makes no contribution to the concept of certainty having regard to the fact that it leaves the designation of urban areas to the whim or caprice of the Minister of Housing at any given time.

There is rationale and there is reason and flowing necessarily from these two there are repercussions. What kind of development can we expect in Barbados in circumstances where the Chief Town Planner is going

in one direction and the Minister of Housing is going in another?

11.45a.m.

Can we have the plans and the orderly development which the physical development plan contemplates or are we going to have spasmodic development, uncoordinated development, whimsical development which it seems to me this Urban Development Commission Bill will allow? That is a repercussion that is horrible to contemplate for us on this side because we believe that some respect has to be paid to those persons who put themselves to the trouble to produce a physical development plan for Barbados and to contemplate Barbados' physical development along certain lines.

If the Government is being frank with the country on this issue, there can be nothing wrong, since the manifesto is a social contract, with saying in the Bill that "urban area" means an area of land in St. Michael or Christ Church or wherever designated by order made by the Minister. Let us know what we are talking about.

The manifesto is supposed to be the social contract. The Barbados Labour Party's Manifesto speaks of St. Michael and I believe it also speaks of Christ Church. It may have spoken of one other parish but the Honourable Members who spoke on that side last Tuesday all mentioned St. Michael. If it is St. Michael the Government means, say that urban area means an area of land designated in St. Michael by the Minister. We have no quarrel with that. At least we would know where the jurisdiction of one commission ends and where that of the other begins.

In this atmosphere of uncertain and unlimited jurisdiction, we balk at the consequences that could flow from the abuse of power under this piece of legislation. And, therefore, having regard to the fact that we do not know what is an urban area and what kind of development the Government contemplates in what corner of Barbados, and having regard to the fact that we do not know what is going to be the role of the Chief Town Planner in all of this - I heard the Honourable Member for St. Joseph saying on Tuesday that application will still have to be made to the Chief Town Planner. There is nothing in this legislation that suggests that the Chief Town Planner's jurisdiction is protected or preserved. We have grave reasons for withholding our support from this legislation.

It is easy for the Government to say that the reason why we are withholding support is because we do not want the people of St. Michael to have their physical conditions improved. That is not it at all. No honourable Member on this side has said any such thing.

We have no quarrel - let the record show - with the rationale of this Bill. It is consistent with Democratic Labour Party policy. It is consistent with Democratic Labour Party outlook. What we have problems with is the dangerously long and flexible reach which this Bill gives to the Urban Development Commission and also to the Minister, having regard to the provisions of the Bill itself and having regard to what is contained in the Physical Development Plan to the extent that the plan defines the urban area of Barbados from that corridor from Checker Hall to Ragged Point.

We think the repercussions that will flow from this Bill can be grave for the coordinated and regulated development of Barbados and we call on the Government to take a second look at this piece of legislation and certainly to clarify the role of the Chief Town Planner having regard to the fact that this Bill does not seem on its face to contemplate any role for that very important public officer.

The Bill also makes provision for the acquisition of land and perhaps the Government can tell us when these lands are acquired whether it is the Commission or the Crown that will compensate people for these lands that are acquired. That area is not clear in the Bill either. Can the Commission go out there and acquire people's land and then call on the Crown to compensate the people or does the Commission using its powers of borrowing and using its assets in the Urban Enterprise Fund compensate those persons whose lands have been acquired?

The Bill does not make clear and I am looking at the Urban Enterprise Fund, clause 28 of the Bill which bears no indication in the Bill who will compensate those persons whose lands are acquired by the Commission under the Land Acquisition Act. Will the Commission do the compensating or is it the Crown that is going to do the compensating?

Mr. Speaker, I have a grave quarrel with the provisions of this Bill. Any lawyer knows that the first requirement of law that has to satisfy is that it is certain. This Bill does not satisfy that requirement insofar as we do not know what part of Barbados this Bill refers to. We do not know if the Bill intends to follow the framework of the Physical Development Plan of Barbados and to have the Minister limit himself to designating areas in the urban zone contemplated by that Plan or whether the Minister has *carte blanche* to go any part of Barbados he feels like having the Commission spend some money and designating it an urban area for purposes that may not always be public but can sometimes be electoral. We have grave concerns over that and in this present form therefore we think the Bill is an open sesame for abuse and we cannot support it in its present form.

I associate myself fully with the statement of my friend and colleague, the Honourable Member for St. John, that a Democratic Labour Party Government cannot administer the affairs of Barbados under this Bill as it is presently drafted. We will have to take a hard second look at it and tidy it up to protect the Chief Town Planner and his role, to guarantee the regulated and coordinated physical development of Barbados and to make sure that it satisfies the requirement of certainty which is the first requirement of any law.

There is nobody in this House, no Honourable Member, who can tell me, based on this legislation where the jurisdiction of the Rural Development Commission ends and where that of the Urban Development Commission begins. On that ground alone, the Bill collapses, morally speaking, and cannot rely on my support. I am obliged to you, Mr. Speaker. 11.55 a.m.

Hon. D. J. H. THOMPSON: Mr. Speaker, I recognise what the Government's tactics are in this Bill but when one has a position, as we do, it does not matter the order in which we put it so that Honourable Members on that side can sit and salivate, if they wish, but our position is so strong, our position on a matter of principle is so solid, and our case has been so eloquently put by members on this side, starting with the Honourable Member for St. Michael West, with a refresher course for the Government this morning by the Honourable Member for St. Philip South, that we do not need to have any concerns. We are very happy, Mr. Speaker, to put our position on this Bill before the public of Barbados. At the end of the day it is the public that has to judge.

Mr. Speaker, I wish to reiterate the point made by the Honourable Member for St. Philip South about the philosophy of the Democratic Labour Party in relation to urban development, about the long history of policies and programmes which had been put in place by the Democratic Labour Party in respect of urban development and the focus which, in our successive development plans, physical development plans, manifestoes and in the legislation which we brought before Parliament, has brought to the issue of urban development in this country.

I wish as a rider to that, or a caveat, to agree with what the Honourable Member for St. Philip South has said because a Rural Development Commission has already been established, and I make the assumption that St. John would have to be urban because the Rural Development Commission has not done anything yet in my constituency, not a single parish so I make the assumption...

Mr. B. M. TAITT: On a point of order, Sir. The Honourable Member is the representative of St. John and is saying on his feet that the Rural Development

Commission has done nothing for St. John. Your Honour will recall that when the Honourable Member was not in his chair that Honourable Members on that side started categorising and saying that the Honourable Member was deceitful because they had done so much for St. John in the Rural Development Commission.

Aside.

Mr. B. M. TAITT: That is what the Honourable Members on that side said, Sir. I think the record of the House should show. Now that the Honourable Member has spoken, he has hardly started before he is not able to say categorically that nothing has been done for St. John and they came in here when he was not here, Sir, and misled the House.

Mr. SPEAKER: What is the point of order, Sir?

Mr. B. M. TAITT: That these three Honourable Members over there have inadvertently misled all of us in this House when the Honourable Member was not here, Sir.

Mr. SPEAKER: That is no point of order, please. Let us proceed, please.

Hon. D. J. H. THOMPSON: Mr. Speaker, I do not know what was said in my absence from this Chamber and I do not pay any attention to interventions made on that side which are not buttressed by the facts.

The Honourable Member for St. Peter went in a Press Conference and told the public of this country that I had not submitted any names to him at all or any projects for poverty alleviation. That Press Conference was some time in June. I think it was...

Aside.

Hon. D. J. H. THOMPSON: Mr. Speaker, this is all about urban development.

I have a letter from the Director of Finance which I received in my office during the course of this week. The Director of Finance is saying that he acknowledges receipt of my letter dated June 14. Now, the Press Conference was after June 14, and pointing out that it was addressed to the Prime Minister and Minister of Finance and Economic Affairs on the above matter. It was a front page story that members of the Democratic Labour Party had not submitted anything to the Honourable Member for St. Peter.

The Honourable Member for St. Philip South has also submitted to the so-called poverty alleviation guru,

whoever he or she may be, information in relation to people who are in distress. This Government cannot be taken at its word on matters of this sort. I am glad that intervention was strategically made by the Honourable Member for St. Michael West, not to move me off the point, but the whole purpose of establishing these Commissions, we were told, was to speed up the process, cut through the red tape and to remove the role of public officers like the Chief Town Planner, the Welfare Department, the National Assistance Board and all of those officials who the Government said were slowing down the process; that there were all of these little niggling concerns which poor working-class people had and that the Honourable Member for St. Peter was going to put in place new institutions to speed up the delivery of services.

Would you believe now that having put in place a poverty alleviation fund, Mr. Speaker, to speed up the delivery of these services, and I notice the representative for St. Michael Central recently had to point out the number of names he had to submit to the Poverty Alleviation Committee for attention. Do you know what is going to happen to them, Mr. Speaker? I want to let the Honourable Member for St. Michael Central and all Members in this Chamber know what is going to happen to those names?

They take the same cases that you submit to the Poverty Alleviation Committee and submit it to the National Assistance Board, the Chief Welfare Officer and other Government Departments to make assessment of the work to be done to assist these individuals. These people are people who we have already sent to the NAB. We have already sent them to the Welfare Department.

This is what the Director of Finance is telling me. Let me quote paragraph 2:-

"The cases which you have mentioned in your letter under reference are being considered by the Committee which has been set up to advise the Minister on how the funds that have been provided in the Estimates should be allocated."

I did not know that he had any doubts about that but I am now discovering that he is not sure how the money should be spent.

So, Mr. Speaker, the next paragraph says:

"The National Assistance Board, the Chief Welfare Officer and other Government Departments have been asked by the Committee to make assessments of the work to be done to assist the individuals you have identified and it is expected that work will begin shortly starting with the most urgent cases."

All the Government has done, and I will make it a document of the House because I wish to give Honourable Members the benefit of documents. I know there are people who like to throw a lot of documents around in here.

Mr. Clerk you can circulate it in case other Honourable Members on that side do not know that the Poverty Alleviation Committee is yet another tier of bureaucracy, or a post office.

Ministers can have access to confidential information about individuals in distress. Barbados has reached a sad point in our affairs. I have been Minister of Welfare before, Minister responsible for the NAB and other than those names that I have submitted, I have never asked to see a list of the persons who have benefitted from welfare or from national assistance under my jurisdiction because I do not think that is the way Barbados should move ahead.

If the Honourable Member for St. Peter wishes to lead a Government which has as the singular focus the desire to remove from the hands of independently appointed public officials accountable to the Minister who is then accountable to Parliament, and put it in the hands of people chosen at the whim and fancy of the Minister on the basis of political affiliation, on the basis of friendships, and on the basis of a whole set of other irrelevant considerations to determine how rural development should take place in this country, to determine how urban development should take place in this country and to determine who of the poor should receive assistance from a poverty alleviation fund. 12.05 p.m.

We have returned to Mottleyism. I was looking in the Caribbean Lexicography and in the dictionary by Mr. Allsopp to see if that word appears there, but we all know what it means. It means begging bold politics, handouts, mendicancy, lining up for tokens - that is the contribution that Mottleyism has made to Barbados and it is now in ascendancy, we will see how emancipated we are shortly when that level of Mottleyism is once again visited on the people of the country.

Mr. Speaker, Sir, we cannot even support the Government on its short record. If they had a record which to this point had pointed to us that the establishment of these Commissions and Committees were advanced in the interest of the people rather than narrow partisan interest, we would understand.

The Honourable Member for St. James North has pledged his seat but it is common knowledge in here that members of the back bench were walking all over the place telling people that in the allocation for street lights in rural Barbados that the Honourable Member for St. James North was making sure that he got the lion share, I am not

talking about the ones that M.T.W. puts up. I know that other than a few which were put up in College Savannah recently that not a single street light had been installed anywhere in the constituency of St. John since 1994 either under the Rural Development Commission or otherwise. Not a single tenantry road had been done in that constituency. Were it not for the Honourable Member for St. Andrew's Ministry which is about to do 25 tenantry roads, one of which happens to be located where the Honourable Member for Christ Church West resides at Society, we would not get a single tenantry road and all of this talk about rural development in Barbados.

There is some confusion about what rural is and what urban is. You have the Ministry of Transport and the Rural Development Commission doing tenantry roads and next time you will hear the Poverty Alleviation Committee will be doing it. The private sector is doing some and then, Mr. Speaker, you have the Rural Development Commission which has not done a single project since it was established in the constituency which I represent. I think the Honourable Member for St. Philip South will be hard pressed to identify any in his constituency.

Asides.

Hon. D. J. H. THOMPSON: I do not know about St. Lucy but we understand that all we are getting is one road under the Ministry of Transport & Works.

The Honourable Member for St. James North had the temerity but this is a sad development as well that in the process of defending...

Hon. G. W. PAYNE: On a point of order. The Honourable Member is misleading the House. He is giving the impression that when the last administration was in Government that they actually took care of other constituencies. In St. Andrew, for eight years we did not get one single project, Mr. Speaker, not one single street light, not one road, not one single housing project, the drainage was in a state. What we are now witnessing is a Commission that will do a lot of work throughout the island and at least we are getting somewhere. We also have a few more Commissions to set up.

Hon. D. J. H. THOMPSON: I do not know what that contribution was supposed to add to this debate unless the Honourable Member is saying that he is retaliating. If he is saying so, I am saying that we agree with you that you are retaliating. We agree with you that the Government is retaliating for its perception. You cannot walk around and say that you are interested in speeding up the development of all of Barbados while at the same time adopting a policy of retaliation against an administration which you said was the worst in the history of this country.

Mr. Speaker, Sir, that is the only response that I can give to the Honourable Member for St. Andrew. I will go on to say this. It is also a sad day in the history of Barbados when Ministers can get up in this Chamber and single out individuals, whether by name or otherwise for token assistance which they have given them.

I just had to write to the Rural Development Commission to seek assistance for two people for banana farming in Newcastle and Mr. Speaker, the Rural Development Commission has not given anybody any assistance yet. It has said that it will be sending a form to them to fill out and I quote: "Please be assured that contact has already been made with the person and a loan form has been sent to her. In my conversation with her, she pointed out there would be need for only one loans form." I thank the officer who wrote to me to point out that they would be considering this application.

Mr. Speaker, Sir, this is a laughable scenario which is being presented to this Chamber by members on that side of the House. We cannot support this Bill against that history. Even if there were not the legal issues that have been raised, we want urban development and we believe that the entities, some of which already exist, which can deliver, are the entities which should be given the resources. If M.T.W. is going to be able to do 25 roads over the next 18 months according to the Honourable Member for St. Andrew, according to the tender notices and so on, it must mean that with more resources and greater flexibility, that M.T.W., using the transparent processes of Government, with the Minister accountable to this Parliament, can do twice as much work, whether by contracting it out or doing it itself.

This Government is moving away from that. Eventually you will have a situation where Ministers will have very little say except to the extent that they are well represented on the Boards of these Commissions in relation to how resources are allocated to the work that is done. This talk about flexibility is simply a ruse on the part of the Government to make available large sums of money to different entities to spend as they wish without the level of accountability that we think that is necessary and prudent. The money is being spent by persons who are not independent, they are not appointed by the Public Service Commission, they function at the whim and fancy of the Minister.

A Minister who has not yet been able to define where urban begins, where rural ends, where poverty starts and where it ends, what specific projects the Urban Development Commission will undertake or what work the Rural Development Commission will undertake. All of that is up in the air. What you have in Barbados today, Mr. Speaker, is money walking around without an owner and the Government now wants to set up Commissions

to corral that money and to direct it in areas most beneficial to the Government to the exclusion of other taxpayers who are making their contribution to the development of this country. We cannot support it.

The Honourable Member for St. Thomas, I hope he is making copious notes, because he least of all should be supporting this kind of thing. It is a badly drafted Bill, a product of his Department, hopefully not his mind and Mr. Speaker, Sir, he should be ashamed to bring this type of legislation to this Chamber because if it is in his interest to safeguard the rights of citizens in this country...

Hon. D. A. C. SIMMONS: On a point of order. Let me just make it very clear. I am very proud of the work that was done on this Bill by the Chief Parliamentary Council and all the other officers in the Ministry, in the Committee with the people from the Ministry of Housing, including the Town Planning, everybody. I am proud to bring this Bill. That there is some emptiness on the other side, I will expose later on. 12.15 p.m.

Hon. D. J. H. THOMPSON: Mr. Speaker, Sir, that does not bother me. The Honourable Member is always sensitive to any criticism. I am saying it is a poor Bill, it is badly drafted and it reflects on you as a Minister and you can jump up and down in your seat as you want. You want always to be right.

Mr. SPEAKER: Order, please. Order. Honourable Member, please let us avoid that today. Could you proceed?

Hon. D. J. H. THOMPSON: I am calling on the Minister to be accountable. The Minister has to account to this Chamber for the quality of his work as Minister. I am not getting into anything except what I am elected to do and the Honourable Member is not going to dictate to me the level of my criticism. The Attorney General has to react to the directives which he is given, so I will give him an out because he likes to always have an out. The out which the Honourable Member has is that a very crafty political mind has been able to design the policies which have resulted in these Bills. That is what I am saying, Mr. Speaker, Sir, and that crafty political mind however is the same kind of crafty political mind that has demonstrated, that even with millions of dollars available and spreading throughout a country sometimes it does not work in your interest because as we always say if not the Shah of Iran would still be in power in Iran, Eric Gairy would still be in power in Grenada and you can list Noriega. All of them would still be in office in 1997 as we speak.

People are thinking and they are assessing these things for what they are worth and I say to the Honourable Member for Christ Church South, who was very critical of

the Opposition for not supporting the objectives of this Bill, that when I brought a piece of legislation here called the Public Enterprise Investment Fund into which we put the proceeds of privatisation and never spent a cent of it, the Honourable Member had difficulty with the objectives of the Bill. I did not have any. I was in Government and I supported it. Little did I know that he would be one of the first beneficiaries of the resources in that fund. Little did I know that \$10 million of that or more is being used to prop up a business...

Aside.

Hon. D. J. H. THOMPSON: Personalised? When we were accused of establishing a slush fund in here and accusations of corruption were made against the Democratic Labour Party in 1994 and implications and imputations were heaped on the head of the Minister you had no difficulty. You did not pull anybody's coat tail and stop them.

Mr. SPEAKER: The Honourable Member, please. You can make your points without becoming personal.

Hon. D. J. H. THOMPSON: There is nothing personal in that.

Mr. SPEAKER: The Honourable Member, please. I am directing you. I am suggesting to you, these are all Honourable Members in here and you will respect every one in here as an Honourable Member. Proceed please.

Hon. D. J. H. THOMPSON: Mr. Speaker, Sir, I accept your ruling. I am going to proceed. Nobody will stop me from proceeding. That is why I am glad the Honourable Member for St. Thomas did not get up and say anything either because he did not find it personal. I am not a shareholder of any company that benefits and there is nobody on this side that is any beneficiary of the Public Enterprise Investment Funds resources, whether directly or indirectly.

Mr. Speaker, Sir, we set up that fund with the purest of objectives. We set up that fund with the purest of notions about how it should develop Barbados and the Honourable Member for Christ Church South came in here and rolled through this Chamber with a bitter invective against the Democratic Labour Party and said that we faere setting up a slush fund to win the election and to prop up ourselves in Government.

Mr. Speaker, Sir, I can say this without fear of contradiction. There is nobody on this side who has benefitted and those whose corns are being mashed by what I have to say, it is about time somebody mashed their corns. So we have a right to question the objectives and

I will not accept any tutelage from the Honourable Member for Christ Church South on matters such as that. His gas tank is on "E". That is the problem so whatever issue comes up, Mr. Speaker, Sir, he gives his puff of hot air and attacks this Opposition. Honourable Members on that side did not tell him that he was mashing the crease. They did not tell him, go easy. They never said do not personalise it. Accusations were made which were then bitter but the fund is available. The Government has taken the money, set up a GEMS project...

Mr. SPEAKER: The Honourable Member, please. I am sure you do realise that we have a Bill before the House and that according to the rules I cannot allow you to just proceed and discuss any matter unless it relates to the Bill before the House. It does not sound like poverty to me.

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, I rise on a point of order, Sir, because "E" relates to empty and that is poverty if you cannot put gas in the car. I am more concerned, Sir, that my name begins with "E" as well, "Erskine". I was wondering, Sir,

Mr. SPEAKER: I do not believe there is anything empty about you.

Hon. D. J. H. THOMPSON: Mr. Speaker, Sir, this Government cannot be taken on its word when it talks about lofty objectives for the development of Barbados. Their history since 1994 is questionable and it is not just the Democratic Labour Party that questions it. They have their public relations spin for everything but there are certain categories of Barbadians that they cannot win over no matter how they try and on matters such as this the public is able to make an assessment.

What I am saying, Mr. Speaker, Sir, now is not anything that I went and researched myself, it is something that members of the public speak about day after day about this Barbados Labour Party administration. If Mr. Speaker, Sir, there are members in here who are not hearing it or do not want to hear it in this Chamber, they have a second thought coming because as long as the rules permit it and I know that they do, the opportunity exists for me to raise it.

I am sorry that the protection which is being afforded to some people in their absence WPS not afforded to the Honourable Member for St. Michael West when personal attacks were launched on him. I congratulate this Chamber for its wind of change or for when personal attacks were launched on the Honourable Member for St. Michael South. So corns are being mashed and everybody now is getting frightened. They do not want Members of the Opposition to speak. It upsets them, Mr. Speaker, Sir,

because as I say we cannot take them on their word. We have not been able to, since 1994 to accept it and we have not been afraid to oppose before.

Mr. Speaker, Sir, we have lived to see those who in their front page editorials savaged us for opposing a constitutional amendment. Mr. Speaker, Sir, we have had to continue working hard to keep our policies before the people. There is no plan for urban development which has been put before this Chamber. We have spoken about the major concerns which we have in relation to this Government and apart from the legal and technical issues which are valid issues, the Honourable Member for St. Thomas can ignore them at his own peril.

When we raised concerns about the Rural Development commission the Honourable Member for St. Thomas gave us some undertakings about future legislation and the way it would be drafted. I am seeing an exact repeat of what was in the Rural Development Commission Bill being reproduced in this one.

Mr. SPEAKER: The Honourable Member has one more minute.

Hon. D. J. H. THOMPSON: Why should we accept the undertakings of this Government. We believe in urban development. We believe, Mr. Speaker, Sir, that the Government has to come with a plan for urban development, that that plan must be coordinated, if you want, by a commission or whatever but that the ultimate responsibility, direction and control must come from the Minister and those public officers who have independence and the authority to undertake issues like that and who are accountable to this Parliament. 12.25 p.m.

This is a recipe for a continuation of "pork barrel" politics which does not even seem to include all of the Members on that side, Mr. Speaker, Sir. Some of them are being left out of the process, whether as outside children or otherwise, but we have to speak for them, because some of them do not have enough courage to speak for themselves, so we are speaking on their behalf in saying that we cannot accept that this Bill advances the interest of the people of Barbados.

I want to thank those Members on my side who have spoken on it so valiantly and we will not be supporting this legislation and will repeal it at the first opportunity and replace it with the kind of progressive 'policies which will advance the interests of the masses in this country.

Thank you.

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

Hon. D. A. C. SIMMONS: Mr. Speaker, I did not intend the other night to speak in this debate, but this morning's contributions have ensured that I make a brief intervention in relation to this Bill.

I have just glanced through the-* Bill again to see where it appears in the Bill that there is a provision which has been replicated from the Rural Development Commission Act about which I gave an assurance in the past.

If the Honourable Member will point out to me the Clause in the Bill that is similar to a clause in the Rural Development Commission Bill that he complained about and about which I gave an assurance that we will look at it in the future and not bring it back, I will be happy to look at it again, deal with it or whatever. He said that I have brought back sections in this Bill which are the same or similar to sections in the Rural Development Commission Act and that in relation to those particular ones I gave.

Hon. D. J. H. THOMPSON: On a point of elucidation, Sir. I would like the Honourable Member to refer to the comments which were made in the Rural Development Commission Bill in relation to the ouster Clause.

Asides.

Hon. D. J. H. THOMPSON: Well, do you want it from the Rural Development Commission Bill? The ouster Clause in this Bill...

Asides.

Hon. D. J. H. THOMPSON: I will give you the Clause number, you continue.

Hon. D. A. C. SIMMONS: If that is the one you are talking about where the dissatisfied person can appeal to a Judge in Chambers and the decision is final, I never gave any assurance about that. We were talking about that part of some statutory board legislation that says that the validity of an Act of the Commission could not be challenged. That is the one that appears in several Acts. In that one, I explained to the Parliamentary Counsel that my view is that having regard to the width and extent of judicial review that I do not think it is apposite to put it in.

Asides.

Hon. D. A. C. SIMMONS: That is the one I talked about. You can show me when you find it.

Mr. Speaker, Sir, I just want to make three or four points on this Bill.

When you see as an Opposition group potentiality of legislation for doing good and for attracting credit to the Government, we understand that it is the role of the Opposition to try and debunk it. But I expect that if they try to debunk it they will do so on grounds which are reasonable, logical and sensible. This Bill provides that the definition of urban will appear in a ministerial order. What is wrong with that? It clearly states that the Minister of Finance comes in budgetary presentation and increases gas prices or whatever. Subsequent to that the details appeared in ministerial order. If it is consumption tax or whatever, we can do an order.

This Bill says that urban will be defined by ministerial order.

Asides.

Hon. D. A. C. SIMMONS: The Act applies only to land in Clause 4.

Aside.

Hon. D. A. C. SIMMONS: Do not ask me which Minister. Go to the Interpretation Act and see what the Interpretation Act says about the Minister. It is not in every Bill. You do not even have to include it.

Asides.

Hon. D. A. C. SIMMONS: We put it out and we say in the amendment that "Minister" means "Minister responsible for Housing." But in an Act, as the Honourable Member for St. Michael South West will tell you, you do not have...

Asides.

Mr. B. M. TAITT: On a point of elucidation. You raised the question and you said something. You were not here when I made the point but I want to make the point which I made in my speech, Mr. Speaker. Section 4 says,

"This Act applies only to land in urban areas that is designated under section 5 and is vested in the Commission."

But section 5 says, "the Minister may by order," may by order, may by order, "designate an urban area for the purposes of this Act."

So what 4 is saying,...

Asides.

Mr. B. M. TAITT: At least that. But when we get into Committee, we will discuss it in further detail.

The point I am making, Sir, and I am elucidating because I think the Attorney General will take the point. The point we are making is that Section 4 says that it applies only to certain kind of lands.

Asides.

Mr. B. M. TAITT: Mr. Speaker, these are the points which are not being taken by some of the people who do not understand the argument that is being made.

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

Hon. D. A. C. SIMMONS: It is not a question of beginning to see anything. Since Friday, it was agreed that just as the Bill had some typographical errors, look how they spelled "access" and "assess" and all of that, but the miss is in Clause 4, it should read,

"...designated under section 5 or is vested in the Commission," firstly.

Now, there is an argument as to whether they should have a ministerial discretion in Clause 5 or it should be mandatory. I have no strong feelings on it because from time to time when the Minister wishes to designate, he will do so and declare it an urban area. It perhaps might be better to just say,

"...shall by order designate."

But that does not deal with the point made by the Honourable Member for St. Philip South. The Honourable Member for St. Philip South was saying that the Bill itself, should contain, he did not say how, but perhaps in the schedule, an expansive definition of what is urban. That is what he was saying, because having regard to the Rural Commission Bill, he was saying that we should know from this legislation what are the boundaries of urban Barbados.

Aside.

Hon. D. A. C. SIMMONS: That is a question of choice. A parent Act does not necessarily provide for every eventuality, every modality, every mechanism, details are frequently provided for in that Clause which says that the Minister must make or may make regulations, and all Acts of any substance provide that residual form for the Minister to make regulations and there are details.

Take note, the Road Traffic Act cannot, unless you want to write a Treaties in a Bill, deal with all of the minor offences and all of the details about what minibuses must wear and how Ministers must take it, you do not put that in an Act. You allow the Minister to make regulations taking care of those things. You are to read the two

together, the Act and the Regulations. You can charge for certain offences under the Regulations and certain other under the Act.

Now all we are saying here is that under this Bill, all the Minister has to do is to make by order and the Honourable Members on the Other Side know how Government functions. Most of them have been in it. All like now the officials will have been working out a geographical definition of urban and he will make the order. 12.35 p.m.

Aside,

Hon. D. A. C. SIMMONS: You were not here on Tuesday when it was discussed. The Member said it went as far up as a place called Waverley by Basix back down to Holders Hill.

Aside.

Hon. D. A. C. SIMMONS: The White Paper is law? A White Paper is just a policy document. A White Paper is not law. A White Paper is not this [indicating].

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, I rise on a point of order, Sir, because there is a fundamental issue being raised here by the words of the Attorney General in terms of the procedure of this House and in terms of the work of this House. Sir, we have a Green Paper and we have a White Paper. I have spoken on these 2 issues before and the Attorney General took the point about the need for a Green Paper. He knew what a White Paper was and I believe he knew what a Green Paper was but that Government should do it. A White Paper sets out settled Government policy. The Green Paper sets out the issues involved in a particular issue and is out for discussion. Sir, if the Attorney General is now going to say that a White Paper is not policy...

Aside.

Rt. Hon. L. E. SANDIFORD: ...That is what I thought I heard. You also mentioned policy and then law, both of them, and I wanted to be clear that if this House is to proceed in holding the Government accountable we must know the bases on which they are proceeding.

Hon. D. A. C. SIMMONS: Mr. Speaker, let me repeat what I said. I said this Bill would be law. A White Paper is a policy document but it is not law and it sets out a broad policy framework because you see in a document a White Paper...

Aside.

Hon. D. A. C. SIMMONS: I was pointing out that what you held up there was the White Paper. Because there is a definition of "urban" in the White Paper I do not believe that from the legal point of view when you come to a draft that that definition binds a draftsman. Perhaps it would be better when you come to draft the definition that you could go to somewhere like the Boundaries Commission Act and take the boundaries, whatever road it is in Holders Hill, proceeding along Highway x to Highway z, and you could make that the definition.

Aside.

Hon. D. A. C. SIMMONS: I am trying to educate them. The point is that we have a concept of "urban", a colloquial concept of urban, as embracing perhaps St. Michael and part of Christ Church. The average man in the street might really limit it to St. Michael but when you come to give it a legal definition, do not forget you have to match all of these, for example, against the Scotland District Act. For the Scotland District anybody in Barbados would think automatically of Farley Hill, Greenland to St. Andrew. Tell the average person in Barbados that Scotland District really goes as far as Ragged Point in St. Philip and he would not believe you.

If you look at the Act's Schedule, it is a special definition of Scotland District. I am saying that when you come to deal with the boundaries of urban, those boundaries will be set out in a ministerial order by wherever the draftsman determines he will set out the order.

Asides.

Hon. D. A. C. SIMMONS: We have expanded the social contract? We promised the people in urban Barbados to do this for them and we promised the people in rural Barbados to provide the mechanism for the quicker dispensation of amenities to an area of Barbados that was denied for a very long time.

I heard the Honourable Member for St. John talking about spending money to the exclusion of sections of the community. From 1986-1994, I was in here asking for roads to be done to my constituency, schools even Mount Stinkeroo.

Asides.

Hon. D. A. C. SIMMONS: You nearly killed the people of Arch Hall and Bennetts.

Mr. B. M. TAITT: On a point of order, the Honourable Member is misleading the House. The Attorney General himself on the Floor of this House paid tribute to the fact that we had opened a new landfill. That Attorney General is in the record. He has no shame, Sir?

Mr. SPEAKER: That is no point of order.

Hon. D. J. H. THOMPSON: The Honourable Member for St. Thomas should be the last person to make those comments for this reason. In 1994, a million dollars was diverted from the restarting of the St. John Polyclinic to purchase a compactor and a number of other pieces of capital equipment to manage better the landfill. Representations were made to me by the Ministry of Health to divert those funds and the Honourable Member for St. Thomas laughed at me in here at that time, because I agreed to that decision in the national interest.

Hon. D. A. C. SIMMONS: You see how he jumped like a mullet, Sir? I had completely excluded him from my criticism. I said it was the Honourable Member for St. Michael West and the Honourable Member for St. Michael South who from 1988 ensured...

Aside.

Hon. D. A. C. SIMMONS: He blamed you. He said you never gave him the money when you were Minister of Finance to help the people in Arch Hall. The former Minister of Health said that he could not get the money. The Honourable Member for St. Michael West said he could not get the funds to put proper management in Arch Hall from the then Minister of Finance, the Rt. Honourable Member for St. Michael South. I did not say anything about the Honourable Member for St. John. He gave equipment and that same day was when we brought the action because the people were being...

Mr. B. M. TAITT: On a point of order. That grand charge to explain giving away public funds in the way he has arranged to give it away does not move me. That is a preamble to the point. Let him know that that will not work. I will speak about the \$6 000 which they each got...

Mr. SPEAKER: Honourable Member, you are out of order. Make your point of order and sit down, please!

Mr. B. M. TAITT: The Honourable Member has just said that I said that I got no money from the Honourable Member. I categorically deny saying that, anywhere at any time, under any circumstances.

Hon. D. A-CrSIMMONS: Tell us about the day that you hid and went up to Mount Stinkeroo. 12.45 p.m.

Rt. Hon. L. E. SANDIFORD: I rise on a point of order, Sir, and I wish to make it abundantly clear that while I was Minister of Finance and while the Honourable Member for St. John was Minister of Finance we both made funds available to the various statutory bodies and Ministries in accordance with resources available. That

is what is going on now. They are making funds available and I do not wish these kinds of charges to be made. On the one hand you do not want to personalise debates but you continue to cast aspersions and impute all kinds of motives to political officers in this country. We cannot conduct public business on this basis.

Mr. SPEAKER: You have made your point, Sir.

Hon. D. A. C. SIMMONS: Mr. Speaker, the point is that for many years certain sections of Barbados were denied facilities and amenities than other sections of Barbados. In 1989 - you talk about "Mottleyism" - Don Blackman used all of MTWs resources to completely repave the St. Michael area in all the constituencies of St. Michael between 1989 and the election of January 1991. None of us who was in here from rural Barbados got the benefit of any of that money that was dispensed in that time.

Aside.

Hon. D. A. C. SIMMONS: You could not even give any help to the three. We vowed, Sir, that what happened between 1989 when...

Aside.

Hon. D. A. C. SIMMONS: The whole of St. Michael was done because the same Don Blackman said in here that if you do St. Michael even the people from the country will vote because they would have the impression when they come to town that a lot of work was going on in town. That is what he said.

Mr. B. M. TAITT: On a point of order, Sir. The Honourable Member, in one respect that I can speak of, is misleading this House. The Honourable Member knows because he had heard that for 12 years the constituency comprised in St. Michael West had not received a single solitary dollar from the public purse to put in any amenity of any kind anywhere. It is after that 12-year period of neglect that roads were fixed in St. Michael West. Therefore to suggest that the roads were fixed in St. Michael West since 1989 for any other purpose than to correct the imbalance that had occurred over the 12-year period in which Mr. Tom Adams articulated that we would not get and Mr. Vic Johnson said...

Mr. SPEAKER: All right. Do not go into any long speech.

Mr. B. M. TAITT: I know it by heart, and that is why the roads were fixed. It is clear that after the funds are spent in St. Peter and St. Thomas on this occasion that roads will have to be fixed in St. Michael West again.

Hon. D. A. C. SIMMONS: Mr. Speaker, this Bill gives an opportunity to deal with those parts of St. Michael where there is a need for the continued improvement of social amenities. Everybody has focussed on roads, water and light in this Bill. The Bill has a far wider ambit.

The Bill will also enable the Commission to create funds to help poor people in urban Barbados develop economic activity and enterprise. The time will come in Barbados when roads, water and light will be a non-issue between the parties, and I hope we can look forward to that.

Our concern now must be to create an opportunity for...

Aside.

Hon. D. A. C. SIMMONS: This will help in the short term to relieve...

Aside.

Hon. D. A. C. SIMMONS: Water is a massive undertaking, as you know, in excess of \$200 million, and a special project. This will help to deal with those niggling things that all of us as MPs have to respond to about a road wants repairing here and a road wants repairing there.

I am satisfied, Sir, that even though as it was admitted in here on Tuesday that rural development got off to a slow start, it is now functioning very well. I believe the delivery of services in rural Barbados will be speeded up.

This Commission will have the benefit of the experience of the Rural Development Commission to ensure that it too functions as we desire. The desire is to create a mechanism that will assist in the speedier dispensation of facilities and services to the people of Barbados. Every new entity that is created will have teething problems from time to time but I am satisfied that the Rural Development Commission is working well.

I understood the Minister on Tuesday night to say that in respect to the matter raised by the Honourable Leader of the Opposition, it is a fact that four persons from his constituency had, in fact, and he did not give the names. He was sufficiently sensitive not to try and embarrass anybody...

Aside.

Hon. D. A. C. SIMMONS: I understood him to say that four persons, and he had the list there, had been the recipients of actual funds from the Rural Enterprise

Fund but he did not give the names. I think that was proper that he should not have given the names. So it is not fair to give the impression...

Aside.

Hon. D. A. C. SIMMONS: Perhaps the Honourable Leader of the Opposition was not aware of the latest position as of Tuesday night, and he was not in his place.

Mr. Speaker, the other point made by the Honourable Member for St. Philip South was that, and it was a point that was made with the usual flare for the dramatic that one can expect from the Honourable Member for St. Philip South, and that is that there is no mention of the Chief Town Planner in the Bill. Why should any Bill refer to the Chief Town Planner who has his own legislation?

Under the Town Planning Act, Cap. 240, every development in Barbados, except a permitted development for which no Town Planning permission is required, must have the approval of the Chief Town Planner. Now you do not write it in every Bill that may have some connection with the Town Planning Department that the Town Planner's rights are preserved. It is a nonsense to suggest that the Town Planner should have been referred to in this Bill.

Aside.

Hon. D. A. C. SIMMONS: I will show you how it is worthy of me because you must not mislead the public with illegal nonsense. In the Housing Act, Cap. 226, you cannot want a Bill, according to the argument on the Other Side...

Aside.

Hon. D. A. C. SIMMONS: The Honourable Member for St. Michael South has Cap. 226 which deals with Housing that has some language that is similar to the language of the instant Bill. 12.55 p.m.

It says for example: "Where in the opinion of the Corporation a building to which this Act applies is derelict and unfit for human habitation, creates a nuisance or is injurious or likely to be injurious to health, the Corporation may serve on the owner thereof notice in writing requiring to demolish, secure, repair or rebuild" and so on.

There is nothing in the Housing Act of Barbados that refers to the Chief Town Planner.

Mr. B. M. TATTT: On a point of order. The Attorney General is misleading the House. The relationship of the National Housing Corporation to the Minister is entirely

different from the relationship which if this Bill passes, the Commission will have to the Minister. Therefore to use the argument he is using is complete nonsense. He is misleading the House. He must know that on reflection. The National Housing Corporation is a statutory corporation under the complete control of the Minister. This Bill purports to give the Commission powers that will make it different from the powers which exist under the statutory boards. The reason why that has occurred as I said in my speech, Mr. Speaker, is because whoever drafted the legislation did not take the trouble to distinguish the difference between an Urban Commission in the United Kingdom that is a temporary body and gets its genesis from an entirely different set of premises. The Honourable Member should let somebody spend some time on it.

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

Hon. D. A. C. SIMMONS: Mr. Speaker, he has made no point because this is not called a statutory board, he will not accept that the Urban Development Commission is a statutory board. It is a statutory board. It is a body corporate to which Section 21 of the Interpretation Act applies.

Mr. B. M. TAITT: On a point of order. I have not said that it is not a statutory board. The Honourable Member is misleading the House. As Your Honour heard correctly, I did not say that this is not a statutory board. The gravamen of my statement was that the relationship which they purport to give this in relation to the Minister is different from what other statutory boards now have.

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, I do not accept that either because the Minister of Housing is the Minister responsible for the functioning of this Commission just as he is for the National Housing Corporation under the Housing Act. He has the same kinds of powers that are given to every statutory board. The Minister is specifically granted powers under Clause 13 to give directions to the statutory boards. They cannot do certain things without ministerial approval.

Hon. D. J. H. THOMPSON: On a point of elucidation. The Honourable Member is missing the point which is being made. It is a point which has been recognised in the drafting of the Tenancies Freehold Purchase Act and it is not true to say that there is no other legislation which seeks to clarify the position of the Town Planner. The Tenancies Freehold Purchase Act has a clause which is very clear and does precisely what we want done.

It says "notwithstanding anything therein contained in this Act, the Town & Country Planning Act has application to this Act only where it is so expressed by this Act." What it says is "therefore for the avoidance of doubt that unless the Act says the Town Planner is relevant, the

Town Planning Act is not relevant." It just clarifies it. Members on this side are only asking for that level of clarity which when we were doing the Tenancies Freehold Purchase Act was recognised as an important factor.

Hon. D. A. C. SIMMONS: Mr. Speaker, I do not accept that. Once it is a development carried out by the Commission, the Commission will have to apply to the Chief Town Planner for permission under Section 16 of the Town Planning Act in the usual way. The Commission is not exempt from the operation of the Town & Country Planning Act.

Asides.

Hon. D. A. C. SIMMONS: It is commonsense because first of all, the Town Planning Act does not bind the Crown. Look at Section 240 carefully.

Asides.

Hon. D. A. C. SIMMONS: Every individual is bound by the Town Planning Act. The Commission is like any other statutory board, it is bound by the provisions of the Act. For the purposes of the law, it is a person. It will be an applicant.

Asides.

Mr. SPEAKER: One minute please. Honourable Members, could we have some order please? I believe the Honourable Member is entitled to make his speech without these constant interruption. I am also suggesting to Honourable Members that these specifics that you are raising should really be raised in Committee. Please give the Honourable Member a chance to make his speech.

I do not want to get into the point relating to "a point of order" but "a point of order" is not necessarily "a point of order" because you disagree with what the Honourable Member is saying.

Please, let the Honourable Member make his speech.

Rt. Hon. L. E. SANDEFORD: Sir, I rise on a point of elucidation. I think that the Attorney General is very glad for these interruptions because he is seeking to defend the indefensible. I have been in here with him for a long time and I have never seen the Attorney General battling or searching around like that.

Mr. SPEAKER: What is your point, Sir.

Certain remarks made by the Rt. Honourable Member for St. Michael South were ordered to be expunged by Mr. SPEAKER.

Hon. D. A. C. SIMMONS: The Honourable Member for St. Michael South raised matters which are legalistic. I have no difficulty in discussing them across the Floor to make sure that I understand. I do not treat them as interruptions because these are legalistic matters. I am trying to get clarification from them.

What I am saying, Sir, is that the points made by the other side are valueless for the reasons that, first of all the Minister has the power to designate what is urban Barbados by order after the Act passes. Secondly, it is a discretionary power. If the others want it as a mandatory power and change 'may' to 'shall', we can discuss that later on with the Minister as it is only changing one word. The fact is that the Minister is given a power to say what constitutes urban Barbados.

I think it is a little short-sighted on the part of Honourable Members to assume that coming to determination as to the proper definition of urban the Minister will not consult his officers, the Chief Town Planner, the existing law, the Parliamentary Counsel and other definitions and come up with a definition that settles what is 'urban' and therefore to that extent what is 'rural' will fall outside of that definition.

Honourable Members can wait, the definition will come, 'urban' will be defined. I am saying, Sir, that the legislation already makes provision for the designation of urban areas and that will happen.

Secondly, Sir, I do not believe that the Act needs to make any special reference to the Chief Town Planner or to say that the powers of the Chief Town Planner are not withered down because the Commission as a statutory board and as a person, a legal person, must make application for any development like anybody else under Section 16 of the Town and Country Planning Act. 1.05 p.m.

I do not think that Honourable Members need have any fear and I do not believe, Sir, that the points though made with great emotion and vehemence, are at all meritorious.

I regret that the Opposition feel that they cannot support the Bill because of, as they said this morning, these technical reasons. I am just suggesting to them that they are misguided but that is the decision they come to.

SUSPENSION

Hon. D. A. C. SIMMONS: Mr. Speaker, I am looking at the clock, Sir. I am obliged to Your Honour for allowing me that contribution. It is now 5 minutes past one, Sir, I therefore beg to move that this House be now suspended until 2.15 today.

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

The question was put and resolved in the affirmative and Mr. SPEAKER suspended the sitting accordingly.

RESUMPTION Mr.

SPEAKER: This sitting is resumed.

His Honour R. D. MARSHALL: Mr. Speaker, I rise to support this piece of legislation before this Honourable House. I want to say, Sir, that it is not the first time that legislation of this kind, seeking to improve the lot of a people, has been brought to this Chamber. This must be seen, Sir, as a vision for the new century through institutional advancement in specific needs for people.

As we seek to assist people in certain areas especially the poor, the disabled, the disadvantaged and the handicapped, Mr. Speaker, we venture into what I term virgin territory. I say this because if you look back, Sir, no Government in the past, be it BLP or DLP has taken this plunge. Sir, urbanisation starts where architecture finishes. It is for Government now to put in place legislation which provides for good infrastructure, good housing, provides the provision of running water, provides a good network, proper sanitation, the protection of neighbourhoods and adequate and disciplined transport service, greater attention to the elderly and the handicapped, investment opportunities and development for the youth in the community. And, Sir, as we proceed into getting these things together we would be able to improve employment for people.

Mr. Speaker, as I said I fully support what we are doing here. Mr. Speaker, would you want to see the people of St. Michael Central being able to get good things happening to them? Well I, myself, Sir, would like to know that about the people in Black Rock, the people in Wavell Avenue, the people in St. Stephens Hill, and Clevedale, Fairfield, Spooners Hill, Allamby Gap, Rock Gap, Tudor Bridge, Eckstein Village, Kellman Land, Sir, and all the areas in St. Michael West Central. I am quite sure that this urban development that we are embarking on, Sir, will benefit all the people in that area. It is going to improve their standard of living. The Barbados Labour Party has always been a party that has believed over the years in providing a better way of life for our people.

Mr. Speaker, this is not going to be an overnight thing. This is not a one year shot. This is going to be a programme, Sir, that has to take time. It has to take root, Sir. It has to anchor itself, Sir, and spread throughout urban Barbados. The Opposition members of the Democratic Labour Party said they are not supporting this. The Leader of the Opposition is on record as saying that if by some

stretch of the imagination they were to form the Government, maybe in 20 or 25 years, Sir, that they will repudiate this. What they are trying to tell the people of this country, the old people of this country, is that they will stop giving them in-door facilities, they will stop building roads for them, they will stop improving...

Mr. D. St. E. KELLMAN: On a point of order, Sir, the Honourable Member surely cannot be speaking on behalf of this Opposition because if so, Sir...

Mr. SPEAKER: What is your point of order, Sir?

Mr. D. St. E. KELLMAN: He is misleading the House, Sir.

Mr. SPEAKER: How is he misleading the House?

Mr. D. St. E. KELLMAN: He is misleading the House by giving the impression that we said we would not give to people in urban Barbados roads etc., and that cannot be true.

Mr. SPEAKER: That is no point of order.

His Honour R. D. MARSHALL: Mr. Speaker, voting against legislation that will advance people is nothing new to the Democratic Labour Party. I remember they came here when we brought legislation to restore the 8% to the people of this country, the hard working civil servants. They voted against that. When we came here again, Sir, at the same time we brought legislation that said that civil servants¹ salaries would never be cut again they voted against that. Mr. Speaker, all that I am asking for, Sir. 2.30 p.m.

Asides.

Mr. SPEAKER: Let the Honourable Member speak.

His Honour R. D. MARSHALL: I am not reading about selling licences and banking the money to Antigua. I am not speaking about banking money in Antigua from licensing. I am not speaking about that. I am speaking about shopping in Miami with the whole group, buying suits and so on.

Asides.

Mr. SPEAKER: Listen, we have to hear the Honourable Member. Please!

His Honour R. D. MARSHALL: Mr. Speaker, they never had the foresight to conceptualise anything of this magnitude. When I look at St. Michael as a boy coming

up in Eagle Hall in the 1950s, I always heard about Thomas Gap, Rotten Town, and when one goes through Thomas Gap now again, you can see no changes. It is the same thing that existed in the 1950s and 1960s and there are people that ran this country for so many years. People that always talk when they open their mouths, talking about they like poor black people and the Barbados Labour Party like white people. This urban development we are talking about, is a programme to develop the lot of poor people.

Sir, firstly I want to look at housing in this country. Housing is a right of every citizen and I will say in Barbados, over the years people believed in owning their own little house.

In the 1950s, as a boy, I can remember people being raised in what was known as the chattel house. The majority of people in here are products of the chattel house.

Asides.

His Honour R. D. MARSHALL: Mr. Speaker, the chattel house syndrome of the 1950s, I remember in those days, people trying to move and trying to move forward would have built a little chattel house and it is known, where people would add a little piece from the back and build and come forward.

I remember people renting land, and as soon as they decide they are going to put in water on the land, the landlords did not give permission for people to run some water on the land. I remember people who have been indiscriminately given notice by landlords to move off of lots. As I go back to Eagle Hall on Sunday mornings you will see, two weeks before they move, people would make arrangements to have their little house resited. And, in those days, you will make arrangements with the movers two weeks in advance. You will go to Skeete in Bank Hall and you will rent a pushcart. In those days we had households like, Hannah, Bow, Joe Cobbs, Quakka and Bill. Those are the names from Eagle Hall that were involved in the moving of houses.

As a little boy, and to the children in the neighbourhood, your Mum would awake you early in the morning to tell you that the house is to be moved today. Those were very poor days. You would have your little grass bed tied up and your few Morris chairs packed by the neighbour. The men would come in, detach the house, put it on the cart in pieces and transport it to another part of the area. And, by evening, your house is constructed and you are sleeping in your bed in that same house again. Those were those days.

But today, we are moving away from that. We, in the constituency of St. Michael, as I said, are encouraging people to own their own homes. Under the National

Housing Corporation there are facilities where people can borrow money to have their own homes. You can go to the same Corporation and you could arrange to rent or buy land from the Corporation. This is what I call, the development of people, and under this programme, you will be able to advance your standard of living, Sir.

The other area that I want to look at is the position where running water is concerned. In St. Michael West Central, there are one or two areas that I am quite sure, under this programme you will be able to get some of the water problems alleviated.

In the Parkinson area right now we have problems where people can only get running water in abundance, Sir, during the hours between 11.00 a.m. and 2.00 p.m. during the day. And, then over the weekend, when everybody is at home you will find that it is very difficult to have water because of the lack of large mains in the area. I am quite sure that under this urban programme under the area of water mains, we will be able to improve the water facility in the area.

When I look at the road network in urban St. Michael, there are lots of small roads in the St. Michael area under urban. I am quite sure that under this programme that we are embarking on that a lot of the problems where people cannot get to and from work and church, especially when it rains, when we put the roads in place, we will be able to alleviate these problems also.

Then, in certain parts of St. Michael, there are still areas where we have some serious problems with sanitation where there are areas that people do a lot of indiscriminate dumping. In St. Michael West Central there are a couple of areas also that we are trying to get cleared up and I am quite sure that under this programme, these things too will be done.

Under urban development, Sir, we are going to be repairing houses for old people and giving them indoor facilities. It gives opportunities for artisans in the area, for example, masons, carpenters and plumbers to work their skills within the communities. I am quite sure, Sir, that there will be many other investment opportunities for people in this area.

Mr. Speaker, I want to compliment the Minister of Housing, the Members and the people in his Ministry who have worked so hard in bringing this piece of legislation that will be able to improve the lot of poor people in Barbados. This is an area that I have all intentions of working at. It is my intention to make sure that I walk the length and breadth of the urban areas and to make sure that what people ask for they will be able to get.

The Members of Parliament on the other side have decided they are not supporting this legislation, but it is also my intention to make sure I tell the people in their constituencies that they do not want to see their lot improved.

Mr. Speaker, as I said, this piece of legislation will do all good for the people in the urban areas.

I thank you.
2.40 p.m.

Rt. Hon. L. E. SANDBFORD: Mr. Speaker, I leave him to others who may be more versed in these matters than I am to respond to the points made by the Honourable Member for St. Michael West Central. I like how he started. He said that urbanisation begins where architecture stops. I have been puzzled ever since those words fell from his lips as to exactly which aspect of Government's policy that statement represented. I am still puzzled over it and he will probably enlighten me in a private conversation. I am not interested in pursuing those arcane aspects of his address, nor am I particularly interested in the lines along which this debate has gone so far.

I fully understand that the wily Member for St. Thomas was so very much concerned about the incisive speeches that have been made on this side both on Tuesday last and today on this particular topic.

Hon. D. A. C. SIMMONS: On a point of elucidation. Since the Honourable Member has drawn me into this debate, I must disagree with him that I found the speeches incisive. The speeches were specious and destructive but not instructive.

Rt. Hon. L. E. SANDBFORD: Sir, the speeches were so incisive that he was drawn from his seat to try to turn the tide for the Government and he has obviously felt that there was need for some weight on the Government side that he has apparently even summoned the Prime Minister to his seat to help to try to swing the balance back.

Sir, let me say that I represent an urban constituency and no one can quarrel with at least some of the objectives that are outlined in this measure before us.

I think that we must not be carried away in this country by some of the criticisms that are being made of the government at this time. I think we have to keep our eyes on the ball and to recognise why this measure is before us. I think we have to recognise this, and I detect after reading carefully this Bill that is before us the craftiness of the Prime Minister in this particular measure. He was well tutored.

Sir, there are two main thrusts of this particular measure and both speak to the thrust of the Government in terms of seeking the political advantage. They also seek to pull together two themes which the Prime Minister has been advocating. One relates to jobs. Job No. 1. Those who keep talking about housing seem to overlook that somewhere in the object of this particular Bill there is a line - I believe it is one line I cannot remember how many words are in it - relating to the creation of jobs. It is in there, Sir.

Coupled with that Sir, is this thing about housing and slum clearance which is some aspect of poverty alleviation. So the Government is seeking to draw these two things together and to give some meaning and purpose to the slogans that have been advanced and proclaimed so far. I take my hat off, as I said, to the craftiness of the Prime Minister.

I think deeply about these matters because in Barbados we have to have a vision of where we want to go. We must have a view of how we want to transform Barbados and we cannot only be a government in occupation. Barbados needs a transforming government that can take the resources that are available and use them in such a way that the households across Barbados and the businesses, everybody, would benefit.

That is what we should be after. That is exactly the path that the Democratic Labour Party was on.

How could we on this side be opposed to the object of an urban development commission? That is not the point of the argument and I certainly could not be against it because in a path breaking manifesto of 1991 there is a section on page 28 of this manifesto. It is already a document of the House so I do not need to make it a document of the House. It is very relevant now. It was relevant then and it is relevant now.

There is a section under the caption Urban Renewal and it speaks about the establishment of an urban renewal council. What we have is an urban development commission. Sir, I have said on many occasions that imitation is the sincerest form of flattery. When they were walking around saying that the Democratic Labour Party Government had no ideas for moving Barbados forward that was groundless. What has happened is that the Government has seen the wisdom of the proposals that were advanced in 1991 for the development of Barbados and have tried to understand and to implement some of these proposals.

So it is not in the object, Sir. What we are particularly concerned about is the methodology, as the Honourable Member for St. Michael West would say, and the mechanisms that have been created in order to

give form and meaning and substance to these ideas. That is where the problem is because what has happened is that we are creating this many headed Hydra. That is the only kind of phrase that I can think of describing it which makes confusion worse confounded.

This particular thing that we are creating here has not been properly thought through because it is in conflict, in spite of whatever words may be used to bridge or attempt to bridge those conflicts, with existing institutions and it will only be a place or instrument or a means for creating conflict with other persons, agencies and institutions already instituted by this Parliament for the purpose of managing socio-economic change in this country.

We have the remarkable situation in which we have a distinguished public officer. I believe a trained town planner, very experienced in housing matters. I believe that he is a permanent secretary. I cannot call any names. I did not give you any indication of that. A very distinguished public officer and a very perceptive one at that. That officer who is trained in town planning who is trained in housing matters and who is very experienced in those areas I believe he needs advice now. This Government believes he needs advice.

Asides.

Rt. Hon. L. E. SANDIFORD: I am not saying anything adverse about any public official. I said the official is trained in those areas and I am wondering why the Government believes that he needs an advisor to assist him in carrying out the functions that are assigned to him.

Asides.

Rt. Hon. L. E. SANDIFORD: It just puzzles me.

Asides.

Rt. Hon. L. E. SANDIFORD: I would like to hear myself. You are here to protect me so that I can speak fearlessly about the points.

Mr. SPEAKER: Let us hear the Rt. Honourable Member.

Rt. Hon. L. E. SANDIFORD: Sir, we have this kind of situation in which I have been looking for these advertisements and I cannot find them.

Hon. D. A. C. SIMMONS: On a point of order. I do not see how a Commission can advertise for any staff before the legislation is assented to by the Governor-General. I think the former Prime Minister is forgetting his constitutional procedure.

Asides.

Mr. SPEAKER: Let us proceed orderly. We cannot have this. Honourable Member, can you continue, please.

Rt. Hon. L. E. SANDIFORD: I respect the legal cleverness. I do not use the word "gymnastics" of the Attorney General and I have no quarrel at all with what he has said. There is no commission in place and therefore there are no jobs to advertise. The Commission cannot advertise any jobs. 3.00 p.m.

You can, maybe, find another way to bring in someone or someones, and I would like to know because I have not heard it yet. Let me ask a question. Are there any persons who have been seconded, let me put in the phrase that would satisfy some of the concerns of the Prime Minister, from a statutory board or from some public office into the Ministry of Housing to advise the Permanent Secretary on these matters? I am just asking. I want to know. I know the Commission has not been established.

Aside.

Rt. Hon. L. E. SANDIFORD: I am talking about these mechanisms that have been put in place. We have no objection to setting up an urban commission, if you wish to set up one but then what is it supposed to be doing? I agree that we should not personalise debates and I am not personalising any debate. I speak fearlessly in here. My phrase has always been "Lord teach me to know my friends, my enemies I can take care of."

Asides.

Mr. SPEAKER: Order, please.

Rt. Hon. L. E. SANDIFORD: I am not interested in winning friends or gaining influence. I am interested in what is best for Barbados and we must come out and say in what ways we will be able to move towards that particular point.

I myself thought we were moving in this country away from this concept of urban and rural in small Barbados of 166 square miles, a small area. We were seeking to do away with those kinds of distinctions but then we go and establish a Rural Development Commission and now we are establishing an Urban Development Commission. I am saying that we have mechanisms in place...

Aside.

Rt. Hon. L. E. SANDIFORD: He feels a little uncomfortable, Sir, but I do not wish to make him

any more uncomfortable. I believe he is not too well, Sir. I really have not touched him and I am not going to touch my friend the Minister also for Community Development and Sports because I came across a word recently. This is "resizing."

Sir, when I consider these matters, I do not believe that this is the kind of legislation we need in Barbados to achieve the objectives. If they wanted advice, they could have come and asked in the interest of moving Barbados forward to discuss the idea with us. They could have come and sought on a national basis to see if we could not thrash out some things.

I hoped they would have included the Honourable Member for St. Joseph as well in these discussions. When I say national, Sir, I think he should be included. We could have worked this out. I am sure that we would not have come up with some Commission that calls into question the functions and powers of the Chief Town Planner, calls into question the role of the Ministry of Housing and the National Housing Corporation, and calls into question many other aspects of Government which, in many instances, in spite of the brave words, we will have the National Housing Corporation and this Urban Development Commission with the same powers. We do not know where one will end and where one will start.

I have a concern, Sir, because I represent an urban constituency and we do not know whether we will be dealing with the Urban Development Commission or the National Housing Corporation, or the Ministry of Housing, whether we will be dealing with the trained Town Planner, or whether we will be dealing with an untrained person so we will have one headed by a highly professional person and another one trained in other areas who has very high political skills.

I do not know how these conflicts are going to be resolved. Nobody has adverted to these kinds of problems. 3.10 p.m.

I am concerned, Sir, that right now I would like to know if I should wait for the establishment of the Urban Development Commission or if I should speak to the National Housing Corporation or the Ministry of Health.

Asides.

Rt. Hon. L. E. SANDIFORD: I cannot approach the Prime Minister on this matter.

Sir, if they are to improve the social and other amenities, all of the roads in my constituency now are in a state of disrepair. A serious state of disrepair. I speak on

these matters that we share in commonality sometimes with the Honourable Member for Christ Church West. He will say that his roads also are in a state of disrepair but not like St. Michael South. I want something done about it. I am speaking very loudly.

Asides.

Rt. Hon. L. E. SANDIFORD: I can rely on you so long as you are heading the Constitutional Commission, I can rely on you.

Sir, there are some serious questions that have to be answered, some very serious questions. I want to know how these conflicts which are obvious to anyone, I am sure there are obvious to the Attorney General because he went around praising all of the public officers, but I listened very carefully and I did not hear one word of praise for whoever was acting as Attorney General at the time during his absence when this Bill was certified. He did not say one word about whoever was acting as Attorney General at the time but he was very fulsome in his praise of the public officials.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir, on a point of order. This matter was certified for submission to Cabinet by the Attorney General of Barbados. I want that matter to be struck from the record.

Rt. Hon. L. E. SANDIFORD: Fortunately, Sir, in matters of law, I do not have to follow the Prime Minister. He is not the advisor to this House on law.

Mr. SPEAKER: The Prime Minister now says that it was the Attorney General who certified this Bill. The question is, "Who was the Attorney General?" That now is a big secret.

The Honourable Member has two minutes to conclude.

Rt. Hon. L. E. SANDIFORD: That is enough for me Sir, I do not need anymore time than that.

We want to know whether this Commission will be following the procedure in relation to the award of contracts, the arrangements that are set out in the Financial Administration and Audit Act and the rules thereunder. This particular piece of legislation, as silent as this, we have no guidance on this matter from the Minister who introduced this.

Asides.

Rt. Hon. L. E. SANDIFORD: What are they going to be marketing, Sir? Is there a marketing officer?

Mr. SPEAKER: Your time has expired, Sir. Could you conclude, Sir?

Rt. Hon. L. E. SANDIFORD: I just want to know if they would tell us what posts are in place, if any, for guiding the Ministry of Housing and bridging that gap between the Commission and the Ministry of Housing.

Thank you very much.

Hon. H. deB. FORDE: Mr. Speaker, Sir, nothing that the Honourable Member for St. Michael West has said really has taken away from the significant importance of this Bill.

I think he began by admitting that the objectives of the Bill are laudable objectives and that there are necessary objectives in Barbados at this time. I think his principal concern seems to relate to the fact that the enactment of the Bill and the success of the functions of such a Commission may give a political advantage to the Government in power. That seems to be the principal fear that I have heard expressed certainly by Members on the Other Side who have spoken whilst I have been here and from what I have read in the newspapers, as I was away when this debate began.

I think it is unfortunate that Members should pick their objections to the Bill on that basis and with such firmness as to give the feeling to the country at large that this Bill does not have a particular social and economic thrust and indeed to undermine the purpose of the Bill.

If anything is very necessary in Barbados today, it is for us to fast-track the procedures by which we attend to the obvious social developmental needs which exists in Barbados and are so starkly portrayed by the instances and areas of dilapidated houses, lack of basic human facilities, human needs, lack of toilet facilities that are adequate for our old people and our pensioners and substandard housing that still exists for at least 10% of the population of this country.

The Barbados Labour Party in its Manifesto for 1994 made it quite clear that it was going to concentrate on those urban and rural developments. This is set out on pages 28 and 29 of the Manifesto. This Manifesto was known to the country at large and we would take it that it was endorsed by the country at large. 3.20 p.m.

Therefore I believe that the Government is living up to its Manifesto pledge. It is not anything that has been conceived, as members would make us believe, at the last moment in order to rescue a Government that I think Honourable Members said, who have not delivered on jobs or who have not delivered on looking after the poor.

That is the sort of implication being given. This is not that sort of measure. One has to be in the political fray no matter how much one wants to move from being in Opposition to a Government. One also has to be realistic and recognise that here is a Government giving a pledge in Opposition, when it was in Opposition, that it was going to go into rural and urban development in a serious way to deal with the serious problems that exist in our country, from the use of lands at Belle and Waterford to the renovating of the Temple Yard facilities, Pelican Village, the Customs House, constructing sites for public markets, encouraging the restoration of buildings of architectural interest and relieving poverty, poverty in the City in particular and in urban and suburban Barbados.

So it is nothing new and I do not believe that Honourable Members are being fair to themselves and to the points that they can garnish, if they wish to garnish points to help improve this position, by taking such a short-sighted view of the matter to believe that this Bill should be repealed immediately if they succeed as a Government and something else which has not been spelt out in this debate certainly-, be put in its place.

I wish to remind the Democratic Labour Party that the idea of urban renewal and urban development is one that has had to confront many Governments the world over. If I may, Mr. Speaker, Sir, look at the Inner Urban Areas Act of 1978 in the United Kingdom, although the wording is not verbatim what it is in this Act. But this is what it says: Section 1. "If the Secretary of State is satisfied that special social need exist in any urban area in Great Britain and that the conditions which give rise to the existence of that need could be alleviated by the exercise of the powers conferred by this Act he may by order specify any district which includes the whole or any part of that area as a designated district for the purposes of the Act."

The Act goes in those circumstances to provide for most of the things that we say should be done here to be done under that Act. Indeed it is under this Act in England and under other parts of the Town and Country Planning Acts or various other local Government Acts that in the United Kingdom special areas including Sheffield Corporation Act, have been designated and given this sort of power.

But I want to come nearer home, Sir, because I think ...

Mr. B. M. TAITT: If the Honourable Member would give way just one moment, Sir. The Inner Cities Act of the United Kingdom and if he had been here he would have heard me say that my major concern with this Act was that whereas the legislation from which this has been drawn in the United Kingdom gives the Minister powers, we are seeking to give a hybrid institution, to wit, the

urban commission. If an Act came here from the Barbados Labour Party which started off as that Act starts off, and the Honourable Member would go on to say how that Act was abrogated later, but if it said the Secretary of State, where in Barbados we say the Minister, none of us would have any quarrel with the legislation. It is precisely that point that we have been making.

Hon. H. deB. FORDE: Well, I am going to answer that point head on, Sir, because section 5 of our Act gives the Minister the power to designate the urban areas for the purpose of this Act. Just as section 1 of the Inner Cities Act in the United Kingdom, which I just cited, gives the Secretary of State the power to designate.

If you go on and look at the format of how the United Kingdom has dealt with the matter under their Local Government Planning and Land Act, for instance, if the Secretary of State provides by order he provides by order for an urban development corporation for a particular area and then it is handed over to that corporation by statutory instrument to carry out the powers which are being conferred in this Act on the Urban Development Commission. Sir, the Housing Corporation is not elected and the point I am making here is that the Minister under this Act is the person who designates what is an urban area.

Now the Honourable Member for St. Philip South in his contribution said he wanted to know what was an urban area. There is no definition of it under the Act. Of course there are reasons why there is no particular designation of it under the Act. One has to read legislation in the normal sense that it is and no one is going to designate some where in the centre, let us say, of St. George or St. Joseph as urban.

Aside.

Hon. H. deB. FORDE: Sir, the Honourable Member, I am trying to bring him nearer home because I have been in this House long enough. I was not in the House at the time this was passed. I do not think even my friend, the Honourable Member for St. Michael South was in the House, but we have had an Urban Development Corporation Act on the Statute Books of Barbados. Let us deal with it. Urban Development areas section 2 of that Act says, urban development area means an area of land designated by the Cabinet by notice published in the *Official Gazette* as an area for urban development under this Act. So what is the difference? What is the quarrel about? Therefore when the Honourable Member for St. Philip South says that there is no designation and that is one of the defects of the Act.

Now the reason why it is necessary for us to fast-track these procedures is, let us face it that in some

instances, although we have provided legislative frameworks, the procedure has been difficult to put into effect some of the things that we need to put into effect and politicians are under constant pressure in this area, both on the Other Side and this side to answer the urgent social needs of that 10% of our population who feel that they are not progressing fast enough in the context of Barbados.

We cannot only see it as whether the DLP is in power or the Barbados Labour Party is in power. We have to see this as necessary for us to put our heads together and deal with the problem otherwise it is going to overcome us and that is literally what is the problem here.

Aside.

Hon. H. deB. FORDE: It does not matter if I am a statesman. I always spoke in this House in this way. Sir, part of the problem is, and I am not blaming any of the present members of the Democratic Labour Party over there because as I said we were in but when other than the Member who is not here today who broke the social contract... 3.30 p.m.

In 1965, this legislation, when we had it at the time should have been given the thrust that is now being given in this present legislation. You know what happened. We used it only for the development of the Morris Land at Cave Hill.

Asides.

Hon. H. deB. FORDE: Sir, the Honourable Member must be very mistaken. As a matter of fact all across the United Kingdom, Scotland, Wales, England and in other countries, you will find these specific commissions or corporations set up in order to do specific tasks, as this one is being set up to do for the tenancies and for slum clearance in the areas of Barbados.

Asides.

Hon. H. deB. FORDE: But, Sir, the point is that the urban development area is described in the way that I have shown the Honourable Member. They have to look at that position. And, I am satisfied that there is nothing repugnant, either to any legislation in Barbados or indeed repugnant to any Act on the statute book in giving the Minister power to designate what is an urban area for the purposes of this Act.

Now, Sir, I want to answer a couple of points that I heard raised. The Honourable Member for St. Philip South raised the question as to whether or not we are bypassing the Town and Country Planning Act, and whether we are bypassing the Land Acquisition Act.

Asides.

Hon. H. deB. FORDE: There is nothing in this Act that takes away from the power of the Town Planner under the existing Town and Country Planning Act. The Commission has to act within the terms of existing legislation and within the terms of its own power. Parliament is not being asked by this legislation to exempt this Commission from the Town and Country Planning Act.

Asides.

Hon. H. deB. FORDE: But, that is existing law. Members, we are considering legislation. The point is that all that I have heard, and let me reassure the Town Planner, because to react to make these statements and set up in people's minds that their authority is being undermined. This Commission has to function within existing law in Barbados except it is exempted from that existing law. And, I find nothing in here that exempts the Commission in the Bill that I have, from functioning in accordance with the Act.

Asides.

Mr. SPEAKER: Order, please. Order. Could the Honourable Member desist from shouting across the Floor, please?

Hon. H. deB. FORDE: The Honourable Member, Sir, will find as well that if he goes back to the 1965 legislation the functions of this Corporation are much wider than the functions of the Corporation set up by the 1965 legislation, but there are necessary functions. We have to deal with slum clearance, one of the very serious problems in this area.

I believe the Honourable Member for St. Michael West has been querying Section 15 of the Act and saying that we are giving the power to the Commission. But this is a similar power as is given to the National Housing Corporation under the National Housing Corporation Act.

Asides.

Hon. H. deB. FORDE: There obviously is no contradiction and that is why I find it very difficult, Sir, other than to listen to the political point which is being made to understand the criticisms on a legal basis of the provisions of this Act.

Thank you.

Mr. B. M. TAITT: On a point of order, Sir. I am sure that the Honourable Member would agree that in the United Kingdom where the similar, almost identical powers are given, provision is made for hearings. Those hearings

are conducted even after the Secretary of State has received information. This Commission, while being given ostensibly the same powers, there is no provision for those necessary steps which are taken in the UK where they have various and sundry tiers of Government, so that owners and people with a vested interest can go, even after the designation, to hearings. There is no provision in this legislation for any kind of hearing. This has been treated as an ordinary, statutory corporation except that it has been given wide police powers.

Hon. H. deB. FORDE: The Honourable Member is only right in relation to a limited number of the numerous corporations that exist in the United Kingdom. There are various corporations and various functions and there are corporations with powers similar to these in the United Kingdom. I am not going to tell the Honourable Member to read the whole of Halsbury to see every one that has been set up or the statutory instruments that have been set up. But they vary from time to time.

Asides.

Hon. H. deB. FORDE: The Honourable Member knows that they vary from place to place. Let me deal with the point that there is no opportunity given to persons whose land has been designated, for instance, and he has been served with notice that the area is unfit for human habitation or is derelict and gets a notice in writing to demolish or for rebuilding and repair. He is given a right of appeal under Section 16 and he has the right of appeal to a Judge in Chambers. He has a wide number of matters that he can raise about the notice, about the form of the notice, a defect in the notice, whether it is unreasonable for him to act, whether the work to be executed is reasonable in character or extent.

Therefore, he does have an opportunity to be heard and he is not being deprived of the rule of *audi alterant partem*. He has the opportunity, Sir. Furthermore, I will say that in my view, this legislation is subject to the Constitution and that therefore if this legislation in any way proposes to undermine the particular provisions of the fundamental rights, dealing with people's right to property that it will be struck down. I do not see, unless I see a specific case, on the basis of the face of the legislation, I do not see that happening, Sir.

But, I want to get back to the politics of it as it affects my area. My area, like the area of the Honourable Member for St. Michael South is made up of a whole number of suburban tenancies. We have that problem. Now the problem with suburban tenancies is that in many instances, we cannot get the possibility of spots in them being sold. In some tenancies, for instance, a tenancy in Brittons Hill is a perfect example of two

constituencies adjoined, you go into an area and find that a 3 500 square feet area is occupied by two and a half houses. You will find that people have put their houses in such a way that the fire brigade cannot come in, you cannot have access to the tenancies in the case of an emergency ambulance, somebody being ill; so obviously, nobody wants to move. It is very difficult to persuade them to move.

Asides.

Hon. H. deB. FORDE: This is going to help because the Commission is going to have some power to designate areas and to deal with the problem. And I would hope, what the Honourable Members should be asking the Minister for, is the assurance that he is going to have alternative sites and I know the Minister has been trying to acquire in the constituencies, alternative sites for people.

Now, Sir, the problem is that in a constituency like Christ Church West, or St. Michael South, we have no open areas to which we could move off the people that are crowded in what I consider, to be substandard conditions for Barbados at the end of the 19th century and going into the 21st century. It is obligatory of us to provide for that. And I hope, Sir, I do not know who will be on the Commission, but I am laying claim very early to the fact that I want the tenancies in Christ Church West dealt with. For example, a place like Old Navy Road, Sir. You will come into Navy Gardens and you will think that you are in modern Barbados and you go no more than 200 yards beyond Exeter Road, 200 yards beyond Nelson Road and you find that people are living in areas that still have no tenantry roads, still have no proper water facilities. So, we have to deal with those problems again and deal with them now, Sir.

Likewise, during my tenure in Parliament and that of the Honourable Member for St. Michael South, between us, we managed to get roads into Kings Village. But, we still have a problem that sometimes we know that we should move two or three of the houses to make access, but that is not possible, and the Commission has a duty. I am pleased that the Government has seen fit to recognise that there must never be 2 Barbados' and I am not speaking of 2 Barbados' as when I first spoke about this subject meaning town and country. I am talking about 2 Barbados' where on one side of the street you have a middle income development and an upper income development and in the back somewhere hidden are those people who are forever never going to get an opportunity to move out. 3.40 p.m.

This is good socialist legislation. The Government has nothing to be frightened of. The Government should have no fear about this legislation. Do not believe that it should

only be in St. Michael. Christ Church is part of urban Barbados.

Asides.

Hon. H. deB. FORDE: I do not qualify. I have asked the Minister of Agriculture, the Honourable Member for St. James North, to come and look in Fordes Road where we produce more sheep per square yard than anywhere else in Barbados. I have asked the Minister to look for instance, in Simmons Lands where we have more cows per square metre than anywhere else in Barbados. I said that that is rural Barbados and the Minister laughed at me and said he would love to do it for me if he could but he would have difficulty to justify it and I would have to wait for the Urban Development Commission to come in.

I want the work done so he can designate it whatever he wants for the purpose of getting the work done. That is why I am glad that if I am able to go to the Minister, whoever he is, and say I want the area designated and I want the work done that I can get it done.

My Member of Parliament seems to be luckier than me because he has said in this House that he is getting Society done. He just said so, Sir. I hope the Honourable Member wants to see Society done. I know he is up there on Saturdays. He only comes for pudding and souse but he is up there every Saturday and I think he would have seen the bad state of the roads in the tenancies in that area.

I am saying that wherever in St. Michael and the City of Bridgetown, how many of us can be happy that along Roebuck Street, that up Constitution Road - you do not have to go to Cats Castle...

Asides.

Hon. H. deB. FORDE: You see the people see it in terms of votes. What I am concerned about is not the vote. I am concerned about the people. I want the people, however they vote, to have the opportunity to know that these old people who have worked so hard for Barbados at the end of a day realise that as they come towards the end of their lives that they have social security in all senses of the word, that they have proper housing conditions, proper pensions, proper recreation centres, that they have proper home care and home help. Any government that could achieve this should not be scared of it.

The Barbados Labour Party passed in here the Tenancies Freehold Purchase Act that has started to help transform Barbados. I believe that the Prime Minister and the Minister of Housing, Transport and Public Works who have principal responsibility for this Bill would have written their names large in history on the side of the downtrodden and the unfortunate in this

country, particularly if they can get a quick and fast achievement under this Act and fast track what is obviously a terrible and tragic, social development need in our country.

Sir, let me say this. I hope that the Government will find some way of involving not only the Commission but involving the non-governmental groups as well in seeking to deliver assistance. We must no longer in Barbados get to the stage that we are not recognising that some of the people in Barbados who formerly had a social conscience are losing that social conscience.

I heard a very good speech from the Honourable Member for St. Michael West Central harking back to the days when most of us, who come from poor families, and I think all of us in here came from very poor families, recognised that we had to take up our house and leave what the former Rt. Honourable Errol Barrow used to call *portmanteau* architecture. You had to take up your chattel house and leave.

Up to the 1950s when we passed the Security of Tenure of Small Holdings Act and even beyond that into the 60s and even beyond that into the Tenancies Freehold Purchase Act we had that terrible condition in Barbados. I was born in Water Street so I can speak of it. I know what it was and I have seen Water Street transformed in many respects in my lifetime from the time I was a boy. I know we have made progress but those of us who have progressed must remind the others that the extended family tradition in Barbados is dwindling and if we have to legislate in order to bring people into that frame of mind then we have to legislate to do so.

I hope that we can involve the Non-Governmental Agencies, the Church in particular and other Non-governmental Agencies in our various constituencies and elsewhere into this developmental process. That is why I am happy to give this Bill support. I am sure that from time to time in the light of experience the Government may need to amend the Bill. If it does so, I hope the members will be differently minded. I know that the Government will not take a partisan approach to the implementation of the function of this Commission.

I have great pleasure in supporting the Bill and once again on the behalf of Christ Church West let me say that I would like to see quick action in completing the tenantry roads. I want to thank the Minister who is here for having started Evelyn Tenantry Road. I am told by the Honourable Member for Christ Church South that 30 years ago when he was in Opposition he asked the then Democratic Labour Party Government to fix Evelyn Road. It has taken 30 years to have achieved that.

Even if I would speak from my personal experience, and this is my last sentence, Sir. When I came into this House I always remember that 54% of the households in Bonnetts had no utilities, running water, electricity or anything. We were able to transform Bonnetts that it is now a housing development that is not only looked to by Barbadians but is talked about even in the media all over the world, by the development of that area.

I am therefore proud to be associated with measures and with the Government that is prepared to take these sorts of steps in order to improve the living conditions of the very poor and the disadvantaged in our society. I commend the Minister on the Bill. 3.50 p.m.

Mr. W. C. C. CALLENDER: Mr. Speaker, I rise to support this Bill which is before the House. However, I have a number of questions that I have been toying around in my mind.

I believe that the establishment of an urban development commission is a good thing. It falls in line with the Manifesto of the Barbados Labour Party which on page 28 when it speaks of the Charter for Urban and Suburban Areas says that it would focus on the provision of special opportunities, targeting primarily the two groups, speaking of women and youth, and on a number of urban renewal projects which would create employment now and in the future.

It goes on to say that we will:

"execute a programme of renewal of the physical environment of those city districts that have suffered the greatest degradation."

Another section continues to speak of the creation of:

"Other market sites across St. Michael and Christ Church, and at specially selected points off major highways, including the Tom Adams Highway."

Sir, therefore I have no problem with the establishment of an urban development commission. This is like packaging. This is like market segmentation. This is like if you have a group and you have a broad task to perform and you decide to segment the operations into various committees and different task groups. Sometimes some groups will function and others will not.

If we look at the history of these developments in Barbados and the Caribbean we recognise that there was a time when we depended primarily on the central civil service and most of the operations were conducted out of ministries. Then there came a time that we felt that the system did not allow for speed of operation and we went the route of corporations. We went the route of

state industries and so forth. Then came a time that the view was held that many of them were not serving their purpose and there was a retraction in state industries, there was disbanding of some corporations and so forth.

Today we have a situation where in some ministries we see a pretty high level of efficiency and I want to single out a Ministry which I have found to be working very well. I want to congratulate the Ministry of Housing and in some regard the Ministry of International Transport for the efforts that they have been making in recent times with the relocation of residents. I have found them to be most cooperative, polite and you can get information from them when you want it. I have found them to be working more expeditiously.

To the contrary, Sir, you will find that you have a corporation which would be attached to the same Ministry which will not be functioning in a similar vein whereas the Ministry of Housing, I found to be very efficient, very resourceful, their customer service to me is excellent. The same cannot be said of the corporation which was supposed to bring a greater level of efficiency, particularly the National Housing Corporation. Sir, it brings this myth that once you set up a corporation or a commission that everything will go well.

We therefore have to look at the systems that are in place in these corporations and we have to look at the level and quality of staff. No matter what commission we bring to this Parliament today if the corporation is not staffed with the right kind of person, if the proper systems are not in place, if, as in the case of the urban development commission, you have a case where systems of allocation are not transparent, then we will still have a problem. All the glamorous talk we would put down here today would be to no avail if these things are not in place.

I am not particularly concerned or perturbed about the Commission itself. Going through my mind is what will happen once the Commission is established. There is a place for a commission. I agree with that, but the job begins after we have passed this Bill. So I rise to give a few caveats in this regard and this is based on a study of the civil service and corporations and state industries and all of that and furthermore, from my current experience of having to deal with these various government agencies and having to look at the systems of allocation which are put in place.

Sir, we also have to look when it comes to financial allocations. We are looking at setting up an urban development commission - I do not know exactly how much money it will get - but at the same time we have other government agencies which are established to look after the poor, which are established to look after women, which are established to look after those who cannot help

themselves and which, as corporations along the traditional mode, should have been more efficient.

We have the case, Sir, where it seems as if these agencies are being bypassed and at the same time my understanding is that they are not given enough funding. If you look in the Estimates you will find the level of funding given to these organisations. I know, for example, that the Child Care Board had to seek funding from private sector institutions so we also have a problem with budgetary allocations to these various agencies of government. The question comes, how do we look at a situation where the National Assistance Board is not getting as much money as it should get, where the Child Care Board apparently is not, because it is seeking funding, and other agencies of that nature, and where we are establishing other institutions which will perform similar roles and are being given more funding? This is a question that I believe will have to be resolved at the level of those who are responsible for policy decisions and those who are responsible for the relevant ministries and agencies that have to use their powers of negotiation to deal with that.

Sir, I also want to speak of the matter of efficiency. A commission by its nature should be more efficient. We have had a history of some agencies not being efficient to the extent where some have had to be scaled down. We have a case now where the BADMC is being scaled down because of certain inefficiencies over the years which would mean that we would have a problem on our hands of finding employment for some of these people who will suffer because of this scaling down.

I am concerned too about what these people will do when they do not have that employment, and I would wish that opportunities be found for these people, whether to help them establish cottage industries, whether it be to help them establish cooperative enterprise so that they can get into exporting produce or whatever, but I am concerned that these people will be among the poor by virtue of their not having employment in this kind of business. Having acquired skills over the years, I believe that some arrangement should be made for these people to be involved in some kind of business.

I believe that the Rural Development Commission might want to look at it and I am hoping that the Rural Development Commission or the Ministry of Agriculture or other agency would want to see that those who are now surviving will not be among the poor. 4.00 p.m.

We cannot afford to increase the poor among us and we need also at the same time to look at those who might be on the breadline because of certain inefficiencies over time to the point where these corporations cannot finance themselves.

Sir, I also wish to speak of the reporting procedures of corporations and commissions. We have known that over time some of these corporations have not been submitting their annual reports. I believe if we look at a commission such as this it is very important that this kind of commission have an annual report so that we can see how these funds are being allocated.

It is very important that where we are embarking on a major programme that there should be a system of accountability which makes it mandatory for commissions such as this to give a report, not only annually, but I believe they should be able, through the Minister, to give us a statement quarterly, half-yearly, or something so we can know exactly what is being done otherwise a year, two years will go and we would have been very enthusiastic about this programme and would find that after two years we have not gotten what we thought we were getting. So there should be some method whereby we can get a report coming from a commission such as this on at least a half-yearly basis so that we can follow the progress of this Commission.

Sir, I notice that the Commission, among other things, shall prepare and submit to the Minister an urban renewal plan which shall serve as a guide for carrying out of slum clearance and the redevelopment of urban areas. This is a laudable idea. Not only do I see it in the City. I see also in Christ Church there are a number of derelict houses. I believe there should be some way in which we can get these houses removed.

As I went around I saw a number of old houses. I was told that no one lived in these houses, no one has been living in them for years and one gets the impression that people are living in these unsightly houses but that is not the case. We need to look at that, not only in the City, but we need to look at it throughout Barbados because it presents a completely different position where you have a house that no one lives in, sometimes vandals go into these houses. These houses also attract rodents and are very unhealthy for the environment. I believe that needs to be looked at. I understand this is the job of the people in the Ministry of Health in the Environmental Department. Here again I believe they need to get out there and see these things.

I have been hearing on the radio call-in programmes, by the way, that people are saying that Government agencies, independent people and so forth should go out and get this information, that politicians should not be involved and all that. I believe if a man or lady is going to come to Parliament and is not going to know about things in his or her constituency, is not going to show an interest in his or her constituency, that person really has no right to represent that area. So I have no problem whatsoever with an MP, or whatever you want to call the person, going out

to check on these things and giving the necessary report because you must have the information yourself. This does not mean that officers from the relevant agencies should not do their work.

You have a case sometimes where the work is not being done and it is just like any business, enterprise or organisation. The person who is the leader of the organisation has a duty to check on these things himself or herself, and if it is a major problem more so that person has an obligation to do that. It does not mean that other people cannot do that same job. The only way you can improve on something is if you know about it yourself so I have no problem with that whatsoever and I am making the point about these houses.

I think we need to get a report on these houses that are derelict and just find some way of getting them removed. I do not want to put a burden on any poor person but some way has to be found where they can be removed without imposing hardship on the average poor person who may not be able to afford the clearance of it.

The Commission will also outline the methods to be employed in accomplishing slum clearance and redevelopment. As I make my point, I am thinking that it should not be done to the point where it makes a poor person even poorer by the person having to incur some expense in moving the house which they cannot afford.

The third point, they shall specify the amount of capital expenditure to be allocated for slum clearance and redevelopment, which is fine. It is okay to specify the amount of capital expenditure but at the end of the day a decision will be made as to how much will be allocated from on high and this is where the problem comes where we look at once the money is allocated, then we have to look at distribution, and one has to determine how you are going to distribute, where is going to get what.

Many times successive Governments have had a problem with this. How do you distribute your resources? Is it a case that those who are closest to the allocation process will get primary access to the exclusion of others? Or is it a case where you set up a system where we know exactly how it is going to work to the extent where the allocation is done according to greatest need, something that is proven scientifically, or according to some written-down system, the level of responsibility, the level of accountability, the size of the area, the population density, what?

For years we have had this problem and we still have not been able to grapple with it because many times one cannot understand on what basis the distribution is being made, no matter what it is. It has resulted in

complaints coming from various quarters, but I believe this is something we have to seriously look at so that we would not get these kinds of complaints.

A person would know these are the ground rules, whether you are discussing it in a parliamentary group, whether you discuss it wherever, but certain ground rules have to be laid because one understands that most people tend to get a little scared or intimidated and in doing that sometimes they get a little bit over-ambitious in trying to satisfy the needs of their constituents. To that extent others get left out who are not close to the distribution process. It is not intentional but it happens. It should stop and a way has to be found for it to stop.

All of us should get a piece of the action. Some talk about it privately. Some talk about it publicly. There are reprisals sometimes if you talk about it publicly but it is about time that we reinforce it again. It is no sense crying privately. Get up and talk. We have to look at it scientifically and we should know exactly how it is being done because history has proven that it is not going along the lines which I am suggesting it should be done.

Sir, I am happy that this Urban Development Commission is coming into place. I will be watching with interest. At the same time I am happy about the development in the Rural Development Commission. I notice that some things have been done. I think it was a bit slow off the mark but I understand that some things are being done although I am not too sure if the systems being put in place for allocation and distribution are as speedy as they should be because I was just made aware just a few weeks ago that there was some road that was supposed to be done in Christ Church East but my understanding was that all these matters had to go to Cabinet for decisions to be made on these matters. 4.10 p.m.

I am hoping that that will not retard the work because these Commissions are set up to give a speedier service than the traditional civil service and as such they must function in that way. I do not believe that we need to quarrel about the establishment of the Urban Development Commission but we need to always be vigilant to ensure that these Commissions do exactly what they are supposed to do for the benefit of Barbados generally. In this case, as we pointed out in our Manifesto, those who are poor, those who are helpless and areas that are in poor state of degradation, these areas need to be developed. Once this Urban Development does that, who can complain?

Hon. R. N. GREENIDGE: I rise to make a very brief intervention. Having listened to the Opposition since last Tuesday as well as today, Mr. Speaker, I had to reflect that on more than one occasion on the Floor of this House, I

have had to say that we do not have to be divisive on every single issue that comes before the House, we do not have to be divisive on every single Resolution.

Clearly listening to the arguments of the Opposition, Mr. Speaker, some of them were what I would describe as 'puffy and spurious and of little substance.' I could certainly detect that they were struggling to find reasons to oppose the legislation. They were simply struggling to find reasons to oppose a worthwhile piece of legislation which we are bringing before the House for the betterment of people in the urban area.

Mr. Speaker, we are being criticised by the Opposition simply because we care and simply because we are doing more in this area than the Opposition did when they were in office. I do believe that if they had brought this piece of legislation before this House, they would have been extremely proud of it.

Mr. Speaker, they have called the Bill sinister, a sinister piece of legislation. Another Member said that there was something fishy about it. The Honourable Member for St. Michael East was so confused that he said he agreed with the objectives, they were fine but the reasons are bad. The objectives are fine but the reasons are bad.

Mr. Speaker, I even heard another argument that this is a worthless piece of legislation simply because it follows so quickly on the heels of the Rural Development Commission. What they were saying is that you put a Rural Development Commission in place so that the rural area would catch up with the urban area and as soon as it begins to do that, you bring an Urban Development Commission and put that in place and once again you are going to have a situation where the urban area is going to run away and leave the rural area behind. Mr. Speaker, they are saying that that is going to defeat the purpose.

I do not see this as creating any division between urban. I see the Rural Development Commission and the Urban Development Commission as being complimentary. I do not think we should be looking narrowly at urban through this eye and at rural through that eye. I do believe, Mr. Speaker, at the end of the day, what we are concerned about is national development. This is exactly what this Commission sets out to do. The emphasis, Mr. Speaker, is not necessarily going to be the same in every case. If for instance in the rural area you are concerned about the roads and your livestock and your fishing villages, perhaps in the urban area your concerns and your priority might very well be in the areas of cleaning of drains and widening of roads, you might not be doing or concentrating on the identical things with both Commissions, that is the point that I am making but at the end of the day what you are going to have would be complete national development.

The point I am making, Mr. Speaker, is that when put together the two Commissions will augur well for Barbados. I am not of the view either that those of us who have rural constituencies should distance ourselves from any discussion or debate on urban development. I believe that in the city area, the Bridgetown area, there are lots of people who have come into the area from outside, from St. Philip and St. Andrew. It is a fact of life and a well known fact that the growth of the population of urban Barbados has really outstripped the availability of the amenities including housing. For all we know, Mr. Speaker, we may have more pockets of poverty in the urban area than we had in the last 10 or 15 years.

There can be no doubt in my mind, Mr. Speaker, that there has been some urban decay and that the need for an Urban Development Commission is very real indeed. On an average, I believe that the housing stock in urban Barbados leaves a lot to be desired. There is a lot of overcrowding in urban Barbados. To begin with, it seems quite fashionable in some areas of urban Barbados for persons who own tracts of land to rent this parcel of land to as many tenants as possible because numbers seem to be very important to the landlord. As a result, we have a lot of overcrowding in the urban areas which we do not see to such an extent in rural Barbados.

I also believe, Mr. Speaker, that we cannot close our eyes to the fact that the housing stock in urban Barbados, I am thinking specifically of two areas that I know well, really deteriorates rapidly. Mr. Speaker, I do not think that we can use the term 'breathing', that houses 'breathe' but certainly some of them to me seem to suffocate in the area that I am thinking about. That is the way that I felt when I saw them, the closeness of them. I believe that might be the most graphical way to describe it, that is why I used the term. 4.20 p.m.

You get a situation, Mr. Speaker, where the back water from somebody's pipe runs under the other person's floor and in no time that floor begins to deteriorate and I am saying that all of this overcrowding and those other things would cause the housing stock to deteriorate more rapidly.

Mr. Speaker, you have your problems as well in the area I am speaking about with your neighbours because you are looking into the other person's backyard, you know the other person's business and then there is a lot of friction. Because of this proximity a lot of things happen which would not really happen in the rural areas.

The right to light, Mr. Speaker and the right to air, those things become a real problem in those areas and I believe that to come in this Honourable Chamber and treat the matter as being trivial is really and truly not to

appreciate the problems which some of our Barbadian citizens, and some of the people who live in the urban areas are actually experiencing. I can speak about it because it is manifested almost daily at some of the institutions for which I have responsibility. When you try to get to the bottom of the problem, as to why is it that this matter has come up here, the explanation always is that it has to do with the proximity in the area. Little things like someone wanting to do his homework and the dub music and so blaring out this causes a noise.

If you really want to get a true picture of what I mean when I say overcrowding in some of the areas, take for instance my constituency of St. Philip North. If I had to walk around the perimeter of my constituency it may take half a day walking at a leisurely pace. If the Honourable Member for St. Michael East wants to walk around his constituency from the time he gets around the Ivy in half an hour that could very well be the end of it. He has roughly the same number of persons living in the constituency as I would have. This is the point I am making. These things have to be addressed and this is one of the things that the urban development commission obviously will focus its attention on, lack of privacy and so on.

I must admit though, Mr. Speaker, that there was a time when I had the urge really as a youngster coming to school to live in the urban area. They had lights and we did not have any. They were near to the school and I was not near to the school. Because of transportation I could not stay late after school. At 5.30, I had to be on the bus and I did not realise at the time there was a cost and perhaps I am appreciating it more now.

I also want to say, Mr. Speaker, that commercialisation has really taken its toll and is continuing to take its toll on urban development as well. I believe that commercialisation has brought about significant displacement and I think there was a time when along White Park Road for instance we had a lot of housing there and places like Collymore Rock and so on and we have to weigh the cost of that as well. What price are we paying in displacing people? I believe that urban development has to balance the spread really of commercialisation.

Mr. Speaker, I am urging the public to refrain from referring to some of these areas as housing areas. I believe it has a negative connotation today. I do believe, Mr. Speaker that the Pine Housing Area, the Farm Housing Area, the Ivy Housing Area and so on, I do not know if it was acceptable in the 1960s but to me nowadays, three decades hence, it does have a negative connotation and people no longer seem proud of the terminology and since part of the urban development commission focus will also include personal development, I believe that we can try to move away from referring to these areas as housing areas.

I feel, Mr. Speaker, that there is room for a lot more community centres in urban Barbados. I feel that there is room for much more social interaction among the communities. I know, Mr. Speaker, that it is virtually impossible for persons to raise poultry and livestock and have kitchen gardens and so on in the urban areas. I do believe that much more will be done now for these persons in terms of the economic activity and the enterprises with which these people will become involved. Thank you very much, Mr. Speaker.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir, I do not propose to speak very long in this debate but I want at the outset to say, Sir, that I do not subscribe to the working of the invisible hand as the basis for development neither do I believe in the virtues of any trickle down approach to national development.

I do not believe, Mr. Speaker, that social progress is going to take place automatically or on its own accord and that sometimes when we are faced with problems of great severity that we must deliberately engineer social progress.

The matter before this Parliament invites this House to be part of an effort to deliberately engineer social progress and I say that for a number of reasons. The question that we as parliamentarians have to ask is whether the problem of urban degradation, of squalour and poverty in urban Barbados is of a sufficiently grave nature and of a sufficiently concentrated nature to warrant the creation of a specialised institution to deal with it.

The other issue, Sir, is to ask the question whether the other agencies of Government are sufficiently dealing with this in the specialised way that it requires to give us the assurance that within a predictable and foreseeable period that the problem of urban economic social degradation in urban areas will be put behind us. I take it, Sir, that all members of this House are of the view that we have it within our resources, if we have the will, to remove the most abject forms of poverty in this country within our generation and that it is a goal to which all of us must subscribe.

We have a responsibility as well to identify those areas in which poverty is concentrated and focus specific attention on it as a matter of state policy. I certainly, Sir, do feel so.

A lot has been made in this debate about the existence of a number of other Government institutions dealing with aspects of economic and social progress but I want to say to the House that urban renewal and urban development is not a function that is at present being exercised by any state agency in the specialised concentrated way that it warrants. 4.30 p.m.

I start by saying, Sir, that it was, because urban Barbados has not kept up, in terms of its social progress, with the material development of the society, and it warrants specialised attention.

We have institutions of the state that are dealing with aspects of the programme which can bring relief. The National Housing Corporation, Sir, might be dealing with sites and services and housing. The Welfare Department might be dealing with another aspect of it. Community Development, Sir, might be dealing with another aspect of the matter, health might be. But the problem is being dealt within a haphazard, nonspecialised and incoherent fashion and it should be clear to all that if we were to allow this *status quo* to continue, there is a danger that the gap may in fact widen and that the problems of social and economic decay in urban Barbados, may go apace in both an absolute and a relative sense.

I say, Sir, that we have to make urban renewal and urban development a specialised function of the state. We have also the responsibility to create a specialised institution that approaches it in a holistic fashion rather than in the incoherent, nonspecialised and haphazard fashion that some institutions with the best will in the world, are now approaching it. And that is why we are here.

I would like to urge the House to see urban development as a holistic concept. The National Housing Corporation may go in and put in some pipes in a community and they might applaud themselves with that, but that is not urban development, Sir. We may have the Ministry of Public Works put in some street lights as an isolated activity, but that is not urban development.

Urban development involves the refashioning of our urban communities, the changing of their relationship to this society, the systematic upgrading of social, physical and economic amenities and the creation of a capacity within the urban community of the spirit of enterprise, for people, Sir, to have sustainable livelihoods even in their own community.

There is no government institution that is dealing with this holistic problem in this holistic way. The National Housing Corporation, if you will give it the staff, will do the housing part well, but it may not do the enterprise creation part well. The Ministry of Health will do the latrines well, but it will ignore other aspects. We need this institution, because urban Barbados has been left behind in the approach to development and unless there is a specialised focus on its affairs that can give the assurance that a disproportionate amount of the natural resources will be retained after the development of the property, Sir, we will not make any progress.

Mr. Speaker, this institution is to approach urban issues in the holistic way, in the broad-based way that you will not have forthcoming if any individual institution that has a specialised function to deal with, housing or health, were assigned the responsibility.

My only regret is that this matter has taken so long to come to the House. And it has taken this long to come to the House because when we came to office in 1994, there was no programme for urban renewal or urban development, either identified or in place to be carried out. I want to stress the point, because there are a lot of people who pay lip service to the relief of the problems of the poor. But there was no programme identified and defined to the urban development or urban renewal, although the problems of poor people in urban Barbados had been spoken about and engaged the attention of politicians, Mr. Speaker, for many years.

We undertook a survey of the conditions of urban Barbados to be able to identify the problems to which we were going to address and pay attention, and that took time. We also, Sir, spent time to develop a programme for urban development and what is before the House this evening, Mr. Speaker, is the institutional arrangements that will allow us to move from the understanding of the problem, the specification of the programme to the search for a solution.

I say that to make the point that what is important is not just that Barbados will have an Urban Development Commission, but that there is an urban development programme, based upon the systematic and scientific survey of the needs of poor people in urban Barbados which is to be carried out and I really, Sir, would have loved if this debate could have focused on the essentials of the programme, because this Commission is just only the institutional arrangement that will allow us to bring about the social engineering that we want to bring about.

There might be imperfections in the law, perhaps there are, Sir. And, there is no law that has ever been brought to this House that has been impervious to amendment. I say, Sir, that there might be aspects of this legislation that we may have in time to amend, but let us not lose sight, Mr. Speaker, of the fact that there must be an urban development programme that must be holistic, must be broad-based and that it must be designed to refashion communities in urban Barbados to define their places in society and to uplift those urban communities by a number of broad-based integrated programmes, all addressing the issue of poverty.

I am of the view that the Urban Development Commission will, with time become one of the most important social institutions in Barbados, because the magnitude of the problem it is being asked to deal with,

Sir, is one that will require the sustainability of our resource commitment over an extended period of time.

I see this institution, Mr. Speaker, as an institution that will, this year attract \$5 million, but that in years to come, as they enter the programme attract larger and larger proportions of the public revenues. I would invite the House, Sir, to just imagine what kind of urban Barbados we would have if over the course of the next 20 years, we could commit ourselves to spend at least \$15 million a year on the integrated programmes that this institution is going to be required to pioneer, that it has to sustain it.

I give this House the assurance, Mr. Speaker, that the resources will be found to make sure the Urban Development Commission becomes one of the leading institutions of social progress in Barbados. I envision that in short order, not five, but an average in excess of \$10 million a year will have to be allocated to this institution to allow it to deal with the problems, if we are serious and we are serious, Sir.

Asides.

Rt. Hon. O. S. ARTHUR: You should know, because I do not make sport about these things. But the House should agree that the commitment of resources to this institution, Sir, should be on a sustainable basis and that we should extend to the people in urban Barbados, the hope that once they stay the course, a day will come when the squalour and the decay that exist in so many parts of urban Barbados is something that will be put behind them.

I do not have, therefore, Mr. Speaker, just a short term view of the role of this institution. It is an institution that must deal with deep-seated, social, economic community problems and it is an institution that can be sure of enjoying the support of the Ministry of Finance.

Now, Sir, a number of political matters were drawn into this debate to which I would like to respond. The Member for St. Michael South - and I was trying to caution him from his seat, Sir, once again pandered to the popular, and we must stop doing it to ourselves, that politicians must drag, or that there is something good about politicians dragging at the end of their lives and that Public Officers are in some respect, contaminated if they have to work with a former politician. I do not subscribe to that. Mr. Speaker, Sir, it betrays a mind-set. 4.40 p.m.

Rt. Hon L. E. SANDDFORD: Mr. Speaker, I rise on a point of order. The Prime Minister is imputing improper motives to me. He has indicated that during my address I tried to drag public officers somewhere and I made it clear during my address that I did not make any adverse comment about any public officer during my address.

In fact, Sir, I spoke about the qualifications and the experience of public officers and a particular public officer. I was dealing with public officers in general. I would wish that the Prime Minister would withdraw that particular imputation.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, I did not say that the Honourable Member attacked public officers. I said he attacked politicians. I want to speak to the point, Sir, because it is a mind-set in Barbados to which we sometimes ourselves subscribe, that we would like to see politicians walk the street and drag at the end of their days and to snicker at them. It is a mind-set and we have to deal with it.

Rt. Hon. L. E. SANDIFORD: Sir, I rise again on a point of order. I have not attacked any politician and I certainly did not in my address indicate that I wish to see politicians dragged through the mud or through the streets. I do not know where the Prime Minister would have been able to draw that kind of conclusion but it is not in accordance with anything I said in this Chamber or anywhere else. Again, I would like the record corrected and I wish that you would rule that it is a complete distortion of anything that I said during my address.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, I am coming up front. There is a former politician who helped us to get the Rural Development Commission up and running. He has administrative skills. He is a Barbadian and he intends to work and live in Barbados. It is the judgment of this administration for which it does not apologise that if there are functions that he can exercise - his name is O'Brien Trotman. He helped us in relation to the Rural Development Commission because he has administrative skills and the Honourable Member for St. Michael South made remarks about how we have this experienced civil servant...

Asides.

Rt. Hon. O. S. ARTHUR: If it is the judgment of the Minister that he wants to appoint Mr. Trotman to be his advisor, he will not be the first Minister ever to have appointed anybody as his advisor. To make it appear as it was made to appear in here today that public servants will be contaminated by contact with him because that was what was coming through to me. It is an impression that I would like to correct particularly for persons in the sound of my voice. Public officers are not contaminated by being associated with politicians past and present.

I like the situation in England, Mr. Speaker, where public officers are encouraged to brief the Opposition so that they can have full and healthier debates but there is too much of this wanting to see politicians having to drag about at the end of their lives. Politicians themselves have

subscribed to it and it must stop. We are not going to apologise if somebody who has a contribution to make is allowed to make that contribution by the lawful authority vested in a Minister. I would wish him all the very best in his assignment and I would urge all of us...

Aside.

Rt. Hon. O. S. ARTHUR: There is a lot of snickering in this House and I tried to warn the member not to go down that wicket. I want him to leave it out because people hear what we say and they treat not only those whom we decry, but they treat us badly too.

Asides.

Mr. SPEAKER: Please! Could Honourable Members desist from interrupting the House!

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir, I am too old and experienced now to set this in the context of, for example, who got sent home because he was a Dem or if, for example, St. Peter got unfaired between 1986 and 1994 when for example the grant fund for building a fishing harbour in Speightstown was not utilised, Four Winds Bridge that fell down in 1987 was never fixed, the land at Six Men's that was required for housing development was abandoned. I am too old to get into those debates.

What I am saying is that we have it within our resources to get on with the business of urban development in a holistic and comprehensive way and that is what we are going to do.

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, on a point of order. I did not hear the record being corrected and I am not going to allow any member in here to get up and impute improper motives to what I have said or to my actions without responding. I have taken a lot in this country and I am not going to allow it to happen without protest.

Mr. SPEAKER: A point was made about reference made by the Rt. Honourable Member mentioning politicians. The other point that was made was a general point as far as the Chair understands. If the Honourable Member for St. Peter wants to withdraw the point made that the Honourable Member for St. Michael South had stated that politicians are dragged... The other point that was made was a general point. Is the Honourable Member saying that the Honourable Member for St. Michael South has dragged the name of politicians? Is this what you are objecting to, Sir?

Rt. Hon. L. E. SANDIFORD: Yes.

Mr. SPEAKER: Would you like to rephrase it, Sir?

Rt. Hon. O. S. ARTHUR: Mr. Speaker, I am going to go on with my speech. I said we have subscribed to a mind-set and I would like to go on with my speech.

Mr. SPEAKER: What the Honourable Member is saying is that he was not alleging that you were imputing any kind of motives. Could we proceed?

Rt. Hon. O. S. ARTHUR: Mr. Speaker, I want to speak for myself. There is a very acute political context that surrounds this entire debate and really has inspired much of the controversy. There are aspects of the legislation that we ourselves realise that we have to implement in such a way as not to cause any difficulty.

Sir, there are people who like the existence of poor people so that they can have a constituency to which they can continuously appeal. Many a person has made a whole public career out of tokenising the problems of poor people and appearing as if they and only they have a social conscience. That is one aspect to the problem. There are people who feel that they are more socially progressive than others and they carry it as a badge of honour and they like to put down the Barbados Labour Party particularly on the grounds that we do not like poor black people.

Rt. Hon. L. E. SANDIFORD: I rise on a point of order. I do not wish any improper motives to be imputed to myself or to any Honourable Member in here. The Prime Minister is making a point and is addressing this Chamber through you, Sir, that there are people who make a profession of keeping people in poverty so that they can appear to be the saviours of such a situation.

I want the Prime Minister to make it clear that he is not referring to this Honourable Member for St. Michael South or to any other member on this side or to any other person on that side. He must make it clear to whom he is referring. We do not wish any improper motives to be imputed on this side or to any other member. If he leaves it like that it appears as though he is saying that we are part of that.

Certain remarks made by the Rt. Honourable Member for St. Peter and the Rt. Honourable Member for St. Michael South were ordered to be expunged from the record by Mr. SPEAKER.

Rt. Hon. O. S. ARTHUR: Sir, I would go so far as to say that a person could be classed as a political hypocrite if they would agree to a 15% VAT in a Cabinet and then come and oppose that 15% VAT out of that Cabinet in public. I say no more on the issue.

The point I am making is that a certain propaganda has been generated by the Democratic Labour Party that this party does not like poor black people, that because the

people of urban Barbados have historically voted for the Democratic Labour Party that we should suffer them and not have a programme to deal with their needs. Fundamental to this debate is the political fear of the Democratic Labour Party of the success of the working of an urban development commission.

Mr. B. M. TAITT: On a point of order, Sir. The Honourable Member is imputing improper motives to me. He has indicated that I spoke to him in this Chamber out of fear that somehow the Urban Development Commission would be successful. Mr. Speaker, my recommendation to the Prime Minister is when this Urban Development Commission is successful that he should come to St. Michael West.

Mr. SPEAKER: Please! You cannot make a speech on a point of order.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir, we have heard in this debate the Member for St. Michael South skilfully disassociating himself from the manifesto of 1994 and going back to what he regards as first principles, the manifesto of 1991, in which an urban renewal council was proposed. We are creating an urban development commission but the public out there is being led by what comes from this Chamber and from what has come from the lips of the Leader of the Opposition to believe that the commission that we are setting up is some wicked monster to carry out yard-fowl- politics and a lot of trivia. The Democratic Labour Party has come to believe its own propaganda and its propaganda is that the Democratic Labour Party and the Democratic Labour Party alone has social conscience and that they and they alone like poor black people, that we who are black hate ourselves. They have put that propaganda to the people of Barbados.

Everything that we therefore seek to do...

Asides.

Mr. SPEAKER: Order, please!

Rt. Hon. O. S. ARTHUR: Any action undertaken by this Party to advance the cause of poor people collides with their perception of the Barbados Labour Party, as put out by their propaganda, and that is what this debate is about. They believe that the Barbados Labour Party should not have a new deal for the vendors, not because they did not think we should do so, but because they would want us to do things that would make us unpopular in urban Barbados.

There has been an element and an aspect of sophistry and deception on various parts of the public discussion surrounding this matter that in a way has tarnished

the politics of this country. It has rather than allow the focus to fall where it should fall on the aspects of the programme to deal with a real and living problem it has fallen on the cheap and dingy propaganda that the Democratic Labour Party has made.

Mr. B. M. TAITT: On a point of order, Sir. The Honourable Member is saying that the speeches made over here were cheap and dingy propaganda. I resent that. It is the duty of the Government to bring proper legislation. 5.00 p.m.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, the Democratic Labour Party may wish for this Commission not to succeed for political reasons and that is their political prerogative but I hope that in their hearts they wish that it succeeds for the benefit of the poor people on whose behalf they so very often said they cared about.

Sir, I said I was not going to speak long in this debate. I give the House the assurance that this Commission, as I said, will be staffed by strong professional people and that it will enjoy enlightened leadership through its Board of Directors.

I give the House the assurance that if there are any anomalies, quirks or any difficulties with the legislation that can stand in the way of this Commission properly fulfilling its task that any appropriate amendments will be made.

I give the House the assurance, Sir, that this Commission will enjoy access to the public resources in a quantity that will enable it to fully discharge the responsibility, given the magnitude of the problem, because at the end of the day...

Aside.

Rt. Hon. O. S. ARTHUR: I would like to close on this point, Sir, that all of us who are called to public service, in the words of Michael Manley, must come to believe that our chief responsibility...

Aside.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, the Honourable Member for St. John raised a matter in the debate that I think I have a responsibility to clear the air about because he said that the Government is, from the Public Enterprises Fund, putting \$10 million in the pockets of a certain Bernard St. John.

Aside.

Rt. Hon. O. S. ARTHUR: If he did not say it, Sir, I am glad he said that he did not say it.

Hon. D. J. H. THOMPSON: On a point of order, Mr. Speaker. The Honourable Member is misleading this Chamber. What I did say, and will repeat, is that at the time when I set up the...

Mr. SPEAKER: No, No. Not a speech, please. Just make your point of order.

Hon. D. J. H. THOMPSON: I am saying what I said. He said I said something. I am now saying what I said.

Mr. SPEAKER: Just make your correction, please. You cannot move on to say what you said. Just make your correction.

Aside.

Rt. Hon. O. S. ARTHUR: Sir, the Honourable Member himself said he did not say that and I take his word and I will proceed.

I just want to say, Sir,...

Aside.

Mr. SPEAKER: Okay. Order, please. The Honourable Member for St. John, just restrain yourself.

Rt. Hon. O. S. ARTHUR: He is a little petulant, Sir. Things are not well with him in the party. Many have left him, Sir. Some have deserted him and he is collecting deadwood. While he is getting rid of his own deadweight...

Mr. SPEAKER: Please, please. The Honourable Member, could you proceed, please?

The Honourable Member has two minutes to conclude, please.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, this Urban Development Commission will become one of the leading social institutions in Barbados. I commend the institution to this Parliament in the words of Michael Manley that we are called to public life to stop poor people from being poor and this, in my judgment, is going to help substantially in that endeavour.

I am obliged to you, Mr. Speaker.

Hon. G. W. PAYNE: Mr. Speaker, in my introduction to this Bill, I set out in detail the Government's programme for urban renewal. I did indicate that this Bill is just one of the vehicles to propel the Government's urban renewal programme.

Honourable Members on that side have certainly spent a lot of time on certain aspects not connected with the

Bill. We have had a long debate, Mr. Speaker, and I do not intend to prolong the House much longer in this debate.

The Honourable Member for St. John in his contribution spent a lot of time referring to matters pertaining to St. John and other matters not connected with this Bill. There is nothing really I think is worthy of note as it relates to this Bill.

The Honourable Member for St. Michael North West spoke about the Brandon Development Plan which he certainly did not make a document of this House and from his comments it is fairly obvious that he has agreed with all the principles of the Bill.

The Honourable Member for St. Michael West dealt with certain legal aspects for which a practitioner would be more familiar. Seeing that the Attorney General has dealt with all of these matters, I would not want to go over them because I think we have really dealt with those matters in detail.

I would just like to say that from what Honourable Members on that side have said they certainly, in their contribution, if you take the substance of their contribution, since one has to look at the substance sometimes rather than the form, they actually agree with this Bill in its entirety all to certain slight modifications, whether they relate to typographical errors or other matters that can be resolved by amendments from time to time as the Commission gets going.

This Bill is only one aspect of the actual Urban Development Programme. If, as I said, members on that side cannot deny the fact that there are problems in the urban areas that need to be addressed at this time, well then they would have to accept the fact seeing that they formed the Government during the last administration, that they were unable, whether it is due to the fact that they did not have a programme, or it is due to the fact that something was wrong with the machinery and they could not get their programme in place. Now, if they accept there were problems and if they accept that there was the machinery, as their comments have indicated, well, certainly no matter how they vote on this Bill, it is fairly obvious that they support it wholeheartedly.

I believe, Mr. Speaker, the problems of poverty in the urban areas, the problems of the tenants in the urban areas, those tenants who have been disenfranchised, those people living in dilapidated houses and the difficulty which they encountered, the reality of those problems and the fact that some mechanism is needed to deal with those problems, comes out a lot in the words of the Honourable Member for St. Michael East when, in accepting the fact that the

programme we have for urban development is a good one, indicated that he liked the programme. 5.10 p.m.

He likes the objectives of the programme but he does not accept the reasons for the programme. Certainly, it is a contradiction when one realises the distinction between the objectives and the reasons in any subject.

Mr. Speaker it is not necessary for me to go over this programme again and with those few brief remarks, Mr. Speaker, I commend this Bill to the House and I beg to move that this Bill be read a second time.

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

DIVISION

A division has been called for.

The bell was rung.

The question that the Bill do now pass was put and resolved in the affirmative, the House dividing as follows:

Ayes: Rt. Hon. O. S. ARTHUR, Hon. D. A. C. SIMMONS, Hon. G. W. PAYNE, Hon. R. C. EASTMOND, Hon. R. N. GREENIDGE, Mr. W. C. C. CALLENDER, Hon. R. St. C. TOPPIN, Sir HAROLD St. JOHN, His Honour R. D. MARSHALL, Hon. H. deB. FORDE, Mr. L. R. TOLL, Mr. D. CARTER, Mr. J. M. EDGHILL, Mr. G. A. CLARKE - 14.

Noes: Hon. D. J. H. THOMPSON, Mr. F. J. STUART, Mr. B. M. TAITT, Rt. Hon. L. E. SANDIFORD, Mr. J. O. TUDOR - 5.

On the motion of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS the House resolved itself into Committee of Supply, Mr. W. C. C. CALLENDER in the Chair.

COMMITTEE OF SUPPLY

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

Hon. G. W. PAYNE: I would just like to say that there has been a list of amendments which have been circulated but they are a few minor errors in Clauses 4 and 6 and these will be dealt with when we get to those Clauses.

Clauses 1 - 3 inclusive, were called and passed.

Hon. D. A. C. SIMMONS: Sir, in relation to Clause 4, I beg to move that the word 'and'¹ after the

numeral '5' be deleted and the word 'or¹' be substituted. It reads "this Act applies only to land in urban areas that is designated under Section 5 or designated to the Commission."

Hon. G. W. PAYNE: I beg to move that Clause 4 as amended stands part.

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

Mr. B. M. TAITT: I assume that the Attorney General is making this change after consideration and that is not as the Minister intimated merely a typographical error. I think that this is a substantive change that has been made and I wonder if we really recognise this because the Act applies only to land in urban areas that is designated under Section 5.

Asides.

Mr. B. M. TAITT: You say where the land is relevant, if that is what you want.

Sir HAROLD St. JOHN: If the land is the designated area, the Commission can exercise certain powers. It is impossible for the Commission to dispose of land which is within the designated area unless it owns it. If you had left the word 'and¹' you would have been in real trouble.

Mr. B. M. TAITT: I want to be certain that the Minister is making sure that 'and¹' is in because when I raised the issue in my second reading speech when it was really 'and¹' there were persons who really ridiculed the question that was being made. I have spent some time on it but it does not matter. I am sure that the Minister now understands that there is a difference between 'and¹' and 'or¹' and that is not a typographical error and that when it was 'and¹', it was rubbish.

Hon. G. W. PAYNE: On a point of order. I indicated that there are certain typographical errors. I did not specify to which particular typographical error I referred. I think that anybody would agree that there is a big substantive difference between 'and¹' and 'or¹'.

The question was put and resolved in the affirmative with division.

Mr. B. M. TAITT: I have a question to raise with the Minister. I wish to know what is the procedure since the Minister did not tell us. How is the land going to be vested? Who will have the authority to vest the land in the Commission?

Asides.

Mr. B. M. TAITT: It is alright. They can jump up and down because I am a novice. I am an idiot. I do not know nothing about nothing. 5.20 p.m.

Mr. Chairman, in order to dispose of land, and when we get down to this you will see the issue but I do not expect everybody over there to understand, least of all those who are wringing up their hands. But, Mr. Chairman, if it is the Government's land, Government land can only be vested if it comes in here. Is that correct?

Aside.

Mr. B. M. TAITT: I am trying very hard not to demonstrate anything that would cause you to send me.

Aside.

Mr. B. M. TAITT: But he does not know the answer. That is the trouble. He is sitting down there like some little...

Mr. Chairman, this thing purports to put into the hands of the Commission, powers later on in this same Act and the question as to land being vested is important to a parliamentarian. There is no distinction made in this legislation as can be found in other legislation. You talked about where the Commission is of the view that some place is unfit for human habitation. Now there are a number of areas where people live in the suburban areas where land is not a question but anyhow I will get to that. If he says that he does not have to answer then there is no answer. I voted against it and I am going to vote against it.

The question that the Clause, as amended, stand part was put and resolved in the affirmative the House dividing as follows:

DIVISION

Ayes: Rt. Hon. O. S. ARTHUR, Hon. D. A. C. SIMMONS, Hon. G. W. PAYNE, Hon. R. C. EASTMOND, Hon. R. N. GREENIDGE, Hon. R. St. C. TOPPIN, Sir HAROLD St. JOHN, His Honour R. D. MARSHALL, Hon. H. deB. FORDE, Mr. D. CARTER, Mr. G. A. CLARKE, Mr. J. M. EDGHILL - 12.

Noes: Hon. D. J. H. THOMPSON, Mr. F. J. STUART, Mr. B. M. TAITT, Rt. Hon. L. E. SANDIFORD, Mr. J. O. TUDOR and Mr. D. St. E. KELLMAN - 6.

Clause 5 was called.

Mr. B. M. TAITT: Clause 5? I was under the impression that the Attorney General was prepared to change "may" to "shall". Clause 5(1) says the

Minister may by order designate urban areas for the purpose of this Act. He does not have to change it but I am just reminding him.

Hon. D. A. C. SIMMONS: I consulted Halsbury's carefully. All of the similar legislation, including the Rural Commission Act for Wales, all use the language "may". It is the sense in which "may" means "shall". I direct the Honourable Member to the kind of interpretation that you will see in the back of the Companies Act, the definition section where that Act explains when "may" means may and "may" means shall and vice versa. I will leave it as it is.

Mr. B. M. TAITT: I am not controverting what the Honourable Member said, it is simply that when we had the discussion not long ago on the question of "must" you will recall that we brought a piece of legislation in here to do with the capacity of ships always to establish corporations they had imported the word "must" and we had a long discussion as to whether "must" would be important and when I had a private discussion with the Attorney General earlier I had made the point that whereas what he is saying is valid that all of the Acts quoted and all of the Commissions quoted in the United Kingdom that it is valid, Barbados had in fact gone ahead of these jurisdictions by virtue of the Administrative Justice Act and therefore we needed not leave that controversy.

I was under the impression that so far as Barbados was concerned the question of "may" and "shall" had been settled and that in legislation coming thereafter we would not use this form. It is merely this that I am raising. I do not have a problem with it if you do not have a problem with it.

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

Clause 6, as amended, was called.

Hon. G. W. PAYNE: I beg to move that Clause 6, as amended, stand part.

Hon. D. A. C. SIMMONS: I beg to second that. Mr. Chairman, I beg to move that after the word "social" there should be inserted the word "amenities" before the word "and" and it should now read: "To provide housing and improved social amenities and recreational facilities." I think the word "amenities" allow far greater scope for the Corporation to do a number of social things. For example, the introduction of water borne facilities will be covered by language such as "social amenities".

Sir HAROLD St. JOHN: Mr. Chairman, I just want to get it clear as to what text we are dealing with because a document was circulated and it did leave out the word

"amenities". I am all in favour of the insertion of "amenities" but my understanding of what the Honourable Attorney General is saying is that you insert the word "amenities" between the word "social" and "and" but you leave in the words "recreational activities".

The question that Clause 6 stand part was put and resolved in the affirmative without division.

Sir HAROLD St. JOHN: But, Mr. Chairman, Sir, again I want to get this because I have 2 Bills before me and I notice that clause 6(h) has been specifically amended by the deletion of cottage industries and things of that kind and in its place is inserted "to encourage, promote and provide assistance in the development of economic activity and enterprise". It has been amended to insert that.

Mr. B. M. TAITT: Mr. Chairman, I think as a matter of procedure, Mr. Chairman, that the Attorney General, and the Minister, I think that even though for ease of following it you have circulated this document, since this is the document that was laid you have to move each amendment. 5.30 p.m.

There are some amendments which you are taking for granted, which if you do not move them it will not appear in here. So, you need to move each one specifically, otherwise they cannot appear in here.

Hon. D. A. C. SIMMONS: Mr. Chairman, I am grateful to the Honourable Member for St. Michael West. He now makes a point for the first time today that I could live with. He has now spoken sense.

Asides.

Hon. D. A. C. SIMMONS: The point is this, Sir, that the Bill from which he was speaking did not contain amendments when we started on Tuesday. We brought a list of amendments on a separate sheet and then for tidiness, we collected them in this final draft, so that what is on this Bill is really the Bill with the list of amendments, but inserted and we have a clean document incorporating the amendments.

To this Bill, I have made two other amendments. The two I moved in Section 4 and Section 6, the deletion of "and" and the insertion of the word "amenities." But, in the interest of strict procedure, the Clerk who has a list of the amendments must still call them clause by clause, and that is what we are doing.

Clauses 6 and 7 were called and passed.

Clause 8 was called.

Mr. B. M. TAITT: Yes, I want to ask about Clause 8, Sir.

"Appoint committees composed of members of the Commission and other persons, not being members of the Commission, to assist the commission in carrying out its functions";

I have no problem with that.

"Delegate to such committee any functions it considers necessary."

And presumably when the Committee has considered whatever it is, it would come back to the Commission for the Commission's decision.

Asides.

Mr. B. M. TATTT: This is not a normal parastatal. This is a new entity. Let me explain what I am talking about. This Commission is going to have the powers to demolish properties. I have to proceed on the Bill with what I see, this process,

"delegate to such committees any functions it considers necessary."

So, it is entirely possible, now, that the quarrel I had in the first instance that the Commission is going to get ministerial power, they in turn now, according to this section will be able to delegate that power. So that, in fact, there could be a subcommittee that will be responsible for the management. This is a very serious piece of legislation if (b) says,

"delegate to such committees any functions it considers necessary."

Now, the functions which were set out for the Commission were set out for those functions and also it provides from (a) down to (i). And if you will recall in this legislation, if you look at (f) (iv),

"to alter, enlarge, repair or improve houses or other buildings";

and later on in this legislation it gets the power to demolish. Where in the opinion of the Commission it is felt that a building is derelict, etc., it can demolish the building. Now it says that it can

"delegate to such committees any functions it considers necessary."

What I am saying therefore is that the issue, which I raised with regard to the Commission itself, is being reduced even

further. The potential exists for the devolution of the power to a small committee. You can have a committee of two.

Asides.

Mr. B. M. TAITT: I am only drawing it to your attention. It is my duty to draw it to your attention. You are going to pass it anyhow.

Hon. D. A. C. SIMMONS: On a point of order. Mr. Chairman, all Statutory Boards make provision for subcommittees. They cannot function as a whole board to everything.

At the Housing Corporation, I am speaking subject to memory, because I do not know what happens now. In my day, you had a subcommittee that dealt with houses for rent. You had a subcommittee that dealt with land and houses for sale. You had a subcommittee that dealt with tenders. All that this Act is saying is that the Commission may say,

"Look. We want a subcommittee to look at the whole business of how we can help urban Barbados create an economic activity."

That subcommittee will work on that. Another subcommittee deals with tenders for demolition or whatever. All it does is to give the power to set up the subcommittee. If you do not give it specifically, you cannot imply a power to be given sufficient power to set up the Committee.

They have to look and see what they are going to do out of all these functions that they have listed which one they are going to give priority to. There may be a subcommittee to deal with road improvement, one to deal with sanitary facilities. You cannot tell them what to do when they meet and they are going to start with the Minister and his advisers. They will help him at the first meeting that they have. I can see that.

The Minister will have a first meeting with the Commission explaining the history of it, giving them the Urban Development Policy and they may advise him as to what committees they may wish to set up. It is up to them when they meet to accept the advice or not. But, at least they are given the power to set up whatever committees they think necessary for the greater expedition of the work of the Commission.

Sir HAROLD St. JOHN: On a point of order, Sir. The provisions of the general law which my friend would appreciate would be helpful. If you are a delegate, you cannot subdelegate unless you had specific authority.

But what I want to emphasize is, Sir, that the procedure for the demolition of buildings, is elaborately set out including a provision for appeal to the Judge, who has power to squash the demolition notice. So safeguards are built in there.

The next point I wish to emphasize is, my understanding is where you are empowered to delegate, it does not in anyway detract from the rule that the decision is of the Commission itself. The power to delegate only provides a machinery how the Commission operates. Instead of saying, unanimity, the Commission operates *via* a subcommittee. So it is still the decision of the Commission. No doubt the Members of the Commission in order to ensure that they do not incur the odium of the public, will establish elaborate rules to ensure that major decisions still have to come back to them.

Mr. B. M. TAITT: The functions have been defined. When you look through the functions there are one or two that you are going to have to stretch to get some other things in.

Now when we come up to another section it is going to say that

"Where in the opinion of the Commission a building to which this Act applies, is derelict, is unfit for human habitation, creates a nuisance, or is injurious," *etcetera*, "the Commissioner having served and where the owner fails to comply pursuant to subsection (1) with the time specified, the Commission or any person authorised in writing by the Chairman, may execute the works mentioned therein and may, if the Commission deems it expedient, order the whole or any portion of the expenses," *etcetera*.

So presumably the power to demolish would lie in the function that has been identified as to execute lands for sum clearance and redevelopment. Is that correct? So having clarified that, it is now possible, because what the Honourable Member for Christ Church South is saying is that a decision by a group or a committee of the whole is a decision of the whole. Now you know that conflicts with another principle in administrative law that if a committee is to make a decision that the whole committee has to consider where considerations are necessary if the decision they are going to make will have an adverse effect on a citizen. 5.45 p.m.

I can think of nothing more adverse than the demolition of a property. As you know, many of the major issues in this area have resulted from demolition and I am just raising the question. When I said this is not like an ordinary statutory corporation there is no other statutory

corporation that has the power to demolish a property. So it seems to me that if you are operating...

Aside.

Mr. B. M. TAITT: ...They cannot have a subcommittee that can demolish. That is executing the works, but I am talking about the decision. I am drawing it to your attention because subsequently a committee of 2, if it is called the demolition committee, can go through and decide that that house should be demolished and as we saw, it is entirely possible that a whole department can push down a building which another department was working on for something else. If it could happen where you can have so many functionaries, it could happen with a subcommittee. I think that the language for delegation of subcommittee seems loose and you might want to look at it.

Clauses 7-13 were called and passed.

Clause 14 was called.

Hon. D. J. H. THOMPSON: Mr. Chairman, on this matter, the Honourable Member for St. Thomas had asked me to point out in relation to previous legislation an undertaking he had given. I pointed out the ouster clause as one but we also had on previous occasion considerable discussion about this kind of clause. In one piece of legislation it was carried in the constitution of the committee. In another piece it was carried in the Substance Abuse Council and it was carried in the constitution of the committee, in the Rural. It was then amended and put into the body of the Rural and now we have it again in here.

The point we made on the previous occasion and this is the undertaking that the Honourable Member for St. Thomas has given, along with comments made by the Honourable Member for St. Peter, that the Financial Rules as amended would be the rule that would apply to statutory corporations and commissions and so on.

In that regard, in addition to the requirements for disclosure, the constitution or the legislation itself should be clear that the commission or the entity is required to follow the Financial Rules applicable to Government in particular to the award of tenders or where the tender procedure is being used. That was the concern that I had, that it had not been addressed.

I know that the Financial Rules are still due for amendment but I feel that unless you make it mandatory not just by way of Cabinet Minute which is how it has previously been done, but make it mandatory for these entities to follow the Financial Rules we are going to make the work of Parliament, particularly the Public Accounts Committee, the Auditor General and all of the other

entities which have to assess and audit and review the work of the Government departments, and the accounting procedures used, very difficult.

If the undertaking still stands,* I hope that the Honourable Member will find it prudent to require by legislation these statutory entities to follow the financial rules which govern Government.

Hon. D. A. C. SIMMONS: Mr. Chairman, I am grateful that this matter has been raised. It is a matter of some fundamental importance in the management of government. On this particular section it is a pity that the Hansard is not up-to-date, but I remember the first point raised was probably the Substance Council or one of them or the Rural Development Commission. The draftsman had a very convoluted procedure for disclosure of an interest in the contract and I said I was going to change it. What we said that we should do is go to the basic language of the Companies Act which specified conflicts of interest and disclosure. This is what we are trying to do here, using the format of the Companies Act.

The second point and whether it comes in the body or in a Schedule is a drafting matter. You must have provision to restrain conflicts of interest or potential conflicts of interest of a director of a statutory board who may be interested in a contract that the Board is going to award.

The second thing is the question of the applicability of the Financial Rules to statutory boards. Until the Financial Rules are completely overhauled it is my understanding that they do not apply necessarily to statutory boards. The proper procedure if the Board wishes the rules to apply is that the Board at its first meeting should move a Resolution to adopt them. That is what I did when I was Chairman of Housing Authority, CBC and Sports Council and we made them apply. At the Sports Council we were able to develop our own rules which followed them.

We are working on the whole revamping of the rules to include them. We have done a short amendment which allows urgent action. It was laid in here. 5.50 p.m.

If it is a matter of urgency, and we have increased the limit for which you do not have to go to tender, but you must have quotations, of course, from \$25 000 to \$100 000. The \$ 25 000 related to 1971.1 must say on this that I have recommended within my Ministry that in the interest of good public accounting, I do not want to create more bureaucracy, but where they invite quotations, quotations must come in sealed for the Permanent Secretary who will vet them and then there is an in-house committee. Certainly in my Ministry of four persons, the Buildings

Officer, the Deputy Permanent Secretary, the SAO and the Permanent Secretary who will go through them and they will decide who to award them to, so that you still have a kind of selection tendering process in-house. They can do that within a day or two of the things coming in.

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

Clause 15 was called.

Mr. B. M. TAITT: Mr. Chairman, this is the clause in which I have the most fundamental difficulty with the Act. First of all, Sir, as I said, and I want to repeat, I do not believe that any Commission that is appointed and who is not required to go back to their Minister, as in the case of the United Kingdom where they are required to hold an enquiry, there is no enquiry to be held here. There is no safeguard really.

It says:

"Where in the opinion of the Commission a building to which this Act applies."

First of all I disagree that a Commission should have this power. The fact that another statutory corporation was given this power 20 or 30 years ago does not...

Aside.

Mr. B. M. TAITT: The fact that the Housing Authority or some other statal corporation would have been given this power some time ago does not move me. To say that some other corporation has it does not move me because we have moved a long way in the last 25 years in relation to the rights of the individual in the society in which we live.

For many of the people who are occupiers of, or owners of dilapidated properties in the urban areas, however defined, these people almost necessarily are going to be members of the group for whom poverty alleviation has been designed. They are unlikely to be people who have the capacity to go through the processes of ...

Mr. Chairman, you can see? I want you to have a good look because it is clear that they are entertaining each other in a manner which you would not approve of.

Anyhow, Sir, it is more than likely that a person who is going to be functional in these areas will satisfy some definition of "poor". It is all the more reason why a decision to demolish a property in these areas should be, at least, visited by the authority of a Minister who is accountable in here.

If you turn to the Health Services Act - you said you could not find it but it has been stated at 11 (a), you will see an elaborate procedure that where even the Minister has been given the power, an elaborate procedure which has been included in that Act which does not see the light of day in this one.

It says, in essence, that the Commission, which will now have a conflicting power with the Minister of Health, will be able to do all of the things which the Minister of Health in the Health Services Act could do. What I want to ask is, will this Act when we pass it be a superior Act to the Health Services Act? Since we are giving the Commission the same power as the Minister of Health, will the Commission now be equal to the Minister of Health on the question of derelict buildings? As it stands now, the Public Health Inspectors are the ones who determine, to a large extent, whether a building is abandoned and derelict.

It says here: "Where in the opinion of the Commission." Will the Commission have professional staff? Will the Commission have the capacity to identify and clarify what is a derelict building? It seems to me that some collaboration between the Commission and the Health Services would have been preferable, but the Minister responsible for this Commission is the one who ought to determine, not the Commission.

If they wish to say that it is going to be speedier to have a Commission rather than go through some other process, that is fine but a Minister, some Minister, should be responsible for making this decision because when this decision has been made the procedure to be followed is essentially court procedure. It is essentially going through a series of steps which are unlikely to be available to the large percentage of the people who are going to be the victims of demolition, *et cetera*, in so-called slum clearance. It seems to me that 15(1) had we taken this to a Select Committee, would have provided us with an opportunity to examine this in much greater detail.

We have been demolishing derelict buildings now ever since the amendment was passed in the Health Services Act, and at no point since we started demolishing buildings...

Aside.

Mr. B. M. TAITT: Oh, yes. They have demolished in excess of 100 buildings in this country. They have demolished hundreds of buildings. Almost every three months 25 buildings are demolished in this country, but we have never taken the steps to recover a single cent.

It is all right to pass legislation with the procedures, At the moment the Government puts money into the Estimates and the Minister of Health administers the

dereliction. That was concerned primarily with beautification, so there has been no rush to recover any cost from buildings where there has been demolishing because it is public health and beautification. This, on the other hand, is going to be demolishing for slum clearance. I suppose you can say they are all the same thing except that it is likely to have people living in it.

There is no slum area down in any of the areas that you are implying where there are buildings that nobody lives in. The derelict buildings that are demolished for public health purposes are usually in suburban areas. You can find some in Whitepark Road. You can almost see it happening. These are buildings where nobody is paying any attention to them, but in Cat's Castle and other parts of the City, and some parts of some constituencies in St. Michael, there are people who live in these places.

Aside.

Mr. B. M. TAITT: Yes, but I spoke in second reading. The Honourable Member is saying from his seat that they will get notice. I wish the Honourable Member to recognise that I am not trying to be an obstructionist. I am trying to help him to visualise what happens to people who live in these so-called urban areas.

The people who live in these areas are not likely to see notices. The notices which are put up, as I said, you can go and check the notices which you put up in relation to the new roads that will be built through Black Rock, *et cetera*, 6.00 p.m.

Let us assume that it is seen. Most of the people who look at it will not understand what it is about. What I am saying is that 'where in the opinion of the Committee¹ is not sufficient for me. I will be satisfied if it is a Minister because if and when the Minister makes an error, the accountability happens in here. When the Commission makes an error, it is unclear to me where the accountability is. Once the Commission has been appointed, there is not going to be much difference between the Public Service Commission and this Commission except that the Public Service Commission has some protection under the Constitution. As a matter of fact, it says that "the Minister may give them directions." The Minister has no obligation to this Commission once it has been set up. That is why I am objecting to your giving them what in essence is police powers. I like the Minister to be someone that the other people on the Other Side, either in the Cabinet or in here will ask for. You can come here with a Parliamentary question but I do not know. It seems as though that is falling on deaf ears. I think that I have again sounded the warning that this Section 15 is an assault, intended or otherwise on the rights of the individuals in this country.

Wherever the state is going to be taking away something from the citizens, the state has a duty to be elaborately careful. Where the state is using an entity that we are unsure of, the pedigree of this Commission will be open to some questions, not the members but the Commission itself. The legal pedigree will be open to some serious questions itself. This is the Act that we are passing and this Bill when it becomes an Act will have some loose language in it.

This one here in particular bothers me. I know Commissions. They are called something else now. I have seen how some of these people function. I have seen school boys that do not want to give the opportunity to hold a meeting in a school. We have some people who sit on Boards that have almost no power, who exercise real power. Can you imagine when you have one that can push down somebody's house? There are houses in Richmond Gap that to the untrained eye may seem derelict but for us who understand the circumstances of a woman who was married and was living in reasonable circumstances and then her husband who was on pension dies and all she has is the remnants of that large quantity of money called pension that comes to her. She was a person who is waiting now to be 65 to get old age pension. She is living off the survivor's benefits as he used to be a gatekeeper at the hospital in 1960.

Asides.

Mr. B. M. TAITT: She should be getting supplementary pension. Supplementary pension is what the Prime Minister should be discussing for people like that. If he wants to alleviate poverty, that is the kind of thing he should be coming in here with. Supplementary pensions for those persons....

Mr. CHAIRMAN: The Honourable Member is asked not to stray too far.

Mr. B. M. TAITT: Sir, I am not going to spend time on that. The point is that this is a real danger. This is not a superficial danger that I am pointing out. It is a real possibility and it is not because it is your administration but because of the way it is set up, this will become institutionalized. Anybody who has applied for a house at the National Housing Corporation and has a constituency in St. Michael, including those over there can tell you that every week at least five persons come to them and tell them that they applied to the National Housing Corporation 17 years ago or seven years ago or eight years ago. I had a man last night who came and told me, this is his language, "He applied 11 years ago, and he went back every year, sometimes five times a year, and a foreigner woman come down and apply after him and Mr. So and So gave her a house in Fernihurst."

Asides.

Mr. B. M. TAITT: I told her that. I said to her that I am not very good at getting houses but if...

Mr. CHAIRMAN: Honourable Member, please address the section.

Mr. B. M. TAITT: I am addressing the section, Mr. Chairman. I am pointing out the kinds of difficulties people, whose houses would be pushed down would have when they have to deal with a bureaucracy and when they have to deal with the hybrid that you are setting up. That is all it can be described as; a doubtful pedigree.

Mr. CHAIRMAN: Honourable Member, I wish to draw your attention to Standing Order 41.

Mr. B. M. TAITT: I am fully seized of that, Sir.

Mr. CHAIRMAN: We are aware of the argument that you have made but there is a Standing Order which says that you should not persist in repetition of your own argument. You have made your point.

Mr. B. M. TAITT: The point is of fundamental importance to me. I am repeating it so that you would hear it and understand it. So that the Attorney General would hear it and understand it. So that the Minister would hear it and understand it. I am not repeating myself because I am an idiot. I am repeating myself because it is important, Mr. Chairman, and if Your Honour considered it important you would not draw some nebulous rule to me when I am trying to make a point.

You can put me to sit down but I am saying that I am making a point of fundamental importance for the people of my constituency and you tell me about some rule about repetition. I am repeating myself because I have to be in here in order to get some recognition for the people and you come in here and tell me about repetition.

I am going to repeat myself until you put me out but do not interrupt me to tell me about what the Chair says.

Mr. CHAIRMAN: The Chair will not put you out at all but the Chair would like all Members to understand the Standing Order. This is the second time that I had to quote this Rule in here about Members repeating their own arguments. This applies to all Members of the House.

Mr. B. M. TAITT: Mr. Chairman, you speak, pass the Bill and do not worry about it.

Sir HAROLD St. JOHN: Mr. Chairman, Sir, I would like to point out that Clause 15, having regard to the totality of the Clause, does not have the vicious

possibility as outlined by the Honourable Member who has just spoken.

First of all, Sir, the Clause sets out very clearly a category of circumstances under which these powers could be exercised. It is clear that there is a distinction between a building which is derelict, I have checked with the dictionary to find out the concept and the meaning of that word. It is very clear, the dictionary says that "a building is derelict when it is abandoned by the owner". It says exactly that. If the Honourable Member is not familiar with how to find out the meaning of words, that is his problem. Not that Honourable Member. I know that the Honourable Member who spoke is very well familiar with these matters but all Honourable Members over there will understand how to find out the meanings of words because the meanings of words are not always relevant.

As I understand it, Sir, the dictionary is very clear, it says "forsaken, abandoned by the owner, occupier and in case of a ship, abandoned at sea." 6.10 p.m.

Now, Sir, one must contrast that with the other categories of circumstances that these powers can be used. "Is unfit for human habitation," that always presupposes that somebody is living in the house. The third one is "creates a nuisance." Now that is also a concept that is well known, and fourthly "is injurious or likely to be injurious to health." So that the mere delineation, in my opinion, of these various categories of circumstances which trigger the power is itself the protection that is provided.

The Honourable Member spoke of the Administrative Justice Act and you do not necessarily have to have the Administrative Justice Act, the general rules are that a body cannot act *ultra vires* and if the Commission purports to do acts which are outside the terms of the definition of the powers, the courts will deal with that. So I really think that when you take that into account and also you take into account the procedures that are established to ensure that there is a mechanism in place for appealing against the decision of the Commission, the Act is not as vicious as the Honourable Member would seek to apportion to it, Sir.

Now, I am one of those, Sir, who was concerned about the state of these buildings in Barbados previously. I remember that after elaborate examination of the law between 1976 and 1986, I cannot remember the particular year, Cabinet made a definite policy decision that the buildings in Barbados which were derelict have to be dealt with and it was felt that the Housing Authority which always had the power to deal with it but never executed the power was not fit and proper. Therefore an amendment to the Health Services Act was introduced to make sure that the Ministry of Health was assigned that responsibility.

I remember there was a famous building in Bay Street where there was a disgraceful condition because the toilets at the back of the building were exposed and people used to use them in the view of everybody. I think it was during the time of the Honourable Member, as Minister of Health, that a notice was served and that building was demolished. I want to say this, Sir. This Act does not at any time derogate from the powers of the Health Minister or the Housing Authority. My understanding is that this Act has assigned to the Commission these particular powers and remember the fundamental restriction on the Commission is that it can only operate within the designated areas. All the rest of Barbados, the Ministry of Health, the Ministry of Housing, is still going to operate.

Aside.

Sir HAROLD St. JOHN: You cannot declare the whole of Barbados urban, Sir. It is not possible to do it, Sir, because the Honourable Member is well aware that there is a rural development programme of which he is a great beneficiary.

Mr. D. St. E. KELLMAN: On a point of order, Sir, the Honourable Member is misleading the House and I would like him to point out the areas in Barbados in the beautiful constituency beyond the Judge Gap, where the Rural Development Commission has done any projects.

Sir HAROLD St. JOHN: I just want to conclude, Sir, by saying that the intention of the Act is quite clear and that having regard to the definition, I do not know what dictionary Honourable Members use but I have asked the Clerk at the Table to send the new Shorter Oxford Dictionary. Derelict, forsaken, wholly abandon, forsaken, abandoned by owners. That is my view on this, Sir.

Mr. D. St. E. KELLMAN: Mr. Chairman, I am very grateful to the Honourable Member for Christ Church South for explaining to this Assembly today what is derelict. That is why, Sir, after 15(d) I would like an amendment to this particular one. It says, Sir, the Commission may serve on the owner or the occupier and we are dealing with derelict buildings, Sir. In light of that interpretation of what is derelict, I am proposing that occupier would have to be removed from this particular section because if the dictionary says that an occupier cannot be in a derelict building, Sir, then there is a conflict. If that is not allowed, Sir, I have a further amendment and that is, the Commission may serve on the owner and the occupier, notice in writing requiring them to demolish.

Mr. Chairman, I am a bit worried about this particular section, Sir. It gives too much flexibility, Sir. It gives the impression, Sir, that somebody in the urban commission who might have a conflict with a particular owner, Sir, can resort to the occupier or they could be some

agreement between the occupier and the Commission and they could go and demolish a building that belongs to the owner without informing the owner, Sir. We must guard ourselves against these situations. That is why I am asking that this section be looked at to make sure there is no conflict. Thank you very much.

Hon. D. A. C. SIMMONS: Mr. Chairman, that section is almost word for word a reproduction of section 11 of the Housing Act which the Honourable Member...

Aside.

Hon. D. A. C. SIMMONS: You used to administer. You were a member of the Housing Authority. You were not a member of the Housing Corporation?

Mr. D. St. E. KELLMAN: Mr. Chairman, on a point of order. The Honourable Member is misleading the House because the Honourable Member is deliberately giving the House the impression that when the Housing Act was passed, I had something to do with it. It is true that I was a member of the Board but when you are a member of the Board of the National Housing Corporation you cannot change the laws.

Hon. D. A. C. SIMMONS: Mr. Chairman, I see the point made by the Honourable Member St. Michael West. I hear him but I do not listen to him in the sense that his position and mine assume two different attitudes to ministerial responsibility and contemporary Government. 6.20 p.m.

As I understand it we are all concerned to devolve on other institutions, somebody even goes so far as to have NGOs running all over the place, but devolve some of the ministerial responsibilities to other organisations.

There are international institutions now which prefer to lend money to parastatal organisations than to central government. For every parastatal organisation in constitutional propriety, in the Constitution, a minister is ultimately responsible for the operations and functions of that Commission. It is a body corporate.

Asides.

Hon. D. A. C. SIMMONS: No, but if the Commission demolishes somebody's house wrongly, the Minister is answerable ultimately. The Commission will be sued. They are entitled to be sued in their own name, according to Section 21 in the Interpretation.

Aside.

Hon. D. A. C. SIMMONS: They will have money.

Aside.

Hon. D. A. C. SIMMONS: I bring it as I brought the case against the Sanitation Authority, I bring it against this Urban Development Commission. They are the defendant. Government will have the funds to satisfy the judgement, if they cannot satisfy it out of their own money.

Asides.

Hon. D. A. C. SIMMONS: Alright, levy on their property. Because this will be funded. It is said in the Act itself how it will get its funds. The Prime Minister gave the assurance today in Parliament.

I thought the Honourable Member for St. Michael West was concerned about the phrase, "Where in the opinion of the Commission," and the opinion of the Commission can be formed even now without regulations adjusting the matter. It can be formed by procedures which the Commission can adopt and I can see it quite clearly, Sir, that the Commission, before they decide to declare a building derelict, will instruct the appropriate officer to go and get an engineering report on the building as to its structural integrity and will liaise with the Chief Public Health Officer and get his view about it.

Asides.

Hon. D. A. C. SIMMONS: But that is what happens now. All that would happen is that this Commission will get expert advice to inform its ultimate opinion.

Asides.

Hon. D. A. C. SIMMONS: That is how I would operate. I want to also suggest that the persons who will comprise the Commission will be persons of reasonable competence and intelligence, but more particularly, all of these matters can be addressed in regulations. The Act allows for regulations. This only creates the framework, but the regulations will set out the detailed procedure.

We come in here this afternoon with about four or five sections of amendments to the Companies Act. Where are the details about a take-over? In the regulations. The details are there. The Act itself sets out only the framework and this is all that is happening today.

Mr. F. J. STUART: On a point of order, Sir. The section seems to accept that the occupier of a building that is unfit for human habitation, for example, is not necessarily the owner.

Asides.

Mr. F. J. STUART: But, you cannot ask a tenant to demolish a house that is not his. He is the occupier. If the owner fails to comply in subsection (2)...

Asides.

Mr. F. J. STUART: If the occupier does not pass on the information to the owner and the owner claims he was not served, what happens then?

I think that the notice should be served on the owner. He is the person who has the power to demolish.

Asides.

Mr. F. J. STUART: I am seeking clarification.

"The Commission may serve on the owner or occupier thereof notice in writing requiring him" owner or occupier "to demolish... "

The occupier cannot demolish a building that is not his. Subsection (2) targets the owner.

Hon. D. A. C. SIMMONS: Mr. Chairman, I would suggest that we let this pass. I will do something else. I have asked Members from time to time, with legislations circulated to please send me some comments and I do not get them. But, on this one, out of the heat, when we are on holiday, if Honourable Members will write a little something, however arrogant, however you like, for us to look at, I will have this carefully examined with the draftsmen and everybody again so that if there is need for amendment when we come back in October, we can pursue that.

I have asked Members for the time being to facilitate the Bill and let it pass, but we will look at it if Members really have these strong concerns.

Clause 15 was called and passed.

Clause 16 was called.

Mr. B. M. TAITT: Sir, I just want to draw to the Attorney General's attention 16 (a). I had hoped that given the wide range of justiciable issues covered in the Administrative Justice Act, *etcetera*, that this Clause would not appear in new legislation. Because, if you will remember in all of the legislation cited, some of it was cited by the Honourable Member for Christ Church West, where you are dealing with the property of a person, when you look at the constitutional position of the property in Barbados, I think that putting a clause in legislation like this that the decision of a judge is final, tends to close the door, or the door appears to be closed which only those who have the resources can open.

It seems to me that if a person goes to the Judge and is dissatisfied, that those persons who can, ought really to be able to seek their appeal beyond a judge in Chambers. I am a little concerned that we have a commission, you know my position on that. We are moving from the Commission and by extension the Minister, according to what the Honourable Member said, you can now go to a judge in Chambers and after that, that is the end unless, as you know, you can go through the elaborate thing of trying to get judicial review. You know judicial review does not come easily on matters of this kind. I wonder if we should continue to have that clause in legislation which actually takes, in this case, property is going to be an issue. 6.30 p.m.

The other issues are not crucial but the Commission will have power in essence to demolish property, albeit with compensation. Now, I put it for what it is worth, but I do not think it has any place in this legislation. In England they go up to the Appeal Court.

Hon. D. A. C. SIMMONS: Mr. Chairman, I understand the Honourable Member's point. He is aware that all of the National Insurance legislation provides for an appeal from the appropriate tribunal to the judge in Chambers and it is final. You cannot go beyond that. That is the National Insurance legislation, severance pay, whatever, all of them.

I wish to submit, however, that I do not believe that this section creates an ouster of administrative justice because it is a decision of the Commission and the dissatisfied person will have a right under the Administrative Justice Act to go right up to the Privy Council because what we are now having, we are having three channels. We are having Order 53, if the person wants to proceed via Order 53 except that he cannot get declaration or damage. You have the administrative justice if he wants to go that way, and I would advise him to go that way rather than rely on this, and he can come here.

Mr. B. M. TAITT: What I am saying to you is precisely that. The reason why those jurisdictions have to put this in or go to the judge is that they do not have an Administrative Justice Act. Since you have an Administrative Justice Act, it seems at the most to be irrelevant to be putting this in our legislation at this time. It is better to not have it at all because we have an Administrative Justice Act so that you could appeal to a judge in Chambers, full stop. All the procedures in the Administrative Justice Act still apply so to put it in here is really superfluous.

Hon. D. A. C. SIMMONS: Sir, that may be a good jurisprudential argument, and I like the argument. We are now on good ground. For the first time in this debate, after two days, he has now come to grips with some real, sensible argument. I can accept that argument but I

would say to him that he still has to explain to me how is it that under the Magistrates Court Act you can have a right of appeal right from wherever right up to the Privy Council and you can challenge the decision of a magistrate by administrative justice.

A lot of administrative justice cases were decisions of magistrates in which persons used the language. They may have abused it. I do not know if it was intended to deal with magistrates but you get around the problems of going on appeal by challenging the decision under the Magistrates Court Act especially where they were not given reasons.

I would say, leave it. It is another string to the bow of a person who considers that he may be aggrieved.

The question that Clause 16 stand part of the Bill was put and resolved in the affirmative without division.

Clause 17 was called and passed.

Clause 18 was called.

Mr. B. M. TAUT: Mr. Chairman, Clause 18 (4) is dangerous.

It says:

"Where the Commission fails to serve the notice referred to in paragraph (b) of subsection (3) the validity of the scheme shall not be prejudiced by such failure."

At (b) of subsection 3 it says:

"Serve a notice to the like effect on every owner and on every other person who to the knowledge of the Commission has any interest in land in the area affected by the scheme, except persons holding under a monthly tenancy or tenancy for a lesser period."

Now, Sir, in the United Kingdom, again that is the source from which we have borrowed, this is the area in which a hearing must be held. Even when it has gone to the Secretary of State there is a period of time during which the Secretary of State must call a special enquiry or have a hearing.

Now, failure of notice is fatal and here we are specifically excluding the fatality of the scheme if notice has not been properly served. Now that is contrary to the trend, especially in Caribbean jurisdiction. Failure to tell an owner that you have a scheme that is going to result in the alteration of his property to his own detriment is substantive. That is not procedural. That is not a case where somebody failed to let somebody know. This is substantive for the owner.

I think this legislation which is, in effect, saying that failure to give the Honourable Member for St. George South notice that you were having a scheme that is going to send a road right through his property...

Aside.

Mr. B. M. TAITT: That is why I chose you because it is non-controversial.

To say you are going to allow a road to go right through his property and then you say: "failure to serve him with a notice will not prejudice the scheme," this language is even different from the language that was used in the Health Services Act or any of the Acts. This uses new language. It does not even say "will not alter the scheme," or will not do something else to the scheme. It says "The validity of the scheme shall not be prejudiced." If it shall not be prejudiced what does that really mean? Perhaps the AG can explain.

If a judge goes through and finds as a fact that so and so was not given any notice, he says however under the law as it now stands none of that is of any account because section 4 here says that although the Commission failed to serve the notice which it was mandated to serve on every owner and on every other person who to the knowledge of the Commission had any interest, so even though to the knowledge of the Commission they had an interest and he failed to serve, the judge can say, "Well, I hear you but it really does not affect the validity of the scheme."

The question that Clause 18 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 19 and 20, as amended, were called and passed.

Clause 20, as amended, was called and passed.

Clause 21 was called and passed. Clause 22

was called.

Sir HAROLD St. JOHN: Mr. Chairman, I would like to draw to the attention of Honourable Members that the word "Crown" in Clause 22 appears to be the wrong word. The word there should be "Commission". The Crown has powers under the Land Acquisition Act to acquire land. This is an empowering Act giving the Commission power. It cannot be the Crown. It has to be the Commission otherwise it does not make sense because the next Clause, Clause 23 indicates that the Commission has to pay so I do not see how it could be the Crown.

Aside.

Sir HAROLD St. JOHN: That I accept as the procedures. Check it because if you are saying that a slum clearance scheme is to be carried out by the Commission, the inevitable consequence is that you must invest it with the power to carry it out. It appears to me that the Crown is not the body there. It sounds to me like it should be Commission. 6.40 p.m.

Hon. D. A. C. SIMMONS: I beg that the word "Crown" in line 2 of Clause 22 be deleted, that the word "Commission" substituted therefor and that Clause 22 as amended stands part.

Clause 23, as amended, was called.

Hon. G. W. PAYNE: I beg to move that Clause 23 stands part.

Sir HAROLD St. JOHN: Clause 23 follows logically from Clause 22 because the Commission particularly subsection 2 says "the Commission should forthwith out of its funds, pay into the Consolidated Fund any.... payable pursuant to the Land Acquisition Act in respect of any compulsory acquisition."

Mr. B. M. TAITT: The point I made during my second reading speech was that people who now get their land acquired, do not get paid for it. The Commission is supposed to be coming into existence to speed up this thing but when the Commission gets money it has to pay it into the Consolidated Fund. When the Commission acquires land, it has to be paid for by the Crown so we are back to square one.

Asides.

Mr. B. M. TAITT: I understand but I am just saying that the whole question of the speed with which a person whose land has been acquired will get paid will not be affected by the fact that there is a Commission. If anything, it will be longer because the Commission will be funded and any monies the Commission makes will not go to the Commission's coffers, it has to be paid into the Consolidated Fund. That is what it says in here. There is no speed. Do you see any speed?

Sir HAROLD St. JOHN: We cannot pass this particular point without some more consideration by the Committee.

As I understand it you are trying to empower the body with powers to take people's land and you wish to have the land acquisition procedures to apply, that is, fairness in relation to compensation, that is, assessment in accordance with the procedure and then payment. If you

are going to do that, you have to harmonise it properly. It is not that one is against the acquisition but what you wish to make sure is that you would have to adapt the Land Acquisition Act for this body so as to ensure that all of the procedures and the safeguards of the Land Acquisition Act applies but you wish to let it be clearly understood that you wish this body, out of the money that is provided by Parliament, to pay the compensation. I think that the logical thing would be that compensation should be paid to the person who is entitled. We will look at it because we may have disturbed the scheme by taking out the word 'Crown' because 'Crown'¹ did not make sense at that time but as a result of the amendment you may need a consequential amendment there.

Mr. Chairman, this is not a unique provision, I believe that in other countries, you will see precedents with other bodies, local Government authority or otherwise. We will check it and see if it is right.

Mr. B. M. TAITT: If we were in Britain, this would fall under a local authority. The local authority has the power to raise funds and they do not have to pay the fund into a Consolidated Fund. If this was a scheme in some part of Scotland or Britain or wherever, it would not make any difference because when they acquired the land, the local Government would be the equivalent of our Parliament for the purpose of this. That is where we have a problem because we had to adapt. They are required to pay money into the Consolidated Fund.

Hon. G. W. PAYNE: If I may relate this to the case where a particular division in one Ministry seeks to acquire the land for a particular purpose and then the matter has to be dealt with by the Ministry of Housing, then I can understand the provision here. It means that if the Ministry of Home Affairs wants to acquire land, they would have to make provision in the Estimates of expenditure for that particular sum and even though the Ministry of Housing would be dealing with it, it would not come from the Housing vote and the Ministry of Home Affairs would then have to transfer the money to the Ministry of Housing. This provision here, says that there is no provision in the Estimates for the statutory boards with respect to their specific budget, seeks to address that point which would mean that the statutory corporation here, the Urban Development Commission, notwithstanding the fact that the Division of Housing would go through all the procedures for acquisition, payment would not come from the vote of the Ministry of Housing but it would come from the Urban Development Commission who would then transfer the money to the Ministry of Housing. I think that that is what is intended here.

Then again Section 23(1) states that it should be in accordance with the Land Acquisition Act. To be quite honest with you, it is not really necessary. The

particular provision is not really necessary and I can understand how confusing it is but it is not strictly necessary because if it is in accordance with the Land Acquisition Act, it would mean that the Division of Housing through the Consolidated Fund would have to pay for it anywhere.

Asides.

Hon. G. W. PAYNE: This explains where the money would come from.

Mr. B. M. TAITT: I am really not being critical but I do not understand what you just said. I did not quite follow it.

It seems to me that if the Urban Development Commission identifies this property to be acquired by and with the permission of the Minister - they do not have any money except what has been voted for them - unless they anticipate that they are going to be acquiring this property before the financial year, in which case the Ministry responsible for Housing, presumably will be the funding agency for them and would include a sum to pay for that. 6.50 p.m.

If such a sum is not included they cannot pay for it out of their own funds because whenever they receive funds they have to send it to the Consolidated Fund. They are no different for purposes of operations in terms of moneys from any other agency.

Now, if you say that that land must be acquired using the Land Acquisition Act, there is only one way that that can be acquired, using the Land Acquisition Act. There is only one Minister in the entire spectrum that could acquire land. When the Honourable Member was speaking he said if the Ministry of Home Affairs wants to acquire land but Home Affairs or nobody else can acquire. Only the Minister responsible for Lands can acquire or dispose of land. That is the ministerial power but you are trying to give the Commission power to acquire land but you must recognise that the power to acquire land as a governmental agency still has to be under the Land Acquisition Act if it is going to be done according to a particular procedure.

Hon. G. W. PAYNE: If the Ministry of Home Affairs identifies land that must be acquired in the same way as when the Division of Public Works needs to acquire land for road improvements, it must be in their vote. This provision stops the Commission from making a request for acquisition expecting that it will be paid directly from the Consolidated Fund. It must be paid from funds already allocated to them. So that if they have been allocated \$1 million and they are acquiring a property that cost \$1 million they cannot expect it to be paid directly "from the moneys voted in Housing for other purposes of acquisition. They must pay \$1 million from their vote into the

Consolidated Fund. That is what it means. I am not so sure whether it is clear here but it is not really necessary for it to be included here because the process will follow and the acquisition will continue along those lines.

Hon. D. A. C. SIMMONS: This is another one. I do not see the difficulties but other members have points of view which I respect. This is one they can write on and I will encourage Honourable Members to write to me for my personal attention so that I will see it early, otherwise it goes through the system. All kinds of things come addressed to the Attorney General that other people deal with. If it is addressed to me personally I will deal with it and I will have a meeting because I have to hear from the people in Housing how this came to be, what they are driving at and be advised by them.

As I understand it, Sir, it just says where the Commission does a compulsory acquisition, compensation has to be assessed in accordance with the existing legislation of the Land Acquisition Act which sets out a scheme for compensation. Secondly compensation should be paid into the Consolidated Fund for the time being, until they can have their own fund set up.

Subclause 3 is no problem because it sets out the guidelines for assessment. It is only subclause 2 that I think we need to perhaps look at.

The question that Clause 23 stand part was put and resolved in the affirmative without division.

Clause 24, as amended, was called.

Mr. F. J. STUART: Mr. Chairman, in respect of a well maintained premises the section is saying that the Minister may give direction for the making by the Commission of a payment in accordance with section 24 in respect of the house, why "may" and not "shall"? If the house is well maintained, should not there be a duty to pay:

"Where the Minister is satisfied upon the report of the Chief Public Health Inspector, that a dwelling house compulsorily acquired... notwithstanding its sanitary defects, well maintained?"

There should be some reward for a house being well maintained.

Aside.

Mr. F. J. STUART: I just raised the question. 7.00 p.m.

Is there something missing after the word "section" in subsection (1) there?

"May give directions for the making by the Commission of a payment in accordance with" this section.

Asides.

Clauses 24 - 36 inclusive, were called and passed.

Clause 37 was deleted.

The Schedule, as amended, was called and passed.

On the motion of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS, Mr. CHAIRMAN reported to His Honour the SPEAKER, the passing of one Bill with amendments in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS the Bill was read a third time and passed and cited as the Urban Development Commission Act, 1997.

ORDER NO. 7 - TO MOVE THAT THIS HOUSE
RESOLVE ITSELF INTO COMMITTEE OF
SUPPLY TO CONSIDER THE GRANT
OF SUMS OF MONEY FOR THE
SERVICE OF BARBADOS

On the motion of Rt. Hon. O. S. ARTHUR seconded by Hon. G. W. PAYNE the House resolved itself into Committee of Supply, Mr. W. C. C. CALLENDER in the Chair.

COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee of Supply.

RESOLUTION TO GRANT THE SUM OF MONEY
FROM THE CONSOLIDATED FUND TO
SUPPLEMENT THE ESTIMATES,
1997-98 AS SHOWN IN
THE SUPPLEMENTARY
ESTIMATES

NO. 5 - HEAD 19 - MINISTRY OF FINANCE AND
ECONOMIC AFFAIRS - \$1 291 695

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, in January of 1994 the Government entered into a technical cooperation agreement with the American Development Bank to carry out a tax administration and a public expenditure management programme.

This programme, Sir, had four subprogrammes. The first involved the institutional strengthening of the

Department of Inland Revenue. Subprogramme two pertained to the strengthening of the Customs and Excise Department at the implementation of a value added tax. Subprogramme three involved the institutional strengthening of the Land Tax Department and Subprogramme four involved the institutional strengthening of public expenditure management. 7.10 p.m.

Subprogramme 4 is designed to enhance public expenditure management and control by strengthening the agencies that are responsible for budget presentation. The Supplementary, Mr. Chairman, that is before us, is to enable the Government to fully carry out Subprogramme 4, the other 3 subprogrammes already having been executed.

Sir, under Subprogramme 4, it is envisioned that work is to be undertaken to improve the existing programme budgeting system of the Government and to devise a system of programme budgeting for statutory organisations. It is also envisioned that the Accountant General's office will be provided with the supplies and support to enable it to carry out its activities more efficaciously, that the Auditor General's Department will be provided with support particularly to enable it to implement a value for money auditing system. Most important, that a management information system to link all of the various institutions involved in expenditure management would be put in place to allow us to exercise better expenditure control.

Mr. Chairman, these activities under Subprogramme 4 involving systems for better expenditure control are proceeding and are seeking to accelerate the activity.

Subprogramme 3 provided for the implementation of a Value Added Tax as well. All of the machinery for the Value Added Tax, computers and so on, were from this programme but that is already behind us. We are now into that part of Subprogramme 4 that deals with putting in computers and so on to link Government departments.

Mr. Chairman, we are seeking now to accelerate the work to bring this particular Subprogramme 4 to a satisfactory conclusion and to effect that purpose we have to purchase a lot of computer equipment. We have also to extend the contract of the consultants. The intention is that the Auditor General's office, the Accountant General's office, and others, will have computers that can relate to each other and we will have a system of budgeting agreed for statutory boards. In order to carry out these works, Sir, we need these funds.

I therefore beg to move that Head 19 stand part.

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

Mr. C. A. MASCOLL: Mr. Chairman, as has been told, this is a continuation of the very good work done by the last administration to reform the two tax systems. This is a programme that was initiated as far back as January 1994, so that we are really not in a position to disagree or to oppose the Supplementary.

However, I wish to ask a question. Has the work done at the Land Tax Department helped to improve the collection of taxes from that source? In the Preamble to the Supplementary at that time it was suggested that there would have been a considerable amount of arrears collected for land tax purposes. So far the evidence on the fiscal side does not prove that there has been any substantial improvement in land tax collections as a result of the improved methods put in place in that department over the last two years.

One is left to wonder what has really become of the noise that was being made at that time about the inadequacy of the system under the last administration and the vast improvements that would have been made or should have been made in the Land Tax Department over the last year and a half. There is still no evidence whatsoever to show that there has been any real increase in the tax buoyancy as it relates to land tax in this country. I am just asking a question in relation to subprogramme 3 that has been put in place and whether or not there has been any real improvement in the tax collection resulting from that subprogramme.

As I said, we really cannot oppose an initiative that had its genesis under the last administration. What we are looking forward to though is the way in which these subprogrammes will affect the overall fiscal position of Government. Since there has been a delay in the budgetary exercise, it seems as though we will have to wait until September or October to find out whether or not the other subprogrammes have, in fact, yielded anything significant for the Government.

In like manner, we are waiting to see what kind of initiatives will come a little later in the year that these initiatives could have influenced. I have every reason to believe that there is difficulty in putting together a budget simply because so much reform has gone on in the fiscal affairs of this country, so much reform has gone on in the financial affairs of this country, so much reforms have gone on in the labour market in this country, so much reform has gone on generally in the Barbados economy that there seems to be little need for a budget since Government cannot tamper with the fiscal system, it cannot tamper with the monetary system, it cannot tamper with the labour market system and there is hopefully, by budget time, September/October, a list of goods which the Barbadian public will be relieved of in terms of VAT. That will constitute the major part of the budgetary exercise.

This, in fact, should be said to the public of Barbados that the reason why there is such a delay is because the fiscal affairs of Government have been so well refined on the revenue and expenditure side under the last administration and the monetary affairs of Government have been now left to the market to be determined with one interest rate being fixed by Government that there is nothing that can come in the budget for 1997.

In fact, it is a good thing that the Government made a decision to delay the budget because it can now use the excuse that the imposition of VAT on food has proven to be burdensome to the Barbadian population and that it has an opportunity whenever it comes 9 months after to relieve the general public of the pressure that has been put on them as a result of VAT.

I will make available a little later recommendations that have been made as far back as April 1994 and that should have been implemented by the last administration if, indeed, they had the opportunity and should have been implemented by this administration in relation to that particular recommendation that was made.

Since this is an initiative that really had its genesis in the Democratic Labour Party Administration, I cannot seek to oppose it. It is in the interest of the country. We have seen all kinds of evidence that the measures taken under the last administration have borne fruit. From the fiscal side we have seen it in terms of Government's management of the fiscal affairs from the point of view of the foreign reserves. We have seen it from the point of view of growth in the economy. We have seen a redefinition of this economy under the last administration which this administration now pretends to be its own. I am saying to you, Mr. Chairman, that I have no difficulty in supporting this initiative since it constitutes another part of the operation performed by the Democratic Labour Party Administration to correct the ills in this economy. We have seen substantial evidence of the ills that have been corrected.

All I do hope is that some time soon the benefits which have been derived in the economy will be passed on to certain groups. I identify these groups as the civil servants who deserve a much better deal than they are getting and the shop assistants who deserve a much better deal than they are getting. The evidence is there to show that the VAT system has been inflationary, which was easy to predict, and that the workers of Barbados generally are not as well off as they were a year ago because of the inflationary spiral. 7.20 p.m.

In that regard, I am asking that measures be put in place a little later in terms of tax administration and in terms of the subprogrammes which we are seeing

before us to ensure that the real spending power of the Barbadian worker is enhanced and improved because there is evidence to show that the wider economy is much better off than it was a year ago.

On that score, I do support the supplementary to ensure that this subprogramme is effectively managed for the good of Barbadian workers.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, this is Happy Hour and the Member's speech shows traces that he has already started Happy Hour.

I am thankful to the Member for reminding me that this was in fact a programme started under I.D.B.'s auspices and that it was the I.D.B. that financed all of the studies and all of the work under the Democratic Labour Party for the implementation of a Value Added Tax.

I remember, Sir, that there was a little nasty controversy in the Press once that provoked me to speak words about a certain journalist when he was trying to say that....

Asides.

Rt. Hon. O. S. ARTHUR: The VAT is an LD.B. tax. Perhaps I should have apologised to him even more profusely because this is now establishing that under the Democratic Labour Party the implementation of a Value Added Tax was in fact subprogramme 2 of the Technical Co-operation agreement entered into in 1994.

Sir, the Honourable Member for St. Michael North West obviously was not taken into his confidence by his leader. This is a question of our delaying the implementation of the Budget. I have already spoken to the Leader of the Opposition and I have told him that we will be bringing the Budget later this year in keeping with the commitment that I have given the House and the country that we will allow Value Added Tax to be subject to a review after nine months. The Leader of the Opposition and I have already discussed this matter, Sir. I have spoken to him and I have told him and if he has not told his noisome member what I have told him about the budget, it only reflects on the level of communication between the two members.

Hon. D. J. H. THOMPSON: Mr. Chairman, Sir, on a point of elucidation. I agree with the Honourable Member that he did discuss that with me and not only did I inform my parliamentary group but I also informed his parliamentary group when the Budget would be held and they too were very grateful to me for that information.

Rt. Hon. O. S. ARTHUR: At least they heard him but he has members on his side who pay him no regard

whatsoever, so despite what he has told him he comes to the House and makes a foolish statement.

Mr. Chairman, there is no delay in implementing the Budget. We took a conscious decision from the very start. That is the point, Sir. I want to say it for the benefit of the House.

You cannot delay something when you have made a decision from the very start as to when you will bring it. It would be a delay if you were to have it after the date that you said that you were going to bring it on. The member, Sir, is talking wonderful nonsense in trying to mislead the public about the Government delaying the Budget.

Mr. Chairman, I was also very glad that the member who obviously speaks off the top of his head on economic matters, brought to the House's attention that the land tax was not yielding the revenues that it was supposed to be yielding and he wondered why.

The simple answer is that the Government took a conscious decision, as set out in our Manifesto, to reduce the rate of tax. He does not know this. A man masquerading as a spokesman on finance on behalf of a serious party does not know that the Government has reduced the rate of land tax as we promised in our Manifesto and that whenever there was a tri-annual revaluation we would reduce the rate so that people would end up paying the same or less land tax.

I am proud to say, Sir, that the reason why we are not taking in anymore land tax is because we have reduced the rates. The member, who would like to have the House believe that he is this hotshot economist does not even know that there has been a reduction in the rate of land tax in Barbados.

Asides.

Rt. Hon. O. S. ARTHUR: Lam hearing the man in perfect silence. It is embarrassing that the Member should get up and tell the House that there is no buoyancy in the land tax and that there is no increase in the yield and he does not know that there has been a simple reduction in the rate *pari passu* with the increase in value to give effect to the statement of the Barbados Labour Party's Manifesto that we will reduce the rates whenever there is a revaluation of the land tax.

Mr. Chairman, I believe that I have effectively covered the points that have been raised. The question is whether or not there are matters to be addressed in the Budget will be left to the discretion of the Minister of Finance.

The Honourable Member for St. Michael North West has gone on record as putting his professional judgement on the line that there is nothing at all now to be done in Barbados by way of a Budget. Nothing at all to be done. That is what the Opposition is saying that we have already done business with them and there is nothing at all to be done.

A gentleman wrote a book called "The End of the Nation State" and another wrote a book called "The End of Work". The Honourable Member for St. Michael North West will write a book called "The End of Budgeting". His view was that because of the end of the Cold War that the notion of a nation of states as exists would end. The Honourable Member for St. Michael North West has now joined the distinguished band and there is to be an end to budgeting. There is nothing now left to be done.

Sir, we will have to hear him because I give him the assurance that we have promises to keep and miles to go before we speak and if he has nothing more to contribute by way of advise to the Democratic Labour Party on budgeting, then we are just to establish what we knew before that he is irrelevant and empty but I can give the assurance that there is a lot more to be done and that there are exciting challenges out there to be addressed.

I will keep my promise to the House in due course on this matter.

Mr. Chairman, Sir, I cannot let this occasion pass without reacting to the statement by the Honourable Member for St. Michael North West as to his position on the Value Added Tax. He has had now, Sir, about six different positions. When he was a technician advising the Leader of the Opposition he said that we should tax all foods and give relief to the tourist industry.

I remember, Mr. Chairman, that early this year the Honourable Member for St. Michael North West when the Honourable Member for St. Michael South was saying that the VAT should be 5% on food, his argument then was that all food should be taxed at 10%. They have gone on record as saying that. I do not want him to come sometime in the future and suddenly invent nonsense that he was asking for any basket of food because he has gone on record as saying that there is nothing wrong with taxing food but it should be at a rate of 10%.

Hon. D. J. H. THOMPSON: On a point of order. I believe the Honourable Member is misleading the House.

Asides.

Mr. CHAIRMAN: Make your point.

Hon. D. J. H. THOMPSON: Mr. Chairman, I am speaking to the Honourable Member for St. Peter in a triangular discussion. The Honourable Member for St. Peter is misleading the House. It has always been the contention of the Honourable Member for St. Michael North West that the VAT on food should be 10%. 7.30 p.m.

There was a memo which was written to me which should be in the Ministry's file, dated 28th April, 1994 which memo was the memo I said the technocrats themselves, because they were so advanced with the notion that the VAT should be one rate, did not accept that the VAT on food should be charged at the rate of 10 percent.

I only found my copy recently and in due course I will make it a document of the House. In fact, I pledge before the Budget to make it available to the Honourable Member for St. Peter so he can see the argument because I do not think the Honourable Member needs to be taken to task for technocratic advice he gave. Nobody takes you to task for negotiating a bad IMF programme in 1991. Nobody takes you to task for your failed bauxite institute estimate, nobody takes you to task for the students who failed under your tutelage at UWI, because that is another part of your life. Treat the Honourable Member from the 4th December, 1996 as a Member of Parliament and deal with his record at that level.

Just as you ask the Honourable Member for St. Michael South to adopt a certain stance of former politicians, have the courage to adopt a stance which is entirely in consonance with the fact the Honourable Member is now a Member of Parliament.

Aside.

Hon. D. J. H. THOMPSON: That is none of your business. I am talking and you have just come in here.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, I am very glad for this debate. Sir, there is at least one important file from the Ministry of Finance that cannot be found and my staff has searched diligently for any advice ever rendered on the VAT by the Honourable Member for St. Michael North West when he was a technician and we have never found any. The only thing that we have ever found was a paper he wrote in January 1994 saying that there should be VAT on food and the hotel sector should be zero-rated.

Mr. C. A. MASCOLL: On a point of order, Sir. I cannot sit and allow the Honourable Minister of Finance to mislead the House. The report which he had access to was given to him by the Central Bank. It was written by me for the Governor of the Central Bank. There is a memo which was written subsequently. I have a copy. We were

misled by the asycuda system at the point in time and the subsequent report of April 28, 1994 suggested that to the Deputy Governor of the Central Bank and to the Minister of Finance. It is straightforward.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I want to be satisfied that this memorandum exists because if this was submitted by the Honourable Member for St. Michael North West in April of 1994 I have to tell him that in June of 1994, with your advice in hand in that memorandum, the then Minister of Finance took a Cabinet Paper to Cabinet totally disregarding anything that you had to advise and saying that a VAT on all food was highly desirable. It sounds, Mr. Chairman, Sir, as if the Honourable Member for St. Michael ...

Asides.

Rt. Hon. O. S. ARTHUR: The Democratic Labour Party Cabinet took a decision, ignoring the Honourable Member for St. Michael North West, saying they were going to tax all food.

Now, Mr. Chairman, the Value Added Tax has turned the Democratic Labour Party into a kind of an intellectual mob.

Mr. B. M. TAITT: Mr. Chairman, I rise on a point of order. Mr. Chairman, I am concerned that the debate in this House is breaking the rules with regard to propriety. I have heard the Honourable Member and then the debate keeps going on files.

Now, technicians who write on files in the Government have every reason to expect that the advice which they give to Ministers will not be paraded around as part of the debate in the House of Commons or the House of Assembly. That is trite parliamentary practice.

Aside.

Mr. B. M. TAITT: I am addressing the Chair. You want me to upbraid the Chair. Mr. Chairman, I draw it to your attention because it is highly improper.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, I was about to continue to make the point that we are into very interesting times because in June 1994 the then Minister and the entire DLP Cabinet were of the view that not only should all foods be taxed but that food should be taxed in defiance of the advice rendered by the Honourable Member for St. Michael North West and that it was highly desirable.

Since they have come into Opposition, Sir, you now have at least three different DLP positions on food. The

Honourable Member for St. Michael South has written committing himself to a policy that says that you should have 5% VAT on food. The Honourable Member for St. Michael North West who is the party's spokesman on Finance says that it should be a 10% VAT on food. You have people speaking on behalf of the Democratic Labour Party saying on the call-in programmes saying it should be zero and you have a Resolution before the House in the name of the Leader of the Opposition, Sir, saying that he wants it to be zero. Which faction in the Democratic Labour Party can we take seriously? Can we take seriously the spokesman on Finance? Is he going to oppose the Government if we remove the tax on food on the grounds that it should be 10%? 7.40 p.m.

Are we going to be opposed by the Member for St. Michael South who says that it should not be zero but it should be five? If we were to actually remove it, Sir, where does that leave the Leader of the Opposition who said it should be 15 but now feels it should be zero when his advisor on finance said it should be ten.

Mr. Chairman, Sir, this is a case of a Party that, quite frankly is acting in defiance of what the Honourable Member for St. Michael North West has just said. He said that he is happy to support this because, this is something that was initiated when they were in office. So it was with the Value Added Tax, but the grouping for cheap popularity has caused, perhaps, Sir, the most obscene divisions in the ranks of the Democratic Labour Party with nobody being able to make a sensible judgment as to what the real situation should be.

The simple situation then, is why should the Government respond seriously to anything that the Democratic Labour Party says, when the Democratic Labour Party itself cannot make up its own mind as to what is the appropriate course of action to be followed.

By what moral right do you purport to render advice and criticism in this matter? When you are like a virtual policy tower of Babel, a complete collection of confusion based on opportunism. I thank the Honourable Member for St. Michael North West for getting involved in this debate. I will have to keep reminding him that he wanted \t at 10 percent. He is "Mr. 10 percent." He wants to continue to have the VAT always at 10 percent. He will be held to that because he said it was his professional opinion then and it is his position now.

Mr. C. A. MASCOLL: On a point of order, Sir. The advice which I gave then was to start the VAT on food at 10 percent. I am not going to compromise my professional integrity. That was my advice.

Rt. Hon. O. S. ARTHUR: Sir, I understand the Member to say, "start at 10", so it means that it is going to be higher than ten and that he is not going to compromise his professional integrity?

Asides.

Rt. Hon. O. S. ARTHUR: Sir, I want to hear the Honourable Member for St. Michael North West clearly because he is adamant. He said he must start at ten and go up, so that we are in for interesting times.

I am obliged to you, Sir.

Hon. D. J. H. THOMPSON: Mr. Chairman, I did not intend to speak on this matter, but as the Opposition spokesman on Finance, perhaps I need to remind the Honourable Member for St. Peter of some salient facts.

The Honourable Member for St. Michael North West is entirely correct in saying that this Tax Administration Programme was a policy designed by the Democratic Labour Party with technical assistance from the Inter-American Development Bank. This is a project which the Honourable Member for St. Peter said, was millions of dollars being paid out to consultants and that we have to have a better way of managing our affairs in this country. The Honourable Member for St. Peter forgets that he lost a broad side on the Tax Administration Programme.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, on a point of order, Sir. The Honourable Member for St. John forgets that this was a project in which he was even good enough to show me all of the documents, that we came to have a debate, I asked for the documents, he was good enough to show me the documents, we had a consensus on this budget. I even discussed it subsequently with him and told him that we had reviewed it and we were also going to continue it. So, the Member is misleading the House grossly by saying that I always said this was a lot of waste money, because we discussed this when he was in government.

Hon. D. J. H. THOMPSON: Mr. Chairman, Sir, we have now received a confession which I did not even have to draw out of the Honourable Member that when I was Minister of Finance I always made available to him, but I would criticise Members on my side sometimes, that information was made available to him.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, on a point of order. He did not make available all the information to me because he never made information available to me concerning the memorandum from the Honourable Member for St. Michael North West. He made some information available to me and I will conceive that I asked him about

this project and he gave the documents. I told him I do not want to be involved in controversy but I do not feel that the Ministry of Finance's affairs should ever be embroiled in unnecessary controversy. That is the spirit in which I asked for the information and received it, Sir.

Hon. D. J. H. THOMPSON: I do not know what the Honourable Member is on about. I cannot send a memorandum addressed to me, not to a technocrat, addressed to me as a Minister by my economic advisor to somebody else?

I have one economic advisor, the Honourable Member has five and he is an economist.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, on a point of order. The Honourable Member is again misleading the House. There are not five advisors in the Ministry of Finance. I would just say, Sir, that at least the advisors, when they submit documents to the Ministry of Finance they submit them in such a way that they can say on file and that other officers in the Ministry of Finance can also see them and offer advice on them.

The Honourable Member for St. Michael North West was the only person who has ever functioned in the Ministry of Finance that would never sit in the Ministry of Finance and his work could never be seen by anybody else in the Ministry of Finance.

Hon. D. J. H. THOMPSON: I do not know what all of that is about. If the Honourable Member for St. Peter wants to take the Honourable Member for St. Michael North West outside to receive some tutoring in economics, he does not need to detain a House of politicians with that kind of unnecessary banter. The economic advisor advised the Minister and it is the Minister who determines what happens to piece of correspondence once it comes to the Minister. The Minister passed it to the Director of Finance who is now Government's representative elsewhere, for his views. The Director of Finance took the stance which was then the Government's stance that in introducing the VAT that there should be one rate of VAT. That is a fact which the Honourable Member for St. Peter cannot deny. Therefore, the technocratic advice was to reject the recommendation.

I take responsibility as the Minister then responsible and I have, never denied it. The recommendation was rejected and the Honourable Member for St. Michael North West knows that the recommendation was rejected. It does not mean, however, that in the context of a VAT which is introduced in 1997 and I might add, Mr. Chairman, Sir, that when I used to go through the revenue files for tax concessions, that the Honourable Member was a parliamentary secretary. He used to sometimes have to advise his Minister about changes in policy in relation

to concessions, waivers and so on. On many occasions the then Minister of Finance, including the Honourable Member for Christ Church South, rejected the advice which the then Parliamentary Secretary gave.

There was a hotel which was seeking waivers on a number of items, including cutlery, plates, *etcetera*, and the then Parliamentary Secretary made out a case for a waiver to be given to that hotel against a background of investments.

Rt. Hon. O. S. ARTHUR: On a point of order. Mr. Chairman, Sir, I rise to say that I have never given any advice to a hotel. I remember, Mr. Chairman, that a matter came to me for the refurbishing of a pizza house and I said, "no." But I have never had a case referred to a Minister about a hotel where I urged for concessions for spoons.

Sir, the Member has to produce some evidence and I am asking that it be withdrawn.

Asides.

Rt. Hon. O. S. ARTHUR: You have to. Mr. Chairman, Sir, I am saying categorically that I have never referred to a Minister advice to give people concession on spoons.

Asides.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, that is a scurrilous statement. Concessions for spoons? Not for spoons!

Mr. Chairman, Sir, any evidence of that entered into the records of the House as fiction will stand in this House as fact to people reading it hereafter. I am asking for evidence to be produced. 7.50 p.m.

Sir, I am serious. This is a very serious matter because hotels are entitled to concessions under the Hotel Aids Act. There was a list of concessions granted to hotels that was agreed to and that is the policy the Ministry of Finance followed. I have never yet submitted anything about spoons and cutlery. That is foolishness and I would not have that scurrilous nonsense printed in the records of the House as facts.

Sir, I recall when a gentleman wanted to have a pizza house at Windsor I refused...

Aside.

Rt. Hon. O. S. ARTHUR: I am not getting hot because this Member invents things like he invented the letter for Kola Syrup that never existed.

Aside.

Rt. Hon. O. S. ARTHUR: And you told the woman not to cooperate with the police.

Mr. Chairman, I am asking for it to be withdrawn or he has to show it as a fact because that enters the records as a scurrilous fiction.

Mr. CHAIRMAN: I will let you finish make your statement. I did not quite get exactly what you were saying because you had not finished making your statement.

Hon. D. J. H. THOMPSON: The point I am making is that the Honourable Member as Parliamentary Secretary in the Ministry of Finance, that his advice in relation to tax waivers was always subject to ministerial approval.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I am rising again on a point of order. The Member is asserting as a fact that I sent advice to a Minister saying that people should have been allowed tax waivers on forks and spoons. That is an untruth. It is a total, horrible, nasty lie and I am asking that the evidence be produced, because it is easy to get up in this House and invent something just for the purpose of a nasty argument. It is not true.

Sir, I have been required in this House when I have made assertions and have been told to produce the facts. If somebody is going to have me put in a position where I have asked for concessions for spoons, then produce the facts. I am serious because somebody will pick up this and say that Owen Arthur asked for concessions for spoons. It is foolishness.

Aside.

Hon. D. J. H. THOMPSON: I want to get on with my debate.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I am going to continue to interrupt because I am not going to have my integrity impugned in this fashion. That is intended to be an invention.

Mr. CHAIRMAN: The Honourable Member...

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I am asking that it be withdrawn.

Mr. CHAIRMAN: The Honourable Member for St. John had not finished making his sentence and I really cannot just deal with something in isolation. If he

could finish what he was saying then I could make a determination on that.

Hon. D. J. H. THOMPSON: Mr. Chairman, I am not the Minister of Finance at this time. I am not in possession of the files in the Ministry of Finance, but I had a long time in the Ministry of Finance dealing with tax waivers. There were several files in which the Honourable Member for St. Peter approved tax waivers or recommended approvals. I am saying for the record that there were occasions, including one occasion, when a hotel submitted a list of items, including not only spoons, but a number of items, table cloths, cutlery, table ware, stools, bedside lamps, all kinds of items and the Honourable Member for St. Peter, as then Parliamentary Secretary in the Ministry of Finance, recommended to the then Minister that in this exceptional case the hotel should be granted a waiver because of the size of its investment. I was making that point to say that the Minister rejected that proposal. It is not unusual for a Minister to...

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I am saying now we have had a categorical statement. I am asking the Member to produce the evidence.

Aside.

Rt. Hon. O. S. ARTHUR: I do not have the file. Mr. Chairman, he has to say what is the name of the hotel. I am asking the Member to produce the evidence. You cannot make that kind of categorical statement. He has to withdraw it. It is a categorical statement. What it is saying is that I had to treat some hotel as some exception in breach...

Aside.

Mr. CHAIRMAN: Order, please. The Chair is in a predicament here. I have two Honourable Members here on the Floor. One is making a statement but the other one is saying the statement is not true.

Aside.

Mr. CHAIRMAN: This Parliament does not have the information. We are not in possession of the information, neither can we get it. What I would therefore suggest, and what I am therefore saying is that I would wish no further reference be made to this matter since we do not have any evidence on which we can go.

Hon. D. J. H. THOMPSON: Now, Mr. Chairman, the point I am making, without reference to that matter, is that it is not...

Rt. Hon. O. S. ARTHUR: On a point of order, Sir, because this is going to affect how this House functions. I

have been in Opposition in this House as well, Sir. When I could not substantiate things rather than let them stay in the record, because this is going to stay in the record, I know Hansard is read as a serious document, Speakers have said the matter has to be withdrawn.

It is not just a matter of saying let us go forward and ignore it. It is standing in the record. What will happen in future is that Members can hypothetically invent tilings, make assertions of other people and then the House becomes quite disorderly because Honourable Members will say things, do not have the facts for them and this House is going to get ungovernable.

Mr. CHAIRMAN: Hold a second, please.

Asides.

Mr. CHAIRMAN: Order, please. I wish to restate that I would wish no reference to be made to this matter since the Chair cannot determine the accuracy of this statement. One Member has made a statement, the other has denied and I believe that all honourable and reasonable men would make their own determination on this. I am leaving it to the House to do that. I can find no rule that will allow me to make any other ruling.

Hon. D. J. H. THOMPSON: Thank you, Mr. Chairman. The point I am making is that the Honourable Member for St. Michael North West is a technocrat, and even if he was a Parliamentary Secretary, or a Minister of State, always faces at that level the danger that advice which he was given was going to be rejected.

He was entitled as an economist to say this is the view I held and as a man to say this is the view I hold. The difference between the Honourable Member for St. Michael North West and the Honourable Member for St. Peter is this, that the Honourable Member for St. Peter was elected to right wrongs in this country and if he came and found an economy in 1994 which was not performing as well as the economy was performing in 1997, but introduced a VAT which was substantially the same as the VAT we were introducing in 1994, it means that he, meaning the Honourable Member for St. Peter, has failed in his obligations to the people of Barbados to review the implementation of the VAT and to introduce a VAT which would have had less impact, and created less hardship on the people of this country. Instead of that, the Honourable Member reduced the rate on hotels, so he changed the whole principle that there would be one rate of VAT and decided, no, there would be more than one rate, one rate applicable to hotels and that he would do a whole range of other things. 8.00 p.m.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, on a point of order. The Honourable Member for St. John said that he was supposed to do the same thing but Sandy said do not give the hotels anything. He told me so in this House, Mr. Chairman.

Certain remarks made the Honourable Member for St. John were ordered to be expunged from the records by Mr. CHAIRMAN.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I am asking that those remarks be withdrawn but I am saying on my honour that the week before the VAT was debated in this House, I discussed the matter with the Honourable Member for St. John and he said that the D.L.P. was not going to oppose it and that if he had the chance he would have done the same thing that I am doing with tourism but when he took the matter to Sandiford, he said "No, do not give tourism anything." I am saying that on my honour. He said go ahead and do it with the hotel industry, my side is not going to be opposing it, he said that.

Hon. D. J. H. THOMPSON: I made a vow which I broke today. I regrettably broke it today by going behind that Chair with the Honourable Member but you can rest assured that having said that before in my absence and now repeating it in my presence, that allegation was made previously when I was not here - this is the second time that I am hearing it - the Honourable Member can rest assured that, in fact I am going to have witnesses around if there is any discussion taking place between me and the Honourable Member.

Let me make the point very clear, Mr. Speaker, the Democratic Labour Party....

Rt. Hon. O. S. ARTHUR: Mr. Chairman, on a point of order. I am saying that as a matter of fact the Honourable Member for St. John did tell me that. He did, Sir, and he knows that he did. Sir, this is such a disgusting situation in this House of Assembly. I met with the Honourable Member for St. John honestly to discuss the debate on the VAT. I did and he said that he was going away. I said "do you want me to hold it until you come back?" He said, "No, proceed, my side is not going to be giving any objections because we agree with what you are doing." That is a fact. I am not telling any lies, Sir. I will not get on the Floor and do that. He did say that. He said that he had no objections to what we were going to propose because if they had the chance they would do it but Sandy said, do not give tourism anything. That is a fact, Sir.

Hon. D. J. H. THOMPSON: Mr. Chairman, Sir, up to when we left office, there was no category of persons who was being given any relief in relation to the VAT. The VAT was one rate and it was supposed to be broadly

applied. There was no distinction between the hotel sector or between the transport sector or any other sector. Therefore that allegation....

Mr. CHAIRMAN: Honourable Member, I am getting a bit tired of Members dealing with matters which are really beyond the scope of the discussion. I am not allowing it anymore. Please let us get back to the topic for discussion.

Hon. D. J. H. THOMPSON: O.K. Tax administration, a component of which is the Value Added Tax. That is what we are on now.

Mr. CHAIRMAN: It is going beyond what is reasonable in the context of the funds for which the money is required.

Hon. D. J. H. THOMPSON: Mr. Chairman, let me conclude that part of the debate on this point. I want to make a document of the House the Memorandum which was given to me by the Honourable Member for St. Michael North West. It is dated April 24, 1994 and the Honourable Member can use it in working out his proposals in relation to the VAT.

I want to say this, Mr. Chairman, about tax administration. It is not just a technocratic matter. It is a matter which calls for a level of humanity from the Minister of Finance. I am saying, Mr. Chairman, that if the Honourable Member for St. Peter wishes to walk around the world boasting about the performance of the Barbados economy and boasting about his performance as Minister of Finance and his attempts to alleviate poverty in this country, then a serious look has to be taken at the impact of the Value Added Tax. The Government does not want the same Private Members' Resolution, which we have asked to be televised, to be debated. That Resolution does not call for the removal of the VAT entirely. It calls for the reduction or removal so that a serious discussion can take place in this Chamber about the impact of the Value Added Tax.

Mr. Chairman, that is the crux of the Democratic Labour Party's position, that the Honourable Member for St. Peter is being inflexible and indifferent and we are saying that in essence, he is denying or repudiating his own contract with the people of Barbados that he would right wrongs in this country, ease burden and ease pain.

Mr. Chairman, Sir, the Honourable Members like to send things to the Fraud Squad in the B.P.F. and so on. I want him in particular to send that, if he wants the original copy, he can send that too. He and the Honourable Member for St. Thomas have a penchant for sending letters down at the Police Department instead of letting the police do the work that they should be doing.

Hon. D. A. C. SIMMONS: On a point of order. Mr. Chairman, that is a very serious allegation. I have never written any letters since I have been Attorney General to any police officer in this country. I saw a nasty reference in a letter copied, I believe to the Opposition, to a police officer recently. I might have it in my correspondence. He wrote a man called Bentley Layne and assumed that the Attorney General had given Layne instructions. That is a very wicked thing. I do not write police officers. I do not give police officers instructions. I am making it clear in here and outside. My role with the Police Force is making policy and not operations.

Hon. D. J. H. THOMPSON: That is what we are dealing with Mr. Chairman, the very dangerous threat that statements and allegations made by Members in this Chamber and documents given to Members in this Chamber. Documents faxed within the precinct of this Chamber to the Leader of the Opposition's Office and elsewhere are being investigated contrary to the Parliament (Privileges, Immunities & Powers) Act to determine whether they are correct documents, what is the validity of them and to investigate criminal activity. That is what is going on. It has always been a very basic principle, Mr. Chairman, I do not wish to stray from the point, that parliamentarians should not be fettered in the way they carry out their duties in this country. I issued a warning shot across the bow to both Honourable Members in that regard.

Hon. D. A. C. SIMMONS: On a point of order, Mr. Chairman. I have a copy of the letter. I am going to make it a document of this House. It was copied to me by the Leader of the Opposition, dated July 10th. He wrote Assistant Superintendent, Bentley Layne, Royal Barbados Police, P.O. Box 84, Bridgetown. This is what he wrote, Sir.

"Dear Sir,

Re: Nigel Harper

I refer to our Thompson/Layne conversation which was forwarded by your letter to me dated 30th June, 1997 and which referred to a caption which was obviously erroneously omitted. I assume that your letter related to the Nigel Harper matter which was the subject of our conversation and which was publicised in our newspapers. I believe that the matter related to private and confidential communication, addressed to this office, which was apparently received elsewhere and published in the newspapers."

There is nothing wrong with that but this is what I take offence to:

"There is nothing that I can do to assist the Attorney General in the further politicisation of this relatively mundane matter."

I had nothing to do with it.

Hon. D. J. H. THOMPSON: You raised it in this Chamber. Do not talk foolishness.

Hon. D. A. C. SIMMONS: Raised what about Nigel Harper?

"In that regard I cannot see what more I could add to your investigation. Were the judgement call mine I would much prefer that the Police Department could deploy its citizens dealing with major problems of crime in homes and on the street rather than launching pointless investigation on the whim of a politician."

He is assuming that some politician, and since he made reference to the Attorney General, it has to be me, that a politician asked for this to be done. I will have to have an inquiry into this because I do not get involved in these things. 8.10 p.m.

Take a copy of that and put it among the House records for me, please.

Hon. D. J. H. THOMPSON: Mr. Chairman, I want to make it very clear that nobody in this Chamber, on this side, is going to be fettered by those kinds of approaches which this Government is adopting. They are not going to investigate legitimate correspondence. They are not going to investigate documents which are made documents of this House via the Police Force or otherwise. They can submit anything they want, including Hansard, to the Director of Public Prosecutions. It will not work. It is not going to stop the Democratic Labour Party from discharging its duties to the people of this country. So the Honourable Member is talking about things disappearing. I am not talking about the concessions, about a file disappearing and maybe the implication is that that file may be the file which has the Honourable Member for St. Michael North West's advice on it. It is highly prejudicial and I am saying that any implication or imputation which is being cast on members of the Democratic Labour Party, that we either removed or secreted files is rejected.

In 1991, I became a Minister of Government and to assist the Trinidad Government, I asked for the CARIFESTA files. Not one single CARIFESTA file can be located. A \$30 million Government decision on a file in a filing cabinet disappeared.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, on a point of order. Mr. Chairman, the matter of a

memorandum having been submitted by the Honourable Member for St. Michael North West to the then Minister of Finance was previously raised in this Parliament. I asked the Ministry of Finance officials to peruse all of the files and to see if they could find any evidence of any such memorandum. No memorandum has ever been found.

Asides.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, I do not search for files. No memorandum has ever been discovered on the Ministry of Finance files written by the Honourable Member for St. Michael North West on the matter of the VAT. The only document that was prepared was the document that he presented at a seminar.

Mr. L. R. TULL: I believe the Honourable Member for St. John said \$30 million was unaccounted for, that I was in CARIFESTA and the files could not be found by him in 1991. It is a wicked and diabolical lie that \$30 million was spent on CARIFESTA.

Secondly a large amount of the money spent on CARIFESTA was spent on physical things like the Steel Shed, the Queen's Park Theatre, the West Terrace, the Combermere Hall and in addition to that and this is the more important point, that when the late Right Honourable Member for St. John, Mr. Errol Barrow, was the Chairman of the Public Accounts Committee he held public accounts committee meetings with the CARIFESTA files and after inquiry said, I have found no fault with this man. That is the person who was the accounting officer in the Ministry of Culture at the time. If the files cannot be found ask the late Right Honourable Member for St. John, as Chairman of the Public Accounts Committee who looked at them and said that he found nothing wrong with them.

Hon. D. J. H. THOMPSON: So, Mr. Chairman, I had to say all of that to respond.

Aside.

Hon. D. J. H. THOMPSON: Do you want me to say upwards of \$30 million. The Honourable Member cannot tell the House how much it was. This country cannot, up to this day, and that is a fact which is not unknown, fully account for all the money that was spent on CARIFESTA. If he can give me down to the last dollar, I will take my seat.

Mr. L. R. TULL: On a point of order, Sir. I do not know how the Honourable Member can jump all the way from St. Peter on to me. He is moving all around. All the money for CARIFESTA was voted by this Parliament and the accounts of the Auditor General were submitted the following year so I do not know what he is talking about.

Mr. CHAIRMAN: Wind up please.

Hon. D. J. H. THOMPSON: I was not involving the Honourable Member for St. George South. I would like to give him more relevance than he presently has. I am sorry that it would be in a negative way but I do not believe that the Honourable Member should accept any responsibility and he knows how I feel about it. The point I am making is that the CARIFESTA files cannot be found and that is a fact which the Honourable Member for St. George South cannot deny. I do not know if he knows about it but the files cannot be located.

Therefore, Mr. Chairman, I believe that Honourable Members on this side have only been taking the very clear and cogent position that the VAT on basic food items and other items is iniquitous particularly against a background of the economy as it stands right now in 1997. We are saying that the indifference of the Honourable Member for St. Peter is the key issue that needs to be raised in relation to the question of that administration. We cannot wait until October. There are people who are suffering on a daily basis. If you go in the supermarket, not just for public relations effect, but if you go there to shop the impact of the VAT has been devastating.

Mr. CHAIRMAN: Your time is up.

The question that Head 19 stand part was put and resolved in the affirmative without division.

HEAD 35 - MINISTRY OF FOREIGN AFFAIRS, TOURISM, AND INTERNATIONAL TRANSPORT - \$2 796 870

Hon. D. A. C. Simmons: Mr. Chairman, this sum of \$2.7 million under Head 35, Ministry of Foreign Affairs, Tourism and International Transport is required in connection with Government properties overseas: \$2 290 350 is required for property acquisition; \$107 200 is required for structures and \$399 320 for equipment and furniture. 8.20 p.m.

Mr. Chairman, \$1.7 million was provided in the Estimates for property acquisition. A residence was purchased for the Deputy High Commissioner at London for \$1 420 000 leaving a balance of \$320 000. The sum of \$2 290 350 which is now required for property acquisition relates to the purchase of a residence for the Consul General at Toronto at a cost of CAN\$825 000 and for the Consul General at New York at a cost of US\$690 000. The total purchase price of \$2 620 350 less the balance of \$330 000 produces a figure of \$2 290 350.

Now, Mr. Chairman, when the budget for the purchase of a residence for the Deputy High Commissioner was sought the cost of refurbishing the residence was

not yet known and not budgeted. The refurbishment is estimated at £32 000 and that sum as converted to \$170 200 is now being sought. No refurbishment cost has yet been requested for Toronto or New York.

It is urgent, Mr. Chairman, that we have these funds particularly in respect of purchasing a property at Toronto. I have a fax that was copied to me on 11th July from the Consul General in Toronto for this debate. He pointed out that they have to vacate without delay the house which the Consul General now occupies. Since last December they have been pressed to get out of the house and on the 6th of June, the owner of the house at 335 McKee Avenue, had decided to sell his property to another buyer because the Government had been unable to substantiate its interest after more than six weeks. They used some clause in the Landlord and Tenant Act which apparently gives you 60 days grace after notice and they indicated that they are prepared to leave by the end of July. So, it is very urgent that we get these funds voted so that the transfer can be made with a view to paying on the new property. Those are the facts attending this matter and the Consul General ends by saying,

"Funds should be made available in Toronto in order that we can write a certified cheque for the purchase of the property."

Those really are the substantial aspects of this Resolution and from the briefs that have been provided for me, that is all that I am able to tell the House on this matter. I think it represents salient features in respect of the property acquisition and the furniture and equipment that are necessary for these premises.

I am obliged to you, Sir.

Mr. B. M. TAITT: Mr. Chairman, Sir, my only regret is that the Minister is not here. It somehow happens that every time there is something that we should have serious discussion about, the Minister is not here. The Minister is hardly ever here.

Asides.

Mr. B. M. TAITT: The last time when I was not in here the Minister made a statement and in that statement she made some wild accusations. Now, she comes in here for nearly \$6 million and she is not here. There is no point pillorying the Attorney General.

Asides.

Mr. B. M. TAITT: Not only in Toronto. She is buying a house for the Consul General at New York. If the Minister were here, I would speak to the issue of New

York. So, make a note to the Minister that whenever she comes in here, I will be discussing the Consulate at New York.

Asides.

Mr. B. M. TAITT: Mr. Chairman, I do not understand this relationship. Every time the two of you all carrying on a conversation and then he getting up and getting on like if he does not know you. Then he is saying that when you were the Minister, you used to give him documents. The two of you all are not misleading us, you know.

When you were Minister, you used to give him documents. You gave him all the documents except one.

Asides.

Mr. B. M. TAITT: I do not get anything from the Minister of Foreign Affairs. If I lived in New York, maybe.

Anyhow, Sir, unlike the Minister, I will not attack the Minister behind her back. Make a note that I said that. I am going to wait until the Minister is here, so she can talk to her officials and tell me the facts. There are some facts about the New York offices that we need to discuss. They said there was going to be a foreign policy debate and then all of a sudden there is no more foreign policy debate.

Asides.

Mr. B. M. TAITT: When the Honourable Members raise questions about who gets commission for the sales, she wants to fight and will use language that is not acceptable anywhere else.

Mr. Chairman, she made a statement and talked about Brussels and how we squandered money in Brussels. If I had been here, I would have been able to tell the Minister a number of things about the house in Brussels. They know in the Ministry of Foreign Affairs, but what I do not understand is whether officials in the Ministry of Foreign Affairs are putting rubbish in her mouth or whether she is deliberately speaking it. But anyhow, Mr. Chairman, I am not going to raise any questions on this matter, I will wait until whenever the Minister comes. I take it that it is understood that this matter will be discussed whenever the Minister is here and an item comes up. We will wait until then.

Mr. D. St. E. KELLMAN: Mr. Chairman, I have some objections with this particular supplementary, Sir. Because, when one looks at the provision in the Estimates one sees \$1.7 million and when one looks at the Supplementary you are getting a total of \$2 290 350 and I am bit concerned about the size of the Supplementary. Based on the information that was just given by

the Honourable Member for St. Thomas, it is clear that this Government was aware some six months ago that they had to acquire properties.

Asides.

Mr. D. St. E. KELLMAN: You mentioned about December. That is six months ago. I am saying that his information was available before the Estimates were presented to this Assembly and it is no way that we should now be rushing Parliament. This information should have been given by the Ministry of Foreign Affairs to the Ministry of Finance to put in the proper Estimates.

Hon. D. A. C. SIMMONS: On a point of order. The Honourable Member has really misled himself and distorted the issue. I read that the landlord had indicated last December that he wished to sell his house and was not prepared to give a new lease.

At that time, no new acquisition had been in. No new property had been identified. Meanwhile, we had short listed a number of properties for potential purchase. On April 21, the Minister approved the purchase of a property located at 335 McKee Avenue. April 21, it could not be in the Estimates, Sir.

Mr. D. St. E. KELLMAN: Mr. Chairman, since December they knew of the problem. They were looking for a property and anybody who is looking for a property makes an estimate of the amount they want to spend on a particular property, Sir. The Ministry of Foreign Affairs should have put a figure in the Estimates... 8.30 p.m.

Aside.

Mr. D. St. E. KELLMAN: That is true. The Minister of Finance should have demanded from the Ministry of Foreign Affairs that seeing they are looking to buy properties that he wants an estimate of the amount of money they are going to commit him in the future for. An amount should have been placed in the Estimates even if we had to come back later and increase that amount.

I am saying, Sir, that if we allow this whole thing to continue, this will put unnecessary pressure on the Minister of Finance because what you would have, is you would have to buy about four to five properties and the Minister of Finance is providing Estimates...

Hon. D. A. C. SIMMONS: Mr. Chairman, on a point of order. Now, assuming that the Government is going to accede to the request of the Honourable Member and put an airport in St. Lucy next year, how much money should we put in the Estimates? You do not know where you are

going to put it but you want one. How much we should put in for you next year?

Mr. D. St. E. KELLMAN: Mr. Chairman, if that question had come from the Minister of Finance, I would have been surprised, but seeing it did not come from him, because I know he would not ask a question like that seeing he knows about financial matters, we will not be discussing...

Aside.

Mr. D. St. E. KELLMAN: You want a discussion on what is capital expenditure and what is revenue expenditure?

Hon. D. A. C. SIMMONS: Mr. Chairman, on a point of order. I need a lecture on revenue expenditure. I did income Tax for my Masters. I really did not know of revenue expenditure. It is a new concept. Talk some more.

Mr. D. St. E. KELLMAN: I will not waste my time on the Honourable Member for St. Thomas because he is not known in the accounting fields to know anything about capital expenditure or anything like that because it is clear that when you are speaking about an airport you cannot be talking about current expenditure or anything like that. A project like an airport would have to be capital expenditure.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, on a point of order. Is the Honourable Member saying that capital expenditures are not put into the Estimates, 'Sir?

Mr. D. St. E. KELLMAN: I will deal with you. Mr. Chairman, I will deal with the Honourable Member for St. Peter when we are dealing with VAT to find out whether VAT will bring in \$100 million or more than budgeted. I will deal with him at a later date, and he knows that I will deal with him, Sir.

I am saying, Sir, that the Ministry of Foreign Affairs, and if the Prime Minister is happy with this type of budgeting, I congratulate him because everybody knows that anytime you are going to commit expenditure that you must make provision for the matching revenues.

I would like to know from the Minister of Finance now, seeing that in the Estimates he did not have corresponding matching revenues, how he intends to raise the revenue to cover this new expenditure.

You want to tackle me? Leave me alone because he will have to tell the House now how he plans to match this expenditure. I am saying, Sir, and he is always talking about balancing budgets so if you are balancing budgets and you did estimates predicated on a balanced budget and you have additional expenditure now you need to go and look for the corresponding revenue.

Aside.

Mr. D. St. E. KELLMAN: I am saying that the Ministry of Foreign Affairs should have known six months ago that they wanted to purchase properties. They should have prepared a paper to the Ministry of Finance estimating the total amount they expected.

Let me tell you something. This foolishness that they would not know the cost of this? Can anybody tell me how much the Ministry of Education is going to spend this year? The same way the Ministry of Education has to prepare an estimate for capital expenditure, the same way they can do an estimate on the Ministry of Foreign Affairs for capital expenditure also.

I am saying that these figures we are dealing with now should have been in the Estimates and not now, Mr. Chairman. I am saying we are misleading people when we come to this Assembly...

Mr. CHAIRMAN: The Honourable Member, I think we have gotten your point. If you are making a new point, you can continue.

Mr. D. St. E. KELLMAN: I am not repeating myself. You mean because I am dealing with financial matters and many Members in here do not understand financial matters that they are in trouble?

I am also saying, Mr. Chairman, we have an additional problem in this Assembly because we would have paid away large sums of money for rental of properties when the Government knew they had a policy about purchasing properties for their Consulates. I am saying that the Government should not now be on the market looking for properties because if their policy up front was to purchase properties, it should have been done over two and a half years ago. All the money that was paid out as rent should have gone towards the cost of these properties and the taxpayers of this country would have been better off.

Mr. CHAIRMAN: The Honourable Member has one more minute.

Mr. D. St. E. KELLMAN: I am saying, Sir, that we as an Assembly and Members of the Assembly, must be more accountable for the money we are spending overseas because it appears to me that it is in the interest of some employees elsewhere to continue renting whereas the taxpayers of this country continue to have to carry that bill. At the same time people are allowed to rent properties at large sums when the poor people are complaining about the impact of VAT. We cannot ease those people but yet still we can allow people to live in properties overseas paying large sums for rental.

I am saying, Sir, that we need to look at these proposals and make sure that the next time we buy the properties early and anytime we want to talk about the sugar industry we would have to talk about BADMC or BADC.

Thank you very much.

Rt. Hon. L. E. SANDIFORD: Mr. Chairman, I rise to deal with a simple matter here and this relates to the issue raised by the Honourable Member for St. Lucy, that is the issue of accountability. The main purpose and function of a representative Chamber is to ensure that the Government is held accountable through Parliament and particularly through the Members of the Opposition in terms of the value for money that is received from public expenditures and public financing. In order to do so, Sir, whether it relates to the purchase of properties or to staffing overseas, or elsewhere, we must get a timely set of information on how the economy has performed.

Aside.

Rt. Hon. L. E. SANDIFORD: I know you would like to stop me. I would like to know, Sir, why it is that we cannot get the information on how the economy is performing, particularly from the Minister responsible for Finance and Economic Affairs? 8.40 p.m.

It is a gross dereliction of duty that up to this particular point, we cannot have the usual accounting on how the economy has performed and as seen through the eyes of the Ministry for Economic Affairs. Why have we not had a report laid in this Parliament?

Rt. Hon. O. S. ARTHUR: Mr. Chairman, on a point of order. I remember having a full debate under a Head 35 dealing with the purchase of a property. There is a proper committee to stimulate that. We are in Committee, Sir, and he has asked about accountability and respect for the House and I am asking you to rule on its relevance in relation to Head 35. We have already said that there will be a Budget debate in September. The D.L.P. has already taken credit for the economy and they must surely know what they are claiming credit for. I am asking you to rule in relation to the relevance of this discussion about the need for a debate on the economy under Head 35.

Rt. Hon. L. E. SANDIFORD: Mr. Chairman, I do not think you should confuse yourself about that. We are not asking for any debate. We are asking for information against which we can judge with the frequent request for supplementary funds. We cannot get any figures and the Minister of Finance and Economic Affairs is the responsible Minister. He has not laid an Economic Report in this House. This has nothing to do with the Budget.

He has already said that the Budget is not coming but why has he not laid the Economic Report and the year is finished.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, the member knows that he cannot call for an Economic Report dealing with 1996 performance as if that is going to give him an up-to-date statement of budget account. He is, therefore, Sir, confusing himself and confusing the House. I am saying that that has nothing at all to do with this debate. It pertains to 1996 activity. If he is calling for a Statement of Public Accounts as of today that is a different issue.

Rt. Hon. L. E. SANDIFORD: It is a simple thing that I am asking for. You leave the confusion to me or to yourself. I am asking about the Economic Report that is laid in Parliament...

Mr. CHAIRMAN: You have made your point, could you continue?

Rt. Hon. L. E. SANDIFORD: How do you know that I have made my point, Sir?

Mr. CHAIRMAN: You can make your other point then.

Rt. Hon. O. S. ARTHUR: On a point of order, Sir. It is customary for the Economic Report to be laid at the time of the presentation of the Budget. We are purporting to do this year what has been done all along, Sir. It is my determination to lay the Economic Report at the time of the presentation of the Budget.

Rt. Hon. L. E. SANDIFORD: You are delaying the Budget unnecessarily but why delay the report on the economy. There is no reason why that should happen. The people of Barbados should know. Have you told the Central Bank not to hold their meeting? Are they stealing your thunder? I have not heard from the Central Bank either.

Rt. Hon. O. S. ARTHUR: On a point of order. Mr. Chairman, I have not called in the Fraud Squad to investigate why certain files at the Ministry of Finance are missing, the same files that a Fraud Squad was called in for before. That is what I have not done. I just want to say that there is no delay of the Budget because I have said that the Budget is going to take place in September. I am not delaying the Budget, Sir. Mr. Chairman, I am not going to let the Honourable Member for St. Michael South mislead this House. There is no constitutional or legal requirement, as the Member knows to institute what is

popularly called the Budget. It is entirely at the discretion of the Minister of Finance to introduce it.

Rt. Hon. L. E. SANDIFORD: We heard you on the Budget. We are asking about an Economic Report. You have a responsibility and a duty as Minister of Finance and Economic Affairs to lay an Economic Report and you have not laid that. Mr. Chairman, I am hearing about a Fraud Squad. He wants to try to muscle people from talking and there is not going to be any muscling in here.

Mr. CHAIRMAN: The Prime Minister is on a point of order.

Rt. Hon. L. E. SANDIFORD: Yes, Mr. Chairman, I will give way to the Prime Minister anytime.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, I am rising to correct the misleading statement about delaying the Budget. There is no stipulated time in which a Budget should be laid, Sir. It is at the discretion of the Minister of Finance and I have already said that the Budget is going to be produced in September. I am exercising a discretion.

Rt. Hon. L. E. SANDIFORD: Sir, I will have to speak very slowly and deliberately. Where is the Economic Report. It should be laid in this Parliament already. Are you going to say now that it should not be laid?

Hon. H. deB. FORDE: Mr. Chairman, Sir, on a point of order. With respect, Sir, I listened to everything the Honourable Member said about the Honourable Member for the City who is absent and what he is going to debate when she comes back.

As I understand the Head that we are debating is Head 35, Foreign Affairs and I humbly submit to this House that to start a debate on when you are going to lay an Economic Report or a Budget is totally irrelevant to the matter before the House. There must be some relevancy in debate or this House will become disorderly, Sir. I take the point very seriously having listened within the precincts of the House to debate for the last 15 minutes or so and I respectfully submit to the House, Sir, that we must come back to the rules and deal with the matter in hand otherwise people will get up and talk all over the place and it will become more than frustrating for everybody in the House, Sir. 8.50 p.m.

Mr. CHAIRMAN: Honourable Member for Christ Church West, I think you have made your point.

Order, please. Order, please. Let us get some order in here.

The question that Head 35 stand part was put and resolved in the affirmative without division.

On the motion of Hon. D. A. C. SIMMONS, seconded by Rt. Hon. O. S. ARTHUR, Mr. CHAIRMAN reported the passing of one money Resolution in Committee of Supply to Mr. SPEAKER who resumed the Chair and reported accordingly.

On the separate motions of Hon. D. A. C. SIMMONS, seconded by Rt. Hon. O. S. ARTHUR, the Resolution was read a first time, a second time and agreed to.

ADJOURNMENT

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that this House be now adjourned until Friday August 8, 1997 at 11.00 o'clock in the morning.

Rt. Hon. O. S. ARTHUR: I beg to second that

The question was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly. 8.55 p.m.

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