

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1999 - 2004

HOUSE OF ASSEMBLY

Tuesday, January 16, 2001.

HOUSE OF ASSEMBLY Pursuant to the adjournment, the House of Assembly met at 11:00 a.m.

PRESENT

HIS HONOUR J. M. EDGHILL, J.P., (Deputy Speaker) Rt. Hon. O. S. ARTHUR, M.Sc.(Econ.), (Prime Minister, Minister of Finance and Economic Affairs) (Minister of the Civil Service) Hon. D. A.C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs) (Leader of the House) Mr. D. J. H. THOMPSON, LL.B (Hons.) Leader of the Opposition. Hon. Sir H. St. JOHN, K.A., Q.C., LL.B. Mr. L. R. TULL, Q.C., M.A. (Oxon.) Hon. Dr. R. L. CHELTENHAM, Q.C., M.A., M.Sc. (Econ.) Hon. Miss B.A. MILLER, (Deputy Prime Minister, Minister of Foreign Affairs and Foreign Trade) Mr. G. W. PAYNE, LL.B. Hon. R. C. EASTMOND, J.P., B.A.(Hons.), Dip. Ed., LL.B. (Hons.), L.E.C., (Minister of the Environment, Energy and Natural Resources) Mr. D. CARTER (Chairman of Committees) Hon. R. N. GREENIDGE, B.A., LL.B., (Minister of Labour, Sports and Public Sector Reform) Hon. G. A. CLARKE, B.Sc., Dip. Ed., J.P. (Minister of Housing and Lands) Hon. R. D. MARSHALL, (Minister of Public Works and Transport) Hon. H. F. LASHLEY, (Minister of Social Transformation) Hon. R. St.C. TOPPIN, LL.B., (Minister of Commerce, Consumer Affairs and Business Development) Mr. D. St.E. KELLMAN Hon. Miss M. A. MOTTLEY, LL.B. (Minister of Education, Youth Affairs and Culture) Miss H. E. THOMPSON, LL.B. Mr. M. Z. WILLIAMS Mr. T. A. PRESCOD, B.A. Rev. J. J. S. ATHERLEY, B.A., B.Sc., (Parliamentary Secretary, the Attorney-General and Minister of Home Affairs) Mr. D. T. GILL, B.Sc. Hon. N. A. LYNCH, B.Sc., M.B.A. (Minister of Tourism and International Transport) Hon. A. P. WOOD, B.Sc., M.Sc., M.Phil., J.P., (Minister of Agriculture and Rural Development) Hon. R.R. FARLEY, B.Sc., (Minister of Industry and International Business)

Prayers were taken by Canon Father Ivan Harewood.

Mr. DEPUTY SPEAKER: The House is now in session.

MINUTES

Mr. DEPUTY SPEAKER: The Minutes of Tuesday, 15 December, 2000.

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that the Minutes for the Honourable the House of Assembly for its meeting of Tuesday, 15 December 2000, which Minutes have been circulated, be taken as read.

Hon. R. C. EASTMOND: I beg to second that, Sir.Mr. DEPUTY SPEAKER If there are no corrections or observations, then let those Minutes stand confirmed.

Mr. DEPUTY SPEAKER: I have before me the Accounts and Statements for the Month of May, 2000, prepared by the Accountant General.

Hon. D. A. C. SIMMONS: Mr. Speaker, on behalf of the Prime Minister, I beg to lay

The Duties, Taxes, and Other Payments (Exemption) (Terra Remote Sensing Inc.), Order, 2000.

The Report on the Social Investment Fund for quarter ended September 30, 2000.

Annual Report of the Community Legal Services Commission, for the year 1998 to 1999.

Hon. R. N. GREENIDGE: Mr. Deputy Speaker, I am commanded to lay

The Annual Report of the National Sports Council for the period April 1, 1998 to March 31, 1999.

The Annual Reports of the Barbados Vocational Training Board for the periods 1994 to 1995, 1995 to 1996, 1996 to 1997, 1997 to 1998.

Hon. R. R. FARLEY: Mr. Speaker, I am commanded to lay

The Green Paper on Telecommunications Sector Policy.

Hon. R. D. MARSHALL: Mr. Speaker, I am commanded to lay

The Road Traffic (Car Parks) (Amendment) Regulations, 2000,

The Annual Report of the Transport Board for the Year 1998 to 1999.

Hon. N. A. LYNCH: Mr. Speaker, Sir, I am commanded to lay

The Annual Report of the Barbados Tourism and Investment Inc., for the years 1998 and 1999.

Hon. D. A. C. SIMMONS: Mr. Speaker, I give notice of

1.A Bill entitled The Vicariate in Barbados of the English Province of the Order of Preachers (Incorporated) Bill, 2001.”

2.A Resolution to take note of the Green Paper on Telecommunication sector policy.

On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. R. D. GREENIDGE the Bill entitled The Vicariate in Barbados of the English Province of the Order of Preachers (Incorporation) Bill, 2001, was read a first time.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I am to advice that the reply to Parliamentary Question No. 3, asked by the Honourable Member for St. John is ready.

The reply to Parliamentary Question No. 8, asked by the Honourable Member for St. John is ready.

The reply to Parliamentary Question No. 20, asked by the Honourable Member for St. Lucy is ready.

The reply to Parliamentary Question No. 22, asked by the Honourable Member for St. Lucy is ready.

MOTION FOR LEAVE OF ABSENCE

Hon. D.A.C. SIMMONS: Mr. Deputy Speaker, I think that all of us have become aware that the substantive Speaker is not well, and is hospitalised.

Without more, Sir, this day, I think it would be appropriate for the Honourable House to approve the period of leave for His Honour.

I, therefore, beg to move that Mr. Speaker be granted leave of absence until May 31, 2001.

Hon. Miss B. A. MILLER: I beg to second that, Sir.

SUSPENSION OF STANDING ORDERS

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the remaining of today's Sitting.

Hon. R. N. GREENIDGE: I beg to second that.

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

ORDER NO. 4

SECOND READING OF THE TENANTRIES FREEHOLD PURCHASE (AMENDMENT) BILL, 2000

Hon. R. R. FARLEY: Mr. Deputy Speaker, Sir, I rise to make a contribution to this debate on the Tenancies Freehold Purchase (Amendment) Bill, 2000.

I do so against the proud background which this Barbados Labour Party has, as being very much in

the vanguard of the fight against poverty, and meeting the challenge of representing the poor and dispossessed in this society.

In fact, Mr. Deputy Speaker, in every period, that the Barbados Labour Party has been in office, revolutionary, social and economic policies have been advanced which, in no small measure, have contributed to the advancement, economical and social empowerment of the working masses of Barbados. This Tenancies Freehold Purchase (Amendment) Bill, 2000, is very much in that same vein.

Sir, the problem of land ownership in Barbados is very much a part of the product of our history. As you would be aware, Mr. Deputy Speaker, from the earliest days of the English settlement of Barbados, all of the lands of Barbados were held in private hands and, unlike some of our Caribbean neighbours, Sir, there has never been a vast amount of Crown lands. The working masses of Barbados has never had the opportunity of establishing themselves, by simply staking claims to an unoccupied area of land. In other countries in the Caribbean, that has been one of the ways by which the issue of housing and land ownership has been dealt with.

In fact, there are many countries around the world, because of the wider availability of land and the nature of the social and economical structures in those countries, there are squatters rights and the issue of staking claims to land is a regular part of the way things are being done.

As far back as 1680, Mr. Deputy Speaker, there is a map drawn and well mapped out by a Mr. Forde, which showed that all of the arable land was cleared and was under intensive agricultural cultivation. The subdivisions noted in that 1680 Act, indicated there were about 700 plantations and 2000 of what was being called “small holdings”. Over the period of our history, Sir, the pattern of ownership has largely been among private ownerships.

Even then in 1680, that map showed there was a network of approximately 36 forts for the purpose of defending the island from attack, from both the South Coast and West Coast, and that there was a rural infrastructure that connected all parishes.

Also, one of the important features to note from that era, was that Parliament was part of the tool of oppression. It was part of the means of consolidating the status quo and seeking to ensure the preservation of the division of the society of that day, along the lines of colour, class and economic standing.

During our last Administration when the Tenancies Freehold Purchase Act was passed, it was only fitting, Sir, that in later years, a Parliament of Barbados, and being led by the Barbados Labour Party, should have been the instrument for major changes and the empowerment of persons living in rural tenancies, particularly plantation tenancies.

Sir, in no small measure does that Act represent the major point of departure in terms of the pattern of land ownership going back to 1680, as shown in the Forde’s map.

For the first time in our history, many small working class individuals were able to own the lots on which they and their families resided, in some cases for as many as 100 years. We were able to witness the modernisation of rural Barbados. In all of the districts that are affected by the Tenancies Freehold

Purchase Act, we were able to see a tremendous improvement in the quality of housing being provided.

For the first time, individuals were able to proceed with confidence to changing the structures of their dwellings, or to either improve the quality of their home, but in the vast majority of cases, Mr. Deputy Speaker, to change from the temporary wooden structures to permanent wall ones.

Today Sir, the district in which I grew up is unrecognizably, relative to what it was thirty or forty years ago, and that has been as a result of the passing of the Tenancies Freehold Purchase Act, with respect to plantation tenancies.

11.30 pm

Tuesday, January 16, 2001

Continuation of Hon. R.R. FARLEY:

I see this Bill therefore, Sir, as being the second stage. This administration has recognised that while we have done wonderfully well in empowering thousands of Barbadians living on plantation tenancies, in fact the land ownership and occupation patterns of Barbados also consist of a large number of non-plantation tenancies.

On these non-plantation tenancies, there are persons who have been in continuous, unbroken, residence for ten years, 20, 30 40 or even longer than that, their view of a country is that the nature of other legislation, the Tenancies Control Act and other legislation put both the tenant and the landlord in a position of static equilibrium. They cannot go left or they cannot go right.

It is very difficult, Mr. Deputy Speaker, for landlords in those circumstances to move tenants, and properly so, but it also makes it impossible for those tenants to make a long-standing relationship with that property by way of purchase.

Aside.

Hon. R.R. FARLEY: In other instances, Sir, it is simply the price which is being asked for those properties which proves to be a burden.

This particular Bill which is before us, represents a fairer, just and more equitable approach in a way

that considers both the interest of the tenant as well as the interest of the landlord. What this administration bears in mind is that there are persons, Sir, of similar standings, similar social class, similar outlook, similar vision, who sit on the two sides of the fence in this particular second phase of empowerment as far as property ownership is concerned.

Mr. Deputy Speaker, in my constituency of Christ Church East, there are several non-plantation tenancies which exist and where the persons living there are happy and anxiously awaiting the passage of this particular amendment.

Their ancestors have lived on these plantation tenancies for many years. Mr. Deputy Speaker, if you are familiar with the Christ Church East and surrounding areas, they co-exist plantation tenancies and non-plantation tenancies, agricultural areas and areas that are very suburban in character and therefore, Sir, although this issue manifests itself in a large way in the suburban areas, it also presents itself across the entire landscape of Barbados but more particularly in the Christ Church area.

Indeed, Sir, the challenge which the Government faces and the responsibility which it has for the provision of housing solutions for Barbados is a solution which is not simply placed on the National Housing corporation as an institution of Government for providing houses for rental or houses for sale. Part of the solution, Mr. Deputy Speaker, lies in informing people to obtain permanence in the places where they live and to obtain the kind of assurances which would allow them to invest in the properties where they are located.

I am very confident, Mr. Deputy Speaker, that as a result of the passage of this amendment that there will be the kind of work, the kind of regeneration, the total transformation in the architectural sector of these communities which are the subject of the legislation which we have created. In many ways, Sir, the revolution will be even more dramatic than that which we have seen in the first with respect to the plantation tenancies.

Sir, I must commend the Ministry of Housing for the development of the payment formula which allows working-class families who may have been offered to purchase the land but who, because of the appreciation in value of the property over the years may not have been able to afford it. They are now being made a very generous offer and I would urge all prospective tenants to accept the very generous offer of paying the first \$2.50 per square foot for their land.

Sir, the Government recognising that the rights of landlords must not be trampled, whether the landlord is great or small, has agreed to ensure that the market value for the land is determined and the mechanism as specified in the Act is an open and a very transparent process that where there is a dispute in terms of market value that the Small Holdings Committee which sits within the magisterial districts across the country will determine the open and transparent value and that the Government will pay the difference between \$2.50 and the market value. So the landlord's interest is protected. The landlord is not being in any way disenfranchised but at the same time and the same stroke, the tenants are being empowered and enfranchised.

I must take this opportunity to clear up an issue which has emerged out of this Bill. In my constituency there is a situation in which the Government is involved in the relocation of the residents in some tenancies like Fairy Valley. Some of the tenancies are actually owned by the Government in

terms of Fairy Valley which is part of the BADMC land, whereas most of the land the land in the Thyme Bottom area, is privately owned.

This most generous position of \$2.50 per square foot, that tenants are able to purchase their lots where they are qualified tenants, has been spread abroad, Sir, as being the price, which the Government will pay for the land which they are acquiring.

Mr. Deputy Speaker, you know and I know that no caring, fair and just Government such as this Barbados Labour Party Government would even contemplate such an iniquitous position, the market value of the properties is the only value which the Government will be paying for the properties in question.

11:40 a.m.

Tuesday, January 16, 2001

Continuation of Hon. R. R. FARLEY:

Whether the land is worth \$6.00, \$8.00, or \$10.00 per square foot, if Government is acquiring the land in that area of my constituency, the Government will not come to Christ Church East to unfair any of the persons living in those hallowed parts of Barbados.

I want to use this debate to indicate quite clearly that the matter of the \$2.50 per square foot relates to qualified tenants purchasing land within the context of the definitions in this particular Bill and has nothing whatsoever to do with the relocation of persons from Thyme Bottom and Fairy Valley over to Coverley or to another location in Fairy Valley.

I want also to use this opportunity to say to this Parliament, that the Government will not at one and the same time articulate two different positions out of the two sides of its mouth, that the Government would not be coming to Parliament to give full effect to its commitment to the fullest empowerment of

persons living in tenancies in Barbados and at the same time seek to do anything other than to improve the lot of any tenancy or any community in which it has to do infrastructural work so that persons who are being relocated from Fairy Valley or from Thyme Bottom will find their lot tremendously improved.

The Cabinet of Barbados has recognised, in terms of the level of compensation which is payable on properties up there, that Government has to look toward the payment of replacement cost for the properties. Persons can, therefore, either take that value as cash and do their own thing, or they can have the Government in the execution of the project build a replacement property for them. Much of the property ownership among the persons who are to be relocated is in Thyme Bottom. In Thyme Bottom, Sir, inches below where the aircrafts fly, there are persons with substantial properties. They have wall houses and they own their land.

The very simple, very clear position of the Government of Barbados as taken by the Cabinet of Barbados is, that out of recognition of the fact that if one were to use a market valuation for such properties, that the market given the peculiar circumstances of where the houses are located, may not, in fact, throw up a true value of the houses to its residents and to the purpose for which it was designed and that the replacement cost, the reinstatement value, or the actual construction of a replacement unit will be the precepts on which we will proceed.

Again, Sir, I want to say that that policy of ensuring that there is not just a maintenance of the status quo but indeed a positive enhancement of the condition of persons in the communities in Barbados is reflected both in our policy on the relocation of residents at the airport as well as the policy which has informed this legislation for the purchase of tenancies which are non-plantation tenancies in Barbados.

Asides.

Hon. R. R. FARLEY: Mr. Deputy Speaker, I also want to make another point. In my constituency as well, there is an interesting model of development for which I want to make a plea for its continuation. Many years ago, the National Housing Corporation took over the areas which are owned by the churches which are known as the Parish lands and in other communities they are known as the Glebe lands. There are some among us in this Chamber who knows the areas and the situation very well.

Asides.

Hon. R. R. FARLEY: Those areas, Sir, were areas which the National Housing Corporation over the last 25 to 30 years have been renting to residents of the area. The opportunity to rent land, allowed persons of modest means and persons who are among the lowest paid workers in Barbados, to be able to have permanent or at least guaranteed occupation of their properties, and in true Barbadian style, they were able to put on, a little 'two by four', a little two-room house. As situations improved, either they got a larger salary or another occupant of the house, they added on a 'shed-roof' and some additional rooms and they were able to raise their children and send them to school with guaranteed and secured tenancy.

When circumstances further improved, they were able then to approach the National Housing

Corporation with a view to purchasing the lot on which they are located. Those persons if they were put in a position where they were required to purchase up front in order to have access to land at all, would never have been able to have the kind of very good, sound, comfortable structures which one could see across Parish Land and other areas like that in Barbados.

It is, therefore, very important that even as we seek to enter this new phase of development where we are allowing persons who were in long term tenancy arrangements to own their land, that we continue to provide such a lifeline and that we continue to provide such a point of entry, where persons who are brought up in the rural parts of Barbados and who are accustomed to a model of development which says that once you have access to land, you build a modest house, you enlarge the house to suit the family circumstances and then as you become more financially secure, you seek to purchase that land to put your permanent structure on.

I am simply saying, Sir, on the behalf of the constituents of Christ Church East that we would want to request that the National Housing Corporation, in its work programme and working within the various models for development, not only build its rentals units, not only develop property for sale but also continue to provide an avenue for persons to rent land for a period of time to give them an opportunity to construct their own houses and make the purchase at a subsequent date. That has worked in the past and that should continue to work well into the future.

Mr. Deputy Speaker, it is really with pleasure that I support this particular Bill. This will result in real improvement in the area of Barbados which I represent. The people of Christ Church East are most happy of this initiative by this Barbados Labour Party administration and it is with pleasure that I join with my colleagues in supporting this revolution stage No. 2, in seeking to empower the working masses of Barbados and make them part of this great and grand property-owning democracy of Barbados.

Mr. Deputy Speaker, I thank you.

11:50 a.m.

Tuesday, January 16, 2001

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, I consider this a distinct privilege to be able to have the opportunity to speak in this debate. I might even possibly consider this Bill as one of the most important pieces of legislation that this Government has brought to Parliament since 1994.

I say that in the context that the precursor, namely the substantive piece of legislation which we are amending, the Tenancies Freehold Purchase Act as first passed in 1980, stands out as a beacon in the field of legislation across the independent Caribbean Parliaments and as one of the major pieces of social and economic legislation because it forms the basis for a property-owning democracy that, in fact, addresses the fundamental issue that many of these societies had to face. In a very real sense, it constituted a form of national reparation to make right that which was wrong for centuries.

I believe, Mr. Deputy Speaker, therefore, that one cannot understand the modern development of Barbados without understanding the role that the Tenancies Freehold Purchase Act has played in respect of the social and economic advancement of the majority of people in this country. We speak very glibly, Mr. Deputy Speaker, about the fact that Barbados has been successful in the hemisphere in ensuring that the range of disparity in respect of incomes is perhaps the smallest in any part of the hemisphere to be compared only, I believe, to Uruguay. We speak about this without recognising that policy measures and legislation passed over the years has been responsible for narrowing the gap between those who have and those who did not have.

In a very real way, the Tenancies Freehold Purchase Act as well as the precursor bits of legislation in 1955 and 1965 which sought to enforce greater security of tenure have seen to it that persons who would not have otherwise had an opportunity to afford to build and own a house of some substance in this country were able to do so on the basis of the sweat, labour and blood that would have been invested in plantation tenancies throughout this country.

We set off on the right path then, but to have ended it there would have been to have ignored a pattern in the development of this country that would have seen a level of migration into urban Barbados, particularly in the early part of the twentieth century, that would have seen larger and larger numbers of people settling in St. Michael, in parts of Christ Church and in parts of St. James, that required our being able to deal with these persons in a way that allowed them to become part of this property-owning democracy.

This Party has always been concerned with the fact that you cannot build a strong movement for economic enfranchisement unless you recognise that for the majority of people in this country the first major investment will be their house and land. In a sense, that ownership of house and land secured a sense of belonging. It gave people a vested interest in the outcome and development of the society and economy and various other aspects of their personal and community life as well as the national output and development.

We, therefore, Mr. Deputy Speaker, were very concerned as a Government in 1994 that there were still thousands of Barbadians in urban Barbados primarily and some in rural non-plantation tenancies who would not have benefited from the Tenancies Freehold Purchase Act, who would not have benefited from the 10 cents per square foot but who faced similar challenges to people who were in fact in the tenancies and who in a very real sense could not advance their own personal circumstances because there was limited security of tenure. They could not go to the bank and borrow on anything to improve their houses and in a very real sense they had no steps to get out of that vicious circle of poverty.

Mr. Deputy Speaker, I must at this point intervene and say that the residents of Alleyne's Land Bush Hall were the ones who in 1989 and 1990 allowed me to have and develop an intimate knowledge of the plight of these persons in non-plantation tenancies in rural and urban Barbados; and later on Bourne's Village which is a non-plantation rural tenancy.

The residents of Alleyne's Land were faced with notices that were sent out to them stating that the landlord wanted to sell the land to them at that stage for \$5 a square foot. The only protection that they might have had was under the Tenancies Development Act which stated that any improvements done by a third party could not be taken into consideration in coming to the fair market value of the property since the landlord would not have been responsible for doing them and he could not therefore benefit from the investments made by a third party.

In those circumstances, Mr. Deputy Speaker, knowing that that was the only recourse, knowing that over 130 tenants had received notices to pay \$5 per square foot which at that time in 1989-90 was a lot of money comparable to what other people were paying closer into Bridgetown for commercial property. We felt that it was unfair for persons who in very similar circumstances had been on that land for 30,40,50 years not to be able to benefit in the same way that those plantation tenants had benefited. Hence the passage of this particular piece of legislation.

We were cognisant nevertheless that in this instance we were not dealing with plantation owners who could bear the subsidy of 10 cents a square foot but in very many instances because of the migration patterns into urban Barbados in the early 20th century there were a substantial number of black Barbadians who had what we would call small holdings maybe half an acre or three-quarters of an acre, who had invested in it for their family and wanted to be able to pass it on to their family but in the meantime were ensuring that the land worked for itself by reason of renting it to somebody or in some instances because of a humanitarian concern that people did not have access to land. In time they would have rented it out to somebody pending their finding something else and in most instances they never did find something else.

Sir, we were cognisant that we did not want to disenfranchise those landowners who by dint of their own hard work had also made an effort to lift themselves out from their circumstances and in those cases we felt that the fair thing to do was not to let a landlord bear the subsidy as was done in the Tenancies Freehold Purchase Act of 1980 but to let the Government bear the subsidy because Government accepted its responsibility to bring about urban renewal and to rid poverty from our landscape particularly in urban Barbados.

That, therefore, led to the recommendation that we set the price at \$2.50 a square foot, that the tenant would pay the first \$2.50 per square foot and that Government would pay the difference between \$2.50 and the fair market value, given the attributes of the particular piece of land. In the event of a dispute the Small-holdings Committee would arbitrate and help set the price bearing in mind that the Tenancies Development Act which as I said does not allow a landlord to benefit from the third party investment in the improvement of services and therefore the improvement of the value of the land would still operate to determine that price.

Mr. Deputy Speaker, this policy has been agreed to, administratively, for some three to four years and in fact we have been implementing it and I am happy to say that the residents of Alleyne's Land have already started to benefit from it and that Government through the Urban Development Commission has in this financial year 2000-01 provided a sum of money to help pay the subsidy to the landowners that is required in the circumstances for those tenancies that are in a position to have the land conveyed.

This allows those residents whether Alleyne's Land or elsewhere to be able to go to the bank, to be able to borrow to improve the quality of their housing and to do some other kind of investment that they deem necessary for their own personal advancement.

12:00 noon

Tuesday, January 16, 2001

Continuation of Hon. Miss M.A. MOTTLEY:

It is significant because when you consider that without that level of collateral particularly in the private sector banking community of Barbados which has had a blinking approach towards the lending of money to persons who are not perceived to have means and which has perhaps engendered, generation after generation, a distrust in respect of taking a chance with persons who live on this twenty-one by fourteen miles, when you consider all of that, you consider then that this Bill is not only socially revolutionary but it has an economic benefit that now allows families to be able to put down their roots in terms of their economic investment in this society. When they have settled the issue of providing for themselves through their homes and lands, they are now in a position to look at other investments. You cannot realistically expect people to participate in buying shares or generating large savings through credit unions or banks unless they have first settled that fundamental issue of ownership of house and land, giving them the cement to this community that does not allow them to be marginalised.

Mr. Deputy Speaker, let us not ever forget the psychological scars that would have been carried by the residents of this country through that iniquitous piece of legislation, the Master and Servants Act, passed at the time of emancipation, lasting until the time of the riots of 1937 and requiring people to give of their labour if they wanted to maintain a roof over their heads and if ever they were fired or left the employment then they would also be evicted from the land on which they were living, irrespective of the circumstances of themselves or their family.

Mr. Deputy Speaker, we cannot govern as if we have no history. We cannot govern insensitive to those things which have remained germane to the national Barbadian psyche. Mr. Speaker, I say to you that we have already seen two-thirds of the persons entitled to benefit under the Tenancies Freehold Purchase Act make use of those rights in the last twenty years. I would like to believe, Mr. Deputy Speaker, that more than two-thirds of those five to six thousand people who would now benefit from this amendment would also have exercised their option within the next ten years.

This legislation does not go one way because we have responsibility to govern. We have to recognise that landlords have rights as well as tenants and, therefore, the legislation does set a time limit on those persons who have in fact submitted a Form I Notice indicating their intention to purchase. It does not allow a tenant to submit a Form I Notice and then do nothing for five or seven years because the landlord will not be able to do anything and the property will be in a legal and economic stalemate. This legislation does provide for the landlord, once the Form I Notice has gone in, to exercise his option within three years which is fair in the circumstances. If he has not submitted a Form I Notice the time line of three years does not start to run. I want people to understand this clearly that it only runs from the time of the Form I Notice have been submitted.

Equally, because Government wants to be able to provide the subsidy to all of those who can benefit from the criteria, as laid out in this legislation, there is a cap in respect of the size of the lot for which the subsidy will be available. The subsidy will be available for the first five thousand square feet. This figure has not been picked arbitrarily, Mr. Deputy Speaker, but after substantial investigation, it has been recognised that over 90% of the lots are between 3 000 to 4 000 square feet and, therefore, the 5 000 square feet cap will not substantially disadvantage anyone in the circumstances. I can understand the difference that this will make.

Mr. Deputy Speaker, I will be working closely with Ministry of Social Transformation to ensure that derelict properties scattered throughout St. Michael and within existing communities will be brought to the table and brought back as habitable units. There is no sense in our believing that the housing difficulties of Barbados can only be solved by building new housing stock. We need to go into communities and rid the communities of those derelict properties which are public health nuisances. They foster crime and make for a feeling of depression in a community when you have to pass every day and see properties broken down.

I also want to be able to work very closely with the Ministry of Social Transformation through the Urban Development Commission to give effect to what we consider an essential part of urban renewal when we formed the Urban Development Commission some few years ago.

Mr. Deputy Speaker, I make the point all the time that you cannot effectively deal with housing or

urban renewal in Barbados unless you understand the culture of the people. You must understand the culture of the people. Traditionally, particularly when there was no welfare offered by Government, villages existed always with one or two entrepreneurs carrying the majority of people who were not able to carry themselves when they did not have money. The concept of 'trusting' from the shop, the concept of getting the 'meeting-turn' brought up when you are not due for it yet, were all things that allowed people to manage their cash flow situation.

Mr. Deputy Speaker, we have a dangerous and difficulty set of circumstances developing in this country. It is something with which the Attorney General is well familiar. In communities where persons are in need of help to manage that cash flow situation particularly those communities that no longer have a central entrepreneur in a village, the persons who are able to give that financial assistance are now very often persons involved in illegal activity.

Therefore, any Government or any police force will have 'hell' trying to collect information on that person who is perpetuating illegal activities day after day because of the relationship of trust that has developed between that person in illegal activity and the other members of the community. Mr. Deputy Speaker, whether there are light bills or water bills for people who might not yet be entitled to benefit from the National Assistance Board, what is happening is that the role that the shopkeeper or the other major entrepreneur in a community would provide is now being performed in many communities across this land by persons involved in illegal activity.

We, therefore, have been discussing with the Urban Development Commission that in a very real sense there has to be almost with assiduous and military determination, an effort to ensure that each community across this country has access to legal community entrepreneurs who form part of the stock of governing and carrying that community through on a day to day basis in spite of all of the welfare benefits that are now available through Government's central agencies. Mr. Deputy Speaker, if we were to exact the corporate type criteria that is available in Bridgetown among banking institutions we would continue to exclude a class of Barbadians from entrepreneurship and it will be to the detriment of the social fabric of this country largely because, Mr. Deputy Speaker, as I have said, those who have the cash by way of illegal means will continue to exercise influence over otherwise good and righteous minds and bodies.

12:10 p.m.

Tuesday, January 16, 2001

Continuation of Hon. M.A. MOTTLEY: Mr. Deputy Speaker, I therefore say to you that in the same way that the Government sees that it has a role in subsidising the difference to ensure that investment to acquire the home is made, they must also recognise that they have a role in providing more substantially, than it has been to date, funds through the Urban and Rural Enterprise Fund to help create those community entrepreneurs and do exactly the same rigorous, corporate criteria to determine eligibility.

The majority of people, Mr. Deputy Speaker, will, in fact, pay back. They are some vagabonds who

would feel that it is free money and do not want to pay back, but it is for those managing the fund to do the investigation to see whether the funds have been applied for the purpose for which it was borrowed and whether there is genuine hardship or whether this is a case of a man tricking you for six in which case the full law should be thrown at him.

If there is genuine hardship and the person cannot pay back, the reality is that would then constitute the subsidy that Government would provide in terms of facilitating community entrepreneurship in this economy. It will not be a lot of money; it will not break the Government; it will not break the economy but it is necessary to give people a chance. This amendment gives them one. We must complete the circle by letting them now be able to fish for themselves instead of giving them the fish on a daily basis.

I want, therefore, to congratulate the Minister of Housing and Lands, Mr. Gline Clarke, and the Minister of Social Transformation for the work that is being done between the Ministry of Housing and Urban and Rural Development Commissions. I am, however, saying to the Minister of Housing that there is still an urgent and pressing set of circumstances for people in St. Michael to have access to housing and that problem would have to be solved with the derelict housing solution because there is not the available amount of land in St. Michael as in other areas and those existing communities must be allowed to hold as many people as they can. I am further saying that there must be a determination by his Ministry to recognise that they are still some people who cannot afford a house that is more than \$60 000 or \$70 000, or who still need rental accommodation because they do not have access, even with the 100% mortgage, to be able to pay the mortgage at that level. I want, therefore, to see the Ministry of Housing's plans reflect those actual needs of the people in St. Michael.

I also want this Party to reflect on something that we had in our 1994 manifesto. That is the plight of persons who rent houses where the houses are falling down, the bathroom and roof are leaking, the siding boards are coming apart and nobody is fixing them. There is nobody who is enforcing anything against those landlords who behave like criminals and who are only interested in collecting the money. Yes, get their money but make sure that the people get the service that they are paying for when the month comes.

There are too many single women throughout St. Michael, Mr. Deputy Speaker, who do not have recourse to the protection of law, who do not have recourse to the protection of people to ensure that however modest their house is, it is not falling down, leaking and rats do not have ready and free access to the house. Those are the things that I want to see us continue to be able to move forward with dispatch.

I have confidence, Mr. Deputy Speaker, that the work that we have done today shows that the commitment and the interest of creating better conditions for people throughout St. Michael are there. It is a funny thing, Mr. Deputy Speaker, people will tell you politically that the Democratic Labour Party is always the Party that has had symbiotic relationship with St. Michael but the Democratic Labour Party has never brought legislation to allow the people of St. Michael to become the landowners of St. Michael.

Asides

Hon. M.A. MOTTLEY: Every major piece of legislation to do with tenants and giving people the

right to own has come from the Barbados Labour Party whether in 1955 under The Right Excellent Sir Grantley Adams; in 1980 under Tom Adams and now in the year 2001 under The Right Hon. Owen Arthur.

We have, however, to recognise that we have come a long way but those other things to which I have referred, Mr. Deputy Speaker, must be dealt with dispatch by the Ministry of Housing and the Ministry of Social Transformation. I pledge myself to be able to give of my time to publicly assist in helping to provide a social and the legislative framework, while giving access also to the framework for funding and the development of community entrepreneurs, because that is the only way that we are going to help to change the character of the social problems that we are facing in this society. There are social consequences, economic consequences and I believe, Mr. Deputy Speaker, that we have the framework within which to do it but we need, I believe, with respect, to move with a little more dispatch in finishing the job at hand.

I congratulate the Minister of Housing and the Minister of Social Transformation, particularly the hardworking staff at the Urban Development Commission, for helping to change the relationship of the residences and people of St. Michael to the country that they call their own, and to give them an opportunity to cement that relationship which only the accident of birth had given them previously, but which through their commitment, through the acquisition of property, would now ensure that theirs will now be a generational legacy in respect of what they have acquired in terms of property rights and not only one that is taking care of their psychological welfare.

I thank you, Mr. Deputy Speaker.

Hon. R.N. GREENIDGE: Mr. Deputy Speaker, I would want to say a few words to the amendment to the Tenancies

Freehold Purchase Act.

Asides.

Hon. R.N. GREENIDGE: Mr. Deputy Speaker, as it stands now, the Tenancies Freehold Purchase Act of Barbados speaks to tenancies generally. Indeed, it makes very little differentiation at all between plantation tenancies and private tenancies.

While that is so, all of us know that we have in Barbados large tracks of land which is in many cases similar to plantation tenancies.

12.20 p.m.

Tuesday, January 16, 2001

Continuation of Hon. R. N. GREENIDGE:

Sir, there are people from these districts that are living on these large parcels of lands that are not owned by the plantations.

Sometimes, there is an entire district that is owned by the same landlord and that is not true only of districts like that of Alleyne's Land, Quakers Land, and Pine lands, that we have been hearing about. Indeed, as the Honourable Member for Christ Church East has said, it is happening both in Christ Church and in St. Philip.

In my constituency there are a number of persons with the surname Lynch, living on land that is actually owned by a Mr. Greenidge.

Asides.

Hon. R. N. GREENIDGE: Not me. A Mr. Greenidge who is called 'Prophet'.

I know that this amendment will also have some repercussions, not only in the St. Michael area, but also in the country districts as well.

Mr. Deputy Speaker, with regards to the plantation tenancies, Government has facilitated those tenants by restricting the price to a mere ten cents per square foot, so that the tenants have never actually felt the full pinch of the market value.

Sir, in Barbados, all of us would have witnessed the transformation and tremendous changes which this social legislation has brought about. It has been a positive step and now many Barbadians have been able to take advantage of that initiative.

Mr. Deputy Speaker, with this legislation, in the case of the private tenancies, the landlord can charge the full market value and this is only fair; we are not restricting him to that ten cents per square foot.

Sir, with all that, Government is now doing something which gives certain private tenants a similar

benefit to that being given to the plantation tenants and we are sure that this will bring about sweeping changes in these tenancies too.

Sir, as I read this legislation, I must say that Government is being very generous to these tenants but this is not an attempt, and should not be considered an attempt to prop up mendicancy. This must be regarded as an excellent and social development. This is a very loud and clear statement which shows that Government understands the problems being faced by Barbadians.

This Government appreciates the fact, Mr. Deputy speaker, that there are scores of people in Barbados, who may possess the right to purchase, but may not have the wherewithal to do so, especially at the true market value.

We believe, Mr. Deputy Speaker, that people's social development should not be hampered because they do not have access to the bank. This is a point which we must emphasise and because of this, it merits some degree of intervention by Government in assisting its citizens and in doing so, Mr. Deputy Speaker, it must be considered as being laudable.

The entire initiative is consistent with Government's policies in creating an environment to assisting Barbadians in owning a piece of this rock.

It allows them a start in life. It allows them to help themselves because, when people are put in a position where they can own land, they can then hold their heads up high and face the bank.

Mr. Deputy Speaker, I wish to say that nowadays the banks are giving very few unsecured loans. The only language the banks seem to understand is ownership of real property. They are very reluctant to accept chattel houses and fishing boats as collateral and, as we know, many poor Barbadians do not actually own shares in companies, et cetera. Therefore, there is that duty, as we are doing now, to help those Barbadians own a piece of this rock.

I also want to speak on the size of the lots, and on the ceiling, which Government has put in place in assisting with the size of the lots.

I think, Sir, that this is in keeping with what is obtained under the plantation tenantry where the normal house spots vary from 3,000 to 5,000 square feet. It is true that there were some people who have more than 5,000 square feet, because they originally had a house spot, plus they worked the surrounding land and, therefore, they were given a conveyance to take into account the house spot, plus the land on which they were working.

I do not think, Sir, that it is being unreasonable for the Government to restrict the amount to 5,000 square feet. I do not think so, at all. Indeed, we have to realize that there are other restrictions which Government sometimes put on tenants. For instance, when a tenant applies through the National Housing Corporation for land, what happens is that tenant has to fill out a ready-made affidavit which specifies that he does not own any other lands, because Government wants to restrict that. It is simply saying that applicant is only being helped because he is in that position. In other words, if we know that he has other land somewhere else, then he will not get this one for which he is applying.

I would think, Sir, that if one were to go to West Terrace or Husbands, St. James, it would be very much difficult to find lots in those areas with 5,000 square feet or more, but the point I am making is that I do not think that 5,000 square feet is being unreasonable.

Two weeks ago, I was speaking to a friend who is building a house. To me, the house looks like a very big house, but my friend said that it was only on 3,500 square feet. I am making the point that 3,000 to 5,000 square feet is a good ceiling that has been put.

If one has an ordinary three-bedroom house, Mr. Deputy Speaker, it cannot take up 5,000 square feet. There can also be kitchen gardens, flower gardens, et cetera, both to the front and back of the house.

Mr. Deputy Speaker, I also want to make the point that we do not want to deprive the landlord of his constitutional right to being paid for what the land is worth and therefore, we accept the market value. In this instance, Sir, we too have to realize that the tenant has not earned the right to earn his, in the same way as the ones who have worked on the plantations.

The tenant, in this instance, did not labour on any plantation and cannot argue for the ten cents per square foot. This is not a justified right either, for example, like when the plantations benefited from his labour or from the labour of his foreparents. We think that the private landlord should be paid the true value of his land.

12:30 p.m.

Tuesday, January 16, 2001

Continuation of Hon. R. N. GREENIDGE:

Sir, under this new arrangement that I am speaking about, if the market value is, let us say \$4.50, we are now saying to the tenant, you pay the \$2.50, the Government will provide the \$2.00 extra and this is up to the 5 000 square feet, obviously.

We know, Mr. Deputy Speaker, that you are going to get some disputes. Do not let us bury our heads in the sand, you are going to get some disputes. We know that some landlords may want to say it is more than what we think it should be and it is for this reason that we are saying that the disputes in these instances will be dealt with by the respective Small Holdings Committees throughout Barbados.

Mr. Deputy Speaker, I also want to say a few words on the limitation of the three years to which the Honourable Member for St. Michael North East referred a few moments ago. We think, Sir, that three years represents the fairest length of time that we can give to a tenant to organise his or her finances. In other words, you have three years to raise the money, three years to get a loan, three years to put yourself in readiness to acquire the piece of land which is being offered to you and I think that is fair. It is an option which is given to you and which, as a tenant, you should exercise. It is a right we are saying that you should exercise by a certain time.

Lawyers who work daily with the buying and selling of land will tell you that in three months time, you should be able to have that conveyance in your hand if you are purchasing land. I am not saying that you will not get delays sometimes but three months is good enough time to have that conveyance back to you and to tell the tenant that things should be ready in three years, I think is extremely generous.

Three years is the usual limitation period in law for so many things and outside of a contract, three years is usually the limitation period. I see nothing wrong with three years in this particular instance.

Sir, to ask the landlord to go without his money for more than three years is really and truly, Mr. Deputy Speaker, to deprive him of his property and then tell him to wait. I think that is an unnecessary burden for us to ask the landlord to carry.

In the same way that the tenant has certain constraints, the landlord himself also has certain constraints and we, as a Government, have a duty to balance the plight of the tenant with ensuring that we do not take away the landlord's rights from him.

The landlord has to pay taxes and he may not be as well-off as the tenant may think, either. There are some landlords in this country, Mr. Deputy Speaker, who are definitely struggling to pay their land taxes. The landlord had to pay the very surveyor who subdivided the property that you now are purchasing and you must remember that all the time that you are asking him to sell the only thing which he possesses and considers to be wealth. All of these are things which we have to bear in mind.

This could very well have been land that came down through the generations and here is a landlord looking at a tenant and telling the tenant, we know that you have a right to purchase and I am ready. We do not want a situation where the tenant is looking back at him and saying, I will be ready in ten years time. That, Mr. Deputy Speaker, cannot be fair and it is because of things like those that I personally welcome that three-year limitation period.

Mr. Deputy Speaker, I want to wind up my contribution by making a personal plea for us to complete all of what is necessary, the legal work, whatever and I do not know if it is with the Ministry of Housing but the problem is with a piece of land in St. Philip that we refer to as the "Carpenter's Trust". From the time I was a little boy in pampers, I was hearing about this.

Asides.

Hon. R. N. GREENIDGE: Mr. Deputy Speaker, this is a piece of land at Parish Land in St. Philip where there was a family at the plantation called the Carpenter Family and they were living there since the 17th Century. Mr. Carpenter had left the land to his loving slaves and the people who lived around there and now there is no trace of the Trustee. We have been trying for years to get this piece of land in the hands of these people who reside in that particular district.

I really and truly would love to see the day when those people can have that particular conveyance in their hands because so many people there want to change their houses to stone. Sir, so many of them want to give the land by Will or whatever to their children, so many people want to borrow from the bank and they are still waiting. They have waited for many years. The grandfather thought he would have got the conveyance, the mother thought she would have got the conveyance and now it looks as though the children who are there would not get the conveyance

Sir, I would like, honestly, to be able to have the conveyances ready for those people who live at Parish Land, just beside the Vineyard. It is Vineyard, Oughterson and Parish Land, for those of you who know, when you are going towards Three Houses Park, it is that district that you drive through. You can see the houses as you pass the police station when you go up towards Three Houses Park and I would love them to get their conveyances. So I am making a plea to all those who have responsibility for it, to let us have the conveyances as soon as humanly possible.

I am obliged to you, Mr. Deputy Speaker.

Hon. Miss B.A. MILLER: Mr. Deputy Speaker, I rise to give my unreserved support to the matter before the House. Together with the original legislation, I view this as the most important piece of social engineering of my time and I particularly want to speak in the context of the urban tenantry.

Mr. Deputy Speaker, the urban tenantry in my judgment, is no less significant in Barbados than the rural tenantry in a continuity of the Barbadian landscape which goes back for centuries.

12:40 p.m.

Tuesday, January 16, 2001

Continuation of Hon. Miss B. A. MILLER:

You only have to be flying over Barbados to look down to see it or stand on a hill - and there are not so many of them - to understand how our landscape has worked.

In many other countries in this hemisphere and beyond, because urban drift is a universal notion, the drift from rural to urban, while it occurred in Barbados particularly at the very beginning of the twentieth century, I bear in mind that we are now in the twenty-first century, has never been allowed to dislocate rural life in this island to the extent that we have seen in other parts of this hemisphere. We hear about Ghettos in North America, we hear about Favela and we hear about Slums. We only hear about those things, Mr. Deputy Speaker, but we have no concept of what they really import in Barbados.

In the City, we have seen in our time, a certain degradation but it does not approximate to what happens in other jurisdictions. Although, we have had urban drift, every town family can speak to its country origins. I tell people all the time that my mother was from St. Elizabeth Village, in St. Joseph, so you have to understand why I like breadfruit. Those are my origins and that is true of almost every town family that I know of, but the drift from country to town has never been allowed to create in Barbados what we see in other countries.

In fact, Mr. Deputy Speaker, there are some who would tell you that the urban to rural move is only notional because Barbados is so small. I do not always accept that, because even in Barbados we have a suburban, and in our time we have seen suburban Barbados grow. In the parlance of town planners we have seen, therefore, urban sprawls and it is happening even as we speak.

Many Barbadians do not appreciate that there are urban tenancies just as there are rural tenancies. People look at Black Rock, Grazettes and Fairfield but before our time, in the early 20th century, they were sprawling estates. Urban tenancies like the rural tenancies have helped to anchor a quality of life in Barbados. They gave rise to the chattel house. I do not think that the chattel house work quite the same way anywhere outside of Barbados like it has in Barbados. The chattel house was the first thing that a slave and a free man was able to own. It is the house that you can disassemble in a day and reassemble somewhere else. I remember as a child, you will see a whole house being moved on a lorry on Saturday mornings. Fellows will dismantle the house and somebody will cook a big, big pot and by Sunday morning you reassemble the house at another location and that is how people move from one plantation to another plantation in Barbados.

The chattel house became a symbol of everything that was negative and was associated with everything in the generation going before. I am happy to see, in my time, that the chattel house is getting a new lease on life but a whole culture existed around the chattel house or what was a chattel lot.

The paling around a chattel house made an important statement about social life in Barbados. You hear talk about 'beyond the pale' or 'outside the paling'. People stake out their territories with the paling. It was not only there to give privacy in the days of the outside bathing and toilets arrangement and sometimes kitchen arrangements. It was not there to protect the lime tree, the pea tree or the pepper

tree, that every Bajan backyard had to have, from the neighbours. It was there primarily as a staking out of the territories because a chattel lot had a specific size.

All of these things, Mr. Deputy Speaker, are part and parcel of the quality of life in Barbados even as we know it today. Barbadians, in the last 25 to 30 years, who have built nice bungalows still cannot resist the temptation to pale the backyard and all of that helped to make good neighbours in Barbados.

The Honourable Member for St. Michael North East made an interesting point when she spoke particularly of the urban tenancies and the way in which entrepreneurs carried those tenancies. I want to put in my piece for the landlords. It is right and fitting that this legislation before us should be looking to preserve and to protect the rights of the landlords because landlords helped to carry tenancies and carry families by extension for many, many years. When people use to pay just a few shillings a year, the landlords could not pay the land tax. Entrepreneurs were better off.

Asides.

Hon. Miss B. A. MILLER: Yes, that is still true today. In urban Barbados, you had a last, and happily, Sir, no longer, King James Shop at the corner of Martindales Road. R. L. Mapp Shop at the corner of Eagle Hall and James A. Tudor at the corner of Westbury Road, carried communities. A lot of children were able to go to school. Women could go to town and buy goods. They could pay to go to the doctor in the days when you had to pay for all medical care but landlords were not the most popular people. Before the days of the Indian traders, sometimes known as the 'Coolie Man', the landlord was the person or his or her agent who would be coming around for the land rent.

Mr. Deputy Speaker, we need to be very clear in our understanding of the role which the landlords have played in the social and economic development of Barbados. Barbadians do not properly understand how urban tenancies work, which is somewhat different from the rural tenancies. The rural tenancies were for the most part plantation tenancies. Over the years, writers and poets in Barbados have spoken very eloquently as to how that system work but urban tenancies are less well-known. Take the City of Bridgetown which I have had the honour to represent in and out of Government over the past 25 years, this year would be 25 years.

Bridgetown is really a patchwork of urban tenancies. All of what we know of as Up Town or Relics Land as it is sometimes called, Chapman Lane and New Orleans were vast urban tenancies. Solicitors' clerks in Bridgetown would often be the rent collectors in those tenancies and urban dwellers were no less adept than rural dwellers at avoiding the land rent collector and the house rent collector when he came around which was more often a he than a she.

Mr. Deputy Speaker, we, as a homogenous community in Barbados, are much indebted to the landlords of yesteryears and even unto this day.

12:50 p.m.

Tuesday, January 16, 2001.

Continuation of Hon. B. A. MILLER:

The rural tenancies, Mr. Deputy Speaker, Sir, continue to be important because the reality of the village is universal and that is everywhere in the world. In Africa today the most distinguished people will tell you about their village from which they came. In the United States and Russia or anywhere in the world, this is the concept of the village and that goes back to the village where people live - "villa", for those of us who have some knowledge of Latin. The role that the rural tenancies continue to play in Barbados cannot be understated.

Sir, what the rural tenancies do for agriculture whether in the plantation system or in the peasant holding system, the small-holding system as it is sometimes called in respect of the physical environment of Barbados and the husbandry and traditional measures that people tout for the protection of the rural environment of Barbados, take a lot of credit for that.

We talk about disposal of solid waste in Barbados and we know that we have a problem and the Government is addressing it. If we cast our minds back to when we were children to rural Barbados, the traditional practices catered to an environment which is delivered to us today and which allows us to live a decent quality of life. We breathe relatively clean air. We drink clean water.

There was a time when the gullies and wells in rural Barbados were cleaned routinely on an annual basis. Some of that we are moving away from. True, there was no money in it then but it is not so much a question of money as a question of the protection of the environment that protects us. Even the care in rural Barbados of the beaches and near shore waters, Mr. Deputy Speaker, go to the quality of life that too many of us want to take for granted today. The urban tenancies now are going to bring a different look and we see it beginning already now to the urban landscape. I think that we have arrived in Barbados at a place where in urban Barbados we have to begin to look to building up because the urban sprawl is at a place where it can do damage to the very delicate bouts of our physical infrastructure and not only to our physical environment of Barbados.

The built environment, Mr. Deputy Speaker, Sir, now has to recognize that in the 21st century urban Barbados is going to look so much different from urban Barbados of the 20th century. Already we are going up with buildings. I would like to think that the London Bourne Apartments has begun to point the way in respect to public housing. I am very happy at what I have seen at Brighton Terrace where it joins on to Deacons Housing Estate. That is the concept of the quad where on a parcel of land you can house four households rather than the one. I congratulate the Honourable Minister of Housing and Lands and his officers in the Ministry and in the National Housing Corporation that they are farsighted enough. Yes, you have to give praise where it is due in understanding that we can maximize the use of our land.

Mr. Deputy Speaker, Sir, not even two weeks ago we had a very important meeting here in Barbados. It was exceedingly important. The OECD interfaced with a number of non-OECD countries including Barbados and Barbados had the privilege of hosting that meeting. To that meeting came people from many countries but there was a particular young lady from Singapore. She was the Director of Fiscal Affairs in the Ministry of Finance. In one of the interims I had the opportunity to speak with her. She made a magnificent intervention in which she said that she saw the draft on the proposed Memorandum of Understanding that the OECD was putting before us and that she was mortified.

Coming from her, Sir, that was a large statement because Singapore is not on anybody's list. She had no political or other axes to grind, but she said that she had two spare hours and she was interested in nature and if I could suggest to her what to look at in Barbados. I suggested that she should go up to Harrison's Cave and try to put in the Flower Forest and maybe Welchman Hall Gully. This would be an experience worthwhile for her. She observed the parallels between Singapore and Barbados during the course of the conversation. She said there are islands much the same in size but so different in population. We have barely over a quarter million people in Barbados and Singapore has over one million. If you go to Singapore, you would see that all public housing has nothing less than fifteen stories. Now I am not suggesting that for Barbados because the Barbadian tradition that I have been talking about earlier, the way that the Barbadian landscape looks and the interface between urban, suburban and rural Barbados is quite different than in Singapore.

Sir, I am drawing that as a parallel and there are many parallels to be drawn between Singapore and Barbados to make amplify the point that in urban Barbados I have no doubt that later in the 21st century even in suburban Barbados up is the way that we have to go now. Not only

in respect of housing, Mr. Deputy Speaker, but roads too and other services and they can be nicely done. London Bourne could be a place where some people and all the business people could be hanging out, but it is not because of clever design and a determination of a Tenants Association to keep it nice so "fly overs" do not have to be ugly concrete creatures.

Mr. Deputy Speaker, we know that we have a problem on our roads in terms now of gridlock. I did not think that in my time I would live to see gridlock in Barbados. It took me an hour to get from my house to my work yesterday morning. I remember when the ABC Highway, as it is known not what it is called, because everybody calls it the Tom Adams Highway was being built. I also remember the difficulty we had with the Inter-American Development Bank at the time. Ideally, we would have love to have it as a four way highway all the way, but it was the cost and everything else that was going. We know now that what was said then was correct. The urban planners then were able to tell us because they had done their homework that the heaviest traffic would be coming out of the St. Philip and St. George areas. You just try to get down to Collymore Rock morning, noon or night, Sunday, Monday, Wednesday because it does not matter. You come up the highway, Sir, and you get to Haggatt Hall and that is where the crunch is. Now it is clear that you are either going to have to put another lane there or a nicely designed fly-over. I do not think that underpasses will be the way to go in Barbados.

1:00 p.m.

Tuesday, January 16, 2001

Continuation of Hon. Miss B.A. MILLER:

We have to face the fact that the urban landscape is going to change in our time. I cannot stress enough the importance of preserving and conserving human settlements in this island. You cannot have people living on every square footage in Barbados. Barbados is already an island where there are too few trees. I make the point in here time and again. I watch the rain clouds come over my house and the water drops into the sea.

In other places in the world if you read Lee Quan Yew's autobiography you will see that a chapter is devoted to how they planned the landscaping of Singapore. Yes, they knew that they had to go up but then they softened that with the planting of trees and other landscaping devices. Trees play a very important role, they not only help to draw the rain down. I do not want to make a separate speech on that now but we need more trees.

Every Barbadian on a particular day of the year should be encouraged to plant at least one tree. It does not always have to be a big mahogany or sandbox tree. I remember when you had pea trees in the hedge-rows. There are more breadfruit trees in Barbados than perhaps many other trees. It happens that in Barbados we eat breadfruit. In Fiji they grow them to feed the pigs. They were horrified that I tried to eat breadfruit there and they looked down on me. Breadfruit, of course, came from there to here.

Mr. Deputy Speaker, the point that I want to end on is the one that I began on. This represents, as I said earlier, perhaps the most important piece of social engineering in my time. It is important now that we understand that what sufficed in terms of the land scape, the landscape is dynamic. We think that the land will always be there and nothing changes, that is not true. The landscape is dynamic.

The point I am trying to make, Sir, is that we have to recognise and we have to plan for the fact that the way that urban Barbados and urban tenancies looked in the twentieth century is going to differ dramatically from the way that they are going to look in the early twenty-first century and certainly I am convinced later into this century. It is so important that we would have been putting what was wrong, right here, as the Honourable Member for St. Michael North East stated, and that we begin the planning process so that we do not in this little Barbados find ourselves in urban congestion in a way that has occurred in other countries. We have avoided it until now and it is very possible that with the right planning we could continue to avoid it.

Part of the appeal and the charm of Barbados, not only to those of us who choose to live here because many of us could have chosen to live somewhere else and I would not wish to live anywhere else but to those who visit Barbados as well, is that Barbados should continue to look and to feel a certain way.

Mr. Deputy Speaker, I commend the Minister of Housing and Lands that this legislation is before us. I am glad that I had an opportunity to speak to this as indeed I had an opportunity and did speak to the mother legislation which has brought a new and different and laudable opportunity to a number of Barbadians who would have waited generations to come to this place in their lives and in their families.

Mr. Deputy Speaker, I am much obliged to you.

SUSPENSION

Hon. D.A.C. SIMMONS: I beg to move that this sitting be suspended until 2 15 p.m. today.

I just wish to remind Honourable Members that this a very important Bill that has to be passed according to section 49(2) of the Constitution and we therefore require the presence of all members who are here to ensure that we comply with the two-thirds requirement of section 49(2).

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

The question that the sitting be suspended until 2:15 p.m. in the afternoon was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER suspended the sitting accordingly.

1:08 p.m.

Tuesday, January 16, 2001

RESUMPTION

Mr. DEPUTY SPEAKER: This Honourable House is resumed.

Hon. R.C. EASTMOND: Mr. Deputy Speaker, Parliament of 1980/81 witnessed the introduction and implementation of a single piece of legislation in this country, when what has become now CAP 239B of the Laws of Barbados, was passed. This piece of legislation called the Tenancies Freehold Purchase Act was designed not only to offer a measure of protection to persons resident in plantation tenancies but was fashioned to permit the empowerment of a large number of persons who were occupying plantation tenancies. At last, Mr. Deputy Speaker, even though there were those in Barbados who were of the casual view that this piece of legislation had addressed all tenancies, we on this side were not satisfied that it was wide enough in scope nor broad enough in its application. We were also satisfied that it did not address all the issues. Mr. Deputy Speaker, there can be no doubt that in time some amendments have been attempted but permit me at the start to indicate that what we are doing today is not only a continuum but what we are doing today is very much in the spirit of what the founding fathers of the Barbados Labour Party contemplated and indeed what some of them attempted in 1955.

The Honourable Member for St. George South many years ago would have been the first person who brought it to my attention that there existed, spearheaded by the Barbados Labour Party and by the Right Excellent Sir Grantley Adams, a piece of legislation called the Security of Tenure of Small Holding Act, 1955, which represented the very first attempt in modern times to address the whole question of the plight of those who were close to being dispossessed and those who did not have any protection by law as far as their security on small holdings was concerned.

Mr. Deputy Speaker, notwithstanding that piece of legislation and subsequent pieces of legislation, we came to the clear conclusion that we had in Barbados, outside of plantations, running right through this island and more particularly in St. Michael, vast amounts of occupants of lands who either had no title, despite being occupants for a long time, or who were not properly provided for. We would have seen prior to the bringing of this piece of legislation to this Honourable House, a number of unfortunate occurrences affecting persons who resided and continued to reside in non-plantation tenancies.

Those of us in this Parliament would have had the experience of hundreds of Barbadian residents on non-plantation tenancies complaining that very often they were asked by landlords to pay enormous

purchase prices for the lots that they occupied and which they wanted to buy in clear circumstances, Mr. Deputy Speaker, where quite often the disadvantaged tenants did not have access to proper ancillary roads, did not have access to services and were not permitted to bargain with their landlords.

Mr. Deputy Speaker, we also had a number of occurrences in this country, which fortunately are now decreasing, where an angry landlord more or less pulled down the chattel house of a tenant and put it beside the road because in the landlord's opinion, the tenant had defaulted on his or her obligation.

In any event, Mr. Deputy Speaker, Honourable Members on this side had always been of the view that even though non-plantation tenancies would not have been of the same extent and size as plantations, then clearly there has always been for years a need to introduce a proper regime by which occupants of non-plantation tenancies could experience legislative and regulatory benefits. We say so, Mr. Deputy Speaker, mindful of the fact that in very many cases, the landlords of non-plantation tenancies are ordinary poor Barbadians too and, therefore, if you had a disadvantaged tenant and a landlord who is by no means rich then the challenge clearly would both have to strike a balance in favour of that which would have been just, while at the same time ensuring that all the principles of equity and fair conscious would prevail. Nobody can say that what is coming here today is prejudiced heavily in favour of one group and against the other to such an extent that we are being partial to one without realising the rights of the other group.

Mr. Deputy Speaker, over time, we have witnessed a number of unfortunate developments and behaviours which have affected not just the tenants' rights to purchase and the tenants' desire to get on but we have even had in this Barbados instances where tenants were occupying tenancies and wanted to do basic improvements such as introducing proper water toilets and such like. Many a tenant, especially in the urban area, would have found that applying to a landlord asking for permission to put in water-borne toilet facilities was a wasted application because a landlord feared that to permit his tenant to put in water-borne toilet facilities would have done something to undermine the sanctity of the landlord's title. This is a very real problem. I know that there are Honourable Members on this side who, though aware of a land owner's rights by law, are also of the view that perhaps we can so amend the law as to insist that the right to sanitation is a fundamental right and set in train regulations where even when tenants are not permitted to buy or cannot buy then basic sanitation should be allowed even when they themselves are not yet owners of land.

Mr. Deputy Speaker, we are of the view that in the context of Barbados' history of slavery and the fact of remaining signs of poverty being present, this Government, as a Government adhering to social democratic practices, should do its utmost to enfranchise and to lift those who would have been disadvantaged.

Mr. Deputy Speaker, we - mindful of the fact that many a tenant would have been asked to bear the cost of an act of conveyance of property to the tenants while not being able to pay what was being asked by the landlord - are introducing a measure of control designed to ensure that for lots of reasonable size that tenants are not asked to pay more than a basic \$2.50 a square foot even if the landlord is asking for significantly higher amounts. Mindful of its responsibility to protect the revenue, Mr. Deputy Speaker, there will naturally be a curb on this because clearly in situations where tenants are not being encouraged to get windfalls, there is going to be a limit on the lot size to which this concession will apply.

Mr. Deputy Speaker, we on this side have often stressed the importance of freehold title. Any person who has freehold title that person has a status in property law clearly higher than that of a tenant who can be put off the property either at short notice or even when the notice is not so short, that person can be put off the property to that person's inconvenience.

Mr. Deputy Speaker, we are setting out to amend the Tenancies Freehold Purchase Act to allow for scores and scores of persons who would have had no recourse and little means to be able to access freehold title.

2:30 p.m.

Tuesday, January 16, 2001

Continuation of Hon. R.C. EASTMOND: I am going to say something now, Mr. Deputy Speaker, that I may have been said in here before. Even though the said forefathers of the Barbados Labour Party made it law years ago that you can access a loan and secure it by means of a chattel mortgage, a mortgage using a chattel house as the security, unfortunately, this did not work, as many a commercial banking institution in this country either had not been impressed by the chattel mortgage loan or would have argued that to take a chattel house as security in a situation where as a chattel house it can be moved around and their effort to enforce the collateral would be undermined.

Putting it another way, Mr. Deputy Speaker, we have had tenants in Barbados in occupation of lands for 20 and 25 years, they approached the commercial banks seeking to raise small amounts between \$7 000 and \$15 000 either to improve their chattel houses or to do something else like rebuilding. When asking for a loan in the commercial banking sector, few commercial banks in Barbados would permit them to get the loan on the security of a chattel mortgage. What will happen now, Mr. Deputy Speaker, is that when these tenants achieve the status of freehold owners, this type of prejudice which is inflicted upon them and from which they suffer will be removed and they will now be able to assert proper title. They will now be able to show conveyances and title deeds to prove that they own property and at the same time be able to use such as a very fine form of security.

Mr. Deputy Speaker, we still need to continue looking at our tenancies law. Recently, I spoke to a very good public officer who has been made himself an expert in tenantry law. In this conversation we were discussing another problem that faces tenants. Tenants get problems like who is really the landlord and who is the proper agent. After paying rent for five and six years some tenants then realise that perhaps they have been paying rent to the wrong people.

Recently we were looking at a situation where in this country we have had a lot of tenancies with more than five occupants and then two or three moved, then there was the question of what now is the status of the lot of land. There are lawyers who would tell you that once a tenancy, always a tenancy. If Mr. Browne's land had six occupants in 1995 and it now has four it is still a tenancy.

I have searched for case law, Mr. Deputy Speaker, on the point and I have come across none. These are concerns that affect people and even when they seek legal advice, the fact of the matter is, in the short term when a man knows that he was one of seven on a given parcel of land and then realises that there are only four, including himself, he would be traumatised as to whether or not he has lost his status as a qualified tenant. These are some of the issues that we in here as Honourable Members of Parliament have had to confront.

Mr. Deputy Speaker, as far as the landlords are concerned, they are Barbadians who tell tenants in occupation for lengthy periods of time that so long as they are on a tenancy and have been there for long period of time that they have perfect title. What do you find? You find tenants who do not really have title. They take down their chattel structures and build permanent structures, especially in cases where they could not find the landlords. Even though no one would fault the attempt of a poor Barbadian. The end result of that type of action would be that a poor working-class landlord could end up being charged by the Land Valuation Department for land tax reflecting the permanent structure in a situation where, if the landlord was around, the tenant would not have gone and done that without the landlord's consent. These are matters, Mr. Deputy Speaker, of which we are mindful and we are seeking, as I said, to strike a balance and to make sure that we are moving towards a situation of proper social engineering.

There is also, I do not think that we have yet found the correct formula at law to deal with it, the very serious scenario which often works hardship on a lot of poor people. This is where a family or a single person who has been renting for 35 and 40 years and feeling that he or she should be given the right of first refusal when it comes to purchase. Then somebody appears and says that the person, after having occupied the land for such lengthy periods, has to move from the land. All these are matters that we are mindful of, all these are challenges for us as Members of Parliament to deal with.

Mr. Deputy Speaker, I am definitely going to support the amendments. I think that the time has come, not only when those who have rented for long a time and want to purchase should be allowed to do so but the time has clearly come in a situation where many a landlord did not accommodate the legitimate aspirations of the tenant by negotiating with the tenant at arms length to reach a proper price, it is clear now that Government has to intervene to set the stage where justice can prevail and where persons who have occupied non-plantation lots for years can be able to gain title, to be able to become men and women, asserting themselves as property owners and to be able, Mr. Deputy Speaker, to use that title the way they want to without unnecessary incumbent effect or the

frustrations which would have accompanied them during the time of their tenancies.

Mr. Deputy Speaker, I conclude by saying that any Government who is aware of the socio-economic history of Barbados and of the struggles of the poor people in this country, any government who is aware of a piece of legislation way back in historical times, similar to what the South Africans had in the form of the Located Land Labours Act, will do its utmost to ensure that those, through no fault of

their own, who are unjustly disenfranchised, are given an opportunity to be part of the mainstream of society by receiving benefits such as what is intended by this piece of legislation.

Mr. Deputy Speaker, this type of legislation readily commends itself to acceptance. I have no difficulty supporting it but we still have to look to all the possible nuances and little contingencies that may still have to be addressed in the future, when it comes to rationlising the relationship between landlord and tenant on non-plantation tenantries.

With these remarks, Mr. Deputy Speaker, I am obliged to you. Thank you.

Hon. G.A. CLARKE: Mr. Deputy Speaker, I beg to move that this Resolution be read a second time.

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

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

On the motion of Hon. G.A. CLARKE, seconded by Hon. R.C.

EASTMOND, Mr. Deputy Speaker left the Chair and the House went into Committee on this Bill, Mr. D. CARTER, in the Chair.

2.40 p.m.

Tuesday, January 16, 2001

COMMITTEE

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

Clauses 1 - 12 inclusive were called and passed.

Mr. CHAIRMAN reported to His Honour Mr. DEPUTY SPEAKER, the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On the separate motion of Hon. G. A. CLARKE, seconded by Hon. R. N. GREENIDGE, the Bill was read a third time.

A division has been called for.

The bell has been rung.

The question that the Resolution 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,

Mr. L. R. TULL, Hon. Miss B. A. MILLER,

Mr. D. CARTER, Hon. R. N. GREENIDGE, Mr. D. T. GILL

Mr. M.Z. WILLIAMS, Hon. R. D. MARSHALL,

Hon. G. A. CLARKE, Mr. T. A. PRESCOD,

Hon. H.F. LASHLEY, Hon. R. St.C. TOPPIN,

Hon. A. P. WOOD, Hon. N. A. LYNCH, Hon. R. R. FARLEY

His Hon. J. M. EDGHILL, Hon. R. C. EASTMOND,

Hon. Miss M. A. MOTTLEY, Rev. J. J. S. ATHERLEY

Noes: Mr. D. St.E. KELLMAN

On the separate motion of Hon. G. A. CLARKE, seconded by Hon. R. N. GREENIDGE, the Bill was passed and cited as the Tenancies Freehold Purchase (Amendment) 2001.

On the motion of Hon. D. A. C. SIMMONS, Mr. CHAIRMAN reported to His Honour, Mr. DEPUTY SPEAKER, the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

ORAL REPLIES TO QUESTIONS

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir, the reply to Parliamentary Question No. 3, as raised by the Honourable Member for St. John is ready.

Regrettably, he is not in his Chair to receive the reply, which runs many, many, pages, Sir. Therefore, I ask that the Question be now laid.

The reply to Parliamentary Question No. 8, Sir, raised by the Honourable Member for St. John is ready. He is not in his seat, Sir. I beg to move that the Question be now laid.

2:50 p.m.

Tuesday, January 16, 2001

Mr. DEPUTY SPEAKER: Question number 20 is laid.

Mr. D. St.E. KELLMAN: Question number 22 and that can be laid also.

Mr. DEPUTY SPEAKER: The question is laid.

Mr. DEPUTY SPEAKER: We will now revert to Government Business.

ORDER NO. 5 - RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF PARCELS OF LAND AT CULLODEN ROAD, TWEEDSIDE ROAD, EAGLE HALL, BLACK ROCK,

**WESTBURY ROAD AND ROEBUCK STREET,
ST. MICHAEL FOR ROAD IMPROVEMENT.**

Hon. G. A. CLARKE: Mr. Deputy Speaker, the Resolution before this House seeks permission to acquire 31 properties, two at Culloden Road, three at Tweedside, one at Eagle Hall, one at Black Rock, 15 at Westbury Road and nine at Roebuck Street, some 31 properties to be acquired by the Crown for the Bridgetown Road Development Programme.

Mr. Deputy Speaker, this is in keeping with Government's programme to develop the inner city as

well as the outer roads of Bridgetown. A number of homes have already been resited because of the intention of this Government to improve the Highways of this country.

Sir, to do so, from time to time, the Government will have to acquire properties. Sometimes old properties or sometimes we will have to acquire some square feet or metres of land for the betterment of Barbados.

As we go into a new century, Mr. Deputy Speaker, it is important for us to realise that we are now dealing with bigger, wider and heavier vehicles and therefore it is necessary for us to improve the roadways of this country. The Government is ever mindful of this fact and we will continue to do so.

In the process, Mr. Deputy Speaker, a number of persons will be affected and we are aware that persons know of their rights. Whenever the Ministry or the Government has to improve roads, those persons who live near the roads have to be relocated. In the City area, you will find a number of persons living almost right onto the streets, especially in the Black Rock area where a lot of road works are being carried out.

Mr. Deputy Speaker, this Resolution before the House is seeking to improve the lot of the people living in the Bridgetown area and also to improve the lot of Barbadians in general. I am sure that the Honourable Member for St. Michael West Central, who is the Minister of Public Works, will be able to further explain the importance and status of where we are on these road works.

With those remarks, Mr. Deputy Speaker, I beg that this Resolution do now pass.

Hon. R. N. GREENIDGE: I beg to second that, Sir.

Mr. D. St.E. KELLMAN: Mr. Deputy Speaker, I rise to speak on this particular Resolution and I want to remind the House, Sir, that for the last six years, I have been asking the House to amend the Compulsory Land Acquisition Act. As you are aware, on occasions Governments come to this Parliament and compulsorily acquire land and sometimes for some strange reason, they do not require that land any more and an excuse is given. As far as I know, Sir, under the Compulsory Acquisition Act, that land is first supposed to be offered back to the previous landlord and I am asking this Parliament to abide with those particular rules.

Sir, it is rather strange that we are debating this particular Resolution after debating number four and after an article in one section of a document written in Barbados today, where a landlord finds it convenient to complain that he owns one parcel of land in this place called Barbados. A piece of land which to him is a valuable resource but the Government of the day seems not to understand the importance of a piece of land to a poor man.

In this Parliament, sometimes we must not only look at our political views and our political attainment but we must also recognise that the man in the street has a right also. Sir, that is why I will continue to call on this Parliament to recognise that the landlord also has constitutional rights and that whenever the Government of Barbados and this Parliament come with a land acquisition, they do not only offer the landlord money in return for his property but offer to that landlord the right to own a piece of crown land that they so much brag about.

Mr. Deputy Speaker, this Parliament must be seen as a Parliament about fairness and we cannot be seen as a Parliament because we want to get political votes, we are quite prepared to use legislation and resolutions to unfair one group against the other.

I will say this, Sir, I honestly believe that if the Government wants land for public purposes, once they can announce that public purpose and it is a good public purpose, I will support it. If the Government feels that they should get land for tenants, I feel they have a right to do that also but, Sir, in doing that the Government must understand that the landlord of that particular piece of land also has a right.

Mr. Deputy Speaker, I am aware and all 28 MPs in this House should be aware of the fact that up to 1994 there were large acres, some 266 000 acres which they could divide and probably say that they have an heir to this rock.

3:00 p.m.

Tuesday, January 16, 2001

Continuation of Mr. D. St. E. KELLMAN:

What we have seen lately, is that there are a group of people who can now come to this country, buy large plantations and the equation is getting smaller, Sir.

I am saying that this Parliament must recognise that those people who own one piece of land is going to treasure that piece of land and that no Parliament anywhere in this world has a right to come as a group of people and take away that right from the people.

I am saying, Sir, that every single Barbadian must have the opportunity to own a piece of land in Barbados but you cannot take from the poor to give the poor and believe that you are doing something good because this is where this Parliament in the year 2001 will stand condemned. If we do not use the Land Acquisition Act right we would have been and will be accused as the most regressive Parliament ever to be anywhere in the world where because we want to give the 'feel good' syndrome we are quite prepare to step on our own to achieve our own personal political goals and this Parliament cannot be seen as this.

What we are doing, Sir, is creating tribalism among the masses and creating a police state in an automatic way using land.

Asides.

Mr. D. St. E. KELLMAN: No, I am not straying. I am consistent. In the constituency which I represent, this land issue is so serious that you cannot even go too close to a man land-mark and you are telling me now, Sir, that we cannot recognise the fact that when you take from one brother to give to another brother that you are doing something that might be regarded as disloyal, therefore, you should

be asked to have a social conscience, Sir. I am telling you, Sir, that land is an issue in Barbados where a man is prepared to cut off his brother's hand just to keep that right.

I am saying, Sir, that this Parliament needs to recognise that this Land Acquisition Act must be amended and I want an assurance after today that if this land is not use it would be turned back to the previous owner. I want that assurance today, Sir, because it is clear in my mind when I think about the Land Acquisition Act that this is an Act where ministers could come to Parliament, acquired the land in the name of the Crown and then that land is sold to people who have a vested interest further down the road.

I am saying that whenever we see loopholes, we must stop those loopholes. That is why I am calling on the Minister to recognise that there are certain clauses within the Land Acquisition Act, that those Acts passed by Parliament must be taken as serious Acts, and must be followed. The interest of everyone in this country must be protected because as I say, if there is one thing that is going to cause civil strife in this country, it is going to be the thing called land.

I am getting the impression, Sir, that there are some parliamentarians who do not understand the value of land in Barbados, and I say to you that if you take from the poor to give to the poor, you are back at square one and you are worse than the slave masters.

I thank you.

Hon. G. A. CLARKE: Mr. Deputy Speaker, the Honourable Member spoke as though he does not understand that the Resolution is dealing with land acquisition for road improvement. This is not an acquisition for housing. It is important for us to recognise, Mr. Deputy Speaker, the difference. This acquisition is for road improvement and not an acquisition for housing and...

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is giving the House the impression that whenever Government acquires land for roads that all the land is used for the construction of the road and that is not true, Sir. If one only looks at the highway, one will recognise that Government has a lot of land left over after the construction of the highways and now there are people tendering to get those properties from Government.

Mr. DEPUTY SPEAKER: You have made your point of order. Proceed, Honourable Member.

Asides.

Hon. G. A. CLARKE: Mr. Deputy Speaker, I am not winding up, that was just a point of order because the Honourable Member ...

Asides.

Mr. D. St. E. KELLMAN: On a point of order. Mr. Deputy Speaker, I object to that, Sir. The Honourable Member got up to close the debate and he must close the debate.

Asides.

Mr. D. St. E. KELLMAN: No, no, he did not say a point of order, Sir. No! Mr. Deputy Speaker. No! Sir, this cannot continue in this Parliament.

Asides.

Mr. D. St. E. KELLMAN: After an Honourable Member gets up to close a debate, a Minister cannot just walk in and come and say that he wants to talk. It cannot happen in this Parliament, Sir. The Rules of this Parliament must be followed.

Asides.

Mr. D. St. E. KELLMAN: The Honourable Member cannot speak, Sir, unless he is on a point of order.

Asides.

Hon. G. A. CLARKE: Mr. Deputy Speaker, the Honourable Member was on his feet and I thought he was on a point of order and I sat down.

Mr. Deputy Speaker, I beg that this Resolution do now pass.

Asides.

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

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

ORDER NO. 8
RESOLUTION TO APPROVE THE VESTING IN THE
NATIONAL HOUSING CORPORATION OF LAND AT
LANCASTER PLANTATION AND HOPE PLANTATION
IN THE PARISH OF SAINT JAMES TO BE UTILISED BY THE NATIONAL HOUSING
CORPORATION IN ITS HOUSING PROGRAMME.

Hon. G. A. CLARKE: Mr. Deputy Speaker, the Resolution before this House seeks to vest land at Lancaster Plantation and Hope Plantation, St. James in the National Housing Corporation.

We are seeking, Mr. Deputy Speaker, to vest, 16.62 hectares, the property which was acquired from Carrington's Estate and Lancaster Plantation, St. James, 4049 square metres of land, the former property of Randville Holdings Ltd. at Hope Plantation, St. James and 1010 square metres of land, the property of Clairmonte Pollard at the Hope Plantation, St. James, in the National Housing Corporation.

Mr. Deputy Speaker, this Resolution was dealt with before in the acquisition period, so I do not propose to go through it at this stage because we have already explained why we are vesting the land at Lancaster in the National Housing Corporation.

3:10 p.m.

Tuesday, January 16, 2001

Continuation of Hon. G. A. CLARKE:

These properties will be part of the pool that we are putting in the National Housing Corporation to continue their programme of housing development in this country. we are hoping that when these properties are fully developed that we could see a new suburban area within the Lancaster/Orange Hill area.

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

Mr. D. St.E. KELLMAN: Mr. Deputy Speaker, I have no problem with this particular land acquisition but I would also like the Minister when he is winding up this particular debate to tell us how many houses will be built on this particular project and how many hectares will be used for house lots.

Mr. Deputy Speaker, the Minister might not be aware of it, but there is a general feeling in the country now that the cost of housing by Government is far too high and that now that Government has been using housing as a source of making revenue and is now competing with the private sector. I would like to find out from the Honourable Member for St. George North, how much of this land will be used for housing lots and how many hectares of this land will be used for building houses by NHC.

Hon. G. A. CLARKE: Mr. Deputy Speaker, I cannot say at this moment how many houses will be built on the lots because we have to go through the development plan. It has to be properly surveyed and it has to be in keeping with Town Planning regulations. I can give the member the assurance that when the plans are fully developed I will bring them to the House.

With those remarks, Mr. Deputy Speaker, I beg that this Resolution do now pass.

ADJOURNMENT

Hon. D.A.C. SIMMONS: Mr. Deputy Speaker, that concludes Government's business for today. I

beg to move that this House do adjourn until Tuesday, January 30, 2001 at 1100 o'clock in the morning.

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

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

3:15 p.m.