
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1999 – 2004

HOUSE OF ASSEMBLY

Tuesday, July 31, 2001

Pursuant to the adjournment, the House of Assembly met at 11.20 a.m. on Tuesday, July 31, 2001.

PRESENT

His Honour I. A. ROETT, B.A., Dip. Ed. (Speaker)
Hon. D. A. C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs) (Leader of the House)

Hon. Sir Harold 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)

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

Miss H. E. THOMPSON, LL.B.

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

Mr. T. A. PRESCOD, B.A.

Rev. J. J. S. ATHERLEY, B.A., B.Sc. (Parliamentary Secretary to the Attorney General and Minister of Home Affairs)

Mr. D. T. GILL, B.Sc.

Hon. A. P. WOOD, J.P., B.Sc., M.Sc. M.Phil. (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. SPEAKER: The House is now in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, July 24, 2001.

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, July 24, 2001, which Minutes have been circulated, be taken as read.

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

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

PAPERS

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

The Barbados Economic and Social Report for the year 2000.

On behalf of the Minister of Agriculture, I am commanded to lay:

The Annual Reports and Accounts of the Barbados Agricultural Management Company Limited for the period for the years ending June 30, 1998, June 30, 1999 and June 30, 2000.

SUSPENSION OF STANDING ORDERS

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

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

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

GOVERNMENT BUSINESS

Mr. SPEAKER: Order No. 8.

ORDER NO. 8 – THE EVIDENCE (AMENDMENT) BILL, 2001

Hon. D. A. C. SIMMONS: Mr. Speaker, this Bill to amend the Evidence Act of 1994 is necessary for a number of reasons. Let me explain why it becomes necessary.

The security forces of Barbados have been having significant success in the interception of illegal narcotic substances, particularly destined for Barbados by sea and large boat loads of drugs have been intercepted.

When the drugs are in fact, seized by the Police, they are stored as bulk at police stations. The quantities are substantial. Some boat loads have yielded as much as 1 500 to 2 000 pounds of marijuana. Sir, under the present law when an accused person is on trial, these drugs have notionally to be admitted into evidence and it is usual for some courts to go to the site where the drugs are stored to go through the exercise of admitting this large quantity into evidence. That procedure, though it has been around for years, perhaps centuries, is cumbersome and dangerous because it requires the police to keep in custody, large amounts of drugs for months, perhaps years, before they can be admitted into evidence. Then, if the accused is convicted and he appeals, they have to remain in custody, pending the outcome of the appeal.

Sir, because of the security implications, I am not going to dwell on the dangers that are associated with the storage of large quantities of drugs. I am not going to disclose them but they should be obvious, if people think of them. One of the consequences of having large amounts of drugs in a

police station is that the vapours – and I am dealing particularly with cannabis which is the real problem – from the cannabis escape through cracks in the doorway and then affect the health of police officers working in those stations. Recently we had about six or seven officers from one station who had to take sick leave because of the inhalation of these noxious vapours.

We are seeking an alternative method in law of admitting these quantities into evidence, without having to store them for an inordinately long period of time. The Commissioner of Police, the Chief Justice and the Director of Public Prosecutions have discussed with me, an amendment to the Evidence Act which would, in future, allow for the taking of a sample of the bulk, producing the sample and then destroying the bulk after trial.

We have, therefore, proposed an amendment to section 132(c) of the Evidence Act and briefly – and this is a short Bill – what the Bill proposes is that a sample of a control drug would be admissible in evidence, in a criminal trial, if certain requirements are satisfied.

Requirement No. 1:

1. A police officer in the presence of a Justice of the Peace will take a sample from the bulk. He will weigh the sample and the bulk, secure the sample in a container, seal it, initial it and sign his name. The Justice of the Peace will also sign and initial the container.

Sir, the first step is that the Police Officer takes a sample, puts it in a container, seals, initials it and signs it and the Justice of the Peace does similarly. The police officer thereafter, that officer who has custody of the drugs who is an officer involved in the matter, will then sign and date a certificate which would be countersigned by the same Justice of the Peace and will send the certificate to the Commissioner of Police. Step three, the Commissioner of Police, will then send the sample to the analyst for investigation and analysis. The analyst will do her work as happens now, that is, carry out her analysis and then write a report ...
11.30 a.m.

Asides.

Hon. D. A. C. SIMMONS: Well, I deliberately said her because all the analysts I know are ladies. The whole department is virtually all ladies.

She will send a report of her analysis to the Commissioner of Police specifying the amount of the sample, what it is, its nature and the result of her analysis.

So, if she found the substance to be *Cannabis Sativa L.*, that is sent to the Commissioner of Police.

Now, after the police get the report from the analyst, he must, within 14 days, give copies of that report to the accused person, his lawyer or appointed agent. So before the matter is tried, the lawyer and the accused will have a certificate signed by the analyst saying what she found the sample to contain, so they know in advance. Thereafter, the matter precedes to trial in the usual way and those who were concerned such as the analyst, the police officer and the Justice of the Peace will come and give evidence in proof of the chain of custody of events and they would be entitled – since the Bill said that the originals of the certificate and the analyst report shall be *prima facie* evidence of the facts stated, not conclusive evidence – to be cross-examined on the analyst report as they would do now by the accused or his lawyer.

In the old days before the law was changed in 1974, the first four big drug cases that we had in Barbados, I did. In two of them, I was on my own and in the other two, Mr. Mottley Q.C. was with me and we won those cases quite easily because the old Opium Act of 1936 said that it was only an offence to use the Pistillate part of the Cannabis plant, the Pistillate part is the female part, the flowering part, and all we use to do was to ask the analysts if from their test if they can be sure that the substance which they had was the Pistillate part of the plant or not. They used to say that they could not tell if it was the Pistillate part or otherwise, therefore, the case was dismissed because they had not come up to proof as the law required to prove that it was the Pistillate part. That requirement has gone now. With Cannabis now it does not matter what part of the plant it is from. The Capital amendment in 1974 makes it apply now to all parts of the plant.

If anybody wants to engage the analyst in forensic debate as to the procedures they are entitled still to do that as there would still be the opportunity for cross-examination on the nature of the sample, how the test was carried out and so on.

The Commissioner of Police is empowered by the legislation to destroy the bulk of the substance as soon as may be practicable after receiving the report from the analyst. Therefore, we do not anticipate when this procedure comes into operations that the bulk of the substance would be stored for any protracted period to be an inducement to anybody.

The Fifth Schedule to the Evidence Act would be amended by this Bill to allow for the new form of certificate. I wish to thank the Chairman of the Law Reform Committee, the Legal Consultant to the Chief Parliamentary Counsel, Mr. Griffith, for his quick and expert work in having this legislation brought before us because we have large amounts

of drugs which are stored at many different stations and we need to get rid of them and allow for a more efficacious way of dealing with this.

I do not wish to cast this particular piece of legislation in any other context other than to say that one is heartened by the work of the Police Force, particularly the Drug Squad, in dealing with the question of illicit trafficking of drugs and I want to compliment them for the success which they have been reaping in this area.

I should emphasize, however, that a lot of success that we are reaping is as a result of regional and international cooperation. The drug problem, I have said time and time again, can only be dealt with satisfactorily by the sharing of information and intelligence between states. We saw last week how that worked and President Chirac of France was at pains to point out that when that boat with the \$2 billion worth of cocaine was intercepted in Martiniquan waters that it was a joint effort between the French, the British, the American and I believe the Dutch Governments. That shows what can happen when we cooperate. I have already explained several times how Barbados is cooperating with other countries and I am satisfied that that cooperation is having a positive effect on the reduction of supply.

I wish, however, to wind up this second reading speech by saying that we are getting very confused and confusing signals from the developed world about the problem of illegal drugs insofar as it relates to marijuana.
11.40 a.m.

In 1998, between June 9th and 11th, the United Nations had a special session on drugs. Barbados was represented and I spoke on behalf of the Government of Barbados. All 189 countries in the U.N. system agreed then that marijuana would continue to be an illegal drug; that it would attract the sanctions of the criminal law. I was therefore, quite astonished three weeks ago in the British newspaper, the *Observer*, the Sunday edition, to read that the British Government as a matter of policy – it is not yet law – had let it be known that they were going to go easy on persons in Brixton, England, who are found to be in possession of small quantities of marijuana.

Why they picked out Brixton, Honourable Members can guess. What is confusing about it is that two weeks prior to that the British Government at their expense invited me to an international conference in London to represent the region on a discussion about the global economy of illegal drugs. Throughout that meeting at the Queen Elizabeth II Hall for the two days nobody from the British Government indicated that the British Government was going to take this quite significant step. Indeed, I had the fortune to attend the State Opening of Parliament on June 16 and the Queen in her Throne Speech never indicated anything to suggest that the

British Government was going to relax its attitude to marijuana, far less single out a particular district largely populated by West Indians for trying this new strategy. Honourable Members would have heard the news item yesterday about what Canada is doing.

As I said, Sir, what is coming out of those two countries... In fact, somebody wrote me from Britain – and I saw the letter only this morning – to say what is happening is really a disgraceful thing. However, we will have other fora in which to discuss these apparent inconsistencies in policy. What I know is that all 189 countries that were at the Special Session in 1998 adopted the Declaration and Resolutions from that fora which is to last for five years, 2003, which said that marijuana must remain an illegal drug.

However that may be, Sir, my concern now is that we should simplify the procedure for admissibility of drugs into evidence. With those words, I beg to move that this Bill which is a very simple Bill be read a second time.

Hon. R. N. GREENIDGE: I beg to second that and reserve my right to speak.

Mr. D. St. E. KELLMAN: Mr. Speaker, I want it to be known at the outset that I am supporting this particular Bill. As you know, Sir, you do not mind the beginning, it is what comes at the end. I want to say from the outset that we have to recognise that as a small country we are all part of a wider world and that we must put measures in place to protect the integrity of our country.

I want to salute the Attorney General, even though I am not sure that his conclusions and mine will be the same. I want to say that this is one of the best steps ever to be taken on this particular issue in a long time for the simple reason that we have to recognise that as a part of the “G77” groups, the G8s will always find ways. You will find, Mr. Speaker, that my focus will always be on the G8s and how they relate to countries like Barbados.

I have said already in this Parliament that we have to understand that crime, drugs and AIDS are not by accident. We have to recognise that we have been enslaved previously and the world is now in full circle and we are getting back right where we were previously. There are nations who are accustomed controlling us who will continue to try to dominate us and even go as far as to eliminate us. The evidence is there for all those who want to look beyond certain points to recognise that we are now living in a world of fear. Our people will now be given things and will be told that there is nothing wrong with this or that. Even though we would have been brought up in a particular way, all of a sudden, all of

those things that we knew were wrong the G8s will tell us now that there is nothing wrong with them. Smaller countries must understand that they need to hear this type of talk and ignore it.

What you will see when you walk the streets of Barbados and the Caribbean and other small territories like ourselves, are people who used to be our brothers and sisters behaving in far different ways than we knew them to behave before. Society, as it stands, will tend to ignore the problem and tend to brand them. I am saying that the job to hold each other's hands is much greater but we cannot give it up. We have to understand that we cannot continue to believe that we have achieved and continue to ignore.

Today we are dealing with drugs, another day it will be something else. The G8 countries have worked out a strategy for us and that strategy will be fed to us to make us believe that we are people who are so gullible that everything that comes from on high is good. We will run and tell people we were doing these things and these little minor groups are set in their ways and they do not want us to change, but we are going with the G8 rulings. All of a sudden, somebody who previously would tell you that this is wrong or this is right will tell you there is nothing named “wrong” anymore, everything is right.

I am saying that as a small nation in order for us to go forward we have to make some bold steps and we have to understand that because we do not have a particular problem ourselves it does not necessarily mean that the problem next door to us is not our problem. I think this is the biggest failure in this society that we tend to believe that because something is not affecting us, we do not have to care about the feelings of others.

I will tell you why I welcome this Bill, Sir. It hurts to know that most of our police stations at night cannot afford to be protected. The citizens of the country are sleeping or a limited amount of people are working but every time a policeman goes to work, especially at night, that policeman is under severe threat. I am happy about this legislation because I would also like to see that a particular deadline is given to the analysts to bring back their report and for that large amount of drugs to be destroyed.

It is one thing to find it and bring it to source but it is another thing to have it on source. Because we do not have to protect, we might feel that it is a minor issue, but we have to understand that our police force today is working under trying conditions. I would not like to be in their position because it is one thing to know that a man is prepared to get in a small boat and cross the seas to get where he wants to get challenging the waves, the big boats and everything else, but consider that same person when he is now on land and

he does not have to face the same threats moving from one country to the other.
11.50 a.m.

We are lucky people and we must recognise this. This is why we cannot downplay the significance of the police force. I have no problem being proud of our police force for the simple reason that a lot of people are prepared to criticise them but they are not prepared to do the work they do. I would say that policeman in 2001 is not a regular policeman anymore, he now has to be a policeman and a soldier at the same time because it is not only law and order that must be protected but the right of survival and the right to live.

We must understand that if we are asking these young men and women to commit their lives to their duty that we as people have to recognise the significance of what they are doing and compensate them for the job they have to do.

Sir, the Honourable Member for St. Thomas recognises the fact that we must change the law as it relates to substance but we must also change the law as it relates to compensation for the type of work that they have to deal with.

Mr. SPEAKER: Honourable Member, could you please address the Bill before the House?

Mr. D. St. E. KELLMAN: Sir, if your Chair so rules I will continue to address the Bill but I hope that in addressing the Bill that we will not have a conflict of interpretation. I have no intention of interfering with your ruling but I honestly thought that I was addressing the Bill.

Mr. SPEAKER: The Bill does not relate to compensation for police officers. The Leader of the House clearly spelt out what the Bill was intended to do.

Mr. D. St. E. KELLMAN: Sir, the Bill is intended to change the Evidence Act and it also recognises the trying conditions that policemen now face as they carry out their duties. It is impossible to relate to one without recognizing the other. Sir, it is like an equation where one thing leads to the other but I will abide with your ruling, Sir.

Sir, five or six years ago I asked this Parliament to recognise that the constituency of St. Lucy happens to be a very special constituency and that we were fortunate at one time to have the Naval Base in our presence to protect us from this negative type of activity. I also want this Parliament to protect us from this negative type of activity. I also want the House to recognise that we no longer have the Naval Base neither do we have the Defence Force in that special location of St. Lucy and it now lends itself to people from all walks of life doing whatever they want to do in that constituency.

Sir, I have already asked this Parliament and the Government of Barbados to recognise that since we do not have the Naval Base or the Defence Force stationed in St. Lucy, why can we not have a Coast Guard stationed at the Arawak Cement Plant when one considers the nearness to the North Point Lighthouse to that location.

Sir, we have to recognise that the people of St. Lucy cannot continue to live in fear when they are in their beds or when they go fishing because they are under threat from people who do not have their interest at heart. If by some chance, the substance gets in the hands of the wrong people the residents in the community have to live in fear because the 'big boys' will come to collect their substance.

Sir, I am hoping that those in authority will do what is necessary to assure the residents of St. Lucy that they have nothing to fear and that everything will be done to make sure that anything which lands in the area by mistake will be cleared from that area and that St. Lucy will go back to how it was before.

Some times when we as a Parliament make decisions, we have to be very careful that we do not overlook one reason for another.

Sir, people have to recognise that Barbados is predominately 90 per cent one way and 10 per cent the other way and it is easy for anybody who want to have control of us to use the same approach that they would use in Trinidad or Guyana to achieve what they want. One of the easiest ways to do that is to destroy the minds of young people in one way or the other, involve them in crime and make sure that their lives are wasted. We as people have to make sure that we correct that by guiding those young people and we should be prepared to say and do things never mind how unpopular we become as long as we believe what we are doing is right. Sir, I hope that we will recognise that even if we say something and it appears wrong once we believe what we say is right we have nothing to fear.

Sir, those people will beg us as legislators to put a case for them to ease another case, the truth is that as soon as we ease one case we will be requested to ease another and then another. We as a Parliament must be the protector of people but the truth is, we are not the only people with knowledge. If there is knowledge that can prove us wrong then we must be prepared to accept that knowledge. I would say that until that knowledge is available, I have not seen anything that says that I am wrong in my thinking and, therefore, I cannot entertain such.

12.00 noon

Sir, the policemen who store these drugs should feel happy and they would be happier if the Honourable Member

for St. Thomas can ensure that this particular amendment stipulates the deadline that these drugs should be stored after samples have been taken. Mr. Speaker, it does not make sense taking the samples, having the results and the drugs are still in storage. The pressure on the police would be greater because the criminals would know that the time for storing the drugs has been reduced and the demand to get these drugs in their possession would be greater.

I hope that point would be accepted and we would do everything in our power to move swiftly to get rid of the problem and to recognise that as long as the drugs are on the island, they create a bigger problem for us. We need to do everything, not only from preventing it from landing in the country but also to get rid of it whenever we have it in our possession.

I thank you very much, Sir.

Hon. R. C. EASTMOND: Mr. Speaker, whenever a change in the law is undertaken, whenever law reforms are done and whenever amendments are made, it is always interesting to consider precisely what factors or considerations are actuated – given principles of law or given legal principles.

Mr. Speaker, there was a time before it became common to use statutes and legislations as principle sources of law, where the courts used to check a rule known as Best Evidence Rule and would talk about the importance of real evidence. This would have been the period of the classic common law tradition.

In the common law tradition of 150 or 200 years ago, the judges did not base their rulings and considerations on policy but on what they called common law principles. The same way that courts in Chancery based their law, these Parliaments based their conclusions on policy.

There was a problem with this evidence and real evidence rule. Sir, let me cite an example. Mr. Speaker, some six or seven years ago, the Honourable Member for St. Thomas and myself were doing a case where two adventurous country girls were alleged to have taken a huge amount of carrots, not being their property, and did not have the authority to take those carrots. They were arrested and charged with taking these carrots. The carrots were duly stored. When the case came up for hearing, the carrots were not available as evidence because nature had taken care of them.

Mr. Speaker, you will recall that sometime ago in passing the Evidence Act, this Parliament passed enactments that would now allow the situation of the carrots to have them photographed with appropriate descriptions *et cetera*. I remember these things as I rise on this amendment, because there would have been a time in legal history and in jurisprudence, when counsel, especially for the defence, would have insisted that they and their client should have seen all of the particular exhibits and should have known how it was collected. I mentioned that deliberately to show how Parliament, when actuated by considerations of policy, must in keeping with the times, use the technology that was referred to in the context of the photographing of the carrots and at the same time make use of legislative measures that would ensure that considerations of common sense and considerations that are politic would prevail.

The learned Honourable Attorney General indicated, and he did not elaborate, that there are considerations of national security that would best be left not mentioned. In an era where persons who traffic in drugs are known to be emboldened beyond belief, I think that it would make no sense for anyone to continue to encourage the storing of large amounts of narcotics.

First of all, they currently present problems by taking up a lot of space and if, for example, some lawyer who is adamant that all of the exhibits have to be examined, that would create transportation problems *et cetera*. If it was a very large haul of narcotics, to insist that it be brought in the presence of the court, it might be more than the court can accommodate.

Mr. Speaker, when our Parliaments in this region are looking at modifying law or looking at doing things to modify the law, they must bear in mind that apart from considerations of national security, there are considerations that go to basic fundamental common sense. In supporting this change, I go with the view that the safeguards which are being contemplated by the actual amendment are quite in order. The defence still has the opportunity to be able to cross-examine the analyst and the defence still has the opportunity to raise a number of question of the analyst in relation to quantum and quality of drugs.

The consequence is, this now permits a situation to prevail where the types of concerns that would have been in existence if we still had to store large amounts of narcotics would now be addressed.

I conclude, Mr. Speaker, by commending the efforts of the Royal Barbados Police Force. There can be no question that the Royal Barbados Police Force has the will to do something about the illegal importation of narcotics. I take

no pleasure in seeing narcotic substances continue to threaten the life of our young people both physically and mentally. I am happy to know that the police are on board in Government's determination to ensure that those who break the law by bringing in large amounts of narcotics and other substances are averted. It is always good to hear when the police have been able to do a big haul or raid in order to prevent the scourge of drugs. In the last two or three years, if the total amount of substances actually taken were allowed to get into the market, the damage to our young people would have been greater than what we see on the streets.
12.10 p.m.

Mr. Speaker, the addiction to narcotic substances is a question that this society has addressed and is addressing. I do not accept the view of some that the Ministry of Health is doing nothing about the problem. The hard fact of the situation, Mr. Speaker, is that when you are assisting persons, whose lives are badly affected by drug use and overuse, one cannot go public in those matters.

I was a little baffled last night to hear in the news that one group that supposedly exists to do something about the drug problem say that we are not doing anything about it. We have a situation where we use therapy as a way of helping these addicted persons with their problems, but this cannot be made public.

The fact though, Mr. Speaker, is that even though we have made success in preventing large quantities of marijuana and cocaine from being available in the market place, there are still those young persons who are hooked on it, who get to use it and who, once properly addicted, will not find it easy to withdraw from the addiction.

Mr. Speaker, that addicted person, in almost all cases, does not understand that he or she has a problem, so much so that when the specialist tries to assist them in the recovery process, a sense of self-denial characterizes their behaviour and therefore, a lot of these drug addicts are almost terminally ill.

The recovery rate in Barbados for drug addicts is not spectacular but it does not mean that efforts are not being made. It is just the nature of the addiction that causes the addicts to suffer from denial and cannot picture life without the use of the substances. What this means is that precious human resources of this country are being destroyed, both physically and mentally. There are some bright boys and girls in Barbados who are hooked and who cannot get out of their addiction, but Government remains committed to doing all that it must in terms of doing something about the scourge of drugs.

Again, congratulations to the members of the Royal Barbados Police Force who do their utmost at the level of

restricting the supply in drugs. If we could cut off all the supply, then there will be nothing available for those persons who would want to use it.

I have no problem, Mr. Speaker, in supporting the measure, even if someone is tempted to wonder if the use of samples, rather than the use of the drugs, is to be recommended.

I personally cannot see how anything in this Bill will act prejudicately against the rights of an accused person because even though we do not want persons to be trying drugs, in our system of jurisprudence, persons are presumed innocent until proven guilty. There are certain necessary safeguards that go towards those person's rights in court and nothing in this Bill takes away such rights.

I am obliged to you, Mr. Speaker.

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

Hon. R. N. GREENIDGE: Mr. Speaker, I too rise to support this Amendment to the Evidence Act. It was casted by the Honourable Member for St. Thomas, the Attorney General, mainly about drugs but I would want to say, Mr. Speaker, that it should not be considered as an Act to deal with drugs alone. It also says, drugs and other substances, so I would believe, Mr. Speaker that, for example, if you have bails of cotton and wanted it tested or sampled, then it could be done under this legislation.

I think that this is a legislation which is aimed to bring about a certain amount of convenience, generally to our police stations, as well as to our law courts. I think one thing that it is going to do is to cut down on the number of visits that the courts usually have to make. For example, from Central Police Station to Oistins Police Station, or wherever, to examine this evidence.

I was very heartened and indeed surprised, Sir, that the Honourable Member for St. Lucy actually described this Amendment as one of the best steps taken on this issue. Sir, comments coming from him it is a testimonial which he has given to the Honourable Member for St. Thomas.

I consider it to be a very good legislation. I think the key thing is that it is a better way of managing evidence and is the most functional thing in this Amendment.

We are living in a very fast moving and better regulated world and I do not think that we can continue to have old-fashioned systems in place where evidence is concerned.

The Honourable Member for St. James North gave the incident relating to the carrots. The one thing I recalled most vividly is having to represent a man who was accused of

attempting to blow up his girlfriend's house. Mr. Speaker, he had gelatin which was held in evidence. When the case was called, the keeper of exhibits, who was giving evidence, presented a greasy piece of paper to the court as the evidence. When I asked him what it was, all it was, indeed, was a greasy piece of paper. What had actually happened was that there was no refrigeration system then where the exhibits were kept and the gelatin had melted. When he was asked: "Is this what you took from the accused?" he replied that he had taken something else from him. The case clearly broke down because what the keeper of exhibits was giving to the court was not what he had taken from the accused man.

The point I am making is that we have to be very careful how we manage evidence. I do not think that it serves any real purpose for us to have stacks and stacks of drugs at police stations, sometimes waiting for dates which seem not to come. One can be waiting with stacks of drugs at a police station for about two years before the case is called. I think that, in itself, can be extremely dangerous.

If someone steals a trailer, Mr. Speaker, and it has 94 tyres on it, I see no reason why that trailer should be at the station waiting for two years with the 94 tyres on it.

Traditionally, cars were kept at police stations until they were rusted and these were cars that were often involved in drugs, *et cetera*.

I had an experience with a mechanic who took my client's car and sold it. The car was then resold again and, indeed, when the police realized what was happening they impounded the car for over 2½ years. By the time the case was called, all four tyres on the car were flattened, the engine was rusted, the car body was rusted; everything was wrong with it. I think that out of this, a kind of protest came about and what is happening in the law courts now is that one is allowed to take a photograph of the vehicle which helps to make the evidence in our cases a lot more manageable than it used to be.

I too, Sir, would want to join with previous Speakers and to commend the Royal Barbados Police Force for their recent successes in drug interdiction, *et cetera*.

Mr. Speaker, I believe that our police force generally and especially the Drug Squad, are involved in a very dangerous job. I do not think that a lot of persons in Barbados ever stop to think about the dangers to which these policemen and women are exposed. These are policemen who work, never knowing what others are planning for them. 12.20 p.m.

Sir, they are dealing with very desperate people who would put an end to their lives without thinking. They want to get out of a particular situation and in addition to that, you heard the Attorney General earlier this morning, actually say that Police Officers have been known to complain about the inhalation of what we would call in Barbados, 'weed'. You have the weed at the police stations and that they are sitting in the offices and it affects them. This is not a statement which you should take very likely. Indeed and in fact, Sir, you would know that even when you work with places that make things like animal feed and so on, and you stay around there that it can have a tremendous negative impact on your sinuses and indeed, on your health. I am sure that having to sit in an office where you can inhale these bales of weed is not necessarily good for our Police Officers in Barbados.

The Honourable Member for St. James North also spoke about the emboldened nature of some of our criminals. I do believe, Sir, that this particular measure will also cut down on the possibility of corruption.

We know and I am sure that you heard the rumour, Sir, of bales of cotton being stored at a particular place in Barbados and then some of the bales of cotton disappeared. I am saying that once everybody knows that there is evidence at our police stations, especially in large quantities, that there are persons who would go to virtually any length to destroy the evidence and bribe those who man the police stations to do so. Indeed, Sir, these days, even the Officers of the court and the jury are not immune to approaches by very desperate persons. We also have to bear this in mind.

I was very happy, Sir, to hear the Attorney General say that, the accused rights are not going to be prejudiced and he is going to have a right and given the opportunity to challenge evidence all along the way. I believe, Sir, that any amendment should be a kind of consensual amendment where the accused side feels comfortable with what is happening and the prosecution side feels comfortable with what is happening. I do not think that we should bring any piece of legislation which in any way deprives the accused of the right to challenge the evidence at every stage of that evidence. Every twist and turn it takes, I think the accused has a right to be challenging because you have to realise too, Sir, that very often, this particular crime leads to incarceration. We should always give the accused the opportunity to challenge the evidence. We should not say that this is the certificate and you cannot challenge it.

Aside.

Hon. R. N. GREENIDGE: I am happy for this, Mr. Speaker, therefore, I have no problem with it and lend my fullest support, Sir, to this amendment.

Rev. J. J. S. ATHERLEY: Thank you, Mr. Speaker, for the opportunity of this brief intervention. I would, of course, want to support the measure which is being debated at this time. I think the Honourable Member for St. Lucy would have had some particular difficulty with his earlier submission because he chose to put himself in the unaccustomed role of offering support to sound and well-advised measures being introduced from this Side.

Sir, we speak perhaps with one voice on this measure today. I notice the Honourable Member for St. Thomas, in introducing the measure, was careful to say that he was casting it in a single and particular light, that had to do with the success that the security forces, in particular the Royal Barbados Police Force had, in dealing with the matter of illegal drug activity around Barbados.

I would have been better served by the other Side, I think, if a little bit more time would have been spent, in fact, commending the Police Force for the work and the success they are having in the face of this very difficult problem, rather than trying to introduce decisive elements and issues which are not obviously part of today's agenda.

Mr. D. St. E. KELLMAN: Mr. Speaker, on a point of order, Sir, the Honourable Member is misleading the House by giving the impression that I was imputing things about the security forces that I have not. All I did, Sir, was to ask for better conditions for the security forces in acknowledging their good work.

Rev. J. J. S. ATHERLEY: Mr. Speaker, I do not know how the Honourable Member for St. Lucy could conclude, from what I said, that I was alleging that he was imputing something improper to the Police Force.

I simply said that I would have been better served, I think, by his contribution, if he had spent more time commending the Police Force, rather than seeking to introduce elements into the debate which are not properly a part of this focus.

The Honourable Attorney General made reference to some of the concerns which gave rise to the introduction of this measure and I am sure I heard him made specific mention of difficulties of storage, which would obviously present itself as a problem in light of the quantities which are housed in various places and for varying lengths of time, before these matters are resolved at the level of the court.

Of course, on the issue of security, he did not give a lot of details and understandably so but I would think that as a Parliament we would want to ensure that we speak with a strong and singular voice on matters which are brought to debate here in the interest of ensuring that our security considerations are well ventilated and adequately addressed.

I think that this change in the legislation is intending to ensure that we do not have large quantities of illicit substances knocking around for long periods which might prove to be attractive to elements which have not the best interest of Barbados or our well-being in mind and of course, the concern for the health and well-being of those who are in close proximity to these substances when stored. These are serious concerns and we would want to ensure that we are supportive of this measure in light of these concerns as was mentioned.

The Honourable Member for St. Thomas also lamented the move on the part of some of the developed countries. Particular reference was made to recent measures in Canada and the UK. He lamented a move which seemed to run counter to commitments given in the context of the regional and international fight against the illicit trafficking and use of narcotic drugs. The fact that some of the larger countries seem now to be embarked upon, a course which runs counter to agreements or commitments which were earlier made. I share that lament. I have voiced the hope that we do not find it necessary, to any extent in this country, to follow their lead in this regard. I have an added lament today which I would want to take this occasion to voice. I have raised it here before and I would want to raise it again. I lament a seeming position adopted by the other Side to seek to court popularity on both sides of this issue.

12.30 p.m.

I have heard statements made on the other Side which seems to suggest that there is some degree of ambivalence on the issue of legalisation of the use of certain now illicit substances in this country.

Asides.

Mr. D. St. E. KELLMAN: On a point of order. I was in this House all day today, Sir, and I have not heard any person on this Side making such a comment and I do not think it will be fair for that statement to enter the records of Parliament.

Mr. SPEAKER: Honourable Member for St. Michael West, the Honourable Member for St. Lucy is saying that what you understood was not what he meant. If the Chair might give an opinion, I did not get the impression that this ambivalence as you were saying was what he was trying to say.

Rev. J. J. S. ATHERLEY: I will restate my lament in the interest of clarity, Mr. Speaker. I said that I lamented the apparent attempt by statements emanating from the other Side which reflected an apparent ambivalence on the issue of legalisation of the use of now illicit substances in this country. I have no problem with what the Honourable Member for St. Lucy is now saying because when I initially voiced such laments in the past, I found support from him. Therefore, I am not now, saying that he said that in this particular debate today.

I am saying that on the issue of legalisation of illicit use of narcotic substances, which the Honourable Attorney General laments, is seemingly a path embarked upon by some developed countries, I have seen seemingly, an attempt by the other Side to court popularity on both sides of the issue. I am not attributing that position to the Honourable Member for St. Lucy.

Mr. D. St. E. KELLMAN: On a point of order. Mr. Speaker, as far as I know, the Standing Orders of this House refers to the two sides of the House as the Government side and the Opposition side. I have been in this Parliament, as I said from the beginning today, and no Member of this Side made such a statement.

Also, the Honourable Member is misleading the House by giving the impression that when he spoke of this matter previously that I gave him support. The truth is it was the other way around in that the Honourable Member gave me support and I think I would be good if he reflects on the previous mouthing on this particular matter.

Mr. SPEAKER: Please, may I remind Honourable Members of Standing Order 28(4) where it says:

“It shall be out of order to reflect on any vote of the House or attempt to reconsider any specific matter upon which the House has come to a conclusion during the current session...”

And also 28(11) which states:

“No Member may allude to any debate of the same session upon a question or Bill not being then under discussion...”

So, Honourable Member for St. Michael West, please, could you proceed with your argument without making such references, please.

Rev. J. J. S. ATHERLEY: Mr. Speaker, we are seemingly now at a point of agreement in light of the last offerings by the Honourable Member for St. Lucy. My basic position is that I believe that this is a lewd form of politics for any politician on any side as represented in this Parliament to seek to court popularity by seeming to take a view that we as a country ought to move in the direction where we legalize the use of now illicit narcotic substances in this country. It is a lewd form of politics which I hope none of us as properly elected members would want to reflect on as to our own practice of politics. To reflect a position of ambivalence makes it more tragic because we are seeking to draw or to court popularity on both sides of the issue but enough on that, Mr. Speaker.

We do not have structures or systems in place as some of the larger developed countries have that would help us in any such context that would counter or minimize the impact of the widespread use of any such substances. I made a call before, which I would like to repeat in the context of this debate, for an expanded programme of treatment as part of the response to drug addiction in Barbados. If we properly understand the course upon which the Attorney General and Minister of Home Affairs and the Government are embarked in relation to dealing with crime and the problem with drugs, we will recognise that it does not only entail a penal response but that there are other forms of sanctions which are now being employed in an effort to better address the problems of crime and drug use in Barbados.

All I am simply saying is that I think that our efforts can be embellished if more resources and greater attention would be paid to the matter of treatment of drug addiction because drug addiction is a health problem even though it leads to criminal behaviour.

I see this change, which is being asked for of this House, to be very much a part of the policy of seeking to modernize and streamline a system, and the processes, the procedures in the context of the justice system in Barbados. We cannot go forward with outdated methods and measures. I think that this measure before the House reflects the thinking which the Honourable Attorney General has exposed to the Barbadian public as to where we ought to go as a country and what Government's policy is with respect to addressing the deficiencies and that which is obsolete about our practices, our systems and structures as they have to deal with the administration of justice in Barbados. So I would want with those brief words to support the measure.

Hon. D. A. C. SIMMONS: Mr. Speaker, I rise to thank all Honourable Members who have contributed to the debate and to emphasize that this Bill takes into account the need for the continued upgrading of the processes and the modernization of the criminal justice system to remove some of the antiquities that have been associated with the criminal justice system over the years. At the same time, it has as another aim to improve the security of Barbados by removing potential sources of temptation or allurements to those with ulterior or criminal intent.

12.40 p.m.

Thirdly, the purpose of this Bill is also to ensure that police officers working in places contiguous to the storage of large quantities of drugs are not themselves put at risk by noxious vapours or fumes from drugs.

I had better make one other comment, Sir. In relation to photographs, we had amended the law in 1997, the very first piece of legislation in 1997. We had amended the law to

allow the police to take photographic evidence of exhibits and produce the photographs without more as evidence so that the thing photographed did not have to remain in police custody for a long period of time. The law is there and it can be utilised and enforced and I hope that the system has become much simpler although one still sees from time to time a buildup of motorcycles, bicycles, even cars and a few fishing boats in and around police stations. The law is there to allow the police to photograph, produce the photograph as evidence and then dispose of the object.

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

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

The question was put and resolved in the affirmative.

On the motion of Hon. D. A. C. SIMMONS seconded by Hon. R. C. EASTMOND the House resolved itself into Committee, Mr. D. CARTER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 3 were called and passed.

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

On the separate motions of Hon. D. A. C. SIMMONS, seconded by Hon. R. C. EASTMOND, the Bill was read a third time, passed and cited as the Evidence (Amendment) Act, 2001.

ORDER NO. 9 – SECOND READING OF THE SPECIAL DEVELOPMENT AREAS (AMENDMENT) BILL, 2001

Hon. R. R. FARLEY: Mr. Speaker, I rise to move the Second Reading of this Bill to amend the Special Development Areas Act, Cap. 237A of Barbados.

You will recall that in the Economic Statement presented last year, the Right Honourable Minister of Finance indicated that it would be a matter of policy to seek to ensure that we do not lose our competitiveness when compared to our neighbours in CARICOM, particularly as far as our position on taxes and taxation policy as well as incentives which are offered. Additionally, it was recognised that there had been an increase in the cost of investment in

plant and equipment and that some of these investments had also become more complex.

It was indicated that our neighbours had moved ahead of us in this area and have been in fact offering more attractive concessions, particularly with respect to large investments. They had been offering investments of a longer period than we had in several of our incentive legislation. It was, therefore, announced that concessions granted under the Fiscal Incentives Act for manufacturing and the Special Development Areas Act to cover geographically listed areas for a wide range of productive activity as well as the Tourism Development Act would be increased from 10 years to 15 years and this amendment is basically designed to do just that.

Sir, Members will recall that under the Special Development Areas Act, the areas which have been designated – and this was done back in 1995 for Carlisle Bay, Speightstown, St. Lawrence Gap and the Scotland District area – were designated in the Schedule to the Act as special development areas. Of course, the terms of the areas of activity which are being encouraged by way of these investments in the Special Development Areas include commercial or industrial buildings, including office complexes, facilities directed at the improvement or the expansion of services in the tourism sector, hotels and other direct accommodation for tourism, tourism projects, particularly those highlighting the heritage or natural environmental aspects of tourism, arts and cultural investments, agricultural activities and, of course, the water-based activities, including marinas and associated components, related buildings and amenities such as jetties, piers, equipment and buildings. It is not just land-based but water-based, adjoining these special development areas and of course, residential complexes were also included in the list of activities for which concessions could be granted.

In addition, the length of the concession period which is granted which was 10 years is now 15. The concessions granted included a lower rate of corporation tax, a rate of 30 per cent on profits. There were some waivers of import duty by waiver of tax on the inputs to the construction of buildings, the land tax and property transfer tax and certain other charges.

What is being proposed to happen now is that the amendment is being made to extend the period as indicated but, in addition, the experience which we have had so far in the operation of this Special Development Area Act indicates that some further amendment is needed to be made. We are pleased that so far there have been some seven enterprises which have been approved as Special Development Area enterprises under the legislation.

12.50 p.m.

These cover activities ranging from shopping to entertainment at the Bay Shore Complex in Bridgetown

and the Carlisle Bay Center which is another entertainment and leisure centre geared towards the cruise tourism market in particular.

There were concessions granted to Omni Investments Limited at Speightstown for the renovation and expansion of the buildings. The Kingsley Resort in St. Joseph got special concessions as well for condominiums and there were also concessions granted to Admiral Apartments Limited at Dover for residential condominiums.

We have been able in all four of the areas specified as special development areas to attract additional investment which has enhanced our capacity in the tourism and leisure industry as well as in the upmarket residential areas.

We also need to ensure that the Minister of Finance has the power to revoke concessions granted under the Act in the event of non-conformity and non-compliance and where investors may have presented what appear to be an attractive proposition, worthy and deserving of concessions granted under the Act, we need to ensure that if there is material change to those proposals that the Minister has the power to revoke the concessions which have been granted. Therefore, an amendment is being made by way of this Bill to insert a Clause which will empower the Minister responsible for Finance to revoke the notice in instances of non-compliance.

Sir, the Value Added Tax is refundable on the input cost and in order to preserve the integrity of the Value Added Tax system, it is more efficacious to have the company pay its Value Added Tax up front and claim a refund within a maximum two-year period after the expenditure is made rather than attempting to waive it at source because to waive it at source would rob the Value Added Tax Department of the necessary documentation which is necessary to ensure that there is no abuse of this particular concession. An amendment is also being made on that technical matter to bring it in line with reasonable standards with respect of that particular tax.

In addition, Sir, clarification is being made in paragraph 4 of the Third Schedule concerning the matter of the payment of Property Transfer.

Essentially, this is a technical amendment which fulfills the commitment which we have made in the Economic Statement of last year to bring the period for which concessions apply across the board in tourism more in line with that of our neighbours in the Caribbean region with whom we compete, at the end of the day, for some of these investment dollars and to ensure that we will be able to continue to be competitive in this particular area.

With those brief comments, I beg to move that this Bill be read a second time.

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

Mr. D. St. E. KELLMAN: Mr. Speaker, this Bill has been before this Parliament on a previous occasion and it is before this Parliament again. We will continue to see these amendments coming before this Parliament until we recognise that we cannot continue to run this country until we have a proper land use policy. It is because we do not have a land use policy that you will find that even though we discussed this Bill not too long ago that we are back here again discussing an amendment to this Bill.

Sir, I hope we will recognise that it is about time that we as a people have a proper land use policy in order to run this country and that we also put a proper economic policy in place so that we do not, as a Parliament, come here with amendments where we only see a few being served.

I am proposing that we put a proper land use policy in place and that we recognise that we, as a people, cannot continue to look at the outside world for our development, that we recognise that our development must be from among our own and that we put policies in place so that our own people can develop our country.

Sir, for a long time we have been looking to the outside for tourism investment when, in truth and in fact, if a careful study were to be carried out in Barbados, we will recognise that we have a large number of rooms that could be properly utilised and we are not doing such. I hope those in authority will recognise that as soon as we utilise the plant we have available to us that this country will go much further than we are going at the present moment.

It is okay to think about providing incentives for people to bring money but the first thing we must do as a developed country is to have the capacity to encourage our own people, whether they are here in Barbados or outside of Barbados, to have an interest in the country they so love.

I will continue to put the proposal before this Parliament that we recognise there are a large number of Barbadians who sometimes vacation here, who have an interest in Barbados and who have the majority of their money in bank accounts elsewhere. We need to tap into those bank accounts and stop depending on the bank accounts of other people who do not have the interest of Barbados at heart and who are only here to bring a type of culture that is foreign to this country. We need to gel our own culture and develop Barbados the way we knew it before. If we do not do that we will continue to be influenced by different cultures that do not necessarily relate to this country and then it will create problems for our people.

Sir, sometimes I sympathize with the Honourable Member for St. Thomas because he is asked to pilot this kind of Bill before Parliament but when I look down the road I can see the types of problems that will be created for the Honourable Member for St. Thomas and then we as a Parliament supports it and believe it is good when in fact it is not good for our society.

Sir, like minds should be able to mingle together and the truth is that these kinds of concessions given to people of different cultures are impacting on this society in a way I do not like. The Government side might like it but I do not like it.

When I listen to the eight-year-old children on the streets, this bit of culture is not good for Barbados. It is creating a mind-set that does not gel with the future development of Barbados because at an early age there is a need to get certain things because of lifestyles that are being displayed in this country that are foreign to us and it is impacting on our youngsters at an age when they should be directing their energies in a different direction.

Sir, I hope that people will listen to this speech and recognise the point that is being made and understand that sometimes it is not only capital that is important but the important thing is to use the resources available to us and maximise them in such a way that we can have the same impact without having to depend on the outside world.

Sir, we have to realise that we are in the age of globalisation. The United Nations Human Development Report describes globalisation as the legalisation of crime. I want to say that if every time we receive something we have to use a sieve to make sure that we are getting the right thing, it means that we are not progressing at the correct rate and we need to rethink our whole policy on development in this country. We cannot create a mind-set that every Barbadian should be like the special developers who are prepared to come to this country, get concessions, destroy properties of value to construct other properties in their interest and believe that would not have a negative affect on the youngsters living in this country.

1.00 p.m.

Sir, when you ask a youngster what he would like to do and he gives a far-fetched answer, you cannot blame him because it is the result of the type of lifestyle that he has seen. I hope that this country would get back on track and bring back the society that the Honourable Member for St. George North spoke about. Sir, if we do not get back on track, we will find that this country would be a country where a few will be rich and the majority of people will have to beg for salt. I do not think that any right thinking person in our society would like to see that situation in Barbados.

I am hoping that the Government recognises that until they can come up with an economic policy that is based on the upliftment of the masses of people in Barbados, the middle class in this country will not progress but the rich people in this country will continue to get richer.

There is a belief in this country that as long as you provide all the benefits to the top, that everything is well. Sir, if anyone doubts that policy, one should take a survey of Barbados in the year 2001 and would recognise that it is a myth to believe that as long as you look after the top, the bottom will be alright. Sir, if you look after the bottom, the middle and upper class will also benefit from that particular policy.

Sir, we bring Bills and feel that we are looking after the interest of a few but that few remain in a narrow bracket and it will not filter to the people that we would like it to filter down to. I am not saying that measures should not come to Parliament to look after the interest of the rich. I will never make such a statement. I am saying that any issues coming before Parliament must be in the interest of all. It must also be recognised that as long as there is a policy for the masses, that policy transcends to the top also.

I am not happy with the provision for the masses and middle class as it stands today. Sir, even though we are at times bragging that this country is doing well, the truth is, the country is not doing well, the masses are not doing well, the middle class is not doing well but yet we are bragging that the country is doing well. The sooner we reverse that situation and put the country back on track, we will see how much further we will go.

It is interesting that this country has made a significant growth since 1961. It was at that point in time that there was an enlightened policy in place that whether you were poor or rich, you had an opportunity to benefit from society. Today it seems that we have reversed that policy from the bottom-up and we now believe in the top-down policy. Sir, as long as your house has a good roof you do not have to worry about the foundation or the walls.

I hope that we would recognise that we need to get a proper land use policy in place soon and that tourism cannot be seen as the cake for a few. I would like to see this particular Bill being amended so that we can have what we call the people's tourism as it used to be. We will have a policy in place to engineer the move and to ensure that we move swiftly in developing the areas, so that the masses cannot be seen as people who have to live in a country but they can also be seen as people who can help develop the country and bring in valuable foreign exchange.

I thank you very much, Sir.

Hon. R. R. FARLEY: Mr. Speaker, I thank the Honourable Member for his submission. The Honourable

Member, in his usual attempt to be an alarmist, has continued to alternate between going down the wrong road or going only part way down the road. The matter before us is a Special Development Areas legislation which seeks to do the things that it is designed to do. The Honourable Member, of course, would want to have us believe that because this legislation does not speak of the wide array of tax concessions available to individuals, domestic corporations and to businesses generally, that they do not exist.

Mr. Speaker, let me address a few matters which the Honourable Member raised. First of all, he sought in his presentation to give the impression that the Special Development Areas legislation was directed toward foreign investment. Sir, that is not so. It is open to both local and foreign as most legislation happens to be. In fact, the seven concessions which have been granted so far have been to local investors. The Honourable Member should really check the facts before he blasts off in that manner.

Sir, the Honourable Member speaks about the position of individuals and tried to juxtapose that against the manner of granting concessions to develop business. I need not remind him that the Barbados Labour Party administration has, over the past seven years, granted a wide range of additional tax relief to the ordinary income earner. We have raised the minimum level at which people do not pay income tax, up to the region of \$1300 per month or thereabout, and that is several hundred dollars higher than it was previously. 1.10 p.m.

We have also recognized that there are persons, particularly at the lower end of the income scale, who have made a disproportionate contribution to income tax through purchasing and other contributions, relative to the earnings. We, Sir, have provided a reverse tax credit and have given back \$500.00 to the lower income worker. For the same middle class worker that the Honourable Member is purporting to represent, we have reintroduced a deduction against income tax for expenses incurred in the maintenance and repairs of one's residence, which had been removed by the DLP.

He was part of that, Sir, he rejoiced at the removal of that concession. He and the other spokesman for economic affairs for the DLP said that the state should not support people's spending decisions and what choices they make concerning what house they live in. It was a whole wicked act which the Honourable Member, who is normally a tenacious person, should not have wanted to associate himself with.

Mr. D. St. E. KELLMAN: Mr. Speaker, on point of order. The Honourable Member is misleading the House by

giving the impression that I have agreed to measures in place, which I do not know about, because I do not know of any measures of which he speaks. He is suggesting that I willingly agreed to measures to punish the poor and that cannot be true. Sir, that runs against my political policy.

Mr. SPEAKER: Are you saying that you did not know that you had agreed, or...?

Mr. D. St. E. KELLMAN: I am not going to get involved in that with you, Sir.

Hon. R. R. FARLEY: Mr. Speaker, I am shocked to hear that 50 per cent of the Opposition is not agreeing with the other 50 per cent on policies which formed the core of what they consider their economic stabilization and recovery efforts of the early 1990. Then again, it is not surprising that both 50 per cent of the Party have disagreed with one another. The fact of the matter....

Asides.

Hon. R. R. FARLEY: I suppose that he would hold a press conference, as he usually does, when the Leader is away from the island.

The fact of the matter is that the Honourable Member must not come here and give the impression that because a Bill does not go outside of what it is designed to do that there is no other provision in place which takes care of the measures on hand. Enough said on that for now.

Asides.

Hon. R. R. FARLEY: Mr. Speaker, I believe that these Amendments are very clear. As indicated, they aim to extend the period of concessions under this legislation as proposed under the Budget and as the benchmark against the standards, which have become the norm with our Caricom neighbours. I see nothing complex or complicated about them, Sir, therefore, I beg to move that this Bill be now read a second time.

On the motion of Hon. R. R. FARLEY, seconded by Hon. R. N. GREENIDGE, the Bill was read a second time.

On the motion of Hon. R. R. FARLEY, seconded by Hon. R. N. GREENIDGE, the House resolved itself into Committee. Mr. D. CARTER in the Chair.

COMMITTEE

Clauses 1 – 5, inclusive were called and passed.

On the motion of Hon. R. R. FARLEY, Mr. CHAIRMAN reported to His Honour Mr. SPEAKER the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motion of Hon. R. R. FARLEY the Bill was read a third time and passed and cited as the Special Development Areas (Amendment) Act, 2001.

SUSPENSION

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that this Sitting be suspended until 2.15 p.m.

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

RESUMPTION

Hon. D. A. C. SIMMONS: Mr. Speaker, we cannot now continue with the matter which we had intended to proceed with before and in the circumstances.

ADJOURNMENT

Hon. D. A. C. Simmons: I beg to move that this House do now adjourn to Wednesday, August 8, 2001, at 3.30 p.m., when the Prime Minister and Minister of Finance will deliver the Economic Statement at 4.00 p.m.

I will be writing to you, Sir, in the usual way for the Debate to be broadcasted.

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

The question that the Honourable House do now adjourn until Wednesday, 8th August, 2001, at 3.30 p.m. was put to the House and agreed to and Mr. SPEAKER adjourned the House accordingly.
2.17 p.m.

CONTENTS

MINUTES

Hon. D. A. C. SIMMONS 1

Confirmation of Minutes of the Meeting of
Tuesday, July 24, 2001.

PAPERS

Hon. D. A. C. SIMMONS 1

Barbados Economic and Social Report 2000.

Hon. D. A. C. SIMMONS 2

Annual Reports and Accounts of the Barbados
Agricultural Management Company Limited for
the years ended June 30, 1998, June 30, 1999 and
June 30, 2000.

SUSPENSION OF STANDING ORDERS

Hon. D. A. C. SIMMONS 2

Suspension of certain Standing Orders Nos. 6,
16, 18, 20, 42(5), 43 and 44 for the remainder of
the Sitting.

GOVERNMENT BUSINESS

ORDER NO. 8 – BILL ENTITLED AN ACT TO
AMEND THE EVIDENCE ACT 2

Hon. D. A. C. Simmons, 2,10; Mr. D. St. E.
Kellman, 4, 5; Hon. R. C. Eastmond, 6; Hon. R.
N. Greenidge, 7; Rev. J. J. S. Atherley, 9, 10.

ORDER NO. 9 – BILL ENTITLED AN ACT TO
AMEND THE SPECIAL DEVELOPMENT
AREAS ACT 11

Hon. R. R. Farley, 11, 13; Mr. D. St. E.
Kellman, 12.

SUSPENSION 14

ADJOURNMENT 15

Hon. D. A. C. SIMMONS, 15.

SPEAKERS IN THIS ISSUE

ATHERLEY, Rev. J. J. S. (St. Michael West)
EASTMOND, Hon. R. C. (St. James North)
FARLEY, Hon. R. R. (Christ Church East)
GREENIDGE, Hon. R. N. (St. Philip North)
KELLMAN, Mr. D. St. E. (St. Lucy)
SIMMONS, Hon. D. A. C. (St. Thomas)
WOOD, Hon. A. P. (St. Philip South)