
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1999 – 2004

HOUSE OF ASSEMBLY

Tuesday, December 17, 2002

Pursuant to the adjournment, the House of Assembly met at 11.20 a.m. on Tuesday, December 17, 2002.

PRESENT

His Honour I. A. ROETT, G.C.M., B.A., Dip. Ed.,
(Speaker)

His Honour J. M. EDGHILL, J. P. (Deputy Speaker)

Hon. Sir Henry FORDE, K.A., Q.C., M.A., LL.M.
(Cantab.)

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

Hon. Miss M. A. MOTTLEY, LL.B. (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 Harold St. JOHN, K.A., Q.C., LL.B.

Mr. L. R. TULL, Q.C., M.A. (Oxon).

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

Hon. Miss B. A. MILLER, B.C.H., (Deputy Prime
Minister, Minister of Foreign Affairs and Foreign Trade)

Hon. R. C. EASTMOND, B.A. (Hons.) Dip. Ed.,
LL.B. (Hons.) L.E.C., J.P. (Minister of Labour and Social
Security)

Mr. D. CARTER (Chairman of Committees)

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 H. E. THOMPSON, LL.B. (Minister of
Physical Development and Environment)

Mr. M. Z. WILLIAMS

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

Rev. J. J. S. ATHERLEY, B.A., B.Sc., J.P. (Parlia-
mentary Secretary to 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 Economic
Development, Industry and International Business)

Hon. Miss C. Y. FORDE, J.P., (Minister of State,
Ministry of Education, Youth Affairs and Sports)

Prayers were taken by Canon Father Ivan Harewood.

Mr. SPEAKER: The House is now in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday,
December 10, 2002.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I beg to
move that the Minutes so cited be confirmed subject to any
omissions and/or corrections and/or observations.

Hon. R. D. MARSHALL: I beg to second that, Sir.

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

ANNOUNCEMENTS BY HIS HONOUR
THE SPEAKER

Mr. SPEAKER: I am to report to this Honourable House that I am in receipt from the Accountant General the Accounts and Statements for the month of September 2002.

PAPERS

Hon. R. C. EASTMOND: Mr. Speaker, I am commanded to lay the following:

Annual Report of the Technical Vocational and Education and Training (TVET) Council for the period April 1, 2000 to March 31, 2001.

FIRST READING OF BILLS

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. C. EASTMOND, the following Bills were read a first time:

1. The Land Registration Bill;
2. The Landlord and Tenant Bill;
3. The National Insurance and Social Security Bill.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the rest of this day's Sitting.

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

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

GOVERNMENT BUSINESS

ORDER NO. 5 – THE FINANCIAL
ADMINISTRATION AND AUDIT (AMENDMENT)
BILL, 2002

Hon. R. R. FARLEY: Mr. Speaker, this amendment to the Financial Administration and Audit Act is one of an ongoing series of actions which become necessary from time to time as the circumstances within which Government's financial affairs are conducted.

You would recall, Mr. Speaker, that around 1998 there was a substantial number of amendments to the Financial Administration and Audit Act which were necessitated by the fact that there was the introduction of electronic processing of documents, a lot more computer usage, in the accounting affairs of Government. There is also the situation with respect to the outdated perspective which Government had on the acceptance and the use of cheques in the conduct of its affairs in the payment of funds through the Government by citizens as well as some changes in the administrative structures within Government. Once again as a result of these changes which have come about we have to move this amendment.

In this case, the amendment relates to the matter of the twice monthly payment of wages to workers within the Public Service. As you would recall, Sir, the Government has introduced full electronic processing for the payments of wages to public officers and for the procurement of goods and services through the computerised system referred to as the SmartStream System. As a result of the changes which have been made workers who used to be paid on a weekly basis are now being paid twice per month.

The Financial Administration and Audit Act as it is currently worded speaks at section 24 in these terms:

“The fixed claims on the Crown in respect of salaries, services and allowances shall be paid weekly, fortnightly or monthly as the Minister may determine.”

In order that there be no breach of the law it is necessary to make provision in the law for the payment of wages to staff on what is referred to as a semi-monthly basis. That is the matter of being able to have the legal authority to pay that category of workers. Those workers who used to be paid weekly would be paid twice a month and the payments will be made on the dates closest to the 15th of each month and on the date representing the last day of the month. Therefore, the amendments to Sections 2 and 24 relate to that straightforward technical adjustment.

Additionally, Section 38 speaks to governments and administrations which settle their indebtedness to the Crown through the Crown's agents. That Section speaks to the ways and means by which other governments or administrations can settle their payments to Barbados. The Accountant-General has confirmed that no government or administration needs to settle its indebtedness through the Crown's agents. Therefore, it is proposed by way of these amendments that this Section be deleted as it is no longer applicable to the way that things are done.

integral part of its operations several rules which are attached to the Act which form the backbone of the functioning of the Act particularly the Financial Rules of 1971 and the Supplies Rules of 1980.

I want to take the opportunity while moving this minor technical amendment to inform this Honourable Parliament, although parliamentary approval is not required for the amendment to the rules, that in keeping with the need to change the legal and administrative basis on which Government's affairs are conducted that we have moved to take account of modern forms of payments by citizens. Accordingly, the matter of how monies are paid to Government by way of cheques has been streamlined. There have been some government departments which have been a little shy about taking cheques from the public because of the large number of dishonoured cheques which have been tendered to Government. Certainly, both in the Government and in the private sector this matter of dishonoured cheques has become a major concern.

We recognised that there are two things that are needed to be done. The change of rules also provides that officers would need to take whatever steps are appropriate to test as far as they can the validity of the cheque which is tendered. We recognise that today there are payment systems which are more reliable than cheques. Payments through credit cards, ATM cards and debit cards are now a regular part of commerce and Government should not, as one of the largest entities involved in financial matters in this country, be behind the times. Therefore, Rule 43 (2) has been amended to take account of the need to permit the acceptance of debit and credit cards for the settlement of payments to government departments. Of course, it also requires the introduction of important pieces of equipment which would be acquired over a period of time across the various government departments. This is also part of the ongoing move of the Government to permit full e-commerce transactions across a number of its departments.
11.30 a.m.

Therefore, the use of computer technology which is used for payments by using either credit or debit cards, is an important movement in the direction of electronic governance. It also avoids the major problems which exist with respect to being wanting to facilitate business transaction by way of accepting cheques but also facing the risk which is inherent in accepting a cheque that might, in fact, be dishonoured. Therefore, with the amendment of those rules, the needs of both the customer and the Government have been satisfied. The needs of the customer has been satisfied by way of presenting new payment options. The needs of the Government has been satisfied by introducing payment options which would not result in Government being unable to collect monies which are due to it.

Additionally, the amendments to rules have been made with respect to the filing of documents with the Accountant-General, with respect to purchases made by the Central Purchasing Department, to provide for the payment of those charges to be filed by the 10th day of the month, following the month in which the transactions are transacted.

In addition, there was a typographical error in Rule 39 which has been corrected, which related to the stock issue register. In fact, these books are normally requisitioned from the Government Printer and are part of the record but in many of the last printing of the Financial Rules, the document actually read as though the officers were required to maintain a stock and issue a register. It made good English sense but it made no sense with respect to the identification of a stock issue register and the maintenance of a stock issue register.

Sir, these amendments are of a technical nature as well as the amendments to the Rules. There are there to make it easier for clients of the Government to make their payments, as well as to ensure that Government, by way of acceptance of modern payment systems, is able to collect its revenue.

Mr. Speaker, with that brief introduction, I am obliged to you.

Mr. D. H. J. THOMPSON: Mr. Speaker, I think it would be too late, in this case, to have a full Debate on the manner in which the substantive amendment to the Financial Administration and Audit Act was undertaken before and whether, in fact, the major overhaul that we had done, have met the purposes to which the Government had set out at the time of that Debate.

There are three points I wish to make about the Financial Administration and Audit Act. The first one is that even with these amendments and with the previous amendments, it seems that very often many of the Government departments are still not able to do business in the manner in which the private sector is able to do business. For example, there are many Government departments in Barbados that will not accept cheques, yet they expect people to make large, substantial payments in cash. Sometimes these people might not qualify for a credit card but might be doing a single transaction with Government, for which they might accept a manager's cheque or an attorney's cheque. There are supermarkets and other businesses in Barbados that do not even have the facilities that Government has, which are able to go online to check the credit worthiness of persons. For example, in a Government department if someone wants to pay for a liquor licence which is under the name of an unincorporated association, the department is not going to accept it, if a personal cheque is sent. They will not accept it.

I want to say as well that this dynamic process, the Financial Administration and Audit Act, also has as an

Another example is the Corporate Affairs Registry. It is now only lawyers or clients accounts. In fact, some of them are in problems in any event and therefore there is no guarantee that a client's account cheque is any better than a personal cheque issued by an individual in Barbados.

There are also concerns about the hours of business in many of the offices that take money. For instance, in the court system and elsewhere in Government. For some reason even though the office might be opened until 5.00 p.m., the department that takes the money must close at 3.00 p.m.

I believe that even if Government departments may be reluctant to engage in cash transactions after 3.00 p.m. it does not make sense to modernise the system to accommodate credit cards and cheques, then to close the department that receive those payments at 3.00 p.m.

There are many departments in Government in which persons are notified that they must reach before 3.00 p.m. if they are making a payment. I believe that cannot speak to a modern or efficient way of doing business in Barbados. Sir, some of those departments are departments in which people sit all day long in a line, waiting to pay and when the time comes for the counter to close, that is the end of that.

Therefore, it is not just a matter of passing the law but it means in terms of the way in which the accounts of Government are being handled, it seems as though there is a need for a higher level of training and specialisation as well as an awareness of the provisions of the legislation. If not, we can pass all the modern pieces of legislations that, theoretically, should assist Government in becoming more efficient, yet other practices are going to undo all of the effort that is made.

There is no point in making lofty speeches about credit cards, *et cetera*, in relation to Government because if the Government cannot currently accept personal cheques – cheques did not come into existence 20 years ago, they have been for longer than I was alive, yet Government is passing legislation to facilitate the use of credit card.

As I said, I believe there might be persons, even despite the major changes, who might not be able to do business with Government because they do not have the necessary qualification for a credit card, nor can they benefit from some of the announced changes.

The second point relates to statutory corporations. I have before asked and I am doing it again because I know that since the 1970s a circular went out to all statutory corporations, at that time asking them to comply as far as practicable with the provisions of the Financial Administration and Audit Act and Rules. Many of them

actually wrote rules which were sent to Cabinet for approval in accordance with the provisions of the Financial Administration and Audit Act.

It is still clear that there are statutory corporations in Barbados that function outside of the terms of the Financial Administration and Audit Act, even as adapted to the circumstances of statutory corporations. There are still statutory corporations that do not file financial statements in accordance with the law and unless the Public Accounts Committee hounds them down, there is no effort to determine why they are having difficulty in filing those financial statements. Sometimes, even when these statutory corporations are summoned to ask why they have not filed financial statements, some of the reasons that are given are completely absurd. For example, there might be small disputes with the auditor over minor matters or over things that, in a normal public company, would be dealt with very swiftly in terms of ensuring that the financial statements are prepared in a timely manner.

11.40 a.m.

This Parliament often has to approve grants, transfer and subventions to statutory corporations without the benefit of information on the performance of those statutory corporations.

Mr. Speaker, no doubt the Transport Board is going to come to Parliament shortly for a supplementary or a loan to purchase new equipment and it should ensure that its financial statements are up-to-date. All entities that have benefited from significant injections of capital by Government like the Caribbean Broadcasting Corporation and the National Housing Corporation should ensure that their financials are updated.

I wonder how the Minister of Finance approves those arrangements when Parliament does not have the benefit of updated financial information on the operation of such statutory corporations. Sir, Parliament then compounds the problem by guaranteeing the debt or making funds available to these statutory corporations without any information to help decide on whether the funds already spent in previous financial years or the relevant financial year has been spent efficiently and prudently.

Sir, this is one area that needs attention. Sir, we should do the following concerning statutory corporations:

Be frank and say that they do not have to report.

Come up with a new formula for them.

Have a new format for financial rules applicable exclusively to them.

Create a new regime for reporting by these corporations.

Sir, in 1991 when Barbados was required to clean up its arrears and get information on the performance of statutory corporations, it was a monumental task because many of them had neglected to keep their finances up-to-date in a modern, efficient and transparent manner. Sir, many of these statutory corporations benefit from subsidies and yet this Parliament does not receive updated information on their performances.

The third area of concern relates to the need for amendment to the Financial Administration and Audit Act or, alternatively, a new piece of legislation that would require companies in which Government has ownership of 25 per cent or more to file financial statements. Also, where Government has provided a guarantee in respect of borrowings as in Bartel or the Barbados Light and Power Company, or where Government has lent money or made substantial transfers to a company either in purchasing equity or assisting the company in carrying out its capital programme that those companies also be required to file financial statements in Parliament.

In 1987, when legislation was passed that permitted Government to provide guarantees for private company, Government pledged that it would have passed modern legislation requiring companies owned by Government to report to Parliament.

Recently, I was reading about Public Enterprise Investment Fund and I noticed that there is now another company on the books called the Grantley Adams Airport Incorporated. I do not recall any occasion in which Parliament was officially informed of the establishment of this entity, the composition of its Board or what injection of capital was made in the company.

Asides.

Mr. D. J. H. THOMPSON: I am not questioning the operation of the company. I am saying that when these companies are formed, Parliament should know of the full constitution of it, its intended operation, its by-laws, the amount that Government will advance to it and what methods of accountability are going to be put in place. Sir, the law should require such companies to file regular, annual financial statements either before guarantees are provided, before loans are advanced or at the time when Government is making its equity contribution.

Sir, this should be advised as a specific item and not by the way as part of another debate. I am saying that it should not be referred to as part of a debate on tourism or another

subject but Parliament should be notified formally as part of the procedures of Parliament that a company has been formed.

It should be scheduled under a piece of legislation as a company for which the financials will be provided to this Parliament on a regular basis and it should be identified as a company in which Government is going to have all the equity, purchase some of the equity or as a company that Government may be advancing sums to by way of loans or guarantees.

Sir, the expenditure undertaken by companies owned by Government which are not required to report to Parliament by law is often larger in a fiscal year than the Government's overall capital works programme. This means that a very significant chunk of Government's expenditure has been moved from the scrutiny of Parliament.

Sir, some statutory corporations have been converted into companies like Barbados National Bank and Insurance Corporation of Barbados in which Government still has shareholding but there is no requirement for them to make financial information available to Parliament because the law which previously required that has been repealed at the time when statutory corporations were converted into companies under the Companies Act of Barbados.

Government has not dealt effectively with this matter nor put in place the desirable legislation and as part of the process of an efficient and accountable Government, we need to have that legislation passed in Barbados without delay.

Sir, I am not saying that company must come under the Financial Administration and Audit Act or that it should be a hybrid legal entity which has to do something that other companies do not have to do because, public companies in Barbados are required to publish annual financial reports to their shareholders and have their financials audited by an independent auditor by law so it will not be an obligation that creates a new kind of legal entity outside of the terms of the Companies Act of Barbados. We are simply calling for the scenario which currently exists in relation to companies listed on the Securities Exchange to be applicable to Government-owned companies.

11.50 a.m.

Sir, we received a report from the Barbados Light and Power Company Limited, even though the law does not require it. Yet there are companies which Government has formed in the last eight years, and even before that, including the two companies that were formed when I was Minister of Finance, the Barbados Agricultural Credit Trust (BACT) and the Barbados Agriculture Management Company, which should be brought under a new law or

provision of an existing law requiring them to put their accounts before Parliament. Sir, that in turn will give the Public Accounts Committee an opportunity, where necessary, to examine those accounts. Or we can have a subcommittee that looks at those kinds of investments by Government and Parliament's power of scrutiny would be enhanced by having such changes to the law and such an opportunity for Parliamentarians to participate more actively, on behalf of the public, in examining the operations of these corporations.

Sir, the two amendments that this particular piece of legislation seeks to make in respect of the existing legislation, we do not have any problem with, apart from the fact that the last major amendment to the Financial Administration Audit Act needs to be clearly examined against the practices that occur in the public service. We will give our support to this legislation.

Mr. D. St. E. KELLMAN: Mr. Speaker, I rise to speak to this amendment and to say that we have to recognise that we are in a globalised world and changes that are made must be changes that will reduce the cost of production, not only to Government but to the people who are beneficiaries of the system.

Sir, this country has gone through a recession and any decisions made by Government must be decisions to make the system more effective and not decisions to cause hardship. There is no doubt that the decisions to move from paying workers weekly to bi-weekly will create problems to those persons. The problem with this Parliament is, too many of us are too far removed from the system and we do not understand how the masses of Barbados live. There is no doubt that the burden has been removed from Government and will now be placed on the private sector in Barbados to carry that burden for an additional week.

I want Government to consider this particular point. Where workers previously were paid on a weekly basis they were able to settle their bills weekly. Now these workers will have to wait for an additional week to pay their bills and somebody within the system will have to carry this burden.

Sir, it is known that those persons with large sums of capital will carry this burden. It will most likely be the small businessman, who will have the heart, even though they cannot afford it, to carry an additional week's bill for the large number of public servants who previously would have been able to settle their bills on a weekly basis.

Sir, I am asking Government that instead of moving to a system to pay workers bi-weekly, that they look at a system where they might consider moving the monthly paid workers to bi-monthly. This would allow more money to be in the

system and we will be better able to jump-start the economy and provide the impetus to help develop growth and create the necessary cash for those businesses that need it.

Sir, this system may look like a simple one but we can only understand the effect of this measure when you are on the ground with the masses where you can hear the complaints. Sometimes when you are directly involved in the system, you would understand how people react to such things. I am saying that this particular measure is creating hardship and it has caused persons who previously paid their bills weekly to delay payments for an additional week. I hope that this point is understood, Sir.

Mr. Speaker, if anyone doubts what I am saying, one only has to ask any worker, who previously had the privilege of being paid weekly, what problems have been created for him or her now that they have to wait an additional week to be paid. Who are the ones who would have to provide the credit for these workers? This is the most important question. Those persons who can least afford to pick up the slack are the ones who will have to do it.

Sir, we talked about introducing new systems, debit cards. I want to tell this Parliament that the introduction of the debit card system does not mean that the cost of doing business will be reduced. Instead of being reduced, the cost will increase because most of the business will introduce a 2 per cent charge on the business that is done through this system. Therefore, it means that even though we think that we are making the system more efficient, we are actually increasing the cost of doing business.

Sir, the truth is, in the year 2002 Barbados cannot afford to increase the cost of doing business. We must find ways to reduce the cost of doing business. We are now, more so than ever, in a competitive world and we have to understand and appreciate the difficulties confronted, especially by small businesses. It is alright for those companies that have access to capital to absorb these things.

Sir, I made this point about five years ago. When VAT was introduced, the markup for the small businessman was not increased but the markup for the importers has increased significantly. Sir, they had the opportunity to make the difference between their markup and the shift in price to the consumer and decide how much they want to operate with but, Sir, the retailers could not do that, they had to continue operating in a system where people dictated the percentage of the retailers.

12.00 noon.

The importers had an opportunity to look at the tax savings because of the abolition of various taxes, and to

decide if they are going to increase their markups, or they are going to pass it on to the consumers and, Sir, a lot of people are aware what happened. Then, they gave the impression that the retailers were the ones putting some lashes in the consumers.

Sir, I am saying that we have to understand the financial implications of these things and even though they sound like something that will make the system operate in an efficient way, the truth is, at the end of the day, it will increase the cost of doing business. As I said, Sir, we must understand that we are in a competitive world. We must appreciate that the cost of a product which is manufactured in Barbados has to be judged, not only based on other products manufactured in Barbados but on every similar product that comes to the country.

Sir, in another couple of years, we would more understand the particular point that I am making when trade liberalisation is truly on our doorstep. At that time, we will appreciate the importance of cost but because it is not directly upon our doorstep right now, we tend to ignore these finer points.

I am saying, Sir, we now have to get it right. We cannot continue to be reactive. We have to be proactive and understand that no one owes anything to the country Barbados. Barbados has to work its way into the world and understand exactly what is going on in the world.

Sir, I continue to make the point that it is not only revenue we need to look at, and the most important single item that will confront this country is its capacity to generate foreign exchange to pay for the goods and services that we know so well how to use and consume.

Asides.

Mr. D. St. E. KELLMAN: That is an educational column and I hope politicians are reading it because we need to understand that this country has to get out of the rut it is in at present.

Sir, we also have to understand that the politics of the 1960s, 1970s, 1980s and 1990s must change and the politics of Barbados must mean politics on how we will confront the world. It is not a local problem anymore.

A couple of years ago, a Minister of Finance could look at his Minister of Trade and say to him that we are putting restrictions on this item or that item. Those days are not with us any more and we have to understand that as long as people could dump on our doorsteps, it is going to create foreign exchange problems for us. Sir, we either educate our people how to see and do not buy, or how to produce, in order to be able to buy, and that is a very serious point.

Sir, I can understand why the Government would want these amendments but they also have to understand that they have to look at the other side. I have been finding a difficulty for the last eight years, where people seem only to see a point in a particular light. They are not prepared to look at either side of the light and that is what is lacking in debating in this society. We have to understand that the way we looked at things, previously, we can no longer look at them that way. We not only have to look at them from the micro side but we have to combine both micro and macro, in order to find out if we are achieving what we set about to achieve.

Sir, normally something like this would be very simple and needs no debate. Ten years ago, this is something for which you would just say, yes, but the truth is, you just cannot say yes to this because you would be doing your country a disservice. You cannot afford, in this competitive world, to do a disservice to a country and, especially, to the masses of people because they are the ones who would pick up the hardship. They are the ones who spend most of their disposable income trying to live. They, more so than anybody else, need to feel the cash in their pockets much faster because they do not have the reserves needed on which to live. They cannot afford to borrow because the costs of servicing the borrowings are so high that they will impact negatively on their pockets.

Sir, this may sound good for large companies, as I said previously, that have large bank accounts which can easily absorb it and pass it on, but think about the small man in MTW who depends on that weekly pay package, what impact this will have on him. I can tell you because I have observed it and many other people can tell you that this has impacted on them, in a negative way.

The Government system now, Sir, instead of doing 52 pay sheets a year, they now process 26 and that is easy for the Government, but what is the cost and impact on the normal worker in the civil service or the public service. We have to look at these things. It cannot be only on how it will affect the Government but how it will affect the workers.

Sir, to be honest with you, I thought today I would have to be assisting the Trade Union Movement in this country in making this particular point. I never thought that I would have to be the one to make the point for the Trade Union Movement. The regrettable thing, Sir, is after making this particular point for the Trade Union Movement, I will hear from the public of Barbados how I am anti the Trade Union Movement.

I want to say that I have never been anti the Trade Union Movement. Sir, even when I was in the sugar industry and I was not supposed to be in a trade union, I was

involved. I honestly believe that everybody in Barbados should be involved in the Trade Union Movement, regardless of the level you are at, because no one in Barbados should believe that they are above recall or above being dismissed.

Sir, everyone should understand the importance of Trade Unionism, where it has taken this country and where it will continue to take this country. This is why some of us will have to be proactive and understand that it is important to leap to the Trade Union Movement, but not to be so blind when you recognise that there is a problem that you should keep your mouth shut and say nothing.

Sir, as politicians, we have a role to play and we should be very proactive in the roles we play. We must understand that even though people may criticise us sometimes because of our mouthings, we have a role to play in this country and that role must be developmental.

Sir, this is why I am saying that regarding any adjustments from weekly to bi-weekly, we need to hear from the Trade Union Movement on this particular matter because they need to tell us whether or not this is in the interest of the worker. There is no doubt that bi-weekly and weekly will have an effect on how businesses operate in Barbados and the amount of the pressures that will be passed on to the masses.

Sir, we must remember that these particular problems will be shifted to the masses and they are the ones who will have to pick up the slack. If you tell me that in the early 1990s, the workers had hardship, how then can you continue to extend that hardship which you spoke about so clearly.
12.10 p.m.

I am saying that we must have another look at this amendment not only from the efficiency of Government, because one would recognise that when you look at it, it is very good for Government, but how it will impact on those people out there who can least afford to bear the particular impact that will occur from it.

I thank you very much, Sir.

Hon. R. R. FARLEY: Mr. Speaker, I just want to respond very briefly to the assertion made by the Honourable Member for St. Lucy in which he incorrectly indicated that the semi-monthly payment of wages to the workers would impact adversely on them. Let me very clearly for the record indicate that the difference in payment dates will not in anyway represent any reduction in payment to the workers. I know that he knows that, Sir.

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is misleading the House by giving the impression that I am saying that the total amount received by the workers will be reduced. I have never made that point

and I would not want the Honourable Member to purposely put in the record that I have stated that when in truth and in fact I did not say that, I made a much bigger point than that, Sir.

Hon. R. R. FARLEY: Perhaps the Honourable Member's perception of size is different from mine and maybe his point was so small that I miss it.

Mr. Speaker, I do not want it to go abroad based on the contribution of the Honourable Member for St. Lucy that there is anything disadvantageous in this move by the Government which was the point he was making. As I said before there will be no reduction in pay to the workers. All this amendment is doing is simply changing the periods at which payments of wages are to be made.

The Honourable Member for St. Lucy should perhaps have declared the perspective from which he is coming. I thought that he was speaking as a representative of a shopkeepers' association because he seems to have been representing a very specific narrow personal concern concerning the settlement of accounts. All that would happen is that the settlement of accounts with his establishment will be done semi-monthly rather than weekly. That is a matter which he will have to address, not with the assistance of Parliament, but as a private business person and the good one that he is.

However, I do not want for any impression to go abroad that there is any inherent disadvantage to the workers. In fact, what motivated this move is a concern which has been expressed by the workers in the Public Service, both those who are getting paid and those who use to carry out on a regular basis the matter of payments to workers by cash.

Sir, you must remember that there were days when workers many of whom were working away from Government offices, for example, persons employed to weed the roads by the Ministry of Public Works and Transport and others who were out in the field, who used to receive their pay by way of an officer going around with a car and giving out the pay. When the concern of safety was raised, those workers were then paid by cheques which then meant that every week they had to go through the process of cashing a cheque.

The Honourable Member for St. Lucy talks about cost and time being money. Obviously, you had to allow for time so that persons could go and cash these cheques on a weekly basis which represented a most unproductive use of time. Therefore, the introduction of semi-monthly payments to the workers represents time saved for the workers and a more

efficient use of time. In fact, most government workers now have elected to have their salaries deposited directly to their bank accounts.

Sir, many of the clients of banks these days use ATM cards so even those who may not have credit cards or other cards are using ATM cards and they can access the cash that they need via these ATM cards. So there is no loss of time. They have 24 hours access to their money. The money is available to them instantaneously on pay days without them having to enter into a long line in the bank. So already the benefits of these provisions are being felt by the workers of Barbados.

With those brief remarks in order to clarify the points made and to avoid any possible confusion created by the Honourable Member for St. Lucy, I beg to move that this Bill be read a second time.

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

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

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

COMMITTEE OF SUPPLY

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

Clauses 1 – 4 inclusive, were called and passed.

On the motion of Hon. R. R. FARLEY, seconded by Hon. R. D. MARSHALL, 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. R. R. FARLEY, seconded by Hon. R. D. MARSHALL, the Bill was read a third time and passed and cited as the Financial Administration and Audit Act, 2002.
12.20 p.m.

ORDER NO. 11 – THE NATIONAL INSURANCE AND SOCIAL SECURITY (AMENDMENT) BILL, 2002.

Hon. R. C. EASTMOND: Mr. Speaker, on or about 22 October, 2002, the Honourable Member for St. Peter and Minister of Finance, during the course of his Budgetary

presentation to this Honourable House, made reference between pages 81 to 91 of this document, which already is a document of this Honourable House, to the question of pension reform.

Mr. Speaker, without in anyway, either repeating any Debate that has already occurred therein or without being very long, I will outline the principal objectives of the amendments which are today before this Honourable House.

Mr. Speaker, it is believed on good authority that during the years 2015 to 2017, this country would experience a veritable flood and plethora of persons reaching pension age, so much so that for the first time in the history of Barbados, the total number of people seeking National Insurance Pension would be so high as never to have occurred in the history of this country.

At the same time, Mr. Speaker, we are seeing a situation where demographic projections suggest that by the year 2059, the population of Barbados would begin to decline so much so that there is demographic evidence to the effect that based on current trends, the population would be approximately 190 000, of whom more than half would be of pensionable age.

Mr. Speaker, the Honourable Member for the City would be the first to say that there was a time in the history of Barbados when there was a very urgent need to put proper systems of family planning in place. If the family planning systems, as we have known them did not exist, this country today would be in a very bad way. There would have been a very high population. There would have been population pressure on resources, *et cetera*.

Barbados efforts on family planning have worked brilliantly. I am in support of sensible approaches to the whole question of family planning. I do not subscribe to the view that family planning is a bad thing or that it produces distortion in the demography of the country.

Mr. Speaker, we have, ironically, been the victim of our own success in family planning. Insofar that family planning has demonstrably worked well, at the same time what it has seen is that the typical Barbadian keeps the family size down to what he thinks is manageable or desirable proportions. There are persons in Barbados who do not want more than one child. Indeed, there are also professional persons who do not even want a child.

Mr. Speaker, at the moment in this year, 2002, 3.4 Barbadians contribute to the Contributory Pensions of one National Insurance Contributory pensioner. The projection is that if we do not bring about pension reform quickly, in a

very short time, only 1.3 persons would be contributing to the pension of one person and that the 5.1 ratio of financial reserves needed to have a viable fund would also be in jeopardy.

Mr. Speaker, the 9th and 10th Actuarial Reviews which are conducted in accordance with law under Cap. 47, which requires that every three years an actuarial review be done, reveal that if we do not take action now, we will live to regret by the year 2032 that we would have squandered the opportunity to renew, reinvigorate and revitalise our National Insurance Scheme.

Mr. Speaker, this matter cannot be of a pure political partisan matter. I would like to applaud all politicians in Barbados for not interfering in the management of the National Insurance Scheme as has happened in other countries to the chagrin of the population.

Mr. Speaker there is no evidence that any politician, in the 37 years of its history, has so manipulated, tinkered with or corrupted the management of the National Insurance Scheme as to put it in the same position where it is in some parts of the world. Politicians who are sometimes blasted, lambasted and accused of all sorts of wayward behaviors, must be commended for never having once corruptly interfered with the management of the National Insurance Scheme.

Mr. Speaker, I want to make the point that in the concept of our responsibility to the posterity of young Heather Smith to be born on 15th February, 2013, to that girl who is 4 years old from Horse Hill, St. Joseph, and who will be around in 2016, we must devise a system of reform to ensure that the young child for the future has to be so provided for.

Mr. Speaker, we welcome the honourable students from the Grantley Adams Memorial. The school was aptly named after a great patriot.

Mr. Speaker, there is no policies in pension reform after the 9th and 10th Actuarial Reviews came to the conclusion that the National Insurance Scheme could be under pressure by the year 2032, a subcommittee was set up that went about the responsibility of looking at where we are now, where we would be in 5 years, where we would be in 10 years, what level of reserves we should have as a pool and how to defend the system of solidarity.

There are Members of this Honourable House who understand the concept of solidarity, the pooling of premiums in non-life insurance matters. In general insurance, there are a number of persons called Anthony or Ian, or 3 000 persons pool to a fund. The statistical rationalisation

is that a percentage would draw from that pool. Similarly, National Insurance in Barbados is based on the concept of solidarity. It means that all persons who subscribe or contribute to the pool are actually our brothers' keeper.

There is a distinguished lady somewhere near the precincts of this place who, in her days as a hard worker, would have paid so much national insurance without drawing any, added to a number of Barbadians who would not have been able to fund their own National Insurance contribution.

The concept of the pool in non-life insurance, statistically speaking, suggests that a fraction of those who paid the premium contributions would only draw in a given time period but that the more fortunate who do not draw are actually subsidising those who draw.

Mr. Speaker, in recent times, through a piece of strange journalism, one journalist clearly not very much experienced in the art, misread and misquoted a specialist who was calling for greater private sector involvement in the National Insurance Scheme. The way in which the journalist wrote the article left the impression as if the expert was calling for the privatisation of the National Insurance Scheme.
12.30 p.m.

Mr. Speaker, I have not come across any Barbadian who was in favour of privatisation of the National Insurance Scheme. I know persons who are of the view, that since National Insurance is the concern of all that there is room for involving more people in the decision-making process.

Mr. Speaker, the impression was given in a responsible newspaper that the National Insurance Scheme should be privatised but there must be a correction to that, in the same way that we have had in this Honourable House to correct someone who once said that Members of Parliament's pensions are paid from the National Insurance reserves.

In Chile, South America, it was decided that a person called Neville could go to a company, pay in \$15 each month and that company would pay Neville his national insurance. The Chilean embarked on a system of privatised national insurance which has proven to be administratively unsustainable and which has undermined the concept of solidarity. Sir, the concept of solidarity is that Penny, Dennis, St. Elmo and Gline would all contribute in the interest of Mary, Margaret, Eugene, Joy and others.

Mr. Speaker, we are going to keep the concept of solidarity and mobilise all in the population of working age to continue to contribute and then, over time, when people have just claims they will be able to claim on the fund.

Sir, since I started to work in 1970 I have never worked out the amount I have contributed to the fund but clearly, a lady in Nelson Street would have received maternity benefit from the money which I contributed.

Mr. Speaker, you may have subsidised a significant number of people than any system of privatisation can pay. The whole concept of a privatised system of national insurance is not based on any system by which the stronger subsidise the weaker because, under a privatised system, a person may lose because of the administrative cost deducted.

The Honourable Member for St. Peter, to his credit, made mention of all these things between page 81 and 91 of this Actuarial Report on the 22nd October, which is already a document of this Honourable House. The proposals that resulted, after very careful consideration of where national insurance is presently and where it will go in the future, have been narrowed down. If we bear in mind that by 2032 and 2059, the fund will need to have \$5 in reserve for every \$1 claimed and 3.4 pensioners for every pensioner who claims, the subcommittee set up to look at pension reform went around this country, took Barbadians into their confidence, listened to them and the people responded in a particular manner which I will speak of shortly.

If we go back to the situation where a number of contributors over time have declined relative to the number of people claiming, on that basis alone, as a pure mathematical fact without looking at other factors, this means that contributions would simply fall. Sir, we need to look at the mathematics of this situation without looking at the politics of it.

Mr. Speaker, another thing would be to keep contributions where they are and reduce the benefit or leave contributions as they are and take the retirement age to 85 or 90 and we knew that this would be a farfetched solution and absolute folly.

The subcommittee, having heard the concerns of Barbadians, realized that Barbadians understood national insurance better than most people the world over. Sir, Barbadians over 50 years of age belong to the Barbados Association of Retired Persons (BARP). You can become a member of BARP at the generous age of fifty and this minimum age of 50 will entitle many Honourable Members in here to become members of BARP. Sir, the Honourable Member for St. Lucy does not want to confess that he is a member of BARP because he is a private person who does not bring his affairs out in public.

Mr. Speaker, one of the good things BARP did was to suggest to the National Insurance Scheme that.....
12.40 p.m.

Mr. D. St. E. KELLMAN: Sir, on a point of order.

The Honourable Member is misleading the House. Sir, I would like to be a member of the Barbados Association of Retired Persons (BARP) because of benefits that you get, considering the good work that they do. The truth is, I am not so close to that age to be eligible to join BARP. However, I look forward to the day when I am able to join an organisation like BARP that is doing such good work.

Hon. R. C. EASTMOND: Mr. Speaker, we in Barbados have many aphorisms. We have maxims like, 'The berry don't fall far from the tree'. We have sayings that refer to beauty and age. If age is, indeed, a prerequisite for wisdom, it is obvious that the Honourable Member could never have been a member.

Asides.

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is misleading the House. The Honourable Member knows that if I do not have wisdom it is because of his teaching because he taught me at school.

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

Hon. R. C. EASTMOND: Sir, it is true that I taught him or at least I tried to teach him. Mr. Speaker, let us look at the verb 'aim' followed by a preposition 'at'. Sir, you aim at. You do not necessarily connect. I taught at him.

Asides.

Hon. R. C. EASTMOND: I taught at him, Mr. Speaker.

Mr. D. St. E. KELLMAN: Sir, what the Honourable Member is saying is what my uncle did to him, he did not have the knowledge to do to me.

Mr. SPEAKER: Who is your uncle now?

Asides.

Mr. D. St. E. KELLMAN: Mr. G. S. Yearwood, Sir. He was the Headmaster at Coleridge and Parry.

Mr. SPEAKER: No point of order, please.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, I visit his uncle regularly and I have never seen him visit this old man.

Mr. SPEAKER: Let us continue.

Hon. R. C. EASTMOND: Mr. Speaker, organisations like BARP were of the view that other than increase contributions to too high a level or reduce benefits, we could possibly with some imagination, we could more or less bend your *modus operandi* and deal actuarially with the problem at hand without necessarily burdening the people.

The Honourable Member for St. Lucy has more than once publicly said that there should be greater flexibility in the National Insurance benefits. He also said that we should be careful how we manage the unemployment benefits of Barbados. I am going to give him credit for that. In the spirit of the season I am being generous to him, Sir.

Mr. Speaker, the position is, after Barbadians were able to look closely at this matter, the subcommittee decided that with some imagination, certain regulations could be provided for subject to this Parliament's approval, that would allow for the viability of the Scheme and at the same time allow people to be happy after the reform. The legislation is going to, when Honourable Members digest this legislation carefully, show how the definition of pensionable age will be changed to allow for those who want to draw early at age 60, to draw National Insurance benefits at age 60. Sir, at the moment and in the absence of this legislation, you will have to wait until you are 65 years old.

Currently, you can draw a pension at age 65 after making 500 contributions to the Scheme. If you make 150 contributions but less than 500, you will get a lump sum grant and when you reach age 65 you will not get a non-contributory pension. Sir, if you are self-employed, and have been for many years and refuse to pay NIS benefits, you cannot get a non-contributory pension.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, if somebody from 8th Avenue New Orleans approaches his or her Member of Parliament to find out how the system works, currently you have to be 65 years old and you would have had to contribute 500 contributions, which is 10 years contributions, to get a full contributory pension. If, however, you had a job that saw you making 150 contributions but short of 500, you get a lump sum grant without prejudice to your drawing a non-contributory pension.

Sir, these things were looked at carefully. A Barbadian might start working at 18 years. When he reaches the age of 60, he would have worked more than 40 years. He might not want to continue working longer because he might be tired or does not want to rob a younger person of a place in the world of work. He now has, for the first time, based on this proposed legislation, the opportunity to go and claim NIS benefits at the age of 60 but he would get a smaller pension. This is without reference to his ordinary terms of service on

his normal job. Sir, if he had a different pension job that has not been articulated into NIS, he preserves his other rights.

A public officer working in the Civil Service on terms and conditions that meet and accommodate civil servants, will not have to see a change in their terms of service as civil servants to accommodate NIS age 60, 65, 67 or 70. Your terms of service on your ordinary job remain as there are but your entitlement depends on NIS rules. Sir, too many public officers are fearing that they may have to work until the age of 70 when old age would have prevented them and threaten to immobilise them. Nothing so is intended, Sir.

Sir, what is intended, if you elect to draw a pension at the age of 70, you would have foregone drawing at an earlier age and at the age of 70 you would get a higher NIS pension, without reference to your normal terms of service at work unless your terms of services were articulated in and factored into NIS.

Mr. Speaker, let me explain that, Sir. There are agencies the world over including Barbados that are employers. Through their own actuarial analyses, they are of the view that it serves their interest better, and possibly the interest of their works, for them to link their pension plans into NIS and rather than the employee getting two pensions, he gets one pension. Now this is something that has to be approached very closely. I will be the last person to urge any worker to submit to an arraignment to that unless it is blatantly clear to the worker what sacrifice he could be making in the interest of both funds but at tremendous personal sacrifice.

Mr. Speaker, there will come a day when private sector employers and NIS managers are going to find themselves working more closely together on the question of what I call articulation, where a private pension plan might be so linked to NIS, as to see the private pension plan do some contributing on behalf of the worker and to see NIS step back a little and amended. This is not being proposed today, Mr. Speaker, but it is not beyond the realm of possibilities.

Sir, we are at a situation where this legislation is going to allow persons to draw a smaller pension at the age of 60 under an optional arrangement or deferred drawing until the age of 70. I must be frank and truthful to this Honourable House. In the future, the statutory age that we are dealing with, 65, will have to move to 67. The belief is, people will in time accept age 67 in place of age 65 and the magical figure will now be 67 years old and that is when you will get your NIS pension by right, assuming that you have not exercised an option for age 60 or 70.

Mr. Speaker, I also see that where people exercise options, they have to service notice on NIS in an early time.

If a person is going to choose to draw retirement benefits at the age of 60, it is only fair to the system that the person serves early and adequate notice up-front so as to prepare the system for it rather than waiting three weeks before retirement.

12.50 p.m.

Mr. Speaker, I think Honourable Members would want me to conclude by 1.00 p.m. I never proposed speaking beyond twenty minutes to one o'clock but as often happens, due to interruptions by the Honourable Member for St. Lucy, I was driven to a level of auctorial euphoria from whence I now try to come down. I went to a lofty place, almost to heavens ethereal homes, as the Honourable Member for St. Lucy says. I now come down to that earth that mortals occupy.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, part of this is to put on legislative footing, a practice that has gone on by convention over the years. By convention over the years, the Minister responsible for national insurance would choose representatives of the trade unions, representatives of the employers and representatives of the Government by convention. The Honourable Member for St. Peter to his credit recognised it and in his Budgetary Proposal on October 22, 2002 indicated, quite clearly, that the time had come to pass into law, the method by which ... The Honourable Member for St. Peter is a genius as an economist and a genius as a politician. Even today's newspaper shows him as a genius. He picked up that the Minister was appointing a Board more by convention than by statute.

Sir, what we are going to have to do today and in the Other Place in an opportune time, is to put on legislative footing, the method by which the Minister should appoint the NIS Board. The Board has, in the past, seen people go on to the Board through non-statutory means. We are now going to give employers a chance to be on the Board, employees a chance to be on the Board, the Chief Labour Officer and the Minister will be allowed to choose three persons. Now, I would want all Ministers not to go and pick up people, signatures of sorts, 'yard fowls' and assorted creatures and toss them on a Board.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, this is a season to get merry.

Mr. Speaker, a Minister is permitted three appointees, I would plead with all Ministers now and in the future, to pick people with competence, skill and understanding to

serve on the NIS Board. Right now, we have a great Board. The Minister is the Minister responsible for National Insurance but for purposes of section 30, the Minister is the Minister of Finance. The Minister of National Insurance, for purposes of all of Chapter 47, except section 30 is the Minister responsible for National Insurance, but by section 30, the Minister of Finance walks in with special power to do certain big things.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, I will conclude by saying that when we consider pension reform, we have to congratulate the efforts of the Committee, led by Mr. Stephen Alleyne. We have to congratulate Barbadians of all ages who came forward and offered their views. We have to congratulate those persons, except one Elizabeth Child who, and I am quoting, "There is a creature some feathered stock, known as Elizabeth Child". I am not abusing because we know it is a pseudonym, Mr. Speaker, but this Elizabeth Child curses the National Insurance in the worse imaginable way. When you read Elizabeth Child cursing the National Insurance, you will have to conclude that she never saw a Sunday School.

Asides.

Hon. R. C. EASTMOND: She never went to Sunday School.

Mr. Speaker, we are, therefore, going to ask this Honourable House to approve the amendments brought here under the National Insurance and Social Security Amendment Act, 2002. I must say, however, there is no question that regulations are going to be necessary but I cannot waive the regulations because until the Other Place approves this, you cannot bring regulations. Those of us who legislate will understand that concept.

This august Chamber has power especially with money Bills and such like, but this august Chamber does not complete the process of passing this legislation. It has to go the Other Place. Sir, as soon as the Other Place, in its wisdom, passes this, then regulations are going to come. The regulations will allow the fine print of the formula for which things will work.

Finally, Mr. Speaker, there are some issues relating to the Honourable Member for St. Lucy which are under consideration. The Honourable Member for St. Lucy is no fool. I did not succeed as his teacher, but other teachers in other areas did...

Asides.

Hon. R. C. EASTMOND: I taught him Spanish and he became an accountant.

Mr. Speaker, he asked the question here already, are we going to use the number 3 100 as a magical figure, as the upper limit on which you pay your NIS. In a moment of lucidity and clarity, he asked that question, are we going to tie the figure 3,100 as a magical figure beyond which you do not pay national insurance. Regularly, national insurance is paid on \$3 100 and bearing in mind the paltry sum offered to Honourable Members, I wonder how much they pay.

The truth is that a politician is not recognised as a worker according to law, so any politician who pays NIS, really pays voluntarily. There is no statutory requirement. Sir, being a politician is not having a permanent job. Therefore, there is no law mandating a politician to pay NIS but there are politicians who, in the interest of their own longevity, sanity, serenity, peace of mind and piece of change in the future, pay NIS to secure themselves. If a politician does not pay NIS, there is no law saying that his property can be levied upon or the money he has in the bank can be garnished.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, we are going to look at \$3 100 to see whether or not we should raise this amount. There might be people who want to draw national insurance at age 60, and will be better placed if they pay on \$4 000. If we move the figure from \$3,100 to \$4,000 and you draw at age 60, commonsense will say you are getting more, then, the formula by which we adjust the methodology on which we work out the claims, has to be looked at very closely.

Sir, right now, as I said, for a contributory pension, the magical figure is \$500. One hundred and fifty dollars, if you can get a grant, but you do not qualify, not having paid the \$500. Maternity is 16 weeks to 26 weeks, excluding the period within which they apply. These are formulae because I am only dealing with formulae. Now, to ensure the viability and longevity of the scheme, we also have to make similar adjustments to the mathematical basis on which we compute what is a claim and you should know this, Barbados.

The typical claim that is not a contributory pension is really paid out of the day to day contributions. The contributory pension is paid out of reserved and carefully invested money. I repeat. The contributory pension is paid out of special reserves and carefully invested money.

The ordinary claim like maternity grant, maternity benefit, sickness and such like are paid out of what you in here and you out there contribute every day, so that also

presents standards of management, clearly. Sir, you have to watch your inflows on a monthly or weekly basis and compared with your outflows, you have your administrative costs.

Aside.

Hon. R. C. EASTMOND: Mr. Speaker, national insurance is one of these fascinations that Honourable Members will do well to seek to get to the bottom. I am indebted, Mr. Speaker, to your generosity. May I take this opportunity to wish you and staff all the very best for this coming season. I am indebted also to the generosity of my colleagues and I want to thank everybody within distance for the patience and tolerance that they extended to me during this very modest presentation.

With these few words, I am obliged to you, Mr. Speaker.

SUSPENSION

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, in view of the hour, I beg to move that this House be now suspended until 2.00 p.m. this afternoon.

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

The question that the House be now suspended until 2.00 p.m. this afternoon was put and resolved in the affirmative without division and Mr. SPEAKER suspended the House accordingly.
1.00 p.m.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed.

Mr. D. St. E. KELLMAN: Mr. Speaker, I rise to speak on this Bill to amend the National Insurance and Social Security Act. Let me from the outset make the point that any recommendation made by Government is their recommendation and that I am in no position to criticise their recommendation but to acknowledge that they are the Government and they have the right and the authority to do what they feel fit to do.

My role as the alternative to Government is to look and see, if given the authority, if I would adopt the same system that is now being used by Government or if there is a better system that could be used instead of the system that is now in place.

One has to recognise that a lot of things have changed and that social security is important, so any enlightened Government will continue to protect the interest of the beneficiaries to these systems because it is very important to make sure that these systems have the necessary financial resources to keep them going. One has to recognise that in this modern age there are many ways of arriving at one common goal but the question is, which one of those many ways will be the most efficient way of arriving at the common goal.

Since the 1980s the maximum income limit on which national insurance is paid is \$3 100. Nobody can tell me that after 1981 up to today 2002 that the maximum limit can still be \$3 100. That is unrealistic and in my opinion regressive to those whom we regard as the masses for the simple reason that the masses who happen to be the main workers in Barbados in numbers and otherwise have to pay national insurance on 100 per cent of what they earn. Let me be quick to say that I am not saying that they pay 100 per cent of what they earn in national insurance because I once made that statement and somebody accused me of talking foolishness by saying that I said that they pay 100 per cent of what they earn. What I am saying is that they pay 100 per cent on what they earn. That is, if they work for \$30 they pay national insurance on that whereas some people in Barbados can work for \$50 000 a month and only pay national insurance on \$3 100. So the question is, how come we have acknowledged that there is something called inflation for many other things and we have not acknowledged that there is something called inflation on the maximum limit of income on which you pay national insurance.

I also believe that the unemployment system as it stands now creates unemployment and encourages unemployment. In a globalised world and with a globalised economy, we cannot have an economy which encourages people to be unemployed. Instead of that we should have an economy that encourages people to work. That is where the theory of 'Kellmanomics' will come into play because...

Asides.

Mr. D. St. E. KELLMAN: That was given by a distinguished Senator from another place. He understood well that as much as we talked about the King's theory and the Adams' theory that it is not the King's theory or the Adams' theory that is important anymore but the 'Kellmanomics' theory that will be used in the future. So it is better to encourage people to produce and punish them on what they use instead of punishing them for producing because in a small globalised economy like Barbados we have to understand that productivity and the capacities of producing will have to be the key because that is what will bring the increased foreign exchange for us. We also have

to understand that we have to look at systems that will encourage people to produce. I make no bones about that because the systems that are being used today are punishing people for doing the right things and that cannot be fair. We have to look for systems that will punish people for using things that are not produced in Barbados. One only has to look at the trade deficit of Barbados to understand exactly what I mean. That is why we need to see how it affects this particular amendment.

Asides.

Mr. D. St. E. KELLMAN: I will say this quite openly. I am one of those who are prepared not only to say these things on the Floor of the House but you can follow me every Friday in that distinguished newspaper and you will see that what I speak about I am prepared to write about because I believe that I have a contribution to make to this country. If I am deprived of making that contribution in any way I will use that avenue that has been opened to me to make sure that the country will not suffer from the inspired ideas given to me by the Lord.

Asides.

Mr. D. St. E. KELLMAN: I am not in competition with anybody. I want you all to know that when Jesus Christ came to this earth he was not in competition with anybody and he has set an example for all of us to follow and none of us should try to be more than him because we have to follow him. They say that the people from St. Lucy lives behind God's back but we know how to follow Jesus Christ.

Mr. Speaker, I am saying that we have to understand that there is a need to reform the National Insurance Scheme. The question, however, is whether Government has done the right thing. But once you have taken the direct approach to do that then you are going against the grain and in this day and age you cannot afford to go against the grain.

We have to understand what the workers are rebelling against. That is why I strongly believe that we could have easily achieved our goal by allowing the Consolidated Fund of Government to provide the necessary amount of money to be placed into the National Insurance Fund to make sure that this will not impact on the masses of people in Barbados and those small businesses out there.

We have to be proactive and I will continue to make this particular point. We have to recognise that we have to change the way we have been doing things because the world is forever changing and if we do not change, important changes will be made in the world and Barbados will be left behind and we will continue to blame the citizens of Barbados for our lack of progress when in truth and in fact

it will not be the citizens but the way we do things and the systems we have put in place. There is nothing wrong with the citizens of Barbados. What we need to do is to change the systems so as to make the necessary changes in the life of the citizens of Barbados.

2.10 p.m.

Mr. Speaker, I have already said that, in the past, one could have looked at indirect taxation as the enemy. Now I strongly believe that since the reverse credit has been introduced, we need not see the indirect taxation as the enemy anymore. There is now an economic tool that one can use and work to reduce the impact on the masses of people in Barbados. Once there is that tool, it should be used to its maximum to make sure that the economic situation in Barbados does not impact on the masses or on those who could least afford to bear the additional burden.

It is not an easy thing simply coming to Parliament and saying that it would be increased by .5 per cent. We need to put a figure to it and let us decide whether or not the Consolidated Fund could carry this increase on a yearly basis without impacting on the citizens in a direct way.

The citizens might be able to bear it in an indirect way and by doing it the way I am suggesting, the impact on the masses might not be as great as the way in which it has been done. In other words, let me know if there is the need for \$10 million per year in additional funds into the National Insurance Scheme. Let us quantify it so that we can figure out whether we can deal with another kind of tax that is not as direct, to get the money so that it can be transferred from the Consolidated Fund into the National Insurance Fund, instead of spreading it under a smaller base. This increase needs to be widened and to be imparted where it needs to go.

Mr. Speaker, I believe that as small as this .5 per cent is, it is going to be more regressive than we think. One cannot say that workers have been asked to go through what they had gone through under the DLP in the 1990s, that the people have not been able to enjoy the benefits over the years, yet Government is coming to put a negative impact on those workers, which results in additional pain.

Mr. Speaker, we have to understand what sacrifices were made by the workers and help cushion that sacrifice for them. This is one of the points of views that I will put. It is interesting that during the Honourable Member for St. James North's contribution, he mentioned the point of youngsters working at various ages. When the Honourable Member made that point, I remembered not too long ago I had warned the House to be careful as to how we jump to bring certain legislations to this House.

Mr. Speaker, I believe you will remember when we spoke to the issue of child labour. One thing I wish to say is that I will never support that concept of child labour in Barbados. What is child labour in other parts of the world is what we call progressiveness in Barbados. One of the things lacking is that sometimes we fail to allow our children to tap into the system from early. We have allowed other people who do not have the same rights and who would not have worked as hard as we did, to come to this country and to allow that to happen to their children whereas we feel that we cannot do it to our children because we see it as a negative, when, in fact, it is a positive.

There is no doubt that self-employment will be the answer to some of the national insurance problems. There is no doubt that there is no government in this world that could continue to increase the numbers employed within the normal civil service and public service spectrum. We have to advocate for more persons to go to school and to create the capacity for themselves and others to be creative. We have to develop that climate from early. That is not something that one learns after leaving school but it must be learnt from childhood.

To those persons in the world who advocate that child labour is wrong, we have to be careful they are not trying to push a different system onto us and to stop us from progressing, by trying to show it as a negative when, in fact, there is positive value to it.

I have seen that we were very quick to jump on that bandwagon while the other people were prepared to encourage their children to learn business from an early age. We, on the other hand, want to tap into the system and to tell our children that they should only learn business after leaving school. That is the biggest error. There is a practical and a theoretical side and the two must be allowed to work hand in hand. Once that is done, then the benefits from those systems could be maximised to increase the collection of the national insurance contributions.

We have to be very careful in this society. We have to understand that laws that have been passed outside and things that we blindly follow from the outside, are systems put in place only to mislead us. In my opinion, there is no doubt that many of the international rulings that I have seen within the last 10 to 15 years, should not be followed. Most of those rulings are not in our interest and if we follow them blindly, they would enslave us with a different mentality. We have to be careful. If we follow blindly all the cultural changes that are going on in the world, would we be able to collect enough money to put into the National Insurance Fund to fund what we have or what we want for our future citizens?

I have recognised that after the last Budgetary Debate, Government has cleverly put in the age 65 in a very effective way. In other words, 65 has just been slipped into the system where the Government cannot be accused of delaying any one's pensions. In other words, there is the right to an early pension but there is a cost to it. That is, if it is taken early, one would receive a reduced pension. The sweetness to it is that if it is taken late, one would receive a better pension. The truth is, those of us in politics who listen to the daily obituaries will know that previously what used to be a fifteen-minute programme is now an hour's programme.

Aside.

Mr. D. St. E. KELLMAN: It is now saying that it is okay to use the factor that we have more people living to the age of 100. Whether or not politicians on the Other Side want to accept it as a fact, more people are dying than they were previously. If politicians are proactive and are part of their constituencies, they will acknowledge this point. All of us have to start budgeting our times. Most of us who like and recognise that we are very close to our constituents in their time of grief, will know that within the last five years we have been called upon to attend more funerals than we have ever done. Now we have to allocate our time in a better way to be able to do those things to which we are accustomed, on a daily basis.

Sir, this is no boast but within the last week, I attended seven funerals beginning from Monday to Tuesday. It takes a lot out of you because previously one could plan their time in a particular way but now because of the importance to the constituency, attending this number of funerals per week creates stress and a loss of earning power, *et cetera*.

Mr. Speaker, one has to recognise the importance of these things. We can no longer look at one side of the equation, that is the few persons who are living over the age of 100 but we have to consider the number of persons who are dying prior to age 65. We have to see whether that number is either increasing or decreasing. The fact is with HIV/AIDS, diabetes, hypertension, cancer, *et cetera*, more people are dying now than previously.

I also want to remind the Minister that it is good to acknowledge that the maximum limit of \$3 100 was not previously taken into the equation but that he is now considering that it should be removed from \$3 100. I also want to enquire of the Minister that after giving the amount needed to make the National Insurance Fund right on a yearly basis, what impact will it have when increasing the maximum amount from \$3 100 to whatever will be on that amount or whether there is a need for that 1 per cent increase or whether he can make the switch from the Consolidated Fund and deal with this situation as an indirect tax rather than a direct tax because as long as it is a direct tax it will

impact on the masses of people at the bottom in a significant way.

2.20 p.m.

Sir, people will say it is only .5 per cent but .5 per cent means a lot to the people at the bottom of the ladder. In this country we tend to judge things based on our own position and what we see as being progressive might be regressive to other people and, as a result, we take things from those persons in the society who can least afford to lose them.

Sir, I support family planning but it must be practised by all citizens of Barbados and, therefore, I want to know if we could afford a cultural change in Barbados. We have a proud history, our people helped to develop this country and they have a right to behave as if they own the country for the simple reason that they have worked hard to make the country what it is today.

Sir, we cannot allow persons to come from outside and influence us in negative ways so that we are removed from the protective forces of Barbados because it will impact on the Treasury and our foreign reserves in a negative way.

Sir, as a small country we need to have all our citizens working and producing in order to be able to compete in the world. We have to look after our young people because if they are able to find work, they will be able to pay national insurance contribution and we would not have to discuss this matter today. I want to see opportunities provided for these young people so that they can contribute to this society.

Sir, if we are moving towards self-employment we have to look at the cost to that particular classification of persons because I think the cost to self-employed persons are too high. I might be wrong in this case but we cannot encourage people to be productive and then punish them. Over the years we have been punishing producers and this cannot be right. We have to compensate producers and once we do this, the capacity, earnings and the contributions towards the National Insurance Scheme will increase.

Sir, in this day and age, the best must come out of our citizens in order to carry Barbados forward. Our goal, at the end of the day, must be to better serve our country because we are in a competitive world. Previously, we tended to react but we now have to be proactive and know how to face problems before we are confronted with them. Sir, we must put systems in place even before we are faced with the particular problems.

We can now learn from our past mistakes and in the same way that trade in the world has been free, our workers must be free and capacity will increase in this way. Sir, if

capacity was increased in this country we would not have to debate this topic today because the right amount of contributions would be in the system as well as the adequate amounts to be invested in the system. What we are admitting is, we are not generating the amounts that we used to and our growth capacity is not what it used to be. Sir, we are not generating the GDP at the rate that we should be generating and that is a simple admission by the Government's side. Mr. Speaker, it means that we have to find a way to increase capacity. The only way that we can solve this problem is by increasing our capacity.

2.30 p.m.

For example, if we increase the capacity by 15 per cent do you know what that would mean to the Minister of National Insurance, providing he makes the other changes that I mention? He would have such a surplus, he would not have to come and ask for an increase in the rate of NIS. Since we do not have the capacity, he now has to increase the rates.

Asides.

Mr. D. St. E. KELLMAN: Sir, it means that this increase could be temporary but we must do everything to make sure that we increase the capacity. Sir, if you have been following what I have been saying, we do not have to do this. We have to encourage people to work and produce and at the end of the day they must feel that they are producing and working for themselves.

We also have to recognise that our trade deficit is also an indication of what we should and should not do. We need to look at these things. We cannot look at these problems without looking at the whole picture that is the problem in Barbados. We tend to operate piecemeal without realising that we need to take a total picture to arrive at what we want to achieve.

Mr. Speaker, I hope that we will be able to debate this even after this Bill is passed today, the Minister will also reconsider a lot of the other things that I have said. At the end of the day the worker will have to be regarded as the golden goose. We must understand that the more imposition that we put on the workers, the more we will deplete their capacity to produce because there is something called frustration. All of us know that once you are frustrated, you cannot produce. What we need to do is to create the climate for workers to be happy and to feel that they are truly being rewarded for what they have worked hard for.

Sir, it is time that we as politicians start to straight-talk our citizens in Barbados. I once said at a political meeting, at Harts Gap, that if Barbadians are not careful, they would

find themselves as second-class workers in their own country.

Sir, when one looks back and sees how Barbadians have worked to build Barbados, it is regrettable the way that work habits are being looked at today. The majority of the habits have nothing to do with the way Barbadians work but it has to do with the system that we have in place. We have allowed other people to have capacity to move forward while we restrict the capacity of Barbadian workers. We have to do something quickly to bring Barbados back to what it used to be.

Sir, it pains me to hear people make comments about Barbados. There are people that I know who used to work very hard keeping stocks and kitchen gardens and the system has changed everything about them. The system has now created more of a sports Barbados than anything else.

Asides.

Mr. D. St. E. KELLMAN: Previously, people used to work but all of a sudden we have changed them to be playboys, not recognising that what we are doing to Barbados is not good. We need to introduce measure to encourage Barbadians to get back to moonlighting.

Asides.

Mr. D. St. E. KELLMAN: Mr. Speaker, all of a sudden backyard slaughtering is wrong. Everything is wrong. This is part of their culture. We need to make sure that these things come back to Barbadians so that they develop their capacity.

Asides.

Mr. D. St. E. KELLMAN: Sir, the sweetest thing is the pork that was slaughtered in the backyard. Do you know why it is the sweetest? You knew the pigs were being fed and you were able to watch the pigs grow from one stage to another. Now we are eating pork that ...

Asides.

Mr. D. St. E. KELLMAN: Sir, we are now eating pork from overseas that is being fed with hormones.

We would like to believe that there was some common sense to the legacy that our foreparents left us. We cannot believe that we have progressed by ignoring what they have left us. We have to find a way where we can still develop the habits because there was some culture to it.

Mr. SPEAKER: Honourable Member, I know you have unlimited time but surely use the time focusing more on the essentials of the Bill that is before the House, please.

Asides.

Mr. D. St. E. KELLMAN: Sir, a lot of people believe that Star Wars never occurred. They were not just fiction. They were real.

Asides.

Mr. D. St. E. KELLMAN: I hope that in five or ten years they would put systems in place to make sure that contributions are increased by capacity and not by only increasing the rate.

I thank you, Sir.

Hon. Sir Harold ST. JOHN: Mr. Speaker, in the course of the support of the Bill it affects my own constituents and I believe that it is the experience of many other members of this Honourable Chamber. It relates to the 'Gap', as I call it, in our Social Security legislation which has arisen constant upon the determination by the National Assistance Board, that people who do not provide evidence as to reasons why they make no contribution to the National Insurance Scheme become ineligible for a non-contributory pension.

Sir, I was one of those persons who was part of a Cabinet that decided in 1981 to shift, as a matter of policy, the responsibility for payment of all pensions in Barbados, contributory and non-contributory, from the treasury to the National Assistance Fund. It was done after an elaborate exercise was undertaken. Whereby the consequence to the fund was accessed and a determination made that the contributions of employers and employees would be increased to reflect the liability created by a shift of non-contributory pensions on the fund.
2.40 p.m.

I am clear in my head, Sir, that as a result of all the information that has been published that this was a wise decision. It is not correct to say that the shift has resulted in decreasing the National Insurance Fund. Consequently, it is necessary now to make these provisions to ensure the viability of the Fund in the future. My understanding is that the increase in contributions amounted to more than sufficient to pay the cost of the burden of the payments to the non-contributory fund and that there was, in fact, an excess which has gone to the credit of the Fund.

I have heard it repeatedly stated by officials of the National Insurance Fund. I heard it repeatedly stated by the Minister of National Insurance. It has been written in the newspapers by the Director of National Insurance,

notwithstanding that there are still those who advocate the view point that this is a major reason for the change.

Sir, I would like to hear from the Honourable Minister what is going to happen to that group of people in Barbados who, for very legitimate reasons because of the nature of the economy and the jobs that are necessary to be done by a group of people, who do not have a specific employer for any length of time in a week, but have a lot of employment from various employers. Sir, what will happen to people, who are engaged in such activities as fishing, who today may go on one boat and tomorrow on another boat and things of that kind.

There is no doubt that every MP would have come across a situation in which the people above the age of 65 who today, are not eligible under the existing rule for non-contributory pensions, and have to rely solely upon convincing a welfare officer that they should be eligible for some kind of national assistance.

Sir, it was envisaged when this Scheme was amended in the 1980s, that provision would have to be made for that type of person, because it was always understood that the gap between the non-contributory and the contributory should widen over the course of the years. Sir, there would be a definite and definitive inducement for people to make the contribution to the Fund, so as to be able to build up the number necessary to obtain the eligibility that was set of a contribution of \$500.

Sir, we have found ourselves in the position where we do not have, in my opinion, a holistic approach to this problem. I am hoping that the gap which is easily identifiable now, would be closed. My understanding of the situation was that the burden of a non-contributory pension, for new eligible people, will now fall on the Treasury.

I want to know, Sir, having repealed the Old Aged Pension Act, what is the criterion that is going to be used? Who is going to administer it? What can an MP tell his constituents, some of whom because of their own habits, no doubt, do not always encourage sympathy in the administrators of the National Assistance Board? The point is that some are generally in need, and some have been indulging in occupations which, by their nature are such, as the Honourable Minister said, that the level of people they have, it is not for them to make a contribution to any further scheme.

Sir, this is a very serious problem and since I belong to a Party that has spent a great part of its existence in endeavouring to make sure that there is a level below which no person in Barbados should fall, irrespective of whether or

not it is their fault, I am hoping that this gap will be filled and sympathy will be drawn to the Government's policy in this respect.

I support the Bill, Sir, and I believe that Actuaries and others have determined that, having regard to the pattern of demographics in Barbados, it will be necessary to buttress the contributions to the Fund, so as to ensure that in the future, the Fund will be sustained. It is usual, because of a review of the social security systems in many other parts of the world, particularly in Europe, for vindication. Their demographic situation is such that they also have to ensure that there is a reform of the contribution rate, in order to ensure the viability of the Fund down the road.

Sir, I do not think that Barbados is in anyway unique in this respect. I believe that it is a wise decision on the part of administrators of the Fund, who brought it to the Government, and the officers who carried out the necessary actuarial valuations and determinations, which are necessary to ensure that we need to have these amendments.

Therefore, I have no difficulty in supporting the amendments, Sir.

Hon. Miss B. A. MILLER: Mr. Speaker, Sir, I am very well disposed to lend my support to the matter before the House. There are a number of realities which, we in the developing world are facing, Barbados not least among them. Certainly, the measure that we are at this time debating, is all part and parcel of that reality. The reality of globalisation and trade liberalisation are generating themselves in a tremendous ripple effect. The movement that we see across the world to pension reform is part and parcel of that, Sir, as we say.

Many years ago, at an earlier time in this administration, we brought before this distinguished Chamber, Sir, legislation in respect of the Value Added Tax (VAT). This generated a great deal of dispassion both inside and outside of the Chamber, as is expected in Barbados and I would be shocked if it did not happen in Barbados. After all, Barbados is perhaps one of the most participatory of Parliamentary democracies that we know of...

Asides.

Hon. Miss B. A. MILLER: Yes, this is a major, major plus, this is an A+ for us and a great deal goes to that, so what we hear on the call-in Programmes, what people write to us in the Press, what people write in letters, the conversations that take place on the 'block', the conversations that take place on the rum shop steps, all of that is part of the public dialogue and debate. It just so happens that this Chamber is reputedly the highest

Committee in the land, and as the people's representatives and those whose task it is to legislate, that we have the opportunity to debate it in this context. So this is not something out of the blue.

2.50 p.m.

As was pointed out by the Honourable Minister when he introduced the amendment, this is part of an ongoing process in respect of our social security. It is one of the first portfolios I held as a Minister of Government. In 1976, I was made Minister of Health and Social Security, national insurance as we call it.

The investment portfolio of the scheme still continues to be monitored and carried out as it was then by the Ministry of Finance and Economic Development but it has been put into the portfolio of the Ministry of Labour now. I like to think that I know a little about what I am saying here and so this is very important.

Too many people tend to see things only in a microcosm, separate from everything else, but we are all interconnected. The poets said a long time ago that none of us is an island. However, we are not going to create a modern system of governance in Barbados if these things do not happen. Those countries where they are being postponed into oblivion or being put off for all kinds of reasons are going to pay the price and pay it shortly because the new technology today drives this entire process at a rate that we have never contemplated in our lifetime and I do believe that it is going to escalate even further. So I have to compliment the Minister, the Honourable Member for St. James North, for bringing this matter before the House.

This matter had wide participatory dialogue, discussion and debate in Barbados at all levels. As recently as a few nights ago I heard ongoing discussion of this on a radio programme. Even in the middle of the day there is ongoing discussion on this at all levels in our society which is a good and healthy thing and I wish to lend my support to it.

Reference was made by the Minister to family planning. I have a little knowledge on this matter and I think we need to see this in its proper perspective. Family planning in Barbados for most people tend to mean only one thing, smaller families but there are places in the world where people want larger families and where they want population shifts to occur in one place or another. Family planning is a tool which is used to increase or decrease families or whatever you would wish it to do. The reality, however, is that family planning or planned parenthood as it is called in other jurisdictions does not by itself work any social miracle. The reality in Barbados is that family planning and development, in our time, which is an ongoing

process has done much to enhance not only the quantity of life but the quality of our life as well.

Family planning together with the massive investments we made in health, education, housing, training, roads and infrastructures has brought us to this point. Barbados was one of the first countries in the world way back in the early to mid 1950s where its Government gave support to family planning as an institution and as a social tool and still does. Successive governments have done that in Barbados. Barbados is one of the first countries in the world where Governments saw family planning not in the narrow confines of health only but in the wider context of economic development and economic planning.

Family planning imperatives inform our Ministry of Economic Planning years ago before that was even the case in many developed countries of the world. So when people speak of the success of Barbados as an economy, as a country and as a society all of those things go together because no one thing has worked the magic. If it is one thing that has worked the magic, then by the grace of God it has to be the people of Barbados who had the wisdom to understand and to use these things to the best of their advantage and not just for the sake of it.

We have come to a place in Barbados where maternal and child health, maternal and child morbidity, maternal and child mortality... You could hardly find the statistics. I asked the Clerk to bring me the most recent annual report of the Chief Medical Officer of Health in Barbados. He brought this report of 1996 which is a very interesting document. I always read these documents and I look forward to them. If you look at page 16, this is already a document of the House, Sir, you will see the population pyramid of Barbados covering the years 1994 to 1996 and it is an amazing thing, for comparative analysis. If you compare this population pyramid for Barbados for 1996 to that of 1980 which is just about 15 years or so, it is incredible how this pyramid has changed. The largest age cohort in 1996 was the 25 to 44 age group with 25 000 persons.

Barbados in this 21st century has been greatly assisted by that planned parenthood. As the 21st century goes on and as the population pyramid changes and the population and the health profile of Barbados... Barbados for many years now has had a developed country health profile. Let us look again at this report to see the ten leading causes of death and the ten leading causes of hospitalisation. You do not see now infant mortality, infant deaths, in the ten leading causes of death. When I was a child, you saw that but you do not see that now. In the ten leading causes of death you are seeing things that you see in the developed countries like diabetes, heart disease and HIV/AIDS. HIV/AIDS is now a greater

cause of death than cancer, including cancers of the prostate and the breast which are the leading causes of death by cancer in Barbados. This is a very serious thing.

The leading causes of hospitalisation is pregnancy and childbirth but that is in a plus because 90 per cent of the children that are born are born in the Queen Elizabeth Hospital and unlike many places in the world we can track those children before they are born. Unlike many cases in the world, we can track the average number of visits that a mother would make to a clinic or to the hospital during the time of her pregnancy in 9 months. These are the things for which people envy Barbados. These are the things that, in this generation now, we take for granted but this is the substance of years and generations of sacrifice. We have never cut back on the social sectors even in hard times or in times of global recession. We understand that the social sectors are productive too and they cannot go forward without that sure underpinning that the social sectors provide. In this administration we continue to do that. Sir, EduTech is part of it, ongoing into the 21st Century. 3.00 p.m.

Mr. Speaker, this improved quality and quantity of life is reflected in greatly improved health and in the form of longevity. Less than 100 years ago, 65 years was not even the age of life expectancy in Barbados. In 1996, the life expectancy was approximately 72 years for men and 77 years for women. It is now higher. When I was a child, 65 was the age for life expectancy, now it is the age of retirement. Therefore, what is the point of having made this massive monumental investment to give people a better quality of life if one is not now going to exploit it to the benefit of the greater community. That is why, over time, the retirement age will rise.

It seems to me to be such a natural progression. What concerns me though – and I see it being reflected in the Chief Medical Officer's Report – is the number of what I will describe as 'self-inflicted' illnesses. This is another feature of developed countries life. We have to be more selective about our quality of life and our lifestyle. Today many young people are reflecting on the older generation's lifestyle; what they ate, thought and did and are recognising what merit was there.

Mr. Speaker, what is the point of making this investment as we have done over the past six years in all of these social areas. We now have a Ministry of Social Transformation bringing about that social transformation that will now not only alleviate but eliminate poverty. What is the point of this if we do not now exploit?

Sir, today in this 21st Century, people are not going to be retiring in the sense of just going home and lying down or

to look up at the ceiling but are going to be doing other things. There are many of my contemporaries who are now retiring and are having a wonderful time. I listen with interest to all of the interesting things they are going to do and are doing. Because of that magical wisdom and experience they are now giving back to the communities in so many ways. They are not looking for monetary cost but for satisfaction, while some see it as a way of giving the greater glory to God.

Mr. Speaker, I have a concern about HIV/AIDS because it is attacking our population, not only in the productive but the reproductive age cohort. Some years ago when the Honourable Member for St. James South was in the Ministry of Health and taking the best advice, this administration took the decision to move very swiftly and to introduce the AZT cocktail and other anti-retroviral drugs to those pregnant mothers who were HIV positive. As soon as that system was put in place, we virtually saw an immediate fall-off in babies being born HIV positive. That is why it is very hard to find any discernable statistics in the Chief Medical Officer's Report in respect of infant mortality even now relating to HIV/AIDS. Though the Report ends at 1996, I would be interested to know what the statistics would look like during the years 1999 to 2001.

Mr. Speaker, I think Barbadians are beginning to understand why the Government had to move with such speed and deliberate effort to arrest the damage that the HIV/AIDS pandemic was wreaking on our population. The National Insurance Scheme depends on that age cohort. They are the people who are working and are contributing to the Scheme to support those who have not yet come into the workforce or those who have retired, having made a contribution to what becomes their pension. We see persons with HIV/AIDS in that age group. It is that age group upon which the generation that is going into retirement now and the immediate future is going to depend.

Sir, what I am saying is that adjustments have to be made. Life is about choice and change. Successive governments, populations and societies have made their choices in many years. They have made choices in the ballot boxes and in their life styles. That is something that, as a people, we have to concern ourselves about. We have to look at what these 'self-inflicted' illnesses do. We know what smoking does. It is non-controversial. We know what alcohol does. People talk about what we call the hard drugs but the most abused drug of all, which has a certain social acceptability, is alcohol. Alcohol does more damage in terms of days away from work; accidents on the roads and in the homes; in respect of exacerbating diabetes, hypertension, heart diseases, cancer and a host of other illnesses.

Again we have to look at our lifestyle in relation to what we eat. When one looks at the ten leading causes of deaths...These are statistics that people at the National

Insurance Board, the Actuaries and the medical personnel who advise them look at.

3.10 p.m.

This is what helps to inform the long-term decision they have to take on how the population will be serviced because these illnesses are generating more morbidity than we used to have.

Sir, in the 1980s we thought that many of the old communicable diseases had disappeared from Barbados but many of them are coming back because they are associated with HIV/AIDS and the social Ministries, the NGOs and civil society as a whole will have to address the problem.

Sir, I approve of this legislation because people are given the choice and they do not have to work until age 67 unless they want to. It also gives people time to make the financial and other family adjustments they have to make in order to plan their years of retirement. In my opinion, it is an excellent piece of legislation. It is a well-thought-out amendment coming before the House that is looking to the future and I am happy with the public discussion and debate it has generated.

Mr. Speaker, I want to use this opportunity to appeal to everyone to be more careful about those illnesses that we unwittingly inflict upon ourselves. We have a health care service which affords an opportunity to do better if people would only do their routine check-ups because these illnesses can have a cumulative effect.

Those in my generation and the one before mine are living longer than their parents and grandparents and this piece of legislation would be important to them. I remember making this same speech in the early 90s. I said then that down the road, the population pyramid would look much different and that we should prepare for it. The process has started but it is not as well advanced as it should be but major adjustments will have to be made in this Chamber because it is important.

I welcome the opportunity to make a contribution in a debate which puts this amendment before us so that our social security system can continue to be secure for those who need it. The Minister said that one of the options opened to him was to do nothing but, Sir, life is a constant change and I believe we are making the correct choice today. There are rumours of war and global recession and that this type of issue could be employing the attention of our Parliament speaks volumes for an administration which is caring and far-seeing.

Mr. Speaker, I am much obliged to you.

Hon. R. C. EASTMOND: Mr. Speaker, I owe a debt of gratitude to all Honourable Members who have taken part in this debate.

The Honourable Member for the City was the first person who said years ago that the population of Barbados was becoming an aging one and this was also before the 9th Actuarial Review was undertaken. The Honourable Member also discussed the health related matters that this would occasion.

Mr. Speaker, the Honourable Member for St. Lucy appeared not to appreciate that this matter has been urged by professional Actuarial advice. These people spend a lot of time and energy analysing where the National Insurance Fund is at the moment and that it could crash if the necessary safeguards were not taken.

Mr. Speaker, I want to make a few comments on some of the contributions made today. The good contribution from the Honourable Member for the City explains the number of challenges facing social security. The Honourable Member said that the risks facing national insurance are great and that there are a number of preventable diseases that affect our people and she implied that ultimately these diseases not only cause people to suffer but that they bear on our social security system.

Sir, imagine a 28-year-old man who is often absent from work because he has a drinking problem. He is certified as being sick, gets sickness benefit from the national insurance and dies from drinking at the age of 31 and his relatives receive a funeral grant. It is highly probable that he would have received more from the fund than he contributed by his frequent leave and premature death.
3.20 p.m.

Mr. Speaker, however you look at it, a private commercial insurer would, when confronted by a high risk, increase either contribution or premium spectacularly or refuse to cover that risk.

For example, suppose a fellow is 31 years old with a known history of drug use and alcoholism goes to a private insurance company life insurance protection, the insurance company, through having an intelligence network, finds out that this fellow's lifestyle is such as to commend him to an early death, rather than insure him, they would turn him away. In the unlikely event that they insured him, they would insure him on terms that he would give up drinking immediately and that he pursues a form or health regimen that would help him. However, with the National Insurance, which is mandatory and compulsory, the National Insurance Scheme does not submit people to the same scrutiny that private life insurances do. In many respects the National Insurance system is the epitome of life assurance. Life

assurance is on health and eternity but the National Insurance covers those things and more but the system is mandatory so long as the person is employed.

Sir, I really appreciate the excellent submission made by the Honourable Member of the City of Bridgetown, both as a Minister and a Parliamentarian, who has brought the full weight of her experience, to bear on this debate. The Honourable Member for Christ Church South asked a very pointed question. It is a question that we have to sit soberly and look at. We have to look at it in a detached way. Ultimately, any Government should commit itself to social justice.

Sir, the concern which the Honourable Member for Christ Church has is this. In instances where a person is disqualified from receiving a non-contributory pension, you would conclude that he would be disqualified from receiving anything. Sir, the non-contributory, if he lasts is in the taxonomy. If you do not qualify for a non-contributory you will get nothing at all.

The Honourable Member for Christ Church asked this question. How, when through no fault of his own a person is disqualified from receiving anything, we, in a situation of social solidarity, would still not give him anything, at the same time justify our continuing refusal to be benign to him?

Mr. Speaker, the fact is, there used to be a time when such a person drew his non-contributory pension. We had the very unfortunate spectacle of a well-known lawyer. I use the word well-known as a neutral term. I am not saying famous or infamous. This lawyer never paid any NIS contribution for the entirety of his career. When the age of 65 descended upon him, he went to the National Insurance and insisted on receiving a non-contributory pension. The same way that a colleague of equal we 'well-knownness' went into the National Insurance as if to say 'Look I here. I know I never pay a cent. Take my 10 years' contribution today.'

Asides.

Hon. R. C. EASTMOND: Sir, the people explained to him the way insurance works. You cannot wait until you retire to come and pay all of the contributions. So he was turned away.

Two well-known lawyers made the National Insurance wise to the fact that they were self-employed people who never contributed but who wanted to draw a non-contributory pension. There is a self-employed man in this country of enormous means and who is a major employer, who has never contributed to the National Insurance. There is a leading establishment on Roebuck Street that never paid contributions for 37 years on behalf of the employees.

Sir, even when their property is compulsory acquired to make way for the development of Roebuck Street, we are not going to come out any wiser when the Government garnishes the National Insurance contributions before the Government pays the compulsory acquisition compensation. That entity is going to receive compensation for the compulsory acquisition. Ahead of receipt of that compensation, the National Insurance will garnish but we still will not recover those 37 years of default payment.

Mr. Speaker, a business with good clients and a business that is always packed with good money, how can you do this to your employees for 37 years? You do not pay a cent for them and some of these people have worked with this establishment for 40 years.

Asides.

Hon. R. C. EASTMOND: We have this problem which expressed itself in a total indebtedness of \$139 million owing to the National Insurance. Come January, February and March 2003, the Board of the National Insurance will likely approve a policy of publishing in the press the names, addresses and contact whereabouts of all defaulters to the National Insurance Scheme. Come 2003, every entity that employs poor working class Barbadians and has been in default with the National Insurance, will have their names published in the Press.

Mr. Speaker, how fair can it be that a 22-year-old girl, who wants maternity benefits and who, when she went to draw her maternity benefit, is told that no contributions were paid on her behalf? How fair can it be to that young man, who every week sees deductions come out of his pay and when he falls ill and claims from the National Insurance is told by the National Insurance that his employer did not pay contributions on your behalf? It cannot be fair to these people. Too many businesses continue to deduct people's money under the guise of National Insurance contributions and apply it as cash flow for their businesses.

Sir, the National Insurance has a policy where if an entity is hard-pressed, for example, a company called XYZ Limited finds that it is difficult for them to pay National Insurance, they can go in and make an arrangement to pay. I know a company that somehow built up arrears and they went in on bended knees and with due humility begged for time to pay. After the National Insurance Scheme took a very significant down payment from them, they gave them a moratorium. National Insurance does not oppress nor should it ever be seen as a form of taxation.

One of the weaknesses with the contribution of the Honourable Member for St. Lucy is, there were times when I was tempted to believe that what he was saying was

approximating NIS for taxation. It is not taxation. It is really an investment in a fund for the benefit of people who suffer sickness, employment injury, disability, invalidity *et cetera*.

Asides.

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is misleading the House. The Honourable Member is saying that I am referring to National Insurance as taxation.

Mr. SPEAKER: The Honourable Member is dealing with what was said. That is how you must respond.

Hon. R. C. EASTMOND: Mr. Speaker, I would apologise to the Honourable Member if he misunderstood what I said. I said that I was tempted to conclude, based on the manner in which he made his presentation, that he was oft equating National Insurance as an unwelcome imposition of income tax.

Sir, the Honourable Member oft referred to the Consolidated Fund and did not place it in the proper context. If the Consolidated Fund ever paid any money under the guise of NIS, it is promptly reimbursed. In other words, if the National Insurance Scheme paid non-contributory benefits to the poor of Barbados, there is a system by which they will be reimbursed.

Mr. Speaker, I thought that Honourable Members were supportive of the Bill. I will assure the Honourable Member for Christ Church South that we would look very dispassionately and fairly at those persons, who through no fault of their own, do not earn a right to a pension. We have to ensure to look at people who lived overseas and worked overseas for years, return to Barbados and spend four or five years working in Barbados, having worked abroad. Already there is in place, going back to the efforts of the Honourable Member for the City, a reciprocal arrangement between the United Kingdom and Barbados where if you work in the United Kingdom and come to Barbados, there is a system of set off by which the two systems work in cohorts with each other to indemnify the pensioner.

3.30 p.m.

The time has clearly come for us to look at Canada and the United States of America (USA), in view of globalisation and trade liberalisation. There are Barbadians who work in Canada and the USA and pay national insurance in Canada, the USA and also in Barbados. Sometimes they are very doubtful and unclear as to whether they should pay both, that is in the country they are currently working and in Barbados.

Sir, we have to look at this, with the view of doing what we have done in the United Kingdom. The reason being that in the same way we were able to work with the authorities in the United Kingdom authorities for some time to get a reciprocal arrangement, we are going to have to look to see if we could have more reciprocal arrangements with other countries.

In this new era, a boy of 17 years old in Barbados now, by the time he reaches age 60, could end up working in six or seven different jurisdictions and he would have to be alert to the inner worker of taxation law, NIS law and such laws. In an era of trade liberalisation and globalisation, there will be employers duty bound to make contributions, in Barbados, for employees. They may move these employees abroad, and then implications as to their statutory duty here will, naturally, arise. Sir, we are going to have to look at all these things very carefully.

I accept the Honourable Member for St. Lucy's position that a person who worked for \$7 000 or \$8 000 a month is really, indeed, fortunate because they did not have to pay national insurance on \$7 000 or \$8 000. Under the current law, he paid national insurance only on \$3 100 a month. While a man working for \$210 a month paid national insurance on \$210.

Sir, to help the Honourable Member for St. Lucy, he does not pay all \$210 in national insurance. The point the Honourable Member for St. Lucy wanted to make is that when you take into account his contribution to national insurance, bearing in mind he is working for \$210 compared with a person working for \$8 000 who only pays for \$3 100, then, the argument the Honourable Member for St. Lucy talks about, regressiveness and such like, gathers some weight.

Mr. Speaker, there are Honourable Members on the floor of this House who take a keen interest in these matters and because of the pressure of time, a lot of them were not able to take part in this debate, but this debate is by no means over. It will engage the attention of the Other Place very soon. I am sure all Honourable Members from the Other Place can feel free to collect their briefs from the Honourable Member of Health by now. I think he is the Leader of the Other Place but we are going to have to come back here to consider that \$3 100. We are going to have to come back here also to look at the question of regulations, as they concern the technical mechanics of how to compute claims.

This Government to its credit, has increased the funeral grant and the maternity grant. I do not get the impression that the message has gone through sufficiently in this country at a time like this, not because of the new legislation, but because a certain hour is threatening.

Aside.

Hon. R. C. EASTMOND: Honourable Members, certainly on This Side, would do well to remind Barbadians that this enlightened Government, under the astute and brilliant Right Honourable Member for St. Peter, has been able to increase both the funeral grant and the maternity grant.

It is true that in a non-ostentatious manner, we did it but we were not asked to go out there, and Barbadians can be sure that we will use every opportunity to continue reassessing the national insurance scheme. By law, every three years, there must be an actuarial review. Certainly, it is politic for any political organisation to look at the workings and methods of our National Insurance Scheme.

I welcome Barbadians' interest in these matters. The Honourable Member for the City would want me to say that although there is no statutory requirement for a member of Parliament to pay, they do not have to pay as a matter of legal duty, but Members of Parliament pay out of an abundance of caution and in the interest of their own long-term sense of security. There must have been a Parliament in the history of the Caribbean when there were Members of Parliament who are a little bit lapsed and did not pay NIS, and then died paupers. Sir, that reality is one which is by no means unfamiliar to Honourable Members.

Sir, the rationale behind excusing Members of Parliament from paying is that they are not real employees. They get elected the 1st of January one year, and if you check them six years after, they are somewhere in Baxters Road 'bumming' a ride or catching a bus. They are not elected members any more so they are not working anywhere.

Aside.

Hon. R. C. EASTMOND: Mr. Speaker, each Member of this Frontbench, from September 1994, out of a sense of civic duty and a high sense of patriotism, voluntarily paid. Sir, most of them pay the highest, which is an amount close to \$1 875 a month – although they are not duty bound to do so – for fear that the parliamentarians in another Caribbean country, of different eras who died paupers, could visit them, in dreams or in their sleep, and remind them of what penury could descend upon those who do not pay.

Asides.

Hon. R. C. EASTMOND: I would not use this occasion, Mr. Speaker, to beg for better terms of service for Members of Parliament. There is no doubt that a future Parliament is going to have to look at that but, clearly, in the context of how Members of Parliament pay, if you could pay how the Honourable Member for Christ Church East pays

his NIS every month, a person who is making that money in the private sector, finds that the employer contributes and the employee contributes. The Member of Parliament for Christ Church East contributes 100 per cent, while a counterpart in the private sector gets a contribution done on his behalf by the employer and he then tops up the balance. We are, indeed, disadvantaged.

Aside.

Hon. R. C. EASTMOND: Mr. Speaker, I conclude this by urging all young Barbadians to know that what we are doing is not far-fetched. There are children in Barbados today two to five years old. In the year 2059 they will want the assurance that we were so mindful of their condition that, today, we are bringing innovation and reform in their interest. Sir, I repeat the point. We owe it to posterity, to be responsible enough, to ensure not just our children's future but their children's future.

With these remarks, Mr. Speaker, I beg humbly that this Bill be read a second time.

Hon. R. D. MARSHALL: I beg to second that, Sir.

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

On the motion of Hon. R. C. EASTMOND, seconded by Hon. R. D. MARSHALL, the House resolved itself into Committee, Mr. D. CARTER in the Chair.
3.40 p.m.

COMMITTEE OF SUPPLY

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

Clauses 1 – 5 inclusive, were called and passed.

On the motion of Hon. R. C. EASTMOND, seconded by Hon. R. D. MARSHALL, 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. R. C. EASTMOND, seconded by Hon. R. D. MARSHALL, the Bill was read a third time and passed and cited as the National Insurance and Social Security (Amendment) Act, 2002.

ORDER NO. 10 – LAND REGISTRATION ACT, CAP 229

Hon. G. A. CLARKE: This Bill before this House seeks to delete sections 14, 15 and 15(a) of the Land Registration Act.

Those Sections of the Land Registration Act which was proclaimed in 1988 was specifically included to help those sporadic registrations of persons who wanted their parcels of land registered who were outside of the registration districts. It was always envisaged that there would have been sufficient surveyors in the island to help with the unplanned process of surveying and registration. However, once the country had moved to the system of land registration it was always difficult to police the ones outside of the registration districts.

Of course, from time to time we have introduced registration districts and we have been careful enough to examine those parcels of land. The Land Registration Act envisaged that very soon Barbados will have a full registration system thus making it easier for titles to be given by the Commissioner of Titles as well as the Registrar of Titles.

Mr. Speaker, since 1988 we have had to suspend sections 14, 15 and 15(a) on about five occasions. In 1990, 1993, 1996, 1999 and 2000 we had to suspend those sections because we did not have enough surveyors in the island to survey the parcels of land. In fact, we have been told that once you have a registration district and persons outside of the registration district appeal to the registrar to survey his land, he had to get the Commissioner of Titles as well as the surveyor in the process, so we are asking today to delete those sections. I know that there are many in the legal fraternity who have asked that we only suspend them. However, since we have suspended them on five occasions already, it was the view of Government that those sections should have been held in abeyance but the Attorney-General has advised us that it will be better for us to delete those sections and if the time comes that we are in a position, but I do not think we would ever be in a position, then those sections could be brought back in different sections.

Mr. Speaker, there is no long debate to this Bill because we are just asking that those sections of the Land Registration Act be deleted and that the other sections which are part of the Act continue as normal.

With those remarks I beg that this Bill be read a second time.

Hon. R. D. MARSHALL: I beg to second that.

Hon. Sir Harold St. JOHN: Mr. Speaker, I do not know how much notice other Honourable Members had but I believe that this Bill was recently circulated.

This Bill relates to the fundamental area of the law in which neither administrations can be proud. Let us put this Bill in the context of the reality. Neither under the Democratic Labour Party nor under the Barbados Labour Party has land registration been carried out with any degree of reasonable efficiency. Let us get that clear. We have been playing around with this now since, I am going to get the date, Sir...

Asides.

Hon. Sir Harold St. JOHN: This Bill was passed in 1979. What are you telling me?

Asides.

Hon. Sir Harold St. JOHN: That is the problem. It is a known fact that conveyancers in Barbados do not wish to have this Bill with all of the profound changes at the highest, operating in a manner in which it should be operating.
3.50 p.m.

Mr. Speaker, today I cannot give my vote to this Bill which seeks to amend a fundamental part of the law, known as sporadic registration, which permits land that is outside of the area of compulsory registration, to be registered if the owner so wishes. That is a very valuable provision in the law. The alternative is, to go through a process known as 'passing land through title' an old fictional device which is time-consuming. I am not going to say costly because there are complaints before the Barbados Bar Association under the Legal Profession Act where people have complained that for them to get a title for land on the West Coast, lawyers have demanded a percentage of the sale price in order to finalise the transaction. I am not going to speak to that because that is a matter that has to be dealt with by the Barbados Bar Association.

The way in which this law has been put into the Act is to get rid, basically, of the old title suit. As I said before, there are a number of people who have been able to successfully lobby respective Ministers of Housing and Land, that this is difficult to implement.

Sir, this is supposed to be an efficient country. This Bill has been going since 1979. How many titles are on the register since then? As I understand, there has been a large number of adjudications but there have not been many titles. What is the problem? I cannot understand how a Ministry under successive administrations... This is a fundamental matter. I believe that titles to land should be registered. We

are playing around with this system today in Barbados from 1979 to now and yet, we are hearing there are severe difficulties. How is it that when countries like the British Virgin Islands, the Cayman Islands and St. Lucia can trace the land that they have, using modern satellite photographers identify the individual parcel by modern technology and putting the land on the register so that identification of the parcels do not become a problem. In the land law, it is very simple. No land registry system guarantees boundaries. Boundaries are only approximate. Therefore this talk about precision mathematic, *et cetera*, is a lot of bumkum. It is an attitude so as to ensure that the end result of the politicians who wish to bring it into force, never comes into force.

Sir, I cannot see how this serious matter can be dealt with after such short notice. Has this Bill been circulated to the Barbados Bar Association or to anybody else? I do not know. This is a very peculiar country when it comes to legislation of special interest. It is one of the things to which I always speak. How can we get a small minority to manipulate a legislative process in order to get what they want? Sir as far as I am concern this matter needs much more thought and should be postponed. It is too profound to deal with when we only had one day's notice. That is my position. I thank you.

Hon. R. C. EASTMOND: Mr. Speaker, I am going to be of help, not only to my colleague but to this Honourable House.

If one looks at newspapers on a regular basis, setting out therein one normally sees notices such as "In the Supreme Court of Judicature," "The Plaintiff", "The Defendant", "The above property is set up for sale at the Registration Office at 2.00 p.m."

Mr. Speaker, these things are called foreclosure suits. The Honourable Member for Christ Church South has correctly said that one way of getting around these foreclosure suits – and they present problems – was to have registered titles and to apply registered titles universally in Barbados.

Mr. Speaker, let me first begin by looking at the origin of registered titles the way I understand it. I am not rejecting what the Honourable Member for Christ Church South has said when we consider the tiny country of the Cayman Islands and Tortola but St. Lucia has always had a history of French-code type law much more so than Common Law. The Honourable Member for St. John is intimately familiar with the legal system of St. Lucia and will tell you that, at an early stage, St. Lucia has adopted what people call the Napoleonic code. If persons understand what Napoleon was summoned for, I rather regret that more jurisdictions did not adopt the Napoleonic code.

Mr. Speaker, many years ago in Australia, a journalist called Torres, was of the view that for the seller of land to vouch that he had unimpeachable and marketable title was not enough in the interest of the purchaser when the purchaser was buying from the vendor. The journalist Torres – he was not a lawyer – sat down and worked out a system of title by which the State could guarantee the sanctity of titles and not boundaries. The way in which this legislation was conceptualised and applied, from the start Barbados was separated into what the Honourable Member for St. George North called ‘compulsory registration districts’ and ‘optional registration districts.’ If the property falls in a compulsory registration district, one uses the yellow form, if, on the other hand, it falls in an optional district, the pink form is then used.

The import of this is that if “A” buys property with registered titles Barbados, the sovereign State, is telling “A” the State guarantees that “A” has titles. Presently in the common law system, it is the vendor who is holding out that he has the right to sell, especially when his right to sell is free of mortgages, liens, encumbrances, easements, *et cetera*. 4.00 p.m.

Mr. Speaker, I sit on the Front Bench and I am, therefore, bound by the principle of collective responsibility. I want to urge my friend, the Honourable Member for St. George North to set up a committee to look into precisely why we can go nowhere with the voluntary system of registration.

Sir, there are parts of Christ Church which fall under the compulsory system and if the properties are worked on, ultimately the old-fashioned system of conveyancing will become no more, the State will guarantee title, will keep a register of mortgages, charges, encumbrances and such like so that if the title is ever lost the state can issue a duplicate title and there will be no need for a foreclosure suit.

At present, if a person wants to buy your property, you have no title deeds, and you are under the Common Law system you will have to go through a process called a foreclosure suit and this can take as much as seven years for the title to be perfected before a judge in Chambers.

Mr. Speaker, we need to look at this issue analytically. It cannot be fair to the purchaser or the vendor when the vendor, through no fault of his own, cannot present deeds although he genuinely owns the land. It is part of our culture in Barbados, when people get old, for relatives to move the title deed on the assumption that as long as they hold those deeds that they will inherit the property. Sir, a lot of people in Barbados have lost their title deeds through misappropriation by relatives. Undertakers in Barbados and

the world over also take title deeds as collateral security and when the time comes for the return of the deeds they are not returned.

As I said, the Honourable Member for St. George North would do well to set up a committee internally to look at the problem but, in my view, there are not enough surveyors. I also sense that a shortage of resources is at the core of the problem as well as the fact that there are not enough surveyors.

Sir, many young people should study surveying because it is a most rewarding profession as it has a scale which is often time higher than that of a lawyer and, Sir, surveyors get a lot of work.

Mr. Speaker, we want more people to get interested in land registration. Old-fashioned conveyancing requires that a search be done for 20 years and in some countries people will do a search for 30 years. We should apply wisdom and approach the business of land registration in a concerted way where we are able to evolve a system where the State itself will be guarantor of title. This will take a long time but, hopefully, in 30 or 40 years Barbados will be at the stage where there is agreement between vendor and purchaser in the interest of a proper transaction.

There is at the Land Registry, either an absence of resources or an absence of the will to do the job. Sir, the Minister, as a layman, shows a marked understanding of the issues. I am in sympathy with the predicament with which my ministerial colleague is inflicted. He is a victim of circumstances and if he had his own way this matter would have been perfected and brought to consummation.

Despite the ire of the Honourable Member for Christ Church South he means well and wants efficiency to be the hallmark of this administration. The Honourable Member for St. George North should take the advice of the Honourable Member for Christ Church South because registration of title is not about guaranteeing boundaries, it is about guaranteeing title and, in this regard, the Honourable Member for Christ Church South is not against the Honourable Member for St. George North, even though he says it is difficult to support the Bill.

The Government wants to get on with this matter but the Minister must know what diabolical spirits and forces are getting in the way of advancement of this matter. Mr. Speaker, eventually what will happen is this. When we get a registered title and a man called Hinkson buys land that goes on the register as Hinksons’s land, Hinkson gets a mortgage, the mortgage is registered; Hinkson pays off the

mortgage. The repayment is registered. If Hinkson moves to sell, you have to search all over the place to get information.
4.10 p.m.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, they are those people who feel that people hide behind the search period as a justification for the fees charged. They are those who feel that if a lawyer, through his clerk has to search title for 20 years, that search is a justification for the fees. I do not agree with that.

Asides.

Hon. R. C. EASTMOND: Finally, for the benefit of all Honourable Members, if the Minister does not act by the end of December, 26, 2002, then the Minister would be guilty of failing in his public duty. In the case of *Ashfield v the Minister of Agriculture, in England*, a Minister who was found to have failed in his duty was found to be susceptible to mal damage.

Asides.

Hon. R. C. EASTMOND: The Minister was owing to a public duty and the Minister said that he has a discretion and discretion means that it was up to him but discretion is never unfettered in this case.

Asides.

Hon. R. C. EASTMOND: Sir, a person would walk around and say that he is the minister and he can do this or that. That is not so in the real world. Mr. Speaker, you cannot 'pompasett' and push up your chest and say that he has the discretion.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, I am going to support this Bill and those Honourable Members who did not quite understand the legislation are now in a better position to understand it.

I thank you.

Hon. G. A. CLARKE: Mr. Speaker, Sections 14, 15 and 15(a) were suspended since 1990 on five occasions. They have not been used in the last 10 years, either under the

Democratic Labour Party or under this present Government. We have not used those sections that I referred to.

According to the Chief Surveyor it is noted in the file that that department does not have the manpower or resources to undertake this massive exercise. He said that the former Chief Surveyor held the view that the sporadic and voluntary registration at the same time was causing severe pressure on the department. Therefore, every year we had to suspend it. Mr. Speaker, we were asking that Sections 14, 15 and 15(a) be held in abeyance until the Minister of Housing was in a position, with the manpower and resources to have those sections active.

Therefore, we are asking that since there is not enough manpower either in the Surveyors Department or Registration Department, that those sections be repealed. It does not mean that the titles would stop. It means that voluntary registration will continue but sporadic registration would not. Those persons who want sporadic registration would not be able to have those sporadic registrations at this time. We will concentrate on mandatory registration as of today.

With those remarks, Mr. Speaker, I beg that this Bill 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: the House resolved itself into Committee, Mr. D. CARTER in the Chair.

COMMITTEE

Mr. CHAIRMAN: This House is now in Committee.

Clauses 1 and 2 were called and passed.

On the motion of Hon. G. A. CLARKE 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 motion of Hon. G. A. CLARKE, seconded by Hon. R. C. EASTMOND, the Bill was read a third time and passed and cited as the Land Registration (Amendment) Act, 2002.
4.20 p.m

ORDER NO. 9 – BILL TO AMEND THE
LANDLORD AND TENANT
ACT, CAP. 230

Hon. G. A. CLARKE: Mr. Speaker, this proposed amendment to Section 35(1)(a) of the Landlord and Tenant Act, was passed to the Ministry of Housing and Lands sometime in 2002, by the judicial counsel representing those magistrates, who were finding it difficult to administer the present law.

As it stands now, it is believed that the Magistrates Courts can only collect fines up to \$2 500 and this has been a burden on those persons who have to collect the fines. They have asked that the proceeds be increased from \$2 500 to \$10 000 which would bring it within the jurisdiction of the Magistrates Courts.

Sir, at present, persons are now renting their houses and land, in excess of \$208 per month. If the landlords cannot collect their rent, it will be a burden for them. As I said, they are asking that this be increased from \$2 500 to \$10 000 per year.

Mr. Speaker, this is just a small amendment to the Bill. I am obliged to you, Sir.

Hon. Sir Henry FORDE: Mr. Speaker, this amendment has a very limited purpose which is really to take into account the increased jurisdiction in monetary terms, given to magistrates so that you can now sue in the magistrates court for debt up to \$10 000. I expect what this is really doing in the Landlord and Tenant Act is bringing that sort of provision expressly into the court to allow the magistrate to have a wider jurisdiction.

Mr. Speaker, I take this opportunity to say to the Government that we need really to revisit the whole area of landlord and tenant and update the legislation. We are really quite archaic in the legislation dealing with the rental of land and property in general.

Sir, I believe that this particular Act was passed in 1897. It has been amended sporadically in 1955, 1956, 1969, 1979, 1990 and those were probably just stylistic amendments. We have other legislation, either in the Property Act, the Registration of the Tenancy Act, or the Security of Tenure Act and it seems to me that we really must put into place, proper reformation of the law, dealing with landlord and tenant.

We need not stick to a lot of the archaic forms of drafting and terms that complicate our landlord. I seriously suggest to the Government that it should set up a committee

drawn from the Bar and other interested persons, in order to look at this. We also have the opportunity to use Sir Roy Marshall who is now living in Barbados. He is a very distinguished person and he is knowledgeable on land law. In fact, we should make use of him and some other people who are in retirement, to help us reform this area of the law.

Sir, I take the opportunity to say, as well, that the amendments we are making to other laws, whether it is the Income Tax law or another law, is impacted by not having a clear conception of what is a lease, what is a tenancy, or what is a licence and this has proven to be giving some difficulty in administering other legislation.

Sir, I see the haste why the Minister is bringing this very slight amendment to us but I believe that we need a more substantial amendment which will address not only a reform of the legal language which governs the relationship of landlord and tenant in our country, but we will look at the whole concept of landlord and tenant to see what protective mechanisms must be there to protect them, while at the same time holding a proper balance between the interest of the tenant and the landlord.

Mr. D. St. E. KELLMAN: Mr. Speaker, I am happy to support this Bill which will bring a balance between landlord and tenant. I have spoken in this House about an attitude that is developing, where people believe that because someone has been able to elevate themselves to a particular level, or because they have been connected to Barbados all their lives that they cannot be seen in the true perspective. In fact, it is sometimes believed that these people do not have rights.

Mr. Speaker, I have always said that the rights of the landlord also have to be protected. I have seen legislation which has made me to believe, Sir, that in Barbados, they are now seeing the landlord as the enemy. We also have to recognise that without landlords as we know them today, the adverse social consequences for many tenants would have been much greater.

For example, if you were to withdraw all of the houses and land rented out by landlords, one must ask, what will happen to the tenants who have been able to gain, through the kindness of those landlords allowing them to have the right to rent their properties. Sometimes when one listens to what is being said by some persons in Barbados, one also has to ask if they really understand the role that the landlords play in this country.

Sir, I am saying that the role played by the landlords are much greater than the role played by the National Housing Corporation (NHC). The NHC was set up to play that particular role and because they have not been able to deliver

on that particular role, the landlords then had to step in and aid the NHC in duties that they should be carrying out.

Sir, one has to ask if the people who have been helping to develop Barbados and themselves, and who understand the social side to things and have been able to solve the problems associated with tenants, if we should continue seeing these people as the enemy, or whether we should consider appreciating what they have done for the lesser folk, who could not afford to buy shelter for themselves.

We have to appreciate that landlords have played a significant role in this country and that we need to stop regarding them as the enemy and use the opportunity when we find situations, Sir, where some of them behave in a way that they should not behave, to have a simple chat with them.

Sir, do not believe that we, as a Parliament, have a right, because some landlords have behaved in a way that they should not, to use the big stick to take away their properties from them and give them to other people. In truth and in fact, Sir, NHC should be providing those properties to the tenants.

Sir, all of a sudden, we have come to the conclusion that once they have land and it is too much, that they are not entitled to that land.
4.30 p.m.

If we continue with this attitude, sooner rather than later we will be hearing that the tenants should have a right to own the houses from the landlords. That would be a very regressive step if we were to ever do that because we have to look at what the landlords have provided for Barbadians who could not afford to help themselves. Sometimes we can have the best of intentions but once it is handled badly it could end up being the worst thing for the persons who set out to make sure that it is something good. So I hope that any future amendments would take these points into consideration. We must understand that the landlords have feelings as well as the tenants and it is not the landlords obligation to look after the tenants, it is the duty of the National Housing Corporation (NHC) to deliver because the landlords have only been helping the National Housing Corporation (NHC) to do what they have not done efficiently over the years.

Sir, it was rather interesting to see in the newspapers, and you know that we cannot quote from the newspapers in this Parliament, the highest authority stating to the Minister of Housing and Lands the same thing that I have been telling him about the role of the NHC, that is, that NHC has to understand that it is their duty to provide lots not to build houses and that they should leave the building of houses to the people who could better deliver the houses.

I have said in this Parliament before that if the NHC had allowed the poor people to have the rent that they could have a house, land and a reconditioned car and I end on that particular point.

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

Hon. R. R. FARLEY: I beg to second that.

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

On the motion of Hon. G. A. CLARKE, seconded by Hon. R. D. MARSHALL, the House resolved itself into Committee of Supply, Mr. D. CARTER in the Chair.

COMMITTEE OF SUPPLY

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

Clauses 1 – 3 inclusive, were called and passed.

On the motion of Hon. G. A. CLARKE, seconded by Hon. R. D. MARSHALL, 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. G. A. CLARKE, seconded by Hon. Miss B. A. MILLER, the Bill was read a third time and passed and cited as the Landlord and the Tenant (Amendment) Act, 2002.

ORDER NO. 7 – RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION BY THE CROWN OF A PARCEL OF LAND SITUATE AT WESTBURY ROAD IN THE PARISH OF ST. MICHAEL IN THIS ISLAND FOR THE PUBLIC PURPOSE OF FACILITATING CONSTRUCTION WORK ON THE BRIDGETOWN BYPASS ROAD IMPROVE- MENT PROJECT

Hon. G. A. CLARKE: Mr. Speaker, this Resolution is seeking Parliament's approval to acquire 233.3 square metres of land at Westbury Road, St. Michael to facilitate construction work on the Bridgetown Bypass Road Improvement Project.

Mr. Speaker, you would recall that some time ago we came to this Parliament to acquire a number of parcels of

land in Westbury Road along with roads at Roebuck Street, Jemmotts Lane and Culloden Road. This small parcel of land which is located at the corner of Westbury Road belongs to Miss Patsy Joseph. The Chief Town Planner along with the Lands and Survey Department and the Ministry of Public Works and Transport have agreed that this parcel of land is too small to allow for the construction of a property by Miss Joseph and have recommended that the Crown compulsorily acquire it in order to facilitate the construction of sidewalks at Westbury Road.

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

Hon. R. D. MARSHALL: I beg to second that.

Mr. D. St. E. KELLMAN: Mr. Speaker, I am not going to be long on this one. All I am going to do is to repeat a point I have always made to the Minister, that is, that I hope that he is not going to place the money into the Treasury for Miss Joseph but that he has entered into negotiations with Miss Joseph to find out whether she needs alternative land elsewhere considering the importance of this particular land on the City Bypass Road and that any arrangements that have been finalised with Miss Joseph that it would be to her acceptance and not by the heavy hand of the Ministry of Housing and Lands. That is all I will say on this particular matter.

Hon. R. D. MARSHALL: Mr. Speaker, I rise to support the measure by the Minister of Housing and Lands to acquire this parcel of land to facilitate the Bridgetown Bypass Project. This piece of land is part of three parcels that were there before. The other two parcels that we have already acquired were owned by Mrs Kanine Sawh and Mr. George Estwick. This little piece of land which is the third parcel is owned by Miss Patsy Joseph. We are asking that this piece of land be acquired because we are going to widen that corner by the traffic lights to facilitate the Bridgetown Bypass Road on the northern side of Westbury Road.
4.40 p.m.

Mr. Speaker, work is continuing on that stretch of road. Now that the school is on vacation, the contractor Rayside Concrete Works, will have a skeleton crew working in the area to facilitate the work in front of the Westbury Junior School. The utilities companies also have work to do such as to finish box drains, *et cetera*, so that on returning to school, the children will be able to use the gate towards the road instead of the gate to the Orleans.

Mr. Speaker, to the corner of Westbury Road and Baxters Road, we are putting in place a facility for the fish vendors. They will be a paved concrete yard as well as bathroom and washing facilities.

Mr. Speaker, with those few words, I do support this Resolution.

Hon. G. A. CLARKE: Mr. Speaker, I beg to move that this Resolution do now pass.

Hon. R. St. C. TOPPIN: I beg to second that.

The question that the Resolution do now pass was put and resolved in the affirmative without division.

RECOMMITAL

Mr. SPEAKER: With the House's permission, we will now recommit to Government's Notices.

FIRST READING OF BILLS

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I beg to move that the Insurance (Miscellaneous Provisions) (Amendment) Bill, 2002, be read a first time.

Hon. G. A. CLARKE: I beg to second that.

ORDER NO. 6 – RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION BY THE CROWN OF A PARCEL OF LAND SITUATE AT COTTAGE IN THE PARISH OF ST. GEORGE IN THIS ISLAND FOR THE PUBLIC PURPOSES OF HOUSING DEVELOPMENT, ROAD IMPROVEMENT AND THE PROVISION OF PUBLIC ACCESS

Hon. G. A. CLARKE: Mr. Speaker, part of this Resolution came before the Honourable House two years ago. Since then, we have purchased part of this land and housing construction has begun. However, we recognised that it was important for us to complete the purchase of the land. This was necessary since the National Housing Corporation has already started the process of road construction where, water, electricity and telephone have been installed.

The land is owned by a Doctor Hamblin and the Chief Town Planner has advised us that it is necessary to complete the purchase so that there would be one development rather than allow the roads which are now going into the area to do so without the Crown owning this parcel of land.

This Resolution was supposed to have come to this Parliament two years ago but because of the technical problems then experienced, the delay was caused. We have now clarified all of the technical difficulties with the Ministry of Agriculture, the Town Planning Department, the Ministry of Public Works and the Ministry of Housing. Therefore, everything is now in order.

I am obliged to you, Mr. Speaker.

Mr. D. St. E. KELLMAN: Mr. Speaker, some two weeks ago, I wrote an article about local Government and said that even though we have advanced, the people of Barbados still believe they need local Government. Sir, there was never a time when a Minister has convinced Barbados that there is a need to go back to the old system as this particular Minister of Housing and Lands... There is nothing about this Ministry where one could describe anything called fairness.

Mr. Speaker, I have been in this Parliament since 1994. The majority of everything that I have seen coming to this Parliament since 1999, has landed in the constituency called St. George North.

Sir, at first, it was so far north that I had honestly thought that the Honourable Minister had finally got to Cottage, St. Lucy, when he had visited with me, many years ago and agreed that the land would have been compulsorily acquired for housing lots for St. Lucy.

Mr. Speaker, imagine that as a Parliamentary Representative of this Parliament who has to come to Parliament on every Estimate occasion and vote for money in blocs, and cannot decide how much of the money would be spent on the constituency of St. Lucy, one can get a Minister, week after week, coming to this Parliament using a part of his Ministry to develop all of the land in his constituency, without recognising that there are 27 other Parliamentarians in this Parliament who have constituents that want house lots.

Mr. Speaker, I will continue to make the point that it is not local Government that we need. What we need to do is to find a system where every year when we are discussing the Estimates of Barbados, someone in this House can tell me how much money out of the bloc vote will be spent on my constituency. I think it is disgraceful for us to come here and to vote large sums of money and all of it spent on only one or two constituencies. This particular Minister is the chief culprit when it comes to this.

Asides.

Mr. SPEAKER: Please, I would suggest that you apologise. Please continue.

Mr. D. St. E. KELLMAN: I apologise for that. I did not mean to say that the Minister was a culprit.

I am saying that this Minister is the chief offender when it comes to this particular problem. It is going to create chaos in this country. I could understand what the people

in St. George South, St. John, St. Thomas and St. Michael South East – those areas all around the Minister – would all be saying. We know that those persons in St. Michael East cannot understand that they need house spots and badly. They cannot understand a Parliamentary coming in and fighting for lots for the constituencies and all are falling into one constituency and not anywhere else.

What we need is not local Government. What we need is fairness from Ministers.

Hon. R. D. MARSHALL: On point of order, Mr. Speaker. I think the Member for St. Lucy is misleading this Chamber by saying that there are housing lots in only one constituency. That is not true.

Mr. Speaker, we said that we have just acquired 41 house lots at Grazettes, St. Michael and, therefore, it is not fair to say that only one constituency is having all the house spots.
4.50 p.m.

Mr. D. St. E. KELLMAN: The Honourable Member is saying that he has been clever in using the Ministry of Public Works to trade-off roads to get house spots.

Hon. R. D. MARSHALL: Mr. Speaker, on a point of order. The Honourable Member is saying that the Ministry of Public Works is 'in cahoots' with the Ministry of Housing in a trade-off between house spots and roads. Sir, that statement should be struck from the record.

Mr. D. St. E. KELLMAN: Mr. Speaker, I withdraw the remark but I find it interesting that the Minister of Public Works whose Ministry is responsible for building tenantry roads stood up to defend the Minister of Housing.

Hon. R. D. MARSHALL: Mr. Speaker, Mr. Speaker, on a point of order. The Ministry of Public Works is not responsible for building tenantry roads in Barbados.

Mr. D. St. E. KELLMAN: I am glad that the Minister of Public Works has admitted that statement. I am saying that we cannot come here every Tuesday and talk about the flaws in the system when we know the real problem, neither should we present the Estimates in the same way we present them each year because I will have no choice but to speak out against them.

I have proven that the procedure which we go through every March is not serving the interest of the country in the best way. This is why the Honourable Member for Christ

Church South continues to ask for local Government because the delivery of service is not being done fairly.

Sir, I thank you.

Hon. G. A. CLARKE: Mr. Speaker, I beg to move that this Resolution do now pass.

Hon. R. D. MARSHALL: I beg to second that.

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

ORDER NO. 12 – INSURANCE (MISCELLANEOUS PROVISIONS) BILL, 2002.

Hon. R. R. FARLEY: Mr. Speaker, Honourable Members will recall that this Bill relates to a matter which goes back a few years. Members will also recall that the Budget of the Government of Canada of 1995 made certain changes in its domestic legislation relating to what is referred to as 'exempt surplus'. This had an impact on the nature of the way business was done between Barbados and Canada in the insurance industry and arising out of that situation, several changes were made to the insurance legislation. Amendments were made to the Insurance Act of Barbados as well as to the Exempt Insurance Act.

Members will also recall that Canada signalled its need and interest in discussing aspects of the double taxation agreement between the Government of Barbados and the Government of Canada. Those discussions have been going on for some time and one of the things done in 1999 and 2000 was to establish a date by which insurance companies were to exercise an option either to continue as exempt insurance companies or registered as qualified insurance companies under the Insurance Act.

The development of the mechanism of the qualified insurance company was one of the responses to the changes which have been made in the legislative arrangements in Canada. It was anticipated within the time-frame set that discussions would have been concluded on a Protocol to the Canada/Barbados double taxation treaty which would have provided more certainty and predictability with respect to the tax treatment of dividends repatriated by Canadian insurance companies operating in Barbados when those dividends were repatriated to Canada.

I must indicate that there are a number of factors which have converged to give us the result with respect to the negotiations on that Protocol of the double taxation treaty between Canada which has not been concluded.

First, there was the matter of the OECD initiative on harmful taxation. Mr. Speaker, Canada is a member of the OECD and the informal indication made to us was that they were awaiting the outcome of those deliberations before proceeding further with these negotiations.

Further to that, the Auditor-General of Canada has been writing a number of reports last year, the last of these were published a few weeks ago which expressed concern about the international agreement in which Canada is involved and whether these agreements may not result in a reduction of tax revenue to the Government of Canada.

The facts are that the international agreement, certainly the Canada/Barbados double taxation treaty, provides a net benefit to Canadian businesses which helps them by way of increasing their profitability and helps them to be in a better competitive position in relation to the USA and other OECD counterparts. Whilst the arrangement is one which is fully supported by Canadian businesses, they recognise the critical importance of the opportunity to use Barbados as part of their international arrangement. The Auditor General's Report in Canada does not necessarily support this position. 5.00 p.m.

It, therefore, raises the matter of what is the nature of international arrangements in which Canada should be engaged and it has resulted in some political pressure in some quarters. We also had a change of Finance Minister in Canada and these are among the factors that have put us where we are.

As recent as November 2002, we made further overtures to Canada, and this is following up on our April 2002, to say that the OECD matters are behind us and we want to conclude the essentials of the Protocol in trading, will come back to the table. They indicated that they were not in a position to do so at that time. Certainly, in our November 2002 meeting was an indication that they would not be in a position to proceed with the further discussions before sometime around May 2003.

Therefore, in the circumstances, it is important for us to preserve the flexibility which was always the original intention of having a time period within which companies could elect either to stay under the Exempt Insurance legislation as the legal structure in which they would conduct insurance business based in Barbados, but for international clients, or to elect to register under the Insurance Act as a qualified insurance company.

Therefore, in anticipation of the continuation and the needs of the conclusion of the negotiation of the Protocol

of the Canada/Barbados Double Taxation Treaty and on discussions and advice from our Canadian partners in those discussions, we are now proposing to extend the deadline, which had previously been set at December 31, 2002, to December 31, 2003.

Sir, the failure to adjust this deadline in the circumstances in which the negotiations have not been concluded, would result in businesses finding themselves in a position where they would not be operating under legal cover. For financial services institutions to operate without the benefit of the legal framework could spell disaster for all of the businesses which are involved.

Therefore, the urgency of this legislation is, we could not make a determination of making the changes without having discussions with the Canadian side, that having been done in late November and they, having given an indication that nothing will happen from their side before the middle of next year, then we need to make this amendment to extend the date for register by companies to shift from being insurance companies to qualifying insurance companies under the Exempt Insurance Act, 1996, that the deadline date to shift from December 31, 2002, to December 31, 2003.

Mr. Speaker, I beg to move that this Bill 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. R. R. FARLEY seconded by Hon. R. C. EASTMOND, the House resolved itself into Committee, Mr. D. CARTER in the CHAIR.

COMMITTEE

Clauses 1 and 2 were called and passed.

Hon. R. R. FARLEY: Mr. Chairman, I beg to move that the Schedule be the Schedule to the Bill.

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

On the motion of Hon. R. R. FARLEY 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. R. R. FARLEY, seconded by Hon. R. C. EASTMOND, the Bill was read a third time and passed and cited as the Insurance Miscellaneous Provisions Act, 2002.

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

5.10 p.m

Hon. Miss M. A. MOTTLEY: Mr. Speaker, at this stage we would like to substitute the Supplementary Estimates which is on the Order Paper as stated with the one which has just been circulated, Supplementary Estimates 2002/2003, No. 9, which has already been circulated to all Honourable Members.

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

Mr. SPEAKER: There is a motion before the House for a substitution, and with the House's permission, so be it.

SUSPENSION OF SITTING

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I beg to move that this House be suspended until 5.30 p.m.

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

The question that the House be suspended until 5.30 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the Sitting accordingly.

Mr. SPEAKER: May I remind all Honourable Members that they should be back here at 5.30 p.m. so that we can start promptly.

5.11 p.m.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed.

ORDER NO. 8 – TO MOVE THAT THE HOUSE RESOLVE ITSELF INTO COMMITTEE OF SUPPLY TO CONSIDER THE GRANT OF SUMS OF MONEY FOR THE SERVICE OF THIS ISLAND

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. Miss B. A. MILLER, the House resolved itself into Committee of Supply, Mr. D. CARTER in the Chair.

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

ORDER NO. 8(a) – RESOLUTION TO GRANT THE SUM OF \$39 729 012 FROM THE CONSOLIDATED FUND AND TO PLACE IT AT THE DISPOSAL OF THE GOVERNMENT TO SUPPLEMENT THE ESTIMATES 2002-2003 AS SHOWN IN THE SUPPLEMENTARY ESTIMATES NO. 9 2002-2003

HEAD 10 – GOVERNOR-GENERAL IN THE AMOUNT OF – \$1 036

Hon. Miss M. A. MOTTLEY: Mr. Chairman, in introducing and moving Head 10, I did say that virtually all of the Heads before this House will be moved today for a supplementary provision so as to make provision under Other Personal Emoluments and National Insurance Contributions for the wage increase which took place earlier in the year. The wage increase, of course, as you would remember was by 3 per cent with effect from April 1, 2001 and by a further 2.75 per cent with effect from April 1, 2002.

The amount required also includes a provision for the 0.5 per cent increase in employers National Insurance Contributions which becomes effective from January 1, 2003.

In the circumstances, Mr. Chairman, I have taken the opportunity to advert to the purpose of the majority of the supplementary. There are some other matters that will also be included in the omnibus but in every instance, where there is other personal emoluments or national insurance contributions, you will see a supplementary provision being recorded today, to give effect to that wage increase.

Obviously, the amounts for the statutory wages are not here, since we do not vote for statutory amounts, Sir, only for those under other personal emoluments and national insurance contributions.

The supplementary amount for Head 10, the Governor-General is \$1 036 and with that I beg to move that Head 10 stand part.

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

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

HEAD 12 – PARLIAMENT, IN THE AMOUNT OF – \$210 000

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I beg to move that Head 12 stand part for the reasons already adumbrated.

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

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

HEAD 15 – CABINET OFFICE IN THE AMOUNT OF – \$108 762

Hon. Miss M. A. MOTTLEY: Mr. Chairman, the amount being supplemented here is by \$108 762 and with that, Sir, I beg to move that Head 15 stand part.

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

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

HEAD 16 – MINISTRY OF THE CIVIL SERVICE IN THE AMOUNT OF – \$85 924

Hon. Miss M. A. MOTTLEY: Mr. Chairman, the amount required of \$85 924 to supplement the Estimates is for the reasons earlier indicated. I beg to move, Sir, that Head 16 stand part.

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

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

HEAD 17 – OMBUDSMAN IN THE AMOUNT OF – \$9 907

Hon. Miss M. A. MOTTLEY: Mr. Chairman, for the reasons mentioned earlier in relation to wage increases, I beg to move that the amount of \$9 907 be used to supplement Head 17 and accordingly that Head 17 stand part.

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

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

HEAD 20 – MINISTRY OF COMMERCE,
CONSUMER AFFAIRS AND BUSINESS
DEVELOPMENT IN THE AMOUNT OF – \$33 366

Hon. R. St. C. TOPPIN: Mr. Chairman, as earlier indicated by the Honourable Leader of the House, I beg to move that Head 20 stand part.

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

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

HEAD 22 – MINISTRY OF ECONOMIC
DEVELOPMENT IN THE AMOUNT
OF – \$337 959

Hon. R. R. FARLEY: Mr. Chairman, for the purpose of supplementing salaries and national insurance contributions, I beg to move that Head 22 in the sum of \$337 959 stand part.

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

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

HEAD 23 – MINISTRY OF HEALTH

Hon. Miss M. A. MOTTLEY: I beg to move that Head 22 stand part.

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

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

HEAD 24 – MINISTRY OF SOCIAL
TRANSFORMATION

Hon. H. F. LASHLEY: Mr. Chairman, I beg to move this supplementary vote of \$9.4 million out of which \$8.5 million will be for transportation for this island's senior citizens and the disabled community.

Mr. Chairman, I am hoping that sometime in the not too distant future this money could be replaced by a travelling allowance for our senior citizens and disabled persons. The remaining \$871 084 is for wages, Sir, and I beg that Head 24 stand part.

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

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

HEAD 25 – MINISTRY OF AGRICULTURE
AND RURAL DEVELOPMENT

Hon. R. C. EASTMOND: Mr. Chairman, I beg to move that Head 25 stand part.

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

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

HEAD 27 – MINISTRY OF TOURISM AND
INTERNATIONAL TRANSPORT

Hon. N. A. LYNCH: Mr. Chairman, I beg that Head 27 stand part.

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

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

HEAD 28 – MINISTRY OF HOME AFFAIRS

Hon. Miss M. A. MOTTLEY: Mr. Chairman, the amount of \$376 184 is being requested to supplement the Home Affairs vote. Of that amount some \$167 316 is for the Fire Service Department as a result of increase cost of maintenance of the Fire Service vehicles, purchase of spare tyres and parts, as well as increase cost of insurance premiums over and above what was budgeted for in this financial year.

The remainder of it is salaries related as indicated and in those circumstances, Mr. Chairman, I beg to move the sum of \$376 184 to supplement Head 28 and that Head 28 stand part accordingly.

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

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

5.20 p.m.

HEAD 30 – ATTORNEY GENERAL
– \$979 478

Hon. Miss M. A. MOTTLEY: Mr. Chairman, the sum being requested to supplement Head 30 is \$979 478. Of this, however, the sum of \$500 000 relates to the payment of debt to the Transport Board in respect of the money which is paid for policemen travelling on the Transport Board buses. This debt has been accumulated over some period of time and as you would notice throughout this Supplementary an attempt is being made to settle the arrears owed to the Transport Board.

With that I beg to move that Head 30 stand part.

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

The question that Head 30 stand part was put and resolved in the affirmative without division.

HEAD 31 – MINISTRY OF PHYSICAL
DEVELOPMENT AND THE ENVIRON-
MENT – \$2 040 671

Hon. Miss H. E. THOMPSON: Mr. Chairman, the Ministry of Physical Development and the Environment rides this omnibus by reason of the increases in salaries which is very much the same reason that everybody else has travelled here today.

I beg to move, therefore, that Head 31 stand part.

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

The question that Head 31 stand part was put and resolved in the affirmative without division.

HEAD 32 – MINISTRY OF FOREIGN AFFAIRS
AND FOREIGN TRADE – \$1 184 845

Hon. Miss B. A. MILLER: Mr. Chairman, this sum is in respect of other personal emoluments occasioned by the salaries increase, likewise the national insurance contributions. In addition to this, there are other monies outstanding in respect of the Organisation of American States (OAS) General Assembly which was hosted here in Barbados in June of 2002.

It was planned that we would do business in this way and a sum of money had to be advanced to the Organisation of American States (OAS) to be spent at certain times. We

were advised by the Ministry of Finance that we should come back, this is to now bring this to a closure, because there are outstandings which have to be settled in respect of the Sherbourne Conference Centre and some of its various service providers.

A sum is also required in respect of professional services. Barbados is engaged in negotiations with the Government of Trinidad and Tobago where we are hoping to conclude a maritime boundary delimitation treaty. We are also negotiating in respect of fisheries. We had four rounds of negotiations thus far and one additional round of talks which was specifically on fisheries. We have to engage the services of highly specialised and skilled professionals in respect of the maritime boundary delimitation treaty and these sums will go to the settlement of payments to them.

Accordingly, Sir, I beg to move that Head 32 stand part.

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

The question that Head 32 stand part was put and resolved in the affirmative without division.

HEAD 37 – MINISTRY OF PUBLIC WORKS
AND TRANSPORT – \$5 821 955

Hon. R. D. MARSHALL: Mr. Chairman, the Ministry of Public Works and Transport under Head 37 is asking this House to vote the sum of \$5 821 955. The bulk of this money, \$5 million to be exact, is to pay monies owing to the National Insurance Department via the issuance of a Treasury Note.

I beg to move that Head 37 stand part.

Hon. R. R. FARLEY: I beg to second that.

The question that Head 37 stand part was put and resolved in the affirmative without division.

HEAD 38 – MINISTRY OF HOUSING AND
LANDS – \$21 208

Hon. G. A. CLARKE: Mr. Chairman, I beg to move that Head 38 stand part.

Hon. R. D. MARSHALL: I beg to second that.

The question that Head 38 stand part was put and resolved in the affirmative without division.

HEAD 43 – MINISTRY OF EDUCATION,
YOUTH AFFAIRS AND SPORTS
– \$2 950 000

Hon. Miss C. Y. FORDE: Mr. Chairman, a large amount of this requirement is to settle the indebtedness the Ministry has with the Transport Board for the transportation of pupils and as well as for grants to public institutions and non-profit agencies for programmes such as “Children at Risk”.

Mr. Chairman, I beg to move that Head 43 stand part.

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

The question that Head 43 stand part was put and resolved in the affirmative without division.

HEAD 44 – MINISTRY OF LABOUR
AND SOCIAL SECURITY
– \$235 957

Hon. R. C. EASTMOND: Mr. Chairman, the application before this Honourable Committee for the sum of \$235 957 is for reasons already ably outlined by my colleague, the Attorney-General. This has nothing at all, Mr. Chairman, to do with an earlier grant of \$89 500. I say that for the absolute avoidance of doubt. Therefore, I beg to move that Head 44 stand part.

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

The question that Head 44 stand part was put and resolved in the affirmative without division.

HEAD 50 – POST OFFICE
– \$176 630

Hon. Miss M. A. MOTTLEY: Mr. Chairman, this amount relates to wage increases as indicated earlier. Therefore, I beg to move that Head 50 stand part.

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

The question that Head 50 stand part was put and resolved in the affirmative without division.

HEAD 13 – PRIME MINISTER’S OFFICE
– \$1 839 714

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I beg to move that the amounts as required under Head 13, the Prime

Minister’s Office, be supported. All of these amounts as indicated relate to salaries and wages expenditure.

I beg to move that Head 13 stand part.

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

The question that Head 13 stand part was put and resolved in the affirmative without division.

HEAD 14 – MINISTRY OF FINANCE
– \$1 590 678

Hon. Miss M. A. MOTTLEY: I beg to move that Head 14 stand part.

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

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

HEAD 28 – AMENDMENT TO EXPLANATORY
NOTE

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I beg that the amendment to Head 28 as stated in the Schedule be the amendment to Head 28.

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

The question that Head 28 as amended stand part was put and resolved in the affirmative without division.

EXPLANATORY NOTE TO HEAD 32

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I beg that the amendment as stated in the Schedule to Head 32 be the amendment to Head 32.

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

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. Miss B. A. MILLER, Mr. Chairman reported to HIS HONOUR the SPEAKER, the passing of one money Resolution in Committee of Supply and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. Miss M. A. MOTTLEY seconded by Hon. R. C. EASTMOND, the Resolution was read a third time and agreed to.

ADJOURNMENT

Hon. Miss M. A. MOTTLEY: Mr. Speaker, this brings us to the end of Government's Business for today's Sitting.

I want to specifically thank all persons on this Side and on the Other Side of Parliament, staff of Parliament, the staff of the Cabinet Office who have facilitated a very hectic schedule for us today and to ensure that we could have finished in good time without having to come back to Parliament.

In thanking persons, I would also like to use the opportunity to wish all Honourable Members, all members of staff, members of security, the media, all persons related in whatever way to the House of Assembly, a very blessed and pleasant Christmas and an even more prosperous and bountiful 2003 than they would have experienced to date this year.

Sir, given the signs on the recent horizon, I look forward to that wish as being a true prediction of the circumstances during the course of the next year.

I believe that generally all of us have worked hard to be able to make this year a successful year in terms of the work of Parliament. We have, unfortunately, seen the retirement of some members of staff who I hope that at a more appropriate time we would be able to honour and to say thank you, given the fact that some of them would have spent in excess of 30 years working in this institution. I say this only to alert Honourable Members that at some point early in the new year, we would wish to be able to have that honour paid to them.

Mr. Speaker, with those few words, I beg to move that this Honourable House be now adjourned until January 14, 2003, ensuring that we take the Christmas recess of four weeks and come back prepared for a hectic session, which we trust would be rewarding in every aspect. Thank you, Mr. Speaker.

Mr. D. J. H. THOMPSON: Mr. Speaker, in seconding the motion, I want to join with the Leader of the House, first of all, in extending our gratitude to the members of staff, both on the establishment and those who support the work of Parliament, for their efforts during the year 2002.

I also want to wish all Honourable Members of the House, you Mr. Speaker and your families, a very happy Christmas and a prosperous 2003. I extend the same greetings to members of the Press, other members of staff of Parliament, to the Clerks and to all those who have facilitated our work during the year.

Mr. SPEAKER: Before I move the adjournment, on behalf of the Clerks, the Marshal, the Deputy Marshal and the other members of staff, I would like to convey to all Honourable Members wishes of a Happy Christmas and a Prosperous New Year and to thank you most sincerely for your cooperation.

The question that the Honourable House do now adjourned until Tuesday, 14th January, 2003, at 11.00 a.m. was put and agreed to in the affirmative and Mr. SPEAKER adjourned the House accordingly.
5.55 p.m.

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