THE

SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 2003 – 2008

THE SENATE

Wednesday, November 19, 2003

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, November 19, 2003, at 11.10 a.m.

PRESENT

His Honour Senator Sir Fred GOLLOP, K.A., J.P. (President)

Her Honour Senator Dame Patricia SYMMONDS, D.B.E., G.C.M., B.A. (Hons.) P.G.C.E., J.P. (Deputy President)

Senator the Hon. E. R. GRIFFITH, G.C.M., J.P. (Minister of Agriculture and Rural Development) (Leader of the Senate)

Senator R. W. GRANT, B.A. (Econ.), G.Dip., M.A. (Parliamentary Secretary, Ministry of Tourism and International Transport)

Senator the Hon. Miss L. V. EASTMOND, LL.B. (Hons.), LL.M. (Minister of Commerce, Consumer Affairs and Business Development)

Senator T. E. BARKER, B.A. (Hons.), M.A. (Econ.), J.P. (Parliamentary Secretary, Ministry of Finance and Economic Affairs)

Senator the Hon. J. E. D. WILLIAMS, B.Sc. (Hons.), M.Sc., M.B.A., J.P. (Minister of State, Prime Minister's Office and Ministry of the Civil Service)

Senator G. P. B. NICHOLLS, B.Sc. (Hons.), LL.B. (Hons.)

Senator Miss P. E. PARRIS, J.P.

Senator Miss. S. C.V. HUSBANDS, B.A. (Hons.)

Senator A. C. FIELDS

Senator Dr. F. L. CHANDLER, Ph.D., B.Sc. (Hons.)

Senator Sir John Stanley GODDARD, K.A., G.C.M., B.Com., F.C.A. (Hons.), LL.D. (Hons.) (U.W.I.)

Senator B. R. COLLYMORE, C.M.G.

Senator the Very Reverend H. E. CRICHLOW, G.C.M., B.A. (Hons.) (Dunelm)

Senator I. St. C. LINTON

Senator G. P. I. GOODING-EDGHILL

Senator Dr. D. S. LOWE, Ph.D., Dip. Theology, B.A., MED, ED.D.

Senator F. J. STUART, B.A., LL.M.

Prayers were led by Rev. Father Errington Massiah.

Mr. PRESIDENT: The Senate is in session.

ANNOUNCEMENTS BY HIS HONOUR THE PRESIDENT

Mr. PRESIDENT: I have received an apology from Senator Sir Roy Trotman as he is out of the island in his capacity as an officer of the International Labour Organisation.

PRESENTATION OF PAPERS

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I am commanded to lay the following documents before the Honourable the Senate:

1. The Value Added Tax (Refund) (Dr. Desmond A. Gill) Order, 2003.

2. The Value Added Tax (Refund) (A.R.C. Associates Limited) Order, 2003.

3. The Value Added Tax (Refund) (Substance Abuse Foundation Inc.) Order, 2003.

4. The Value Added Tax (Refund) (Variety Club Caribbean (Barbados)) Order, 2003.

5. Annual Report of the Securities Commission for the year 2002.

6. Land Tax Rebate Order, 2003.

7. Annual Report of the Barbados Agency for Micro Enterprise Development Limited (Fund Access) for the year ended December 31, 2001.

8. The Value Added Tax (Refund) (Barbados Cancer Society) Order, 2003.

SUSPENSION OF STANDING ORDERS

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I move that we suspend Standing Order No. 45(2) for the remainder of this Sitting.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg that the following Bill be read a first time:

The Barbados Port Inc. (Transfer of Management and Vesting of Assets) Bill, 2003.

The question was put to the Senate and agreed to.

NOTICES

SENATOR THE HON. E. R. GRIFFITH: I beg to give notice of the following Resolution:

Resolution to approve the guarantee by the Government of Barbados of the principal and interest necessary for the redemption of the bond issue by the Barbados Tourism Authority in the sum of $25 million.

PUBLIC BUSINESS

ORDER NO. 1 – BARBADOS PORT INC. (TRANSFER OF MANAGEMENT AND VESTING ASSETS) BILL, 2003

SENATOR THE HON. E. R. GRIFFITH: Mr. President, the Bill before us seeks to do a number of things. Firstly, it seeks to provide for the Bridgetown Port to be managed by the Barbados Port Inc., a company incorporated under the Companies Act for the purpose of enabling the port as a commercial entity.
11.20 a.m.

Secondly, it seeks to deal with the transfer of the assets and liabilities of the Government of Barbados in relation to the operation of the Bridgetown Port to the Barbados Port Inc.

Thirdly, it seeks to repeal the Barbados Port Authority Act, Chapter 285(b).

Fourthly, it deals with a number of matters relating to pensions and conditions of service of staff.

Mr. President, the Barbados Port Authority has been a profitable entity over the last 12 years. When you examine the trade statistics, you would discover that during that period of time there has been a significant increase in cargo which is being handled by that Authority.

Secondly, you would notice that the type of cargo which the Port has been handling has changed from break bulk to containerised cargo. Currently, approximately 70 per cent of the cargo which comes through the Port expressed in tonnage, is in the form of containerised cargo. Since there is a growing demand for cargo to be delivered directly to the consignees, these two changes in the nature of the business done by the Port have resulted with the Port having to make a number of adjustments to keep in line with the changes which are taking place in the maritime industry and globally, how they can fit into those changing circumstances.

Mr. President, the Port has been reasonably successful in dealing with trans-shipment cargo, not from the point of view of having had a share of trans-shipment cargo increased, as was the case of the other cargo, but from the point of view of being able to maintain its existing share. There are some difficulties with that and the reason why the Port has not been, over the years.

Firstly, it is because the Port is located a long distance away from the major trading lanes in the world. Secondly, the Port, at present, does not have the adequate space and lack some of the equipment necessary if it were to pursue an aggressive approach to trans-shipment cargo.

Mr. President, that is why in the Master Plan of 2000, the Port has made preparations for an additional 10 acres of container yard space and some additional equipment, which will then put it in a position to go aggressively after an increased share in the trans-shipment business.

Sir, those of you who are familiar with the existing equipment at the Port will remember the Gantry crane which is in operation at the Port and which has served the Port well over the years. You will also remember the history of that crane and the length of time it was kept at the port before it was allowed to be put into use. Indeed, it was a battle to have that piece of equipment fully operational.

Sir, many of the ships which now bring the trans-shipment cargo require a piece of equipment with a longer reach than currently exists and that is one of the things that the Port is planning for in its Master Plan and of which you will hear about later. The point is, the Port will be in a better position through its rearrangement, reform and expansion of its facilities and the purchase of additional equipment, to go more aggressively after the trans-shipment business.

Sir, another area in which the Port has been extremely successful is in the area of cruise ship passengers. It is clear that over the years that business has increased significantly and all the projects suggest that it will continue to grow at a favourable rate. Added to that is the area of home-porting, which has become a significant area of revenue for the Port and which will become more significant in the future.

Mr. President, these are just a few highlights of the achievements of the Port over the last 12 years. The Port, even with its present corporate structure, has been able to do well. One may therefore ask, if it has done so well under the present structure, why is it considered necessary to implement the changes which are contemplated in this Bill before us?

Mr. President, you would have realised when I presented those highlights, the fact that the Port had been able to respond to the changes as they took place is the reason why it has been successful. Therefore, with the changes that are taking place in the maritime industry, larger ships, *et cetera* and the changes that are taking place in the world's economic environment and which are driven by the emphasis that is now placed on globalization and liberalisation, the Port is going to be faced with a more competitive environment than now exists.

Therefore, Barbados in its entirety will be faced with a more competitive and aggressive environment. Any organisation which wishes to survive in that competitive environment would have to be structured in a manner which would give it the necessary flexibility to allow it to respond quickly to business opportunities and to adapt to the changing circumstances around, including increasing its efficiency, making greater use of the technology that is available, acquiring the appropriate equipment, *et cetera* and training its staff to the level which would allow them to do a good job.

Sir, that is why it is going to be absolutely necessary that the Port is structured in such a way that the management would be able to react quickly and to respond in an aggressive and timely manner to the changing circumstances which are taking place.

Mr. President, when we look at the Port in that light we would conclude, of course, that the Port is more than a place where cargo enters and where passengers arrive and depart. The Port is an agency that has a critical role to play in the future development of Barbados. As Barbados seeks to move to the point where eventually we would be able to say that we have a small developed country, we have to be doing things in a new way and bring ourselves to the point where we can respond to all of the changes which are taking place, make maximum use of the opportunities which are presented and also to overcome the enormous challenges that will come out of that situation.

11.30 a.m.

Sir, a small country like ours is going to find it difficult to compete with some of the larger developing countries when it comes to volume of exports and things of that sort. We recognised that a long time ago, but we see that we have a number of possibilities in the area of services and the Port is an agency that provides services to the cruise ships, as well as to the importers of cargo and so on, and the issue of trade facilitation is one which is attracting great attention on the international scene.

In fact, at the present moment in Geneva, in the WTO, there is a working group on trade facilitation. This group was in existence for the last four years and it is one of the issues that caused much of the chaos at Cancun, because the developed and the developing countries were not able to reach any conclusion, or consensus on the four Singapore issues which included the issue of trade facilitation.

We in Barbados have always recognised that trade facilitation is essential to our economical progress. This is why, over the years, although Barbados has not been a signatory to the Kyoto Convention which deals with the movement of goods, Barbados has implemented all of those provisions in the Convention, except the four provisions. Two of them do not apply to us because they deal with goods in transit across borders, and as an island state, we do not have to deal with goods in transit across borders.

The other two will soon be implemented, because they deal with post audits. The Customs Department is now in the process of upgrading its ASYCUDA PLUS PLUS System, a new piece of software which has been developed by UNCTAD, and will then give us the facility to generate the information which will be necessary for us to move into the other phase of the operation.

The point I am making though, Mr. President, is that we have always regarded the trade facilitation as essential to our development. We will continue to do so, and that is why the change in the corporate structure at the Port is so important to us. When you add to that the expansion programme which the Port has set out in its Master Plan 2000 to complement the change in the structure, you would discover that Barbados is putting itself in the position where it is not only an organisation like the Port which is so key to our development, it is not only able to respond quickly to the changing circumstances and to the business opportunities, but that the Port has the capacity to accommodate the increase in trade which we envisage and we would certainly wish to attract.

Therefore, it will be able to handle more cargo. It will have additional equipment that will allow it to handle the trans-shipment cargo on the ships which need the longer ridge. Sir, the Port will move from being a profitable entity to a more profitable entity and will, therefore, be able to make an even greater contribution to the economic development of Barbados.

Mr. President, in terms of the expansion programme, much of the work which the Port is about to undertake under Work Programme I and Work Programme II, have to do with work on the container berth, Number 4. Those of us who know the Port well, will remember that the Number 4 berth has been built on piles and the waves are able to flow under that part of the building. As a result of that, Mr. President, what has happened over the years, is that there has been damage to some of the concrete works under that berth, and that is one of the major programmes which the Port will be undertaking.

At the same time, what will be done, Mr. President, is that considering the deficiency which I mentioned about the inadequate reach of the existing crane, they will construct the Pier so that it will be able to carry a bigger crane. Eventually, the Port will be in a position to purchase that crane and make additional use of the trans-shipment business. This is a significant part of the expansion programme which is going to take place.

In addition to that, they will be doing work on a number of access roads and other facilities in the Port. There will be work done on the Shallow Draft which now accommodates the inter-island trade. The intention is to be able to handle even more trade than now exists. There will be the construction of a dedicated electrical workshop, because the Port is going to be undertaking an intensive training programme for its staff, having had the appropriate discussions and agreements with the workers' representatives.

At present, they do not have a dedicated electrical shop, but in the future, they will have that and the mechanics and electricians are going to be working beside each other and, together, with the training that is going to be undertaken, will allow some cross fertilisation to take place between the two trades.

The point about all of this, Mr. President, is that if Barbados is to move forward, and be able to compete in the new trade arrangements, it must have institutions and agencies in the critical areas, such as the Port, that are efficient, able to respond quickly and are successful in their endeavours.

The Bill before us, therefore, which seeks to transfer the assets and liabilities to the Barbados Port Inc., has 13 sections and two Schedules which provide for the following:

Clause 2 of the Bill deals with the definitions which are important.

Clauses 3 and 12 give the company the authority to manage and maintain the Bridgetown Port.

Clause 12 in particular, sets out the authority of existing institutions or organisations, such as the Customs Department, Immigration Department, Fire Department, the Barbados Police Force, the Ministry of Health and the Ministry of Agriculture. It is making clear that any powers which these agencies have, remain and they are not in anyway diminished.

Clause 4 sets out the land of the Port which will be leased to the Port Company. This clause distinguishes between the assets to be transferred and those to be retained by the Crown.

While the Crown will retain ownership of the lands at the Port, and you will find the description of the boundaries in relation to those lands in the First Schedule to the Bill, there will be a lease arrangement between the Government and the Barbados Port Inc., with respect to those particular lands.

The transfer of the assets takes place in Clause 5 which gives the authorisation for the transfer of all assets that are vested in the Authority, immediately between the commencement of the Act to the Company.
11.40 a.m.

Provision is also made in Clause 5 (b) for the Company to take over the:

"liabilities that were incurred by or on behalf of the Authority in relation to the operation of the Port and subsisting immediately before the commencement of the Act."

Clause 5(1)gives the Company at:

"(c) rights to set, collect and retain port dues and charges for the provision and use of the Port facilities and services."

Clause 5(2) of the Bill makes provision for the Company to take over and be responsible for:

"All contracts entered into by or on behalf of the Authority in relation to the operation of the Port before the commencement of the Act..."

Clause 5(3) gives the Company in respect of the operation of the Port,

"(a) all rights, privileges, duties or obligations conferred or imposed upon the Authority, immediately before the commencement of the Act."

Clause 6 deals with the exemption of the Company from property transfer tax:

"The Company is exempt from the payment of property transfer tax that is payable on the transfer of the assets of the Authority referred to in Section 5(1)."

Clause 7 sets out the reports which the single shareholder, who is the Government, expects to have annually from the Company and the details and the types of statements that the Minister must lay in Parliament to ensure that Parliament has an oversight of what takes place at the Company.

Clause 7 states that:

"(1) The Company shall within three months of the end of each financial year submit to the Minister the report, the audited financial statement and the auditor's report referred to in subsection 2."

Clause 7(2) states that:

"The Minister shall as soon as possible after the end of each financial year and not later than six months after the end of that year lay in Parliament:

(a) a report of the operations of the Company during the preceding year including a comparison of the performance of the Port with the relevant business plan;

(b) an audited financial statement for the preceding year consisting of:

(ix) statement of profit, loss and cash flow;

(ii) such other statements as may be necessary to show the financial position of the Company and the financial results of the Company's operations during the financial year, including any contingent liabilities of the Company; and

(c) an auditor's report on the financial statements."

Clause 8(1) states that:

"The Company shall once every five years submit a port master plan to the Minister for approval."

The contents of the plan are detailed at Clause 8 (2) which state that:

"(2) The port master plan referred to in subsection (1) is a 10-year development plan for the Port that shall contain

(a) the details of the objectives, strategies and policies of the Company;

(b) infrastructural and institutional activity schedules;

(c) a marketing plan;

(d) a land use and environmental management plan; and

(e) any other relevant information which may be required by the Minister."

The Company is required under Clause 9 (1) to submit a business plan no later than six months after the end of each financial year in respect of the ensuing financial year and for each of the subsequent four financial years.

Mr. President, you would notice that the Company has to develop and present a 10-year plan and that when it presents its financial plan it has to present what we would call a rolling plan to make sure that you have a perspective of where the company is going so you are not dealing only in isolated compartments one year at a time. It would provide an opportunity for the shareholders, for Parliament, or for any other person who has access to this information to see where the Company is headed. I think that is something we need to take full note of.

Clause 10 deals with the provisions of the staff. It states that:

"The officers and other employees who are members of the staff of the Authority on the date of commencement of this Act, shall upon that date, comprise the staff of the Company."

So it deals with the transfer of staff from one agency to another.

Clause 11 which is very important from the point of view of the staff deals with pension rights and pension plans.

Mr. President, as you know, the Port is one of the entities that has a longstanding pension plan and the rights of the members of staff are being secured. It states at Clause 11(1):

"There is hereby preserved to the staff of the Company to whom section 10 applies, the pension and superannuation rights accruing to them at the time of their assumption of employment with the Company."

Clause 11 (2) states that:

"There is hereby preserved to the officers and the employees of the Authority who

(a) were members of staff of the Authority at or prior to the commencement of this Act: and

(b) have not assumed employment with the Company at the commencement of the Act all pensions and superannuation rights that accrued to them by virtue of their employment with the authority."

Clause 11(3) states that:

"The Company shall be responsible for paying any pension or superannuation to the officers and employees referred to in subsection (2) when the pension or superannuation accrues."

Clause 11(4) states that:

"Without affecting subsection (1) the service of the staff with the Authority referred to in that subsection shall be aggregated with their service with the Company and any other public service, for the purpose of computing pensions and other retirement benefits under this Act."

Clause 11(5) deals with the case:

"Where a public officer is seconded or temporarily transferred from a pensionable office within the meaning of section 2(1) of the Pensions Act to perform any service with the Company..."

Clause 11(6) states that:

"The Company shall, within a period of two years from the date of commencement of this Act, provide for the establishment and maintenance of a pension scheme for the benefit of officers and employees of the Company."

Clause 13 (1) repeals the Barbados Port Authority Act.

Clause 14 states that:

"The Minister may by Order amend the Schedules to the Act."

Clause 15 states that:

"This Act comes into operation on a date to be fixed by proclamation."

There are two Schedules attached to the Act. One deals with the areas of land to be transferred to the Company which defines the boundaries of the Port. The Second Schedule makes reference to existing enactments.

Mr. President, it is clear to all of us that this Bill makes appropriate arrangement for the existing staff and secures their rights and that the new structure for the Port is not only necessary from the point of view of management having more opportunities and more say in the independent decision making of the authority, but is critical within the international context which I have just outlined.

All of us are familiar with the changes that are being contemplated around the world where small countries like ours will have to compete in many cases without any special arrangements with large developed countries that have access not only to large sums of money but to high quality technology and so on, so if we are to continue to grow and progress in this world, we must bring our organisations to that level where they can become efficient and be able to respond in such a manner that we will always be able to make our way in this very competitive world.

On that basis then, Mr. President, I have great pleasure in commending this Bill to the Senate and moving that it be read a second time.

11.50 a.m.

SENATOR F. J. STUART: Thank you, Mr. President. The Bill before the Senate sets out as follows:

OBJECTS AND REASONS

This Bill would, *inter alia*, make provision for

(j) the Port of Bridgetown to be managed by the Barbados Port Incorporated, a company incorporated under the Companies Act, for the purpose of enabling the Port to operate as a commercial entity;

(b) the transfer of the assets and liabilities of the Government of Barbados in relation to the operation of the Port of Bridgetown to the Barbados Port Incorporated;

(c) the repeal of the Barbados Port Authority Act, Cap. 285B; and

(d) other related matters.

Mr. President, I listened with very patient attention to the Honourable Leader of Government Business, for some kind of solid intellectual justification for the changing of the management structure and arrangements of the Barbados Port Authority. The Honourable Minister has taken his seat and yet I have not heard that justification.

The Honourable Senator did say that the purpose of the change contemplated by this Bill was in the interest of efficiency and an ability to respond to the challenges of globalization and trade liberalisation but beyond that, I have heard nothing that could have convinced the Democratic Labour Party that this Bill is worthy of its support.

Mr. President, any attempt to seriously analyse what is happening here today must begin with an analysis of what is. Sir, the Barbados Port Authority is, at present, run under the Barbados Port Authority Act, which though passed in 1975 by the Democratic Labour Party, was not proclaimed, I believe until 1979, when the Barbados Labour Party came into office.

Mr. President, Part 2 of the Barbados Port Authority Act states as follows:

"3.1 For the purposes of this Act, there is hereby established an Authority to be known as the Barbados Port Authority.

3.2 The Authority shall be a body corporate and Section 21 of the Interpretation Act applies thereto."

Mr. President, today we are dealing with a corporate entity. Sir, elsewhere, I believe in the Other Place, I have heard talk about corporatising the Port. The Barbados Port is already a corporate entity by virtue of the Barbados Port Authority Act, Cap. 285B of the Laws of Barbados and one cannot corporatise an entity. It is already a corporate entity.

Mr. President, I want to trespass on your patience to share with the Senate the provisions of Section 21 of the Interpretation Act:

"21.1 Where an Act passed after June 16, 1966, contains words establishing, or providing for the establishment of, a body corporate and applying this section to that body, these words shall operate:

(a) to vest in that body when established;

1. the power to sue in its corporate name;

(ii) the power to enter into contracts in its corporate name, and to do so that, in relation to third parties, the body shall be deemed to have the same power to make contracts as an individual has;

(iii) the right to have a common seal and to alter or change that seal at pleasure;

(iv) the right to acquire and hold any real or personal property for purposes for which the corporation is constituted and to dispose of or charge such property at pleasure;

(v) the right to regulate its own procedure and business; and

(vi) the right to employ such staff as may be found necessary for the performance of its functions;

(b) to make that body liable to be sued in its own corporate name.

(c) to require that judicial notice shall be taken of the common seal of that body, and that every document purporting to be a document sealed by that body and to be attested in accordance with any enactment applicable to the attestation of documents so sealed shall, unless the contrary is proved, be received in evidence and be deemed to be such a document without further proof;

(d) to vest in a majority of the members of that body the power, subject to any quorum fixed by the enactment under which it is established or by any relevant standing orders, to bind other members thereof; and

(e) to exempt from personal liability for the debts, obligations or acts of that body, such members thereof as do not contravene the provisions of the Act under which the body is established."

Sir, judicial notice could be taken of the seal of the Barbados Port Authority.

"21.2 Without prejudice to subsection 1 of section 3, the application of this section to a body corporate shall not:

(a) prevent additional powers being conferred by any enactment on that body; or

(b) prevent the powers conferred by virtue of such application being limited by any enactment; or

(c) prejudice or affect any liability of any member of that body to be surcharged with the payment of any amount which may be disallowed in the accounts of that body by an auditor acting in pursuance of any enactment."

Mr. President, therefore, it is not limited to the powers as contained in section 21. Additional powers could be conferred by an Act of Parliament. Of course, in the same way the powers could be enlarged, they could too be limited.

Sir, with a body having all of those powers of a company, as we understand corporate personality, why would the Government of Barbados think that it needs to abandon this kind of corporate status to pursue corporate status under the Companies Act of Barbados? Why? There has to be a reason.

Mr. President, all the powers that the Barbados Port Authority needs to be flexible and to respond to the challenges of globalization and trade liberalisation, it now has by virtue of Part 2, section 3, of the Barbados Port Authority Act, which incorporates by reference section 21 of the Interpretation Act.

Therefore, why do we need to move from corporate status as conferred by the Barbados Port Authority Act, to corporate status as conferred by the Companies Act, Cap. 308 of the Laws of Barbados? There has to be a reason for that, and it is that the one power a company has under the Companies Act that is withheld under the Barbados Port Authority Act is the right to issue shares. And that right has been withheld by Section 21 of the Interpretation Act.
12.00 noon

Sir, since the Government contemplates in the foreseeable future to issue shares and privatise the Port, it cannot use the corporate status under Cap. 285B of the Laws of Barbados. It must go under the Companies Act, Cap. 308 so that when it is ready to privatise, it can do so without hindrance and in accordance with the Law.

Sir, I state that today without any fear of contradiction. I know I am right because there can be no logical justification for moving from the corporate status under Cap. 285B to corporate status under the Companies Act unless the Companies Act confers that it is denied by Cap. 285B. Sir, that is where the secret lies.

I have known for some time that there are private sector interests that have been salivating to get at this very successful public enterprise, the Barbados Port Authority. This piece of legislation is the thin edge of that wedge intended to facilitate the privatisation of the Barbados Port Authority. If the Government said so, we could have had an argument on privatisation and its virtues but to come here and talk about flexibility and the need for efficiency but still the Government is not explaining why it is forsaking that vast panoply of powers it has under Cap. 285B of the Laws of Barbados and Section 21 of the Interpretation Act and opting for incorporation under the Companies Act.

Mr. President, in my view, it shows a lack of candour with the people of Barbados and it disturbs me because Government could have said that it believed it was time to privatise the Port.

Sir, we have discussed privatisation in this country before. I am now hearing words like "corporatise" and "parastatal" which are the intellectual products of the fuzzy minds of bureaucrats in international institutions who sneaked these words into conference documents and, Sir, people then rushed back to Barbados and parrot them as though they represent the ultimate in human wisdom. Barbados is a society not known to be run by catch phrases and slogans. Mr. President, you will recall that in Barbados we know something call a "statutory board" and, a few years ago, without any change in legislation, every politician and high-ranking public servant who had to refer to a statutory board was talking about a parastatal organisation.

Sir, these are confusing, juvenile utterances from fuzzy-headed and fuzzy-minded public servants in international organisations. These catch phrases and slogans

confuse people for a while until they come back down to earth and "corporatise" is now the buzz word. Sir, you do not privatise anymore, you corporatise although, in effect, the two words mean the same thing.

I do not care what the Members of the Government say about what we are discussing here today. They have to say why it is necessary to abandon the vast powers conferred on the Barbados Port Authority, which allow the Authority to come to the Senate today to get the Government to guarantee a loan for $34 million.

Mr. President, the Port always had these powers and that is why it has been successful. It has used those powers over the last 12 years and that it why it has been the success story that the Honourable Minister so frankly referred to.

Mr. President, a qualitative change is about to take place at the Barbados Port Authority. I have known the Minister for donkey years and I have never underestimated his intelligence nor his reason for using words. The Minister was careful when he spoke about the various sections in the legislation. He spoke about the need to present a report to the single shareholder, the Government, but that is only for the time being and quite accurate because Government is the single shareholder for the time being, but when shares are issues, we will see what the true situation is.

Mr. President, what is going to be the upshot consequence of the qualitative change to which I have just referred? As it stands now, the Barbados Port Authority, under the Barbados Port Authority Act, is the property of the people of Barbados and answerable to the people of Barbados. Once this change takes place, and the Port is incorporated under the Companies Act, that changes.

It changes because under the Companies Act, the directors of a company owe their first duty to the company, not to the country, the workers or the society. This rule goes back 100 years and I believe that I am right when I say that a case, Percival vs. Wright, in the year 1902 established that principal and it is a case well known to company lawyers.

Sir, faced with the rigours of the Rule laid down in Percival vs. Wright, the Jenkins Committee in England in 1962 tried to soften the harshness of that Rule by recommending that in the exercise of their powers, even though they have to act in the interest of the company, directors should have some regard for the welfare of employees.

This does not mean that the employees cannot be fired or that they would enjoy any more security of tenure than otherwise. It means, cosmetically, that when you report to your shareholders how many workers were dismissed, you are bound to say that it was done in the interest of the company because the first duty of directors in a limited liability company is to the company itself.

12.10 p.m.

Our Companies Act, Cap. 308, is derived from the Company Law of Canada but Section 95 of that Act embraces the same thinking of the Jenkins Committee that even though the directors owed their first duty to the company, they should have some regard for the welfare of the employees of the company.

Mr. President, if you would allow me, as I once again trespass on your patience. The Act says that:

> "Every director and officer of the Company in exercising and discharging its duties must
>
> (d) act honestly and in good faith with a view to the best interest of the Company and
>
> (e) exercise the care, diligence and skill that a relatively prudent person would exercise in comparable circumstances."

Sir, subsection 2 states that:

> "In determining what is the best interest of a company, a director must have regard to the interest of the Company's employees in general as well as to the interest of its shareholders of the Company."

Subsection 3 says that:

> "The duties imposed by subsection 2, on the directors of the company, is owed by them to the company alone and the duty is enforceable in the same way as any fiduciary duty owed to a company by its directors."

So, qualitatively, the change that is going to take place in Barbados once the legislation is passed, is that whereas the Directors of the Barbados Port Authority owed a duty to the people of Barbados, the Directors under the Barbados Port Inc. by virtue of section 95 of the Company's Act will owe their first duty to the Company itself. Mr. President, you can imagine that when that prophesy is fulfilled and the Port is privatised, what those interests will be.

Asides.

SENATOR F. J. STUART: That is the only rationale for what we are doing here today.

Mr. President, why is it thought that in order for it to be commercially viable that a company must be incorporated under the Companies Act and be run, not by the State but by private individuals? This is at the heart of the debate that is

going across the world today; the distinction between management by the public sector and management by the private sector.

It is part of the orthodoxy of Barbadian politics that public sector means inefficient, although the Port, the Barbados National Bank and the Insurance Corporation of Barbados proved to the contrary. In Barbados there is part of orthodoxy of a political discourse that when you use the expression "public sector", you are really using coded language. You really mean inefficiency, but when you use the expression "private sector", you mean efficiency.

Therefore, it is thought that the Port can only be commercially viable when it is run as the private sector does its business and not as the public sector does its business. This is what Professor Rex Nettleford recently called a new name for old obscenities. All of this goes back to the 18th and 19th Century when it was thought that unless the private businessmen were responsible for running the society, running it on behalf of what Edmund Burke once called the "Sowingness Multitude", unless that was happening you were on the slope to inefficiency. I do not believe in that and I disassociate myself from it.

The Port, Insurance Corporation of Barbados, the Barbados National Bank and other Government agencies are proof that the public sector can run an entity as efficiently as the private sector can. I do not need to push that issue any further.

I live in the parish of St. Philip and I remember when Plantations Limited at Six Roads within a year and a half it went through the eddoes, until recently when it was taken up by Emerald City. It was a white elephant. So, a white elephant can be produced by the private sector as well. The Government had intended to use this complex for a police station, a fire station and other things but then other interests prevailed and it is now in the hands of the private sector again.

Sir, I do not explain anything that has happened to me personally. My view of the world starts with what my experiences are. I did not get a secondary education in Barbados because of any private sector but because enlightened men and women in the public sector saw that those needs had to be met and that is the experience of a vast majority of the masses of people in this country.

Sir, we do not have a social security system because of any discernment, any forward-lookingness or any evangelical fervour on the part of people in the private sector. The public sector did that. We do not have a whole panoply of labour legislation going back to the 1950's as a result of any compassion on the part of people in the private sector. We have it because people in the public sector thought that it was necessary and that the interest of the masses of the people of this country should be tended in that way.

I am not here preaching any gospel against the private sector. Let us get that clear. I am a firm believer in the mixed economy and the Democratic Labour Party is committed to a mixed economy.

Asides.

SENATOR F. J. STUART: Let us get that clear. We are on record and our position is a mixed economy but I reject the heresy that in order to be efficient, an entity has to be run by the private sector. I reject the myth and the heresy that commercial viability and the private sectors are synonyms of one and the same thing.

Mr. President, this qualitative change, of which I speak, is ultimately capable of affecting the lives of thousands of people in this country. I know that there is already a private port in Barbados, somewhere in the parish of St. Peter, and I would hate to think that the future of the Bridgetown Port is headed in the same direction. I heard some disquieting noises being made about 18 months ago, as the Minister was so kind to point out and remind us of, about the time it was taking to offload containers at the Port.

In other words, the Port was doing well and was efficient. We had to find some chink in its armour in order to justify getting it out of public hands into the hands of those who have been slavering at the mouth in order to get this successful public enterprise.

Sir, serious changes can take place in Barbados if the Government and the people of Barbados do not control, for the foreseeable future, the entrances and exits at the Barbados Port Authority.

12.20 p.m.

When men sit in a board room and their only interest is, what is the interest of the company and its shareholders, decisions that can be made that are inimical to the best interest of ordinary men and women in this society, small wonder, that as long ago as the 18th Century, a Scottish philosopher, Adam Smith, reminded that it is not out of the benevolence of the brewer, the baker or the butcher that we get our dinner. It is out of regard for their own profit and that is precisely what corporate personality is minded to do in a society.

I am not at all, in favour of this move, which I see as the thin edge of a wedge to privatise the Barbados Port Authority.

Mr. President, reference was made to Clause 10 of the Bill, and I quote:

> "The officers and other employees who are members of the staff of the Authority on the date of commencement of this Act, shall upon that date, comprise the staff of the Company."

Sir, there is nothing wrong with that, and Clause 11 says, and I quote:

> "11.1 There is hereby preserved to the staff of the Company to whom section 10 applies, the pension and superannuation rights accruing to them at the time of their assumption of employment with the Company."

Sir, on the face of it, it looks as though the employees of the Company are safe and protected, but that is only at the transition stage. The time has bound to come, as the real purposes of this Bill are exposed, when the Barbados Port Inc., will have to look to see whether in the interest of efficiency it needs to shed staff, reorganise staff or anything of the sort.

Mr. President, this is true of life, in not only the private sector, it is true of life in the public sector, so I am not suggesting a company should not have the power to do that. What I am saying...

Asides.

Mr. PRESIDENT: Order, please.

SENATOR F. J. STUART: Yes, Sir.

I am making the point, Mr. President, that the likelihood has to be put on the table now. As far as we on This Side are concerned, the lives of employees at the Barbados Port Authority could be affected in a material way, by the change taking place today, because, as of the passage and proclamation of this Bill, the duty of the Directors will be to the Company itself, and not to the country as a whole.

The profit motive will take over and it should take over because it is a private company, incorporated under the Companies Act, but the consequences of that are bound to be that the lives of employees will be affected.

Mr. President, I do not accept the logic of the Leader of Government Business in the House as far as this Bill is concerned. I do not believe and I do not accept, the case has not been made out for the change of its corporate status under Chapter 285B to a corporate status under Chapter 308.

I do not accept that the Port is not commercially viable now. The Minister has been so kind to say, and all the evidence suggests that for the last 12 years, the Barbados Port Authority has been a commercially viable entity. Why do we have to change? The evidence is there. Was it the Roman Historian, Gaius Sallustius Crispus Sallust, Mr. President, who asked?

> "Ubi res adsunt quid opus est verbis?"

If the facts are at hand, why is there need for an argument. The facts are here. The Barbados Port Authority is a flagship in the area of public management in Barbados and a success, as the Minister said. Why do we have to change to go on to the Companies Act, unless there is another intention? I have addressed that intention and I do not expect it to be admitted in here today. Why should it be? But the passage of time would prove me either right or wrong and I am prepared to stand by that.

In conclusion, Mr. President, we on This Side will not be supporting this Bill. I do not know whether or not I will be here when the vote is to be taken, because I have two very urgent matters to attend to in the afternoon, one is the attending of a funeral of a very close friend, but my colleagues know where we stand on this.

I hope that I am wrong in all that I have said, but I wait to hear the Government's defence, in terms of basically skedaddling from a whole panoply of powers, under Section 31 of the Interpretation Act, to seek shelter under the Companies Act, because the Companies Act allows for the issue of shares in circumstances where the Barbados Port Act does not. We are opposing the Bill. We wish the Government well and hope that they are right but we must dissent, at this stage.

Mr. President, I want to thank you for your patience and the position of the Democratic Labour Party is clear. This is an attempt, not in the very short term, but in the not-too-distant future, to privatise the Barbados Tourism Authority.

I am obliged to you, Sir.

SENATOR G. P. B. NICHOLLS: Mr. President, I believe it was the Greek philosopher, Aristotle, who once cleverly observed that excellence is not a single act. Excellence is indeed, a habit. A man is what he repeatedly does.

Sir, my intervention into this debate has both a real and ostensible purpose but, before I go into that, I must compliment the Honourable Senator who last spoke, for bringing to this debate, for the very first time – because

those of us who have listened to the debate in the Other Place have been disappointed that the central issues which divide the two parties in this country, have not really touched the debate as yet – we hear about these two central issues today.

Mr. President, I really want to pledge my support to this Bill because it gives the Barbados Port Inc. the opportunity to develop a creative management structure that would not only enhance its sustainability, and its longevity, but it would promote the interest of the Government, in terms of securing an institution like the Bridgetown Port as part of the engine of our economic growth, a most pivotal sector for economic growth in this country.

Sir, I am profoundly moved, being a member on This Side to be part of an institution like the Barbados Labour Party, when in its first designation of a Government of this country in 1951 to 1961, moved policies that created the same institution to which we speak, such as the Queen Elizabeth Hospital and redeveloped the Seawell International Airport now known as the Grantley Adams International Airport.
12.30 p.m.

The debate surrounding those other institutions is similar to what we have today, the fear of the unknown, and now they have introduced the fear of the private sector. Suddenly, Barbadians are to be fearful of the Government working alongside the private sector in the interest of this country.

We should feel very proud today to be part of this same Barbados Labour Party which the people of this country can come to more than 50 years after these institutions have been created to give a new impetus to how they should be run in accordance to which the country is going. The economy of the 1950's is not the economy of 2003. The challenges we faced as a nation are not the challenges that we face then.

I have to wonder sometimes when I hear the Honourable Senator seeking to place this reliance that Barbados is a static entity stuck in the historical origins of our nationhood with no development outside of what has happened since 1966. Anytime the Government does something that does not sit in train with what has happened before, there is always doom and gloom.

Sir, this Barbados Labour Party has a mandate that has been given to it by the people of this country. It is because of our proud record of excellence and dealing with the issues of the day that the people of this country, for the first time, have come to us and given us a majority that is bigger in our third term than it was in our first term. This is unprecedented in the history of this country, but it is indicative of our record of service and our stewardship of the management of the Barbadian economy.

Sir, the developments of the Bridgetown Port, like the other significant capital developments that took place when this Barbados Labour Party first took the Government of this country, takes place at a time when we were an emerging participatory democracy. That time was the very first time in which the franchise was extended to all persons of the age of maturity. We saw the development of an indigenous public service which was charged with the management of those institutions we were creating as an emerging society.

Sir, this Bill today follows the logic that was put forward by this Government in terms of dealing with the redevelopment at the Airport and the Queen Elizabeth Hospital. This Bill, like all the other legislation we bring before this Honourable Senate, meets the same resistance and sinister suggestions that this Government is up to mischief.

Sir, we are not prepared to get into any dialogue about the death of the Democratic Labour Party on these issues. Our record shows that the people and the workers of Barbados have nothing to fear when it comes to the Barbados Labour Party and its management of the economy and doing things to take this country forward.

We just came through one of the worst economic recessions of our post-independence history and the people and the workers of Barbados have nothing to fear like what they had to fear under the most benevolent party, the Democratic Labour Party. Suddenly they are caring about the workers and the interest of the people at the Port, yet they told the workers of Barbados things like “like it or lump it” and asked the people of this country to determine between a devaluation or a pay cut.

Mr. President, I am very concerned with the insipid, incoherent and sometimes ‘recidivous’ cacophony from the Democratic Labour Party as the basis of a political expression by bringing into a debate of this nature an institution like the Bridgetown Port which enjoys a strategic position as how we are going to develop as a sophisticated services domicile.

They do not bring to this debate any alternative how the Bridgetown Port, in its present designation, could meet the challenges of a fast-changing global economy. They sit back as if 1966 was the Alpha and Omega of economic, social and political development in this country and anything that purports to move beyond that thinking and beyond the philosophies of nationalism that existed at that time is incongruous with the principles of development.

Mr. President, Barbados' economy is not a static thing, it is a dynamic thing. We have, from the time of the very first inhabitants of this island, been closely interwoven with the international economy. The economy of Barbados is predicated upon certain historical material facts that we cannot deny. Suddenly now, Barbados' history and economic history started in 1966 with a philosophy of nationalism and any time we move away from that, the Barbados Labour Party is selling this country to the private sector. That is the image and the tenet of the debate to which the last Honourable Senator spoke.

Sir, I cannot support that because, unfortunately, I was not born under the euphoria of the independence movement and I do not see the nation state in the same way that my parents and persons of that vintage see the nation state as the only institution or the only thing that can bring them any sort of social and democratic justice. The individual, nowadays, in the global environment is his own liberating factor and not the nation state which is the reality we must face.

Sir, the Democratic Labour Party has had some moments of historical significance and we must give credit where credit is due. However, this Barbados Labour Party feels strongly about the Bridgetown Port and it deserves our attention when we deliberate over the affairs of this country. I am suggesting to you, Sir, that the financial success of the Bridgetown Port is no reason why we cannot move in 2003 to improve the structure of the Port.

Sir, we live in a fast-changing global environment. This Bill purports to bring a structure of management to the affairs of the Bridgetown Port that is flexible, functional, progressive, efficient and effective. The Democratic Labour Party's response is, if it is not broken, do not fix it. However, we take the words of Aristotle, "Excellence is not a single act. You are what you repeatedly do to heart." So we cannot rest on our laurels in respect of how we treat institutions like the Bridgetown Port. The Democratic Labour Party would tell us to leave the Port alone.

Sir, I want to deal with the issues raised by the last Honourable Senator who spoke. Perhaps, the sound of the thunder marks the contrast between the two sides on this issue.

12.40 p.m.

Mr. President, the important issue at the heart of this debate is what is the role of central Government in terms of dealing with those public institutions that touch and concern the productive sectors of this economy.

Mr. President, we understand what central Government means. We understand the historical development of the civil service over the last 50 years, but we are at that juncture where a Government must determine how it is going to sustain the development drives of those public institutions that touch and concern productive capacity and growth.

The Government still has an overwhelming social mandate in this country. I believe the tally in the civil Service is approximately 27 000. The Government has a Civil Service and public workers that we support because of our historical circumstances. We have the educational system which takes out a considerable chunk of Government's revenue. We have a health care system and with a fast growing aging population, this Government also has to think about the health care system in this country.

In so doing, we have maintained a quality of life in this country in that every decision taken by a Government affects the maintenance of that quality of life and standard of living in this country. Therefore, as a Government we cannot do anything to divert resources from where we have committed them but, the productive engines of the Barbados economy needs to be refuelled. Therefore, the central question of Government would be, how could these institutions be financed so that they could take the economy of Barbados a step further to where we would want them to go?

Mr. President, the Democratic Labour Party would want to have this country operating as if it is in a vacuum by itself, where we could not change the structure of management to allow for inward-flowing investments into these institutions to take them to where they need to go at the Port. Therefore, the issue that divides the two political parties is, what is the role of central Government?

Sir, we have looked at the Bridgetown Port in a holistic fashion. We understand the historical significance of how the tripartite system works for the Port, that is, the interest of the workers, the interest of Government in looking after the entire management of this country, and the interest of the private sector. We understand the intricate relationship that has developed over time.

Sir, reference was made in this Honourable Chamber to the Gantry crane. Sir, in preparation for this debate, I had the opportunity to speak to my father and to a great uncle and I would crave your indulgence. I would like to mention my great uncle, who is still alive, a gentleman named Neville Lashley. He is well-known in the Port as "Body Guard". He fought in the 1937 riots with his now deceased brother called Burtan "Beef" Lashley. These two men, among others, fought and dismantled a squadron of police officers and persons of that like. These men were pardoned by this Government when we dealt with the issues of the 1937 riots.

Sir, my great uncle was one of the institutions at the Bridgetown Port. When he worked there, Barbados' economy was completely dominated by sugar. Sugar was king, and the statement that sugar was king was so apt, that

the sugar industry so dominated the economic, social, and political affairs of this country, that it dominated the affairs of the Bridgetown Port and how we related to the Port.

Sir, the things these men fought for alongside Grantley Adams (now Sir Grantley) in the early days and with the Barbados Workers' Union and the rights of the workers as it concerned the development of the Port, issues such as the Gantry crane and how workers were being taken off the scheme they were working on, because whereas these men would offload 30 containers and that would have been a day's work, the Gantry crane could have done it in one hour. Therefore, the question arose as to the need for these Gantry crane workers to work for one hour per day and still received the same pay for a full day's work.

Sir, no Government in this country has ever gone into the Bridgetown Port in the manner that was suggested by the Honourable Senator who last spoke, which was to wreak havoc among the workers in the Port, under the guise of efficiency, downsizing, *et cetera*.

Mr. President, that is not a position ever taken by the Barbados Labour Party. If the Honourable Senator is suggesting that the Democratic Labour Party, who has not brought any developmental policies to the Honourable Chamber in the last 10 years, that when they have the opportunity to form a Government in this country, that being so bankrupt of developmental policies, they might have to reach so far as to hurt the workers of this country again, if that is so, then I can understand the fears expressed by the Honourable Senator who last spoke.

Sir, as I said, it is like an insipid cacophony that came from the Democratic Labour Party. It is also incoherent because when one hears the Honourable Leader of the Opposition saying on the Floor of the Other Place that he...

Mr. PRESIDENT: I must stop you. It is a well established rule of parliamentary practice that references to debates in the current session of the Other Place, are out of order.

At your leisure I refer you to Mays Parliamentary Procedure which gives at least two good reasons for that ruling. Please proceed.

SENATOR G. P. B. NICHOLLS: I am obliged, Mr. President, but there has been a complete denial that the Democratic Labour Party's opposition to this Bill is because of some sense of privatisation but in the Honourable Chamber the Honourable Senator who last spoke is saying that it has nothing to do with corporatisation but with privatisation.

Sir, the Barbados Labour Party is on record that we do not fear giving a corporate structure to the entities that we feel touch and concern the productive engines in this country. We have dealt with issues such as the Barbados National Bank and have created institutions such as the Enterprise Growth Fund. We have managed resources that could respond to the environment in which we operate. For example, the Small Hotels Loan Fund, the Tourism Loan Fund, among others, are managed by the Enterprise Growth Fund, a corporate structure and entity somewhat in the same manner as what we are today doing, which has been able to respond to September 11, 2001, and all of the challenges faced by the tourism industry by providing assistance, loans, and equity financing in a manner that was never done in this country.

Mr. President, this Government has a well-established record of finding creative solutions to the challenges that we face, and there are a number of challenges that we face in relation to the Bridgetown Port.

Sir, as I said, Government is committed to its social mandate and the Barbados Labour Party would not depart from its obligation to the people of this country. When we have a situation where an institution such as the Bridgetown Port warrants the attention of the Government in relation to bringing new plant and equipment, and tackling new technologies to improve the efficiency of its operations, when we have areas in proximity that are managed by the Port, and communities that are lacking in terms of their social and other amenities, the Port must take a responsibility while it is creating economic activity in its own domain. It must be sensible to the concerns of persons around it.

12.50 p.m.

Sir, sometimes persons around these enterprises work at the lowest level of these institutions. A primary example of this is when the Central Bank of Barbados, an institution very much malingered and belittled by the Democratic Labour Party, was created took the Church Village area around it and earmarked it for special attention. The Barbados National Bank has also looked at the contribution it can make to the Empire Theatre and at what can be done to uplift Bridgetown because it is the centre of cultural excellence.

Sir, the Government in its Master Plans for the Port to be laid before the Senate at a later date will put programmes in place for the Barbados Port Authority to look at areas outside of its physical domain to see where it can make a sustained effort to facilitate development in the communities that surround it.

This Government is going to meet the challenges of the day head-on and we are called upon to renew our

commitment to the people of the country that we are not going to tamper with the well-entrenched social rights of the average Barbadians like the right to a decent standard of living, to tertiary level education and an advanced health care system.

This Government has committed itself to dealing with AIDS, the greatest threat to our national society. If institutions like the Port which demand more attention in terms of financial resources so that it can take Barbados one more step further to being a sophisticated financial and services domicile, if we can tap into the vast trans-shipment lane that surround this country, develop the unstuffing of containers and be a leader in the Eastern Caribbean in terms of the facilities that the Port can offer, is the Government to divert resources away from funding tertiary education to put into the Port? Sir, there is nothing sinister about a Government that looks for inward investment in institutions like the Port.

Sir, the private sector does not live on one end of the island, the workers on another end and the Government on another and then meet in a central location because Barbados is not divided that way. The economy is a living thing and people interrelate in several ways and to suggest that Government went over to another part of the island and clandestinely met with the private sector how the Port will work against the workers who live on the other side is utter nonsense, in my opinion.

This Government has a policy in which the brightest and best talent available has been employed by all the corporate institutions that service this country because we have a responsibility to the people we educate to find places for their creative talent to help in the development of the Barbadian economy and the Barbadian people.

I have real reasons for supporting this Bill because a forward-thinking policy has informed this piece of legislation. Government is committed to the people of this country and it will do nothing to jeopardise the rights guaranteed to them, but it must look at the most profitable and best institutions that can attract the investment needed to take them forward. Government must create a structure which allows and facilitates that investment while, at the same time, retaining a measure of control.

The issue, therefore, is that the people of the country can trust the Government in what it is purporting to do in this Bill. The people of Barbados have spoken on several occasions and they know they can trust the Barbados Labour Party not to sell out the people of this country. There is going to be no downsizing in the Port for matters of efficiency because it does not necessarily follow that because the Port is going to run in accordance with the wishes of the shareholders that people will go home.

Mr. PRESIDENT: Senator, you have two minutes to wind up.

SENATOR G. P. B. NICHOLLS: Thank you, Mr. President. The record of stewardship of this Barbados Labour Party administration will go down in history as one committed to the development of this country, as a Government not afraid to deal with the issues of the day and one that is creative, progressive and forward-thinking. Sir, the excellence known to the Barbados Labour Party and the people of this country is not a single act but a habit and we will repeatedly be excellent.

Sir, I am obliged.

SUSPENSION

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that this Sitting be suspended until 2.00 p.m. today.

The question was put to the Senate and agreed to and Mr. PRESIDENT suspended the Sitting accordingly.
12.58 p.m.

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed.

SENATOR I. St. C. LINTON: Mr. President, having followed the debate in the Other Place and in this Chamber this morning and I heard from Senator Stuart and the Opposition Party's spin to the Bill before us, I have discovered in the Senate Chamber that we have a prophet who prophesied that he bore a false prophesy, in that the Government of the day will not privatise the Bridgetown Port. There is nothing in this Bill which suggests the privatisation of the Bridgetown Port. That is a figure of the mind of opposition politics in this country.

Sir, every debate, Bill or Resolutions that have been brought to this Chamber and at the Other Place have been opposed, in spite of the fact that many of those who opposed it cited interest in those Bills, yet they voted against them. This is characteristic of the Democratic Labour Party and I am going to support what I said in my usual way.

Sir, when it comes to successful development in the country over the years, there has always been a "No" from the halls of the Democratic Labour Party. For example, when the Barbados Labour Party attained ministerial status in this country and they set out the Government Headquarters, the Democratic Labour Party said "No" to that. When the Barbados Labour Party set out to build the Queen Elizabeth Hospital the Democratic Labour Party said "No" to that too.

When it was decided to build the Bridgetown Port, we heard from the Leader of the Democratic Labour Party, at the time, that Grantley Adams should be bound hand and foot and thrown into the harbour.

Asides.

SENATOR I. St. C. LINTON: Not only that, in the progression of time the highway that is part of the port development, the ABC Highway, that links the two ports together in a phenomenal way that you cannot see in architecture anywhere in the world, where the seaport is linked to the airport in this country...

Asides.

SENATOR I. St. C. LINTON: Let us remember that the proposal of the highway development, Bridgetown Port and the Airport – I had the privilege of working at the Grantley Adams International Airport in the 1950's, the Democratic Labour Party said "No" to this kind of development.

Mr. President, when the false prophet attacked the private sector we should look at that industrial ABC Highway which links the two ports together, the development, forward-thinking and the acceptance of the planned development coming from the mind of the late Tom Adams in developing the highways of Barbados.

Sir, you can see a strategy which is an approach to development that is second to none anywhere in the Caribbean. Mr. President, all you have to do is look at the architecture and the setting in the development of the ABC Highway, airport, seaport and the Highway 2A, which goes down to St. Lucy. Create in your minds the development acumen that is found within the walls of the Barbados Labour Party.
2.10 p.m.

The second successful part of the Barbados economy, in the offshore industry, captive insurance and all that, when the decision was made to build that, they said, "No". Sir, all major developments that have happened in this country have come from the bosom of the Barbados Labour Party. I want to go further here, in looking at the proposals in the Bill that is before us.

The private sector of Barbados, in my lifetime, has been the leading employer in this country. At present, the Government employs about 30 000 workers. The work force is 131 000. Who employs the other 100 000 people? The private sector, so even to suggest the idea of the involvement of the private sector through shares in the Bridgetown Port as a corporate body, as presented in this Bill, like some heinous terror to development in this country, is thinking backward...

Aside.

SENATOR I. St. C. LINTON: ...and reactionary, as someone has pointed out to me.

Mr. President, it is important to recognise that this country, in its development and education...

Asides.

SENATOR I. St. C. LINTON: Mr. President, my parents went to school not in Government schools, the church and those who made up the private sector of Barbados brought education to Barbados that was second to none. We developed all of our systems out of the minds of men and women, of whatever colour. It is important for us to recognise in this country that this little dot in the Atlantic Ocean has been developed through the minds and intelligence of all its people.

The Democratic Labour Party is so opposed to development that the moment the Barbados Labour Party brings out a programme for development, you hear the chorus: "No, No, No".

Asides.

SENATOR I. St. C. LINTON: I am a dreamer of good things. I can visualise the further development of the Bridgetown Port, the development of the Grantley Adams International Airport, the coming into being of partnership through the private sector and the public sector, and a future Barbados that will be even more outstanding than it ever was.

Asides.

SENATOR I. St. C. LINTON: This is my vision, but I hear, "No". I heard the false prophet today in this Chamber telling us that he sees no future for the development of Barbados in which the public sector, which is the Government, and the private sector can walk hand in hand for the future development of this country.

You know, I hear so many different reasons why this development should not take place, but when one envisages the fact that we are now having tourist ships coming to Barbados that we cannot accommodate as we ought to, at the Bridgetown Port, it simply speaks to further development.

Sir, there is no way that the Government with its taxes, because the Democratic Labour Party says that we overtax and we are taking 40 per cent of the dollar, it is important,

therefore, to bring finance from elsewhere, remembering the fact that the Government's policy, over the last two years, that we are going to seek to develop our systems and institutions in Barbados, not out of foreign borrowing but borrowing on the local market, to enhance opportunities for investment, both in the public sector and the private sector.

Mr. President, when I look around this August body, and we need as a Senate to set a matured example of sensible debate in Parliament in this country in the 21st Century, some of those who are here from the Other Side, it hurts me and I wonder how some people get there. Looking around us here, I see tremendous talent, and the capacity of thought in this Senate Chamber.

In supporting this Bill, let me draw attention to that capacity in here. In a corporate capacity, Mr. President, you stand as an example. Senator Fields stands as an example. Senator Goddard stands as an example of corporate capacity in this Chamber. When we look around, we see two honourable men who led the Civil Service of Barbados, Senator Collymore and Senator Griffith, with tremendous acumen and ability. Sir, that is the talent which is invested in this Senate Chamber. In human resource management, we have Senator Williams and Senator Husbands.

In this Senate Chamber, we have the Church as well, the priesthood, the men of cloth. You have agriculturists, economists and most of all, to my mind, within this Chamber we have the best trade unionist ever in the Caribbean. He is not here today, but I want to say that this is the kind of capacity in this Chamber. We have a young Senator, now a Minister, a tremendous skill negotiator in international affairs, and I daresay that when it comes to oratory, I give it to Senator Stuart. We have the psychologist as well. We have some young talents to my right. We heard one not so long ago, in support of the Bill on This Side.

Sir, I am simply saying that we have an opportunity in this Senate Chamber to teach some of those who have been elected to the Other Place, what sensible debate is about and what development is about for the future of this country.
2.20 p.m.

I am going to speak later on the other Resolution in this same aspect about some development in which the Democratic Labour Party falls on its face in this country. This is the 21st century. They say "No, No, No", to everything. They ought to say "Yes" sometimes to these developmental processes.

The first sensible piece of legislation in port management as mentioned by Senator Stuart this morning came through the Democratic Labour Party, but they never proclaimed it. The Barbados Labour Party had to tell them how wonderful that piece of legislation was. That is the kind of party which forms the Government today. When you have something good, they should say so and support it. They should not come and say: "No, No, No", to every piece of legislation that comes before this Assembly, because one of these days the people are going to tell the Democratic Labour Party "No" for good.

Mr. President, this Resolution that is before us speaks about developments not only of the Port facilities and infrastructure, but about a country that would invest in itself, its people, its talents and its skills to bring to bear on the future of this country, on my children, my grandchildren and my great-grandchildren. That is what we in this Senate and in the Parliament of Barbados are called to do in the 21st Century. We are called to be objective, thoughtful and expressive to our children and grandchildren and what we are going to bequeath for them in the future in a difficult world, and how minds can synchronise together on important developments in our country.

Mr. President, the most lashes this Government got on the question of the GEMS Project – sometimes you have to bring in all of these things to show that the Democratic Labour Party does not have any development acumen – did not come from a politician, but from the owner of Peach and Quiet. I heard him say the other day that one of the problems we have in Barbados for the coming winter season is that we do not have enough bed capacity, yet he was knocking the GEMS Project. That is an aspect of when persons do not know what developmental processes are like. The Government has always taken risk in seeking to develop the tourism industry, but they could not see that. They see it as corruption with no evidence.

Mr. President, I know that this Government now or in the future will never privatise the airport nor the seaport of Barbados. I can prophesy that with a sureness. You cannot bequeath and give away the centrepiece of a development in a country like Barbados. The Port, the Airport, the industrial highways and the businesses of Barbados are the centre of our economy. They send our children to school and to university so that we can have minds that are developed and that can be challenged by the difficulties in the world and come out as gems for this country.

Mr. President, I want to add to this question of development and corporatisation. I usually end my presentation with a call and I am going to give one today. I am calling for the corporatisation of the Transport Board. We would then have the corporatised stations of sea travel, air travel and land travel. In that way all the players in commuting on the land would be brought together to have a proper, viable and successful Transport Board. It is time we recognise in this 21st Century that all entities in Barbados are Barbadians.

We need to put all our heads together in this country to stand up against the assault of liberalisation and world trade in the uneven terrain of business in this world, but we can only do that by using minds that are developed to understand what business is and what managing a country is about in order to have successful institutions garnered by cooperation between all businesses, be they public sector or private sector.

Every hand must be put to the plough for the development of this country. If the Democratic Labour Party does not understand that, they will go out of business in politics in this country. They cannot continue to tell the people "No" because while they are saying "No" to the people, the Government is getting on with its business of developing this country and providing opportunities for the future generation in every possible way, so those in the communities would know and understand that the Barbados Labour Party is a party for them.

Mr. President, I would never like to see a one-party state in this country but the Democratic Labour Party seems to want that. They do not say "Yes" to anything. In some cases they say "Yes" by one side of their mouth and when the vote is called in Parliament whether it be in the Other Place or here you always hear "No, No".

I want to encourage them to get on the "Yes" train and to get on the future edge of development of this country if not this Party and this Government will reign forever and I as a person would not like that. I believe there are times when we should hear from others in other institutions but if the Democratic Labour Party continues like this, this Barbados Labour Party will continue to develop Barbados for centuries to come, so I am appealing to them to get with it or they would be lost forever.
2.30 p.m.

SENATOR A. C. FIELDS: Thank you, Mr. President. I rise to support this Bill and would like to make a very brief submission.

Sir, I was very heartened by the Leader of Government Business when he talked about as a consequence of this Bill, the Barbados Port Authority management being more dynamic, adaptive and proactive in the business of the Port. I was very heartened by this and I hope that this is part of an evolutionary process because though it might be true that the Port has been profitable over the last 12 years, it is also a very expensive Port and has archaic management practices.

Mr. President, can you believe that in the 21st Century we have the artery of Barbados, through which most of our products enter the island to sustain our lives and our development and at midday, every day, this artery closes for one hour and fifteen minutes?

Mr. President, it is inconceivable that an entity that is as important as the Bridgetown Port could close for such a period every day while businesses for the last 30 years have been evolving to the point where they operate on almost a 24-hour shift. We accommodate passengers through our airport on a 24-hour basis but we cannot accommodate goods to our seaport on a 24-hour basis.

Mr. President, as I stand here today to support this Bill, I am hopeful that although it is going to be the same management, that the Honourable Senator would be correct in that this evolutionary process would create a dynamic, adaptive, proactive and structured port management system which would be able to react quickly and aggressively to the changing times in which we live.

I am much obliged to you, Sir.

HER HONOUR SENATOR Dame PATRICIA SYMMONDS: Mr. President, I too want to make a brief presentation, perhaps not quite as brief as Senator Fields, but teachers do have a part to play and can make a presentation.

Mr. President, our Leader of Government Business has stressed that the Port has been profitable for the past 12 years and, indeed, that is so, but I should like to add that before the Barbados Labour Party assumed office in 1994, the profits had tended to be more marginal but since 1994, they have reached an all-time high of $12 million.

At that time, the equipment at the Port was in very bad condition. The Board at the Port then went to Miami and visited the West Palm Beach Tropical Shipping and saw how they were operating. Subsequently, a proper maintenance programme was set up and computerised, which, of course, would have added to the efficiency of the Port. Therefore, there is now a fixed programme for maintenance or replacement of major pieces of equipment and we are not hearing about breakdowns anymore.

I think it is also worthy of mention to remind all Honourable Senators that, for three consecutive years, the Port has won the award for the best port in the Caribbean. It has also won prizes for the highest rate of efficiency. I understand there are future plans for the restructuring of the Port, for instance, to move the sugar terminal and the molasses tank over to the Flour Mill section, thus leaving the southern part for future development of cruise tourism. The Flour Mill area would then be designated for commercial and industrial activities and the central area for cargo. They are hoping to develop two more cargo berths. The Shallow Draft would be expanded to develop and to accommodate more pleasure crafts and yachts. Of course that could only redound to the benefit of the economy.

Mr. President, overall there would be four distinct areas, the southern end for cruise tourism, the central for cargo, the Flour Mill for industrial activities, and the Shallow Draft for pleasure crafts. In other words, it would make the Port more efficient and functional

Much mention has been made of cruise tourism and it is irrefutable that it has improved substantially. I understand that at the end of this year, cruise arrivals would be approximately 600 000, with next year promising to be a bumper year with a forecast of approximately 720 000.

Sir, I would wish to congratulate Mr. Larry Tatem, the Chairman, the Board of Management, and the Staff. I understand that the Barbados Workers' Union has been working very closely and successfully with the Port.

Mr. President, Sir Roy Trotman is not here but I am sure he would have been pleased to hear and to know that efforts are appreciated that they have been working to the mutual benefit of Barbados.

Mr. President, as has been ably pointed out, corporatisation does allow for more flexibility. Presently, the Chief Executive Officer or General Manager is being caught up in too many everyday mundane affairs. This Act would now enable him to concentrate on carrying out policies and strategies to fuel purposeful development for the Barbados Port. In these days, the Chief Executive Officer of the Barbados Port Authority should not be desk-bound but should be able to focus more on attracting business and promoting the Barbados Port as a worthwhile place to conduct business, whether by cruise, cargo or otherwise.

Mr. President, the Honourable Members of the Democratic Labour Party should be the last persons to be talking about privatisation. In April, 1993, the Democratic Labour Party had taken a decision that the Barbados Port Authority should have entered into a joint venture with Cave Shepherd & Co. Ltd., and Goddard Enterprises Ltd., to establish a commercial undertaking, to operate an expanded cruise facility at the Port. Therefore, any person who would show any inclination to privatisation would infer that the Barbados Labour Party was thinking of privatisation. It shows that we can infer that had the electorate not spoken so convincingly in 1994, the whole Port might have been privatised.

Mr. President, I support this Bill wholeheartedly. It again shows the creativity of the Barbados Labour Party, the imagination, the diversity and interest, in promoting the welfare of the Barbadian society and in furthering its economic development.

I thank you, Mr. President.

2.40 p.m.

SENATOR Miss S. C. V. HUSBANDS: Barbados' economy is faced with its greatest challenge as we seek to rebirth our economic and social sector to be able to be competitive in this new environment. We are faced with a situation where the nation is going through changes and doing things never done before and this can be unsettling to people. I want to assure Barbadians that if we are going to reposition ourselves in this new world economy, it can no longer be business as usual.

As we look at the corporatisation of the Barbados Port Authority, we are seeking to be proactive in positioning that organisation to be able to maximise its potential earnings. We must not only focus on its structure but as an organisation to be competitive in this new market, it must have the twin focus of productivity and efficiency. This is vital and important because the world has become cold and unsympathetic to those economies that are uncompetitive.

Sir, the Port has enjoyed a certain level of profitability over a number of years and there is the great temptation to be complacent and say that as long as it is making a profit it does not have to strive to move further. Sir, in the world in which we live even those who do well, if they do not seek to go further and keep advancing, will be overtaken by competition very quickly.

When we look at what we need to do in relation to the Port and at a number of things within our economy, it is important that we do not become complacent but proactive in what is happening in the world around us by benchmarking the best practices outside of our shores and seeking to excel and compete among the biggest and greatest in the world.

The greatest challenge to our businesses being able to be competitive on the international market is the fact that many businesses in Barbados, whether Government run or private, have the challenge to be able to access financing to be able to expand their markets, put in place good management systems and develop a high performing team.

As we look towards the 21st Century and seek to put resources in to restructure our organisation, increase our plant and equipment *et cetera* one of the key things we need to look at is our human resource and how we function. We have to look at management and work teams because if we do not make investment in those areas all the expansion, investment and tangible things will come to nought.

What does this mean for the Barbados Port Authority as it is corporatised? It means that management must be proactive, aggressive at expanding its business and in seeking customers and lines of services that it can offer to the community. It has to do its forecasting well and if it is

going to make investment for the future, it must be able to forecast trends, make adequate provision and not fall short of what is desired.

Sir, it is also going to require prudent financial management for in these uncertain times you can be up today and down tomorrow but if you are able to look at trends and understand what is happening in your business, sound decisions can be made to keep the company afloat.

Sir, although Barbadians use technology, many companies are not effective in its use to help them maximise their profit. Sir, technology is expensive but companies should not believe it is a cost they cannot afford and realise that if they do not embrace technology to increase efficiency they will lose opportunities in the marketplace so the Port will have to look at the effective use of technology.

Sir, it will call for good communication, planning, preparation and more importantly management has to develop the type of plans that will help them to continue to deliver the level of service required so that it can be a first-class port. Staff is the other half of the human component that will make or break the Port or any business. One of the greatest challenges the Barbados economy has is how to transition our human resource on to a new work ethic and a new way of thinking and help them to understand what is required in a new economic environment.

Sir, we are challenged today with the fact that we have a workforce that is educated and technologically competent, yet there are pockets of persons within the workforce who do not see the necessity to focus on the profitability of the organisation or seek to offer the best in customer care. This is devastating for us because after all the money spent on education, people are not able to produce across-the-board, are not consistent in effective customer care and this will destroy our nation. This will occur at our port where tourists come through because this is the dollar that sustains us. It is going to be necessary with any change made in Barbados to address the whole issue of human resources and how they function. Therefore, a change in attitude is going to be an important part of our success.

When the Port brings forward its overall strategic plan, I hope I would see a great deal of emphasis placed on training to increase their knowledge base and skills and more important, work with attitudes to be able to create the types of persons that can help us to be competitive at our ports of entries.

Sir, many organisations in this country suffer from low productivity, misuse of time and resources, poor planning, poor systems, bad service and tardiness and Mr. President, those are things that must stop if we are going to be able to position Barbados where we can still enjoy the quality of life which we come to expect.

I would like to see in Barbados some kind of national initiative that would address our attitude towards customer care. If we can do that we would be able to maximise the investments we make at our airport and seaport. Sir, the human element is going to be critical and we need to make a serious investment in it if we are to maximise the opportunities we are seeking to create for ourselves.

SENATOR THE VERY REVEREND H. E. CRICHLOW: Mr. President, I rise to support this Bill because I do not see any problems with it. Time is of the essence in business today and Governments everywhere usually take time to do things. I would think that any port should operate like a business and every concession should be made to ensure that our port is run on the best business lines.

I have no problem at all in supporting the Bill. However, we have listened to some very good speeches today but I think we have be careful when we make statements like, the individual is a deliberative force, because there are a number of young people in this country who have studied the social sciences and many of them are unemployed. It is not easy to employ a lot of people who have done social science, especially political science.

Sir, to hear that the individual is a deliberative force in the society, I am not going to go into what it could give rise to but I would like young Members of the Senate to be very careful how they make statements like that especially when people are widely read in this country. We are talking about building communities and to build up the individual in this way is counter-productive to the society. As I said, I am not prepared to go any further with this because it could have some very tragic consequences if used by people who are simply interested in the individual. I am aware of the dangers that this could lead to.

Mr. President, I support this Bill.

SENATOR Dr. F. L. CHANDLER: Mr. President, I rise to lend my full support to the Barbados Port Inc. Bill, 2003. This Bill should give the management of the Port the necessary flexibility to make timely decisions that would be necessary to allow it to operate efficiently in the present competitive environment.

Sir, my experience of the public sector is that it may take months to make a decision, weeks to complete a letter to confirm that decision and maybe weeks to have it typed and signed. By the time that transaction is completed we may have missed the boat both literally and figuratively in this case.

Sir, it is hoped that the present steps being taken will enhance the competitiveness of the Bridgetown Port *viz a viz* other ports in the region and it would become more attractive as a transshipment port of call to shipping lines.

This Bill allows the Port, although Government owned, to be managed by a company and to operate as a commercial entity. I trust that this means that the Company would have the autonomy to select its own board and staff without political interference. Sir, in countries like Singapore where this is done, it has been, apparently, very successful.

I also hope that Clause 7, which requires the necessary financial statements to be presented in timely manner, will be strictly adhered to in order to ensure transparency.

Mr. President, I heard comments via the media and in this Honourable Chamber that the Port is making money and that if it is not broken, why fix it. However, it is my feeling that it could be even more successful financially if allowed to operate as a company.

It would be expected that the commercialisation of the Port could lead to greater accountability, more prudent spending, rationalisation and speed up the operations and procedures and the flexibility of working hours, *et cetera*. This should redound to the benefit of the local business community and in turn to all Barbadians by lowering the cost of goods entering the country.

In achieving these objectives, I think it would be necessary for the retraining of staff, as was mentioned by other Senators, to change the present mindset to one of customer service, pride and industry and enhance productivity.

Sir, in an integrated planning process, the development of a plan is better informed if there is consultation with all the stakeholders involved prior to the development of the plan. I trust that prior to the development of the Port's Master Plan that there will be some consultation with stakeholders to ensure that all concerns are addressed. This is more likely to lead to sustainable success.

With regard to the lighthouses that are controlled by the Port, I think it is unfortunate and inexcusable that they should have been allowed to fall into such a state of disrepair. Lighthouses are a dying breed and those that exist are treasured and preserved in other parts of the world.

Recently I heard of a lighthouse that has been moved a few feet inland to prevent it from collapsing into the sea, so they preserved it. I am told that South Point Lighthouse is one of the few metal lighthouses in the world and yet we are allowing it to rust away.

In addition, the area surrounding the South Point Lighthouse is used as a depot for the Ministry of Public Works. Therefore, there are unsightly piles of raw material and heavy equipment that are on that location. I am sure that another location can be found to resite this depot.

Mr. President, I understand that a number of approaches have been made to Government in the past by private sector entrepreneurs who were interested in developing these lighthouse sites as heritage tourism sites, including maritime museums, restaurants and shops *et cetera*, but they were met with much bureaucracy and they did not pursue the matter further. I trust that under this new dispensation, maybe, something can be done in this regard.

Mr. President, in conclusion, I would like to reiterate my support for this Bill which should lead to benefits to Barbadians from all walks of life.

I thank you.

SENATOR THE HON. Miss L. V. EASTMOND: Mr. President, I rise to give my fullest support to this Bill. I think that it is important for me to address a few of the legal issues that were addressed earlier this morning by Senator Stuart. He took us into a very legal argument where he took us from the Barbados Port Authority Act into the Interpretation Act and said that this is the method by which the Barbados Port Authority would be able to determine its powers.
3.00 p.m.

Now, certainly, such a convoluted way of determining your powers, has no place in a modern Barbados. The suspicion with which the Honourable Senator viewed the Company's Act seemed almost laughable to me. The Companies Act is used by almost everybody in Barbados who is going to establish a commercial undertaking. The beauty about it is that in order to determine the powers of the Company, you do not have to proceed to the Interpretation Act, and try to construct some understanding of what are the Corporate powers. Certainly, it must be a move in the right direction, within the context of a Barbados that is looking towards competitiveness and efficiency, that if it is seeking to make an operation more efficient, more commercially viable and more effective, that it should do so under a piece of legislation that has been in place since the 1980s and has been in use by all manners of persons.

There will be no issue with the interpretation of the Companies Act. It will be a clear piece of legislation which we can use. Sir, the Honourable Senator also went on to confuse the issue by looking to see what are the duties of the directors under the Companies Act. As far as I know, and my understanding of the Act, there is nothing mysterious or sinister about the duties of the directors to the Company. Bear in mind that the Company is only a legal fiction.

When anybody in Barbados looks at a company and you say that this is X, Y Trading Limited, they ask you who own it. This is the question they will ask, so the Company itself, even though it is a legal entity, everybody looks behind the Company to see who the people are, so to give the impression that now there will be a duty to the Company itself, and that there will be no person whom you can point a finger at, and say that person is responsible is really laughable. It is inappropriate and I am sorry that Senator Dr. Lowe has to be here to take back the message but I am sure he is taking copious notes.

Sir, one would always look to see who owns the Company. In this case, the Government owns the Company. In terms of the duty of directors, and that duty to the shareholder and the Company, it always includes the employees. It includes every aspect of the Company that will make it profitable.

Sir, anybody who has been listening to issues about the management of companies, recognise that the critical element in a company is the people. If a director has a duty to a company, certainly, the directors have the responsibility to ensure that the employees are put in such a position that they can carry out their responsibilities and work towards the profitability and efficient administration and management of the Company. There is no question about that.

I recognise that there are some of us, in dealing with legal issues, perhaps do not take on board, that in very recent times, there are certain standards which have been set in terms of corporate governance. The Commonwealth, of which Barbados is a member, has set out certain principles and standards which are recognised as the principles that one should follow, with respect to good corporate governance.

Those principles and standards will speak to the duty of the director towards the employees of the Company. There is no need to fear that the director's duties in a new company will somehow exclude the employees, but this is certainly not the case. The major argument out of all this legal discussion, was to say that the Company now is in a position to issue shares.

Asides.

SENATOR THE HON. Miss L. V. EASTMOND: Yes, all companies are in a position to issue shares. I find myself in the position of Minister of Commerce, where there are individuals who make applications to us for small business status and when they apply to us, they have to declare who are the shareholders. It is true that in a few years, a week, 10 years or 20 years, they might want to issue some more shares but would it not be remarkable, if I as minister refuse to approve the application simply because they might issue shares to someone else, 10 or 20 years from now?

The Honourable Senator spoke about the fact that it was not his view that the Government was interested in issuing shares to anyone in the short-term. He said that the Government would be interested in the long-term. Sir, what would the long term mean for a port? Long-term for a port would have to mean in excess of 10 years for sure. Long-term for a port must mean 20, 30 or 40 years.

In 40 years' time I would not be here. The Honourable Senator Nicholls might be here, but I would not be here. Forty years is a long time and for us in this Honourable Chamber to sit and believe that we can prescribe what the next generation would wish to do with the Port is a joke. His concern is long-term.

Mr. President, let us be careful not to judge any situation on the basis of what one might do. We are lawyers. What would happen if we start convicting people based on what they might do. We cannot do that. We have to look at the Bill as it has come before us and it has come before us, constructed in a particular way. Yes, we know companies can issue shares, but that matter is not before us. When it is properly before us, I am sure we can have a wonderful debate about it.

Sir, I just thought that I should address those issues because we often cause confusion, maybe not deliberately, but because we have not expressed ourselves as clearly as we should. I think that within the context of the Government moving towards incorporating the Port with the objective that it should be run in a more efficient manner, I think we need to understand clearly what is before us. Sometimes, I think that some of us, even though we understand what is before us, do not understand the urgency with which these matters should be treated.

There is much we have to do in terms of recognising the important assets that we have in Barbados, and ensuring that we exploit all of those assets to the fullest. The Port is a national asset. I know that many of us think that some ships come into the Port. I know we look down there and sometimes we see a big ship and it is a cruise ship and we really do not think about the value of the Port to the economy.

A port is critical and both of our Ports are critical to the development of the Barbados economy, so the fact that we are focussing on the Port at this point in time is not by chance. We are focussing on the Port because it is one of the elements that will ensure that this economy continues to move forward in the path upon which this Barbados Labour Party Government started it sometime ago.

Asides.

SENATOR THE HON. Miss L. V. EASTMOND: It is important that we do not lose sight of that because sometimes I think that we are not connecting the dots. This issue, dealing with making the Port a company for maximum efficiency, competitiveness, even simplicity, I would use the word, has to do with the modernisation of the Airport. It has to do with the reduction of the corporate tax rate to 25 per cent by 2006. It has to do with ensuring that there are appropriate standards in Barbados.
3.10 p.m.

This is why this Government is focussing on ensuring that the Barbados National Standards Institute (BNSI) is able to carry out its duties. It has to do with the strengthening of my Ministry so that the Ministry can carry out the monitoring and the enforcement of the standards which the BNSI develops. It has to do with putting in place consumer protection legislation. If we have a more competitive environment and if we have more players in the market, we need to make sure that the consumers are protected. That is why that legislation is there and that is why there is a Fair Trading Commission and an Office of Public Counsel.

Mr. President, this Government is preparing this country and this economy for all that we would have to face. This Bill is just one part of that so we must view it in the appropriate context. It is important that when we do these things we do them properly and that we can get a consensus in the country because if the people are not on board with us in terms of going forward and understanding what we want to do, then we would not be able to get there as fast as we should.

When we are going to make these presentations, it is the responsibility of all of us, both on this Side and on that Side, who consider ourselves leaders to make sure that those presentations are made clearly so that we do not confuse the public into believing that they need to be afraid that the Port will now become a company and that people are going to be dismissed, which is a joke. We must not use those scare tactics where the people of Barbados are concerned because we have very important work to do in terms of being able to push forward this economy and this country.

Mr. President, I want to speak a little about the business opportunity which the Port provides, which a number of my colleagues have spoken about. They spoke about access by cruise ships, home-porting and trans-shipment. The Government of Barbados recognised for a very long time the importance of shipping and porting facilities to this economy, this is why we set up a ship registry. I do not know how many people know that we have a ship registry with a branch in the United Kingdom that registers ships internationally.

Under the International Business Companies Act, concessions are provided to companies that are in the business of trans-shipment, so this is not anything that we are doing by chance. It is part of a plan which sees this Government seizing every single opportunity to create economic wealth and job opportunities for our people here in Barbados. We have no intention of leaving ourselves in a position whereby we are caught napping where these reforms are not instituted when they should be instituted. The Port might be doing well but we are confident that it can do better and that it can generate more economic activity and more economic opportunities for Barbados.

Mr. President, there is one aspect about this piece of legislation I would like to focus on because it deals directly with the issue of accountability. Clause 7 makes reference to an annual report and financial statement and Clause 8 makes reference to a port master plan. I think these two clauses are very important.

Earlier, reference was made to the fact that they hope the financial statements are laid at the appropriate time. I would like to remind colleagues that this Government piloted the legislation dealing with the Public Accounts Committee. The Public Accounts Committee has oversight of all of these matters. If the financial statements are not laid, the Public Accounts Committee can look into that. This Government is not afraid of being accountable to anyone on any issue. We are actually putting in legislation the requirement to be accountable which before only happened through practice.

I do not know how many pieces of legislation one would find where there is reference to a port master plan and where there is reference to a comparison of the performance of the Port with the relevant business plan. What that is saying is that the Port must have a business plan and it is required under the legislation that when the report is laid in Parliament that there must be a comparison between the relevant business plan and the performance of the Port. Now that is accountability which is enshrined in the legislation.

To buttress that you have the Public Accounts Committee and that legislation was passed earlier this year. That piece of legislation would ensure, provided that the Chairman is minded to call a meeting of the Public Accounts Committee, that any matter that we are worried about in terms of the Port's financial statements or its report or its port master plan are dealt with. The Public Accounts Committee can ask for the financial statements so they can review them. I believe that is extremely important because the matter of accountability is one that has plagued many a government. Fortunately, it has not plagued this one. So far from trying to retreat from the responsibility of accountability, we are putting more provisions in place that would ensure that we are accountable.

With that, Sir, I would wish to add my voice to those of my colleagues in support of the passage of this Bill. As I said, it is simply one of the elements in a plan which this Barbados Labour Party Government has to ensure that this Barbados economy can withstand all that is coming before us in terms of any of the external factors such as globalization or trade liberalisation.

We believe that our greatest challenge is internal and once we put our house in order and conduct our negotiations effectively, there is very little for us to fear, but we must make sure that we put our house in order first remembering always that a company is the vehicle of choice internationally for commercial undertakings and there is nothing sinister about it.

I thank you.

SENATOR R. W. GRANT: Mr. President, I give my fullest support to this Bill before this Honourable Chamber. This morning I heard Senator Stuart speaking about the intellectual justification for changing the management structure of the Port. I listened to Senator Stuart speak about the private sector interest wanting to get at a successful private enterprise.
3.20 p.m.

Mr. President, I smiled this morning when I heard Senator Stuart say that corporatisation and privatisation were the same thing. As I listened to the chief spokesperson for the Opposition speaking with reference to this Bill, two words were at the forefront of my mind and those words were "intellectual" and "honesty".

Sir, in 1992, Barbados was suffering from a period of sustained economic decline. It was under a Democratic Labour Party Administration that a study called the "Bridgetown Port Expansion Study" was undertaken at that time.

Sir, before I share with Your Honour and other Honourable Senators the objectives of that Study, let me point out that corporatisation is a very positive thing. It would allow the Barbados Port to operate in a more efficient manner and would give it more autonomy. As Senator Eastmond has said, it is the international vehicle that is being used and, therefore, we have to ensure that as we seek to function in a global environment and as we seek to distinguish Barbados, we must create the necessary infrastructure and institutions to take us forward.

Mr. President, corporatisation would, therefore, allow the Barbados Port some degree of autonomy and would provide other distinct opportunities. It would give the Port more freedom to enter into contracts and more flexibility.

Sir, this morning while researching on the Internet, the country Dubia is seeking to ensure that they develop their port facilities. One of the reasons for doing that is to seek to ensure that they become a cruise tourism hub and that they are able to get cruise tourism business from within the Caribbean.

Mr. President, the environment in which we operate is not a stagnant one, nor was it the same as it was in 1961. It is now dynamic and constantly changing and therefore, we have to create the environment and institutions that could properly respond in a dynamic environment.

Mr. President, in 1992, the Government of the day commissioned a pre-feasibility study. I want to share with Your Honour and Honourable Senators the objectives of that Study. It goes as follows:

"(a) To determine and advise on the feasibility of additional berths and accommodation of our handling, as well as the required reclaimed land area to relieve pressure on the storage of additional domestic and transhipment cargo.

(b) To determine and advise on the feasibility of the creation of an additional cruise liner berth to satisfy any further expansion growth in the cruise line business.

(c) To determine and advise on the feasibility to development of an area for the mooring of yachts and other small crafts.

(d) To determine and advise on the terms of reference for the feasibility study and to prepare such terms of reference with emphasis on managerial operational efficiency of the Authority."

Mr. President, I would wish Honourable Senators to take note of this particular objective that I will now mention because today the impression was given that a Barbados Labour Party Government would privatise the Port, and that the Democratic Labour Party has never conceived of such a move.

Mr. President, when I was a little boy, my grandmother always told me to speak the truth, for it shall set me free. Sir, as an objective of that Study, the then Government, the Democratic Labour Party, had identified the privatisation of the Port Authority.

Mr. President, can you believe that after listening to the presentation made by Senator Stuart this morning, that a Democratic Labour Party Government had made the determination that they would seek, as an objective, the

privatisation of the Bridgetown Port? This is the kind of thing we are having in this country when political institutions like the Democratic Labour Party say one thing today and then something else tomorrow. Their words in the morning are not the same as in the evening.

Sir, this Barbados Labour Party came here and stand by what we say. Sir, many Honourable Senators have given this Honourable Chamber and the people of this country the assurance that this Barbados Labour Party Government would not privatise the Bridgetown Port.

I want to hear the Honourable Senator for the Opposition in this Chamber, when he gets up to speak, to categorically state to the people of this country that the Democratic Labour Party, if ever they become a Government, would not privatise the Bridgetown Port. I want him to tell the people of this country that in 1992, the Democratic Labour Party Government did not, as an objective, state for the feasibility study, the privatisation of the Port.

Sir, we have to look at the history that is associated with us being here today. I think it is true that as early as 1992, it was recognised that the Port was becoming heavily congested with the ever-increasing cruise ship arrivals that were anticipated for future years. Sir, no one can take issue with the fact that at no time was it necessary to look and to access the operations of the Port.

I know that in 1996, this Barbados Labour Party Government had made a determination to set up a technical committee. The determination was made that it would not have comprised only of persons who were associated with Government but that it would involve the private sector and that the workers of this country had a right to be heard.
3.30 p.m.

I give Senator Chandler the assurance that as we move forward there will always be consultation because all ideas do not reside with us. We recognise that we have to listen to others and engage others. Sir, I listen to the Democratic Labour Party's Senator speak as if corporatisation and giving up some of the shares at the Port is a bad thing but this Government has a legacy. When this Government gives up shares, we give them to the people of this country by way of the National Insurance Scheme and Credit Union investment but when the Democratic Labour Party was in Government they did the opposite. Sir, they took away from the people and hurt them.

Mr. President, the technical committee in 1996 made a number of recommendations that related to regulatory matters, human resources, management, the board structure, tariffs, service qualities and the implications for the expansion project.

Sir, I want to share one aspect of the report prepared in 1986.

Mr. PRESIDENT: Senator, would you like to make it a document of the Senate?

SENATOR R. W. GRANT: Mr. President, I am guided by you. Sir, the Barbados Port Inc. will have the Government of Barbados as its majority shareholder for the foreseeable future. As we debate this Bill, talk about ensuring that Barbados is able to function in a global environment and the challenges which come from trade liberalisation, I would have hoped that the Democratic Labour Party would have seen the wisdom of coming to this Chamber to support the Bill.

Sir, 10 years ago a cruise ship coming to Barbados weighed about 77 000 gross registered tons. Today, the Queen Mary II weighs 140 000 gross registered tons. It is taller, wider and longer than any other cruise vessel in the world and it can be accommodated here at the Bridgetown Port. This is so because this Government has recognised the need to have continuous work going on at the Bridgetown Port and ensure that we give Barbadians in institutions a competitive edge.

Sir, we have to constantly keep changing and seeking to ensure that we remain in the domain of where things happen and this is an issue I have with the Democratic Labour Party because they seem only to reflect on what happened in the time of the late Right Excellent Errol Walton Barrow.

Sir, things are changing and if we are going to take advantage of cruise tourism and home-porting, we have to get with the programme. Mr. President, nine ships will be home-porting in Barbados this winter season and on those days, approximately 2 000 passengers will be passing through Grantley Adams International Airport and the Port. Those ships come from Europe and with the appropriate expansion at the Port and a new cruise pier, we intend to go after the North American market as well.

Sir, I heard some persons criticised home-porting and the Government for getting the Concord and I do not know why they would do that unless they cannot see the wisdom and understand the vision of what needs to be done to take this country forward. Sir, when passengers home-port, the Port gets fees for the use of its facilities, taxi operators and coach operators get money and Grantley Adams International Airport also gets money.

Earlier this week, Ocean Village made its inaugural visit to Barbados. It is still docked in the Port and it participates in cruise-and-stay. Mr. President, you can cruise,

stay in a hotel here in Barbados for one week and then cruise for one week. We are going to expand cruise-and-stay and home-porting to ensure that we maintain a competitive edge.

Sir, this Government believes it is very important that we look at the entire infrastructure of the Bridgetown Port. 3.40 p.m.

Sir, it is necessary too in order to ensure that we achieve the efficiencies that we have talked about. It is necessary to change the management structure and this Bill provides for that. This Bill provides for the Port, when it becomes an entity, to be able to make the necessary management decisions for its future development.

I heard comments being made that if it is not broken, do not fix it. This statement clearly says to me that there is not an understanding of the times in which we live. You cannot only do things with reference to today, you have to look to the future and anticipate what the future is likely to be and to ensure that you create the environment that would be relevant as well. That is what we are doing, Sir.

Sir, when we think about creating a corporate entity for the Bridgetown Port, I am very happy to give my support to this Bill. I am very happy to have an association with the Bridgetown Port and I want to compliment the workers of the Bridgetown Port for the work they do. They go to work every day and work hard for the benefit of this country.

Sir, cruise tourism is on the increase and we need to take advantage of that. We need to also take advantage of trans-shipment. We need to expand the cargo facilities. The Port has outgrown its facilities. There is beautification being done at Trevor's Way and the Bridgetown Port recently put out to tender asking for persons to upkeep the lighthouses in Barbados. It is important that I take the point that Senator Chandler made about the lighthouses in Barbados. We will ensure that we properly utilise not only the Bridgetown Port but outside of the Port as well.

Today I am saying to the Opposition that they must come on board and demonstrate relevance. We all have to work together.

I want to use this opportunity to make an appeal as well to our CARICOM partners. I say that because when we look at cruise tourism, one destination does not make an itinerary. While we are doing everything positive and right we also have to encourage our CARICOM partners to walk with us as well because we all have a stake in this. We all have a responsibility to the region and to ourselves to ensure that we put the necessary infrastructure, berthing facilities, the necessary facilities to enhance cargo business and home-porting in place. As I said, one destination does not make an itinerary.

I am obliged to you, Sir.

SENATOR Dr. D. S. LOWE: Mr. President, I rise to make my contribution to this debate. I intend to make just a courtesy call because I believe that my colleague, Senator Stuart, did a very comprehensive job in seeking to entice the Leader of Government Business in this Senate, the Honourable Minister, Senator Griffith, and Members on that Side to tell us what the Government has decided upon as the basic premise for its decision to move this Bill to a point of passage.

There is something call volition. It is a theological terminology that has to do with the will of man and "will" not referring to man's capacity to be stubborn but, on the other hand, "will" referring to man's capacity to choose for himself or herself.

While others may want to know what is the mandate for the Opposition in this hallowed Chamber, let me make the point that the Opposition has a responsibility to the people of Barbados just as the Government. Our responsibility in this Chamber is to ensure that at the end of the day we have, in fact, antagonised any legislation or Bill that passes through here to ensure that the masses of this country understand what obtains in the bosom of that legislation.

I believe that the call of one Senator for the Opposition not to say "No" any longer is like saying to an adult, who, perhaps, has some romantic interest to the truth, to look in the face of the truth and say "No". We will say "No" as long as, in our view, "No" is the correct response. With the highest respect to every single Honourable Senator in this Honourable Chamber, I would hope that they can appreciate an Opposition or a member on their Side who happen to have a difference of opinion with any piece of legislation advanced through this Chamber, that to say "No" is the epitome of the democracy of this country. If you are telling me that my right to say "No" has become a bother to you, then I must ask how much do you love our great democracy? 3.50 p.m.

Sir, we came here with the Honourable Senators to ask a simple question. Now, the Leader of Government Business in this Chamber, the Honourable Senator Griffith, in launching this Debate, told us the reasons why the Bill has come before us. He outlined a number of very glowing reviews on the performance of the Port.

Sir, my colleague who is absent, went over those things. He talked about profitability, the expansion of services and the process of expansion, new demands and the fact that business is brisk at the Port.

Mr. President, I am not a lawyer but as I understand law, I would like to think that if a defendant stands before a judge, that his or her Attorney has the responsibility of presenting evidence, beyond a shadow of a doubt to determine that individual's innocence. On the other side, the prosecution must also provide evidence to suggest why that individual may be guilty.

Sir, let me say that if, in fact, we must walk through this country and not be allowed to express our concern on any point raised by the Government, then I am saying that we have lost the sense of purpose for this Chamber. I know that we, as ladies and gentlemen, Honourable Members in this Senate, have already decided that we will manage the level of professionalism obtained in this Chamber. We agreed that we will fight on issues, not people, and that we will not concern ourselves so much with the asides, as we would concern ourselves with the central purpose of the legislation before us.

Sir, let me say that we have asked the Leader of Government Business to tell us why has the Government taken its position to shift the legislative framework in the governance of the Port? We have asked that we be told where the plan is located.

Senator Grant talked about an assurance that there will be consultation. I want to say that consultation must come before the passage of legislation. The people of Barbados need to understand, and our role here is to ensure that at the end of the day, whether we agree or disagree on a point, that the public benefits from the discussion of the debate.

Mr. President, I had a conversation with a gentleman who works in the Port only last Sunday. He has been working at the Port for 15 years. He said he has no difficulty with the country trying to make progress, but if in its attempt to achieve that progress, it must do things that affect my life and my livelihood, I would like to know what is going to happen before it happens.

Sir, this is a reasonable request and I am saying that the Bill says that and we have access to the Bill, but the Opposition does not have access to the meetings of the Government, so we in a sense are on the same side as those persons in the Port who still are unclear as to what is actually going to happen, or what is happening. All we in the Opposition have to do, is to ensure that when we begin to probe the contents of the Bill that the public benefits from the debate.

Mr. President, we therefore have no beef with the private sector. We do not practise antagonising the private sector, but we want to ensure that when any action is taken, whether it is private sector involvement or non-private sector involvement, the people of this country understand exactly where the Government wants to take the country, because the country is not just simply the laws, the country really is the people.

I am making the point, as I add my bit to this debate, that if the corporatisation of the Port means that the country will be able to realise a more bountiful output at the Port, tell us in real terms, if there is a developmental plan and why that plan has not been made available for public consumption. If you are taking a position that changes the culture of the Barbados Port Authority, then I would like to know why you have not, in fact, summoned the attention of those affected by this particular effort and told them exactly how their lives will be affected.

It is good to believe that you maintain good faith on the part of the Government. We will not put any negative motive to the Government's intent, but that does not mean, Mr. President, that the Government does not have a responsibility to unveil in its nudist form, everything that is contained in the legislation it is asking us to be a part of passing.

Sir, Senator Grant made a couple of assertions. I just want to make a single point that if anyone understands the difference between a feasibility study and commissioning a mandate, one would understand that a feasibility study sets out to examine the realities and otherwise to inform it to make a decision. A feasibility study does not bind an individual, an institution or an organisation to anything that the feasibility study reveals.

Sir, all that happens is that those who are responsible for managing say, we want a feasibility study done and the objectives cannot be assigned to the Government. They were assigned to the study but, of course, that technicality would elude some, while there are others who would be able to make the technical distinction and thus understand that you cannot say that a feasibility study means that the Government of the day had an intention to implement an objective of a feasibility study. The feasibility study revealed what it has to reveal and today, the Democratic Labour Party cannot be assessed, as having made any attempt to privatise the Port, but that was by the way.

Sir, let me get on the way because the truth of the matter is that we, on this Side stay very firm on our position. We have asked the Government to tell us, in its broadest terms, what is contained in the road map that would allow the Port to get where the Government wants it to go. It would do the public a great favour, less the public becomes wound up as it did with another Government institution that was recently farmed off, if they could have access to this information because the legislation should come after the consultation.

4.00 p.m.

I am imploring those on the Other Side to instruct those who frame these kinds of legislation that if they want us to say "Yes", then they must create the level of intellectual and other types of stimulation that would allow us to say "Yes", if "Yes" is necessary.

I am much obliged to you, Sir.

SENATOR G. P. I. GOODING-EDGHILL: Mr. President, I rise to join my colleagues in supporting the Bill before this Honourable Senate.

The Leader of Public Business articulated the reasons for the introduction of the Bill. He made the point that the Bill will give more autonomy to the Port to manage its affairs and to respond to the challenges ahead. He went on to say that the change in the corporate structure would facilitate trade in the new world order. Mr. President, I do not think there is another person in this Chamber who could perhaps articulate the changes within the World Trade Organisation better than the Honourable Leader of Public Business.

We are fortunate that we have planners in Barbados particularly in the Government who have a vision for Barbados and for the continued development of Barbados. Our tourism planners have always been proactive in taking measures to avert social and economic dislocation while, at the same time, implementing initiatives to further promote tourism and consequently the development of Barbados.

The deepening of the Deep Water Harbour has enabled large cruise liners to port at Barbados something that others within the region would want to have within their ports. We have seen now a situation arising in Barbados where mega cruise ships are lining up to call and are coming to Barbados. We heard and know that the Port is a highly profitable, well-managed and successful company. So why should the Opposition be alarmed if the Government decides to corporatise the Port and to include it under the Companies Act?

Mr. President, I want to say this for the benefit of the Members of the Opposition. This is not the first time that the Government has engaged in an exercise to put a proper entity under the Companies Act of Barbados. I want to draw the Opposition's attention to the Caves of Barbados Act, 2000, a company incorporated under the Companies Act of Barbados for which the Government is the sole shareholder. I say this because I believe that the Opposition is engaging in what can best be described as an attempt to use tactics to confuse Barbadians and it must not be allowed to go on and to go beyond this Honourable Senate.

Government has made it clear and has gone on record as saying that it will not privatise the Port, so if it is on record and there is no attempt to privatise it, why therefore should the Opposition continue to put the myth out there that the Government intends to privatise the Port?

Mr. President, there is no issue regarding the issue of staff transfer. Those rights are vested and protected in the Bill. There is no issue regarding possible retrenchment. The Port is said to be well-managed, therefore it is essential that they maintain staff levels in accordance with their profitability.

We have seen a situation where the Democratic Labour Party executed some serious retrenchment in the Barbados Port Authority, but far from us retrenching workers, the record would show that the Government has maintained stability in the employment levels at the Port Authority.

Mr. President, the Opposition, through its Leader in here, raised an issue about the Insurance Corporation of Barbados(ICB) and the Barbados National Bank (BNB). When the Government decided to sell the BNB, it made special provisions within that sale to ensure that if for any reason the entity found itself in a position where it had to sell the shares, it would have to come back to the Government of Barbados with those shares.

I believe that is the right to first refusal, if I am not mistaken, so when the Opposition talks about the BNB and ICB and trying to create confusion out there that the Government is somehow trying to get involved in bed with the private sector in an attempt to sell the shares, it is not true.

Mr. President, I think it is necessary, since the Democratic Labour Party has set out to create confusion, for this Side to expose the record. I want to refer to Hansard to the Debate of Tuesday July 18, 2000. I believe it was Order No. 7 which had to do with the Caves Bill of 2000. On that occasion when the Government was undertaking a similar exercise to bring the Caves of Barbados under the Companies Act of Barbados, the then Leader of the Opposition supported the Government's position which is on record at page 21. This is Mr. D. J. H. Thompson:

> "Mr. Speaker, the Opposition will be giving support to this Resolution."

It is on record, so when people come in here and say "Yes", in 2000 and come back in here and say "No" in 2003, I want the public to understand that the Democratic Labour Party supported a similar move back in 2000 when the Opposition supported the Caves Act of 2000 which effectively gave rise to the Caves of Barbados Limited.

Mr. President, this is not only about the Caves of Barbados. There are several other companies. For example, we have the Transport Board, the Barbados National Oil Company and the Grantley Adams International Airport Incorporated under the Companies Act, and I can go on, so to come in here and to do what I suggest is nothing short of trying to confuse Barbadians is an attempt on the part of the Opposition to try to sensationalise an issue that does not exist.

If you have other companies for which Government controls 100 per cent of the shares under the Companies Act and the Opposition is on record in 2000 supporting a presentation, why it is therefore necessary for them to come in here today and object to the Bill before this Honourable Chamber?

In trying to formalise and bring the Port under the Companies Act, you are essentially ensuring that there is corporate governance, for example, by laws, the structure of the company, its right to borrow funds on the open market and so on.
4.10 p.m.

Sir, we are trying to frame and to bring all of these things. It also presents some other exciting opportunities which Honourable Senators have referred to earlier, for example, the expansion of facilities of the Bridgetown Port, more managerial and operational flexibility as a company standing on its own, except that once before as opposed to presenting a plan every year, there is now under the Bill at Section 8, the opportunity where the directors, having been appointed by the shareholders and in this case referring to the shareholders' representative through Cabinet, the Board of Directors would have an opportunity to present a master plan to the Minister for approval.

"8.1 The Company shall once every 5 years submit a port master plan to the Minister for approval."

Sir, there is nothing wrong with that. When shareholders appoint directors to act in their interest, they look to appoint competent men and women who would serve their interest well.

Sir, I want to conclude by saying that when we go and check the facts, Barbadians have to be very careful that there are no situations where the Opposition would have said something tomorrow and today say something completely different. What the Opposition is being engaged in is nothing short of trying to politicise a situation where none exists.

Sir, I would like to thank the personnel at the Barbados Port Authority for their outstanding work. I hope that now they have come under this new Bill, they would engage in opportunities of operating flexibility because it is absolutely necessary in Barbados that if we are to go forward economically and financially, we have to look at issues of operating flexibility. Sir, in their new remit, the Barbados Port Authority should go further and should create other linkages with the cruise ships and hotel sector in an attempt to further generate more foreign exchange for Barbados.

Mr. President, I am obliged to you.

SENATOR THE HON. E. R. GRIFFITH: Mr. Speaker, I have listened very carefully to the points made by other Honourable Senators and have taken note of them.

However, on this occasion, I do not propose to become involved in any discussion on privatisation because I do not consider this an appropriate occasion. The Bill, of course, does not speak to the issue. However, I can give my assurance to Senator Stuart that any time he wishes to become engaged in a discussion on the merits or demerits of privatisation, I am willing to be engaged. Although I would not now deal with it, it is an issue that is critically important to the development of our capital markets.

Sir, with regard to the issue of workers needing to get an understanding how they would be affected, I do not have a problem with that, except I would say that there is absolutely nothing in the Bill that seeks to change the conditions and services of any of the workers.

Therefore, I would find it difficult to understand why the Honourable Senators on the Other Side would be trying to raise that as an issue. The Bill seeks clearly to guarantee the existing rights of the workers as they move from one company to another. There is nothing which seeks to change their conditions of service.

I heard Senator Stuart saying, "Yes", that is so now but in the future something might happen. Mr. President, I am not going to speculate. I am not a prophet, a soothsayer or a fortune teller. I am practical and will deal with the issue as it relates to the evidence that is before me. The issue here is not what is likely to happen in the future. It is that we have an entity which is performing a number of services that are critical to our future development and has done reasonably well.

Sir, I was at pains to make the point that it has so far been successful because it was able, within its resources, to make adjustments to the changing circumstances. Sir, we take note of the fact that the changes are intensifying. There is a greater thrust around the world to bring about liberalisation and other changes to the trading environment that would create a more competitive environment.

We, therefore, have a choice of either allowing our entities to become absolute and, therefore, find that we are

unable to compete or to get them ready so that we could make full use of all of the opportunities that present themselves, and of overcoming the major challenges because there would be challenges.

Sir, we have taken the decision to prepare the Port so that when we reach the stage where the world is fully liberalised – and that is going to happen – that the Port would be one of the entities on which we could rely to help Barbados become more competitive.

Sir, in that context, I took the point made by Senator Fields. While I cannot guarantee him that it would happen, I am assuming that if we are going to become more competitive, that implicit in that is going to be the fact that an agency like the Port would have to put itself to the point where the charges would be more competitive as well.

Sir, my understanding of the need for increased efficiency is that by so doing, the Port would be in a position to deal with the issue of cost because that is the only way in which we would become more competitive as situations change.

Mr. President, at first I was a bit puzzled why Senator Stuart found it necessary to be so engaged with the thought of privatisation but then I reflected that in 1992 when Barbados was going through the most difficult period of its history to my knowledge – and I have had 27 years in the Ministry of Finance – it was during that time that the pre-feasibility study was done when Barbados was engaged in discussions with the Inter-American Development Bank (IADB) in trying to get assistance to get itself out of that difficulty.

Therefore, it is no surprise, since I was involved in the exercise, that the issue of privatisation was one of the objectives of the study. Sir, perhaps Senator Stuart, who I believe was a Member of the Democratic Labour Party at that time, still has that period in his mind and that is why he is still so obsessed with the idea of privatisation, even when it is not before us.

Mr. President, Senator Stuart needs not worry because privatisation is not before us. If ever it comes, it would be dealt with in a rational and sensible manner. At this stage, since I am not a soothsayer or fortune teller, I am not going to predict what would happen. I am an economist. I do not predict. I project on the basis of the evidence that is before me.

What I would say is that I am convinced that if we were to manage the affairs of the Port and of the country well, then we do not have to worry about what would happen in the future. Today well spent makes the approach easier for us to take in the future. That is the approach I would take.

Mr. President, on that basis, I think we have had a useful debate and there is no need to prolong it unnecessarily.

I, therefore, propose that the Bill be read a second time.

The question was put to the Senate and agreed to.

4.20 p.m.

On the motion of SENATOR THE HON. E. R. GRIFFITH, the Senate resolved itself into Committee on the Bill, SENATOR THE HON. Dame PATRICIA SYMMONDS in the Chair.

COMMITTEE

Madam CHAIRMAN: The Senate is in Committee.

Clauses 1 – 5 were called and passed.

Clauses 6 – 10 were called and passed.

Clauses 11 – 15 were called and passed.

The First Schedule became the Schedule to the Bill.

The Second Schedule became the Schedule to the Bill.

On the motion of SENATOR THE HON. E. R. GRIFFITH, Madam CHAIRMAN reported the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. E. R. GRIFFITH, the Bill was read a third time and passed and cited as Barbados Port Inc. (Transfer of Management and Vesting Assets) Act, 2003.

ORDER NO. 2 – RESOLUTION TO APPROVE THE GUARANTEE BY THE MINISTER OF FINANCE
THE PAYMENT OF THE PRINCIPAL AND INTEREST IN RESPECT OF BDS$34 MILLION TO THE BARBADOS PORT AUTHORITY FROM THE CARIBBEAN COMMERCIAL BANK

SENATOR THE HON. E. R. GRIFFITH: Mr. President, the Resolution before us is seeking approval of the guarantee of a loan for $34 million from the Caribbean Commercial Bank to the Barbados Port Inc. as financing for the capital expansion project about which we spoke when we were dealing with the other matter. This expansion project goes hand-in-hand with the change in the corporate

structure because if you recall, we spoke about the need for increased capacity at the Port to meet the new demands which will be placed upon it and to take full advantage of the new opportunities that will arise from that expanding trade.

Mr. President, the bulk of the money is to be spent on repairs to Berth 4, as I indicated this morning, which is where container cargo is handled. This berth has been constructed on piles and the constant action of the waves passing under the structure has done much damage to the concrete work there.

In addition, the continuous landing of containers on the pier has done much damage, it has started to sink in a number of areas and there is need for much remedial work to be done.

It is the intention to strengthen the pier side at the same time so as to provide the capability for the Port to put a larger crane in that area.

I spoke this morning about the fact that the present gantry crane is now inadequate in terms of the reach in relation to the ships bringing the trans-shipment cargo and there is need for a heavier crane with a longer reach. There is need for much work in this area so that the Port will be able to go after more trans-shipment cargo.

Those who know the history of the gantry crane will recall the difficulties we had over the years to get it into operation and I am sure we will not have the same problems with the second crane. This, in a manner of speaking, answers some of the issues raised earlier about the Port not working 24 hours as happens at the airport.

Sir, the difference is that the airport has always been run by a Government department and there is some doubt in some people's mind that public servants are able to do things well. I do not have that doubt, having been a public servant for 41 years, I challenge anybody in this Chamber or elsewhere to say that I did not know what I was doing.

I played my part in bringing Barbados through some of the most difficult times during my 27 years in the Ministry of Finance and even now, although I am moving on in age, there are not many people who can speak on issues better than me. I take offence sometimes when I hear people suggesting that public servants are fools because I know it is not true and that there are foolish people all over the world. I just passed through one of the most developed countries and I met a number of foolish people at the airport but that is life.

Sir, the airport has always been a Government department and as bad as the public service may be, there is merit in what has been done at the airport because it works 24 hours around the clock.

When I first joined the Customs Department in 1969, there were only two customs officers and they worked until midnight. Barbados Port Authority was run by a corporation and it still is but eventually it will be run by a company. There are a number of problems that the Port has which the airport does not. I would not go into them at this moment but some of them are beyond the ability of the Port to solve. I sat on the Board and every year there was the issue of how many containers should be unstuffed in the Port and the battle was to get the numbers increased.

4.40 p.m.

Sir, sometimes there are problems that you have to learn to deal with and I am sure that the Port now has the experience to deal with them.

Sir, the reality has come home to us in Barbados that if we want to stay alive to compete and grow that we have to take certain decisions. I think that the maturity that we have achieved came through the period 1991 to 1994. I think that Barbados has matured significantly and the Social Partners had the opportunity during that time to sit down, reflect and develop a strategy that is now being admired across the world.

Sir, recently I was in Geneva and visited the International Labour Organisation and Barbados was always held up as an example to the rest of the world as to how the Social Partners can function in the interest of the country. I believe that through our maturity the problems at the Port would be solved. Therefore, the issue of the expansion of the Port is a critical one to our future development.

Mr. President, I commend this Resolution to fellow Senators. Mention was made of these projects during earlier discussion and I am not sure that there is need for a lengthy discussion on this aspect but I will leave that to Honourable Members.

I, therefore, beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 3 – TO APPROVE THE CHANGE OF PURPOSE FOR WHICH THE PARCEL OF LAND SITUATED AT TWEEDSIDE ROAD IN THE PARISH OF SAINT MICHAEL IN THIS ISLAND COMPULSORILY ACQUIRED BY THE CROWN UNDER THE LAND ACQUISITION ACT, CAP. 228 FROM THE PUBLIC PURPOSE OF THE CONSTRUCTION OF A NEW CARRINGTON'S PRIMARY SCHOOL, TO THAT OF HOUSING DEVELOPMENT

SENATOR THE HON. E. R. GRIFFITH: Mr. President, the matter before us is a fairly straightforward and

simple one, as I understand it. In 1999, the Government of the day made a decision to acquire a parcel of land, 4,728.6 square metres in Carrington Village and Tweedside Road. The proposal at the time was to construct a new Carrington Village School on that site. Subsequent to the decision to acquire the land, it was discovered by the Chief Surveyor that the land was, in fact, two lots instead of one. Sir, one lot was 319 square metres and the second lot was 4,409.6 square metres.

Mr. President, when the discovery was made, it was realised that the full area was not needed for the school and, therefore, a decision was taken to return the 319 square metres to the owner and to keep the second lot, 4,409.6 square metres, for the construction of the school. However, when the Ministry of Education started to implement its EduTech Programme, a decision was taken that the Carrington Primary and Erdiston Primary Schools would be amalgamated as part of the work related to that programme and the new school would now be sited at Flint Hall, Fairfield, instead of Tweedside Road.

Sir, I was not involved in it then but I think that was a wise decision. Recently I visited both sites and I must say that the site at Flint Hall is a better site for a school. It is removed from the road and there is a lot of space for the children to play without the fear of being struck by vehicles. I cannot say the same thing about the site at Tweedside Road. In fact, I think that it is better suited for the purposed use, that is for the construction of twenty-four housing units.

Mr. President, the intention of this Resolution is that the lot at Tweedside Road be vested in the National Housing Corporation for the purpose of creating 24 housing units at that site. I do not think that any of us would have any reason to object to that because Housing is an area where there is a huge demand both in the urban and rural areas and any effort to ease that demand, in our view, is one that should be supported.

Sir, on that basis, I beg to move that this Resolution do now pass.

Mr. PRESIDENT: Senator Lowe.

SENATOR Dr. D. S. LOWE: Mr. President, I rise to leverage the Opposition's voice on this particular Resolution. First of all let me say that any effort advanced by the State to house its people is indeed a laudable effort. This particular case, while one might want to query the change of use of the land, one has to be realistic in recognising that the need for housing in this country, particularly to those persons who are low income earners, is at a very crucial point and that there has been a deluge of requests for house spots and housing solutions for poor people in this country. While in some cases Government has sought to speed up its efforts in the provision of housing, there is still a crushing need for Government to do more to put low-income housing within the reach of low income earners.

Let me say that central to the Democratic Labour Party's philosophy, is a vigorous and proactive effort to ensure wealth, education, economic enfranchisement and housing of the nation. Sir, this has stood as the pinnacle of our social position and continues to be so.

Mr. President, my concern is that once Government has decided to place housing units at this particular location, who will actually benefit from these units? First of all, let me say that shelter is a very critical developmental need in the lives of human beings and when you focus on human development in a country, housing presents a very critical stepping stone to what is called "self-actualisation". Sir, people who cannot get housing are persons who do not often speed on to self-actualisation and self-actualisation is really the capacity to dream of goals and to pursue goals and then at some point in time attain these goals. Housing, in the context of some social scientists, is called "shelter" and "shelter" is of critical importance.

Mr. President, if a man cannot achieve shelter and if one's journey to self-actualisation is disrupted, then it means that one has a problem in achieving self-determination. Sir, within the context of the Democratic Labour Party's philosophy, self-determination is of critical importance.

Sir, in this country the National Housing Corporation is the symbol of the Government's institution to assist in the provision of housing and the provision of land in this country. This is where we want to make our point, not necessarily in opposition of the Resolution but to make this point to inform the Government and to further stimulate concern among these Honourable Senators that we need to seriously put the National Housing Corporation to work for the poor people in this country.

Sir, I happen to live in Silver Sands, Christ Church and it has now become my constituency. It is my constituency because I share the journeying of the people of that area and I move widely across the constituency.
4.40 p.m.

Of course, the truth of the matter is that if you go through Silver Sands, Breedys Land, Parish Land and Gibbons Boggs, you would find...

Asides.

SENATOR Dr. D. S. LOWE: Sir, only this morning on my way here, a man who is a farmer came to me from Gibbons and he said to me in tears, Mr. Lowe, I know you are going to the Senate today and could you please discuss for us the fact that we need many housing solutions in our

area. This man took me to his place. He lives in a plywood box. The weather has affected the wood structure and he is there, ploughing his land and seeking to survive.

Sir, I make this plea not as a member of the Democratic Labour Party or an individual who is just interested in a political argument, I make this argument because I saw tears in that man's eyes today, and it affected me in a deeply emotional way. This is not about partisan politics today, Sir. This is about assisting the State in identifying those pockets of poverty in this country where we have to house our people.

Sir, let us face it, there are a number of persons who are earning less than $300 a week and now the average cost of a low income house is about $80 000. I remember some years ago that low income houses were built in a place called "Apes Hill Development", and they cost anyway from $85 000 and up. In less than a year, Mr. President, persons who bought those homes had to repair them, because the light fixtures were not working and where there were wooden structures, they were being eaten by termites. I heard the plaintive wail of young people seeking to get a start in life, having to contend with the reality of home ownership that came at a strenuous cost and the maintenance of such was even more strenuous.

The point I am making is that I want to encourage the State that as it looks at sheltering the nation, and finding those persons where there are in dire need of homes, shelter and land that it seeks to bring parity between the earning capacities of those persons and the cost of the homes. Sir, because reality dictates that if you want to give me shelter, do not put me in shelter that I cannot afford.

If you are talking about low home ownership, you have to look at the capabilities of those persons within the context of their work to earn. I know now that there are young women in my constituency who are working in certain types of enterprises, and they are making less than $200 a week. When you think about it, Sir, it grips you where your consciousness lies.

I am saying that if contractors are costing the Government too much money to build these units and houses, the Government has to perhaps look at the artisans within the National Housing Corporation to build the houses. This would drive the cost of construction down and, hopefully, would drive the cost of ownership down as well.

I believe it is important that as we even look at this opportunity which would be provided for the residents in the constituency where the land is, we have to look across this country because there is another phenomenon developing in Barbados relative to housing. You have cases now where young women with two or three kids who live with their parents are now choosing to go at the back of the house and set up a plywood house for themselves, one room, sometimes a half leaking roof with three or four kids in there and they are pressured to survive in that context.

We need to understand that if we have low income housing, there has to be some compatibility with the cost of the housing and the earnings of those same persons. Therefore, I want to suggest that if we consider that particular area, we then have to look at perhaps a minimum wage. If the minimum wage standard is at such where you cannot make at least a certain amount of money per week or per month guaranteed, then it means you are going to put people at risk.

A number of persons now are being offered houses. I will say that in time they will have to lose those houses, because they would not be able to manage the mortgage, unless we increase the earning capacities of those persons, and we look at the economic opportunities to which those persons have access.

I am sure that Senator Eastmond, the Honourable Member for St. Philip West, understands that...

Asides.

Mr. PRESIDENT: I would just like to remind the Senator on his feet that this Resolution relates to Tweedside Road.

SENATOR Dr. D. S. LOWE: Thank you, Sir.

Sir, the ambition of Senator Eastmond to become the MP of that constituency, I am sure, will drive her to seek the assistance of Government in helping those persons in that constituency, whom she believes need urgent help. Housing our nation is not about partisan politics but I want to step on further.

Sir, there is another area...

Asides.

Mr. PRESIDENT: I am not going to permit you to extend this debate. I think you have made your points well but can you confine it to the Resolution that is before us.

SENATOR Dr. D. S. LOWE: Sir, to make another point on the Resolution, I want the Government to give us the assurance that when those units in Tweedside Road are constructed, that the persons who really need the housing solutions there have access to them, including persons with disabilities. Also, that the housing solutions created through

these units, take into full account the challenges that persons with disabilities have, in terms of occupying Government housing and that every single opportunity is taken to give them a full advantage to any such opportunities given to any other citizen in this country within the context of the Tweedside area.

Therefore, I want to say that our position on the Resolution is that because it seeks to provide housing solutions for deserving Barbadians, is a Resolution that we would fully support.

I thank you, Mr. President.

SENATOR THE HON. Miss L. V. EASTMOND: Mr. President, I rise to speak briefly in support, without any reservation whatsoever, of this Resolution. The Honourable Member who spoke before me, I believe that many of us on this Side can support what he said, including his ringing endorsement of my candidacy for the St. Philip West constituency. Apparently, I have his vote. Thank you very much.

I would also like to assure him that this Government is taking the housing issue very seriously in Barbados. We discuss it not only formally but informally. I certainly have kept my constituency office open, in fact I am going there this evening and there are a number of individuals that come before me who have issues with housing, so we know it is a major concern.

I rise only to assure this Honourable Chamber and Senator Dr. Lowe that this Government does consider the housing issues in Barbados a priority and this Resolution helps to support one of the initiatives that will take us closer to a full solution.

I thank you, Mr. President.

4.50 p.m.

SENATOR I. St. C. LINTON: Mr. President, I rise to support this Resolution and to endorse the expressions of the Honourable Senator Lowe. However, I want to remind him that when it comes to getting houses for poor people in this country that there was a no-vote by the Democratic Labour Party for the freehold ten cents per square foot for land.

Sir, it is time we talk about housing for the people of Barbados. It is time to stop referring to housing for just poor people. Because of education and the development of this country, my children, your children and probably your grandchildren, Mr. President, have graduated to the higher income levels and they want housing too. This Government has put a programme in place to provide housing for people at all levels.

Let me just give you a quick experience. I just did two things. I had to pull down a part of my house that was not connected and replace it and add a little bit to it. Some of the labour was done by my son, some was done by me and I had to pay to get some done. To finish two rooms which would give me about 14 square feet is going to cost $30 000, so you cannot talk about low cost housing unless you look at situations where we can reduce the cost of housing.

Therefore, I am making a plea for us to Government, the private sector and the Opposition to come together on this one so that we can come up with a system to reduce the cost of housing. The material I use for this building is purple heart right through. I got it brought in from Guyana for less than it is sold in Barbados. The point I want to make is that there is an opportunity for Government and the private sector to make an attempt to bring down the cost of housing if not you cannot talk about low cost housing.

I believe Government should look at the question of VAT on home building. I am simply saying in this short intervention that housing is important and that a clear analysis and distribution of opportunities for housing must be applied. It must be applied at the level of the Urban Development Commission, the Rural Development Commission and the National Housing Corporation.

Every effort should be made to bring down the cost of housing and it can be reduced if we work together, Government, the private sector and the other political body, to come up with a system as soon as possible to reduce the cost of housing.

Mr. President, this plea comes as I support this Resolution.

SENATOR Miss S. C. V. HUSBANDS: Mr. President, I heard the heartfelt cry of Senator Dr. Lowe concerning the situation of housing in our country and I am glad that he is able to feel this because on our Side we have a commitment to housing the nation.

When I look at what we are seeking to do in terms of the Ministry of Housing and Lands in terms of providing housing solutions for Barbadians, I recognise that sometimes Barbadians do not always understand the strategies that have had to be employed to be able to deal with this matter. The problem of housing in Barbados is not just simply laxness on the part of Government to provide housing. There are a number of factors that go into preventing the availability of housing to a population.

When I look at what is happening in Barbados, I realise that part of our problem is how we, as Barbadians, have contributed to the problem of affordable housing for

Barbadians. Part of the challenge we have in our country is how people work on an everyday basis, the whole issue of productivity. The high cost of housing in Barbados has to do with the high cost of materials, the high cost of labour and the length of time it takes to construct that dwelling. Therefore, we as Barbadians have contributed to this problem.

The second problem that hampers Government from being able to respond as quickly and as readily as it wants to is the fact that when as Barbadians we get government units to be able to provide housing for ourselves, we are not willing to pay the low-cost rent to enable Government to be able to continue its housing programme, and so we contribute to this bottleneck.

In the Small Business Association we have a particular concern about this. We have about 35 small contractors within our membership. What we are trying to do in an effort to be able to reduce that problem of inefficiency in construction that results in the high cost of housing is to work with our contractors to get them to adhere to a particular standard, to a particular performance requirement, to try to stick within the budget and to do high quality work. We have begun to see some success there.

One of the things we need to do in this country, if we are going to be able to reduce the cost of housing and the cost of living, is that we are going to have to address the issue of how we work, our level of productivity, and reduce wastage and inefficiencies which is critical. Our people need to understand that we ourselves contribute to the high cost of living by the way in which we work and it cannot change until we change our attitudes and I am very serious about this.

I feel we can do a lot better in terms of the cost of living if we could just get the average Barbadian to understand what is his responsibility as a citizen, what is his responsibility as a consumer, and what is his responsibility as a worker or manager. When we are able to change those behaviours and those attitudes, we are going to be able to take control of the housing problem, the cost of living problem and be able to stimulate more employment that people can gain employment opportunities.

We do not know whether the gentleman you saw would get a house at Tweedside Road but, certainly, an approach can be made to the Urban Development Commission to be able to provide some kind of remedy for his housing situation. I strongly recommend this so that we can help those who are in desperate need while we seek to find some solution to the overall problem of housing for all Barbadians.

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that this Resolution do now pass.

The question that the Resolution do now pass was put to the Senate and agreed to.

ADJOURNMENT

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that the Senate do now adjourn *sine die.*

The question that the Senate do now adjourn sine die was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.

5.59 p.m.

CONTENTS

MINUTES

The Senate met in the Senate Chamber, Parliament Buildings on Wednesday, the 19th day of November, 2003 at 11.10 a.m.

ANNOUNCEMENTS BY HIS HONOUR THE PRESIDENT

Mr. PRESIDENT 1

PRESENTATION OF PAPERS

Senator the Hon. E. R. GRIFFITH 1

4. The Value Added Tax (Refund) (Dr. Desmond A. Gill) Order, 2003.

5. The Value Added Tax (Refund) (A.R.C. Associates Limited) Order, 2003.

6. The Value Added Tax (Refund) (Substance Abuse Foundation Inc.) Order, 2003.

7. The Value Added Tax (Refund) (Variety Club Caribbean (Barbados)) Order, 2003.

h. Annual Report of the Securities Commission for the year 2002.

(i) Land Tax Rebate Order, 2003.

(j) Annual Report of the Barbados Agency for Micro Enterprise Development Limited (Fund Access) for the year ended December 31, 2001.

(xi) The Value Added Tax (Refund) (Barbados Cancer Society) Order, 2003.

MOTIONS RELATING TO THE BUSINESS OF THE SENATE

Senator the Hon. E. R. GRIFFITH 2

Suspension of Standing Order No. 45(2) for the remainder of the Sitting.

INTRODUCTION OF BILLS

Senator the Hon. E. R. GRIFFITH 2

The Barbados Port Inc. (Transfer of Management and Vesting of Assets) Bill, 2003.

NOTICES

Senator the Hon. E. R. GRIFFITH 2

Resolution to approve the guarantee by the Government of Barbados of the principal and interest necessary for the redemption of the bond issue by the Barbados Tourism Authority in the sum of $25 million.

PUBLIC BUSINESS

ORDER NO. 1 – BARBADOS PORT INC. (TRANSFER OF MANAGEMENT AND VESTING OF ASSETS) BILL, 2003 2

Senator the Hon. E. R. Griffith, 2, 29; Senator F. J. Stuart, 7; Senator G. P. B. Nicholls, 11; Mr. President, 14; Senator I. St. C. Linton 15; Senator A. C. Fields, 18; Her Honour Senator Dame Patricia Symmonds, 18; Senator Miss S. C. V. Husbands, 19; Senator the Very Reverend H. E. Crichlow, 20; Senator Dr. F. L. Chandler, 20; Senator the Hon. Miss L. V. Eastmond, 21; Senator R. W. Grant, 24; Senator Dr. D. S. Lowe, 26; Senator G. P. I. Gooding-Edghill, 28.

ORDER NO. 2 – RESOLUTION TO APPROVE THE GUARANTEE BY THE MINISTER RESPONSIBLE FOR FINANCE OF THE PAYMENT OF THE PRINCIPAL AND INTEREST IN RESPECT OF THE LOAN OF BDS$34 MILLION TO THE BARBADOS PORT AUTHORITY FROM THE CARIBBEAN COMMERCIAL BANK 30

Senator the Hon. E. R. Griffith, 30.

ORDER NO. 3 – RESOLUTION TO APPROVE THE CHANGE OF PURPOSE FOR WHICH THE PARCEL OF LAND SITUATE AT TWEEDSIDE ROAD IN THE PARISH OF SAINT MICHAEL IN THIS ISLAND, MORE PARTICULARLY DESCRIBED IN THE SCHEDULE HERETO WAS COMPULSORILY ACQUIRED BY THE CROWN UNDER THE LAND ACQUISITION ACT, CAP. 228 FROM THE PUBLIC PURPOSE OF THE CONSTRUCTION OF A NEW CARRINGTON'S PRIMARY SCHOOL, TO THAT OF HOUSING DEVELOPMENT 31

Senator the Hon. E. R. Griffith, 31; Senator Dr. D. S. Lowe, 32; Mr. President, 33; Senator the Hon. Miss L. V. Eastmond, 34; Senator I. St. C. Linton, 34; Senator Miss S. C. V. Husbands, 34.

SUSPENSION 15

ADJOURNMENT 35

Senator the Hon. E. R. Griffith, 35.

SPEAKERS IN THIS ISSUE

CHANDLER, Senator Dr. F. L.
CRICHLOW, Senator the Very Reverend H. E.
EASTMOND, Senator the Hon. Miss L. V.
FIELDS, Senator A. C.
GOLLOP, His Honour Senator Sir Fred
GOODING-EDGHILL, Senator G. P. I.
GRANT, Senator R. W.
GRIFFITH, Senator the Hon. E. R.
HUSBANDS, Senator Miss S. C. V.
LINTON, Senator I. St. C.
LOWE, Senator Dr. D. S.
NICHOLLS Senator G. P. B.
STUART, Senator F. J.
SYMMONDS, Her Honour Senator Dame Patricia