
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

PARLIAMENT 2008 – 2013

HOUSE OF ASSEMBLY

Tuesday, February 1, 2011

Pursuant to the adjournment, the House of Assembly met at 10.18 a.m. on Tuesday, February 01, 2011.

PRESENT

His Honour M. A. CARRINGTON, B.A., LL.B.
(Speaker)

His Honour K. St.C. BEST, LL.B.(Hons.), L.E.C.
(Deputy Speaker)

Hon. F. J. STUART, B.A., LL.M.,(Prime Minister)

Mr. G. W. PAYNE, Q.C.

Mr. R. C. EASTMOND, J.P., B.A. (Hons.), Dip. Ed.,
LL.B. (Hons.) (Lond.), LL.M (Leic.)

Mr. G. A. CLARKE, J.P., B.Sc., Dip. Ed.

Mr. H. F. LASHLEY

Mr. R. ST.C. TOPPIN, LL.B. (Hons.)

His Excellency D. St.E. KELLMAN

Hon. Miss M. A. MOTTLEY, Q.C., LL.B.

Miss C. Y. FORDE, J.P., L.C.P.

Hon. R. D. JONES, JP, B.A. (Hons.), M.A. (Ed.),
(Minister of Education and Human Resource Development)

Dr. the Hon. D.C. ESTWICK, B.Sc., M.B.B.S.,
(Minister of Agriculture, Food, Fisheries, Industry and
Small Business Development)

Mr. D. D. MARSHALL, Q.C., LL.B. (Hons.),
L.E.C.

Hon. M. A. LASHLEY, LL.B. (Hons.), (Minister of
Housing and Lands, Urban and Rural Development)

Dr. W. F. DUGUID, JP, B.D.S. (Comm.), F.D.S.,
FDRCS

Hon. R. L. SEALY, B.Sc., M.B.A., (Minister of
Tourism)

Hon. J. D. E. BOYCE, B.C.H., MRAC, (Minister of
Transport and Works) (Leader of the House)

Hon. E. G. HUTSON, F.C.C.A., C.A., (Minister of
International Business and International Transport)

Hon. S. D. BLACKETT, (Minister of Social Care,
Constituency Empowerment and Community
Development)

Mr. J. D. PAUL, B.Sc. (Chairman of Committees)

Dr. the Hon. D. S. LOWE, Ed.D., M.Ed., B.A., Dip.
Theology, (Minister of Environment, Water Resources and
Drainage)

Mr. A. D. BRATHWAITE, LL.B. (Hons.) (Attorney
General and Minister of Home Affairs)

Mr. S. A. LASHLEY, B.Sc., LL.B. (Hons.), L.E.C.
(Minister of Family, Culture, Sports and Youth)

Hon. P. M. T. TODD, B.Sc., (Minister of State,
Ministry of Housing, Lands, Urban and Rural) (with
responsibility for Urban and Rural)

Hon. D. O'N. INNIS, Dip., B.Sc., M.B.A.,
(Minister of Health)

Dr. the Hon. E. R. BYER-SUCKOO, M.B.B.S.,
(Minister of Labour)

Prayers were led by Cannon Father Ivan Harewood.

Mr. SPEAKER: This House is now in session.

MINUTES

Mr. SPEAKER: Minutes of the meeting held on
Tuesday, January, 25, 2011.

Hon. J.D.E. BOYCE: Mr. Speaker, I beg to move
that the Minutes so cited be confirmed, subject to any
corrections, observations and/or omissions.

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

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

PAPERS

Mr. SPEAKER: The Honourable Member for St.
James Central.

Hon. E.G. HUTSON: Mr. Speaker, I commanded to lay the following:

1. The Annual Report of the Grantley Adams International Airport, Inc. for the financial year 2008-2009.

House A82, sequence 1, 10.28 a.m.

Tuesday, February 01, 2011

MOTIONS FOR LEAVE OF ABSENCE

Hon. J. D. E. BOYCE: Mr. Speaker, Sir, I beg to move a Motion for Leave of Absence for three months of the Honourable Member for Christ Church East. Dr. Denis Lowe as we know has not been well, but though recovering, we are applying for leave for three months on his behalf beginning today.

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

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

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. J. D. E. BOYCE: I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the remainder of the day's Sitting.

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

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

GOVERNMENT BUSINESS

ORDER No. 7

MONEY LAUNDERING AND FINANCING OF TERRORISM (PREVENTION AND CONTROL) BILL, 2010

Mr. SPEAKER: Yes, the Honourable Attorney-General.

Hon. A. D. BRATHWAITE: Mr. Speaker, the Money Laundering and Financing of Terrorism (Prevention and Control) Bill, 2010 seeks to reform the law in respect of the prevention and control of money laundering and financing of terrorism to reflect more comprehensively the 40 recommendations and nine special recommendations of the Financial Action Task Force, which Barbados is committed to implementing as a Member of the Caribbean

Financial Action Task Force and as an Associate Member of the Financial Action Task Force.

Sir, I would wish to lay the groundwork in terms of why we would want as a country to have anti-money laundering legislation and indeed up-to-date anti-money laundering legislation, just to trace to what has brought us to where we are today so that you, Sir, and this Honourable House would get a sense in terms of the importance of this legislation and others that are on the way to our continued way of life as a country.

Sir, about 20 years ago, the Financial Action Task Force produced 40 recommendations and since that time the issue of money laundering has been at the forefront of not only Barbados but regional and international organisations. Indeed, since 9/11 as we know it, the issue of terrorist financing seems to have taken the forefront but what has happened over time is that the issue of money laundering and terrorist financing has more or less been taken as one as they link. Indeed, you would find that all jurisdictions including Barbados have therefore enacted specific legislation not only to address money laundering but terrorist financing.

It is accepted, Sir, that the issue of money laundering will always be with us. Indeed, I remember reading a book some time ago that suggested that if the proceeds of crime were taken out of the world's financial system that the system would collapse, so there is a school of thought that we would always have money laundering. What we need to do, Sir, is to tackle the proceeds of crime to ensure that those who are involved in money laundering would not continue the lifestyles that we see on television, living with fancy boats, fancy aircraft, et cetera. Mr. President, legislatively, we have tried to tackle the recipients of proceeds of crime to ensure that they do not benefit from the proceeds of crime.

Internationally, Sir, more and more, there have been a link between grants, between donor agencies and between even loans from financial organisations and one's anti-money laundering programme. We all know, Sir, that some time ago there was a name and shame exposition where certain territories were shamed because they were shown to have less than acceptable anti-money laundering programmes. I am happy to say that Barbados was not one of those jurisdictions. There is and was a link being placed between the grant of loans, the grant of aids and one's anti-money laundering programme so that if a jurisdiction was seen as not having a robust enough anti-money laundering programme, the international community was saying that if you want their assistance, in return you have to ensure that your anti-money laundering programme and terrorist financing programme are brought up to a certain level. I hastened to say that I would come back to this at some point in time.

Sir, we in Barbados can ill-afford to say that we have an excellent or a robust anti-money laundering programme and not be concerned about what happens in St. Vincent or St. Lucia or any of our neighbours because the international community has been linking us as a region so that if one fails then we all fail. It is important therefore for us not only to have a robust anti-money laundering programme but to ensure that where there are weaknesses in our neighbours that we can assist where we can lend assistance because it is indeed yet again a case of where if one fails, then we all fail. Sir, as I said, I just thought I would give a history in terms of why one would want to have a robust anti-money laundering programme.

Sir, there are four points that I want to share with you in terms of the principal reasons for tackling money laundering. These are:

First, failure to prevent money laundering permits criminals to benefit from their actions thus making crime a more attractive proposition. It also allows criminal organisations to finance further criminal activity. These factors combined to increase the level of crime. International measures to prevent money laundering make the world a safer place in which to live.

Secondly, the unchecked use of the financial system for money laundering has the potential to undermine individual financial institutions and ultimately the integrity of the entire financial sector. Financial stability is of vital importance.

Thirdly, a continued increase in criminal activity and the successful use and laundering of the proceeds of crime engenders contempt for the law thereby undermining public confidence in the legal and financial systems. This in turn promotes economic crimes such as fraud, exchange control violations and tax evasions.

Fourthly, money laundering facilitates corruption. Ultimately, the accumulation of economic and financial power by unscrupulous politicians - Sir, I am going to say tongue-in-cheek unscrupulous politicians on the other side but I would not bother to say that - and by criminal organisations can undermine national economies and democratic systems. Poverty simply cannot be eradicated in countries where high level of corruption exists.

Mr. Speaker, I just thought that I would lay the background in terms of the principal reasons for tracking money laundering. In addition, I think I will share with you the four central points which I readily acknowledge in terms of the fact that each jurisdiction should have as an effective tool against money laundering. These are:

“(a) The criminal justice system must make provision for an efficient and effective method of tracing,

freezing and eventually confiscating the proceeds derived from criminal activities;

(b) effective legislation must be enacted and implemented which both criminalises and counters the process of money laundering;

(c) international cooperation is needed. Criminal organisations do not recognise national boundaries. There are things to which both organised criminal and criminal organisations resort to the use of the global financial system, to launder their funds and protect them from possible confiscation, means that there is a significantly level of cooperation internationally; and

(d) it has been recognised that the criminal justice system and enforcement agencies cannot succeed alone. Therefore, legislation and regulation must be established to encourage and empower the domestic and international financial sectors, professions and other vulnerable businesses to become partners in this task.”

Mr. Speaker, I am happy to report that Barbados as a nation has indeed embraced these four central tools which are widely acknowledged to be required for an effective National Action Against Money Laundering.

Mr. Speaker, as we all know, the Financial Action Task Force (FATF) was formed, I believe, in 1989. This came out of the Heads of the G7 Nations. At that time money laundering was seemed as the global threat and some time around 1990 the FATF enacted these 40 recommendations, which they then encouraged not only members of FATF but also international community to embrace as a fight against money laundering.

Mr. Speaker, it is not only the FATF who started the fight against money laundering as we know it, I have made a note of the various other initiatives against money laundering, and these organisations continue. The United Nations got involved, the International Monetary Fund, the Basel Committee on Banking Supervisors, the International Association of Insurance Supervisors, the International Organisation of Securities Commission. You will find with respect to the International Association of Supervisors, of which I believe we are a member. We are also a member of the International Organisation of Securities Commission. The Offshore Group of Bankers Supervisors got involved. There was an European Union directive on use of the financial system for the purpose of money laundering. The World Bank got involved. There was also an US Patriot Act. There was a Roseburg Global Standard to Private Bankers. Then, of course, recently we had the Global Forum on Tax Transparency, of which I believe yet again Barbados is a member.

Mr. Speaker, what happened is that you had numerous initiatives from various international organisations. As I said before, in terms of some organisations such as the International Monetary Fund and World Bank, they lend the aid and grant to the money laundering programmes that the recipients had. Where there were deficiencies, these organisations had to bring their programmes up to mark.

Mr. Speaker, the FATF also encouraged regional organisations to get involved and in 1990 the Caribbean Financial Action Task Force was born, of which Barbados is a member. The Caribbean Financial Action Task Force has, I believe, about 30 members, most of whom are from the Caribbean basin. Additionally, there are seven cooperating and supporting nations, which include the UK, France, the Netherlands and the USA, and 14 observers, together with a United Nations Office for Drug Control and Crime Prevention.

The Caribbean Financial Action Task Force, in addition to embracing the 40 recommendations of the Financial Action Task Force (FATF), also created 19 recommendations that they thought were specific to us as a Caribbean region. Barbados is a member of the Caribbean Financial Action Task Force. What they did in terms of ensuring that its members adhere to certain standards in terms of anti-money laundering, the Caribbean Financial Action Task Force monitors its members on the implementation of the anti-money laundering strategies, as set out in the 1992 Declaration, which are the 19 recommendations I mentioned. I believe this Declaration was made in Kingston, Jamaica, in 1992. We have agreed as a member to the following activities:

“(1) self-assessment of the implementation of the 19 recommendations;

(2) an ongoing programme of mutual evaluation of members;

(3) plenary meeting twice a year for technical representatives;

(4) annual updating and publication of country’s reports on each member;

(5) the coordination of and training of technical assistance programme;

(6) annual ministerial meetings.”

Mr. Speaker, since 2000, the Caribbean Financial Action Task Force has in fact been carrying out various assessment - various mutual evaluations of its members. The most recent evaluation of Barbados was in 2008 and out of that evaluation, certain deficiencies were identified

in Barbados’ regulatory regime. One of the areas where deficiencies were recognised is with respect to our anti-money laundering legislation, thus we are here today to enact the Money Laundering and Financing of Terrorism (Prevention and Control) Bill, 2010.

Mr. Speaker, there is a predecessor Bill which was incorporated in 1998 and there was a further amendment to the Bill sometime in 2002. I remember the 2002 Bill because I had just returned to these shores and there was much concern about whether or not the new anti-money laundering requirements would have created havoc in our economy, in terms of preventing the normal flow of business. Sir, nine years later, those of us who were crying out that these measures were too onerous would look back now and realised there was much ado about nothing. Indeed, I say that because with respect to this new Bill we had a similar cry from various actors that what we were being asked to do in this new Bill would create havoc in our economy with respect to those that are involved in financial services. I thought I would go back to the 2002 situation and I am sure that eight years from now, after this Bill has been enacted, that someone would stand before you, or I would stand before you and say that I have been proven to be correct and that the cry in 2011 was much ado about nothing.

Mr. Speaker, as a country we embrace the need for us to protect our jurisdiction from money laundering. Barbados depends significantly from revenue derived from the Financial Services Sector and as I said, there is a link between aid receive and money laundering regime. Therefore, even if one did not have a Financial Services Sector or was not as dependent on it as a source of revenue as is Barbados, certainly with what is happening with the International Monetary Fund and World Bank, et cetera, as a jurisdiction we would still have to embrace the international measures with respect to money laundering.

Sir, there are certain acceptable standards that, as a jurisdiction, that we have embraced.

Sir, there are certain weaknesses which, as a jurisdiction, that we have accepted. The Central Bank of Barbados, for example, in terms of its regulations of entities that report into the Central Bank of Barbados, quite early established certain minimum guidelines that licensees were required to adhere to and they also embrace a system of monitoring it. They would visit licensees from time to time, to ensure compliance with the anti-money-laundering regime.

Sir, I remember in those early days there was concern about whether or not we had enough compliance officers in Barbados and whether or not our compliance officers had the requisite skills to ensure that they were able to discharge their responsibilities. The Barbados

international Business Association and the Government - I think the charge was then led by Guyson Mayers who was then head of the FIU - worked very hard to ensure that the weaknesses that we had in terms of our compliance regime that they were tackled. I am happy, therefore, to stand before you today and say that over the last few years that we have invested substantial training in terms of our compliance requirements to ensure that most organisations have the type of individuals in their compliance department and that they understand the requirements of their institution so that they can adhere not only to the premise of a money-laundering legislation but the legislation itself. Sir, pursuant to the 1998 legislation we create an Anti Money-laundering Authority and out of that we had the Financial Investigation Unit (FIU). There was some concern over the years as to whether or not the FIU was equipped in terms of its staff. Sir, even recently, we had discussions with the Anti Money-laundering Authority in terms of the FIU to satisfy ourselves that the FIU had the requisite skills to ensure that it could discharge its responsibilities because one of the things that the Caribbean Financial Action Task Force would look at when it is doing an evaluation of a jurisdiction is whether or not it has not only the legislative regime in place but has the requisite skills to ensure compliance with the regime. Therefore, it is important for us, as a jurisdiction to ensure that the Anti Money-laundering Authority is properly staffed and to ensure that the Financial Intelligence Unit is properly staffed and that the officers are properly trained. Sir, my commitment to you and to Barbados is that under my watch, I will ensure that we have the requisite skills and staff because we cannot afford to have our name tainted in the regional community or the international community. Sir, I say regional because there is a feeling out there, even among our regional partners, that if Barbados is messing up a bit in terms of its reputation that it will not be a bad thing in their eyes. It is a case even with our family members, meaning our regional brothers that, in fact, we cannot take for granted that they will do all in their power to protect us from the international community. We have to ensure that we do not depend on them. We have to ensure that we do all that we can to minimise a requirement to have support from outside of Barbados.

Mr. Speaker, as I have said, the 2008 evaluation identified certain weaknesses in our legislation and we have, therefore, attempted to address these weaknesses in the present Bill before us. Sir, if I can spend some time on the Bill itself. What I will do is that I will go through the Bill and where there have been changes, I will explain the changes so that not only yourself but our community who had some concerns about the Bill can see what I have said because there has been much ado about nothing. Sir, I am sure that when the Bill is enacted and when the few changes are made they will see that, in fact, that the changes are not so substantial.

Mr. Speaker, if I can spend some time going through the Clauses of the Bill and giving you an explanation as the various changes and where possible I will seek to expand. Sir, those of us who are looking to this legislation for guidance can appreciate my comment that the changes are not so significant that we need to be concerned.

Mr. Speaker, Clauses 1 to 3, you can ignore because there are not very material for this purpose. They provide for the Short Title, the definition of terms used in the Bill, the purpose of the Bill and the persons to whom the Bill would apply.

Mr. Speaker, one of the queries that we had was with respect to the definition of financial institutions. It was felt that financial institutions under Clause 2 should not international business companies or societies with restricted liabilities. The feeling was that those entities were not financial entities and, therefore, they should not be included and, Sir, here is an example of why I said that there was much ado about nothing. Sir, that is not the intention, in fact, if one reads the legislation carefully, unless and international business company or a society with restricted liability is involved in the activities in the First Schedule, then the Act does not apply to it. In other words, the First Schedule of the Bill actually tells you the nature of the activities of financial institutions so that if an international business company or a society with restricted liability is, indeed, carrying on any of the activities under the First Schedule then the Act applies to it. Sir, if it does not, then the Act does not apply to it so the international business sector needs not be concerned about the fact that IBCs and SRLs, as we call them, are listed as financial institutions. The Bill that is before us only apply to those entities when there are engaged in financial transactions so that if you have an entity that simply buys and sells motor vehicles, that entity will not be considered to be financial institution as listed under the First Schedule. (8:51)

Mr. Speaker, I remember that because that was one of the queries that was raised that really should not be a cause for concern. Sir, indeed, it is not new to this piece of legislation from the point of view that if one looks to the existing Anti Money-laundering Act, in fact, there is a similar provision in terms of the definition of a financial institution, so there has really been change in that regard.

Mr. Speaker, Clause 4 details the purpose of the Bill which is to establish and implement measures for the detection and prevention of money-laundering and financing of terrorism consistent with the obligation of Barbados as a member of the CFATF. It seeks to protect persons whose businesses are particularly vulnerable to abuse by money-launderers and persons who finance terrorism and train such persons to develop and implement measures to detect and prevent such abuse. Indeed, it seeks most of all to maintain the reputation of Barbados as

financially sound and stable jurisdiction for investment. I cannot say enough, indeed, without this reputation, that we so much depend on, our way of life as we make our dependence on financial services, as we know it, would, in fact, disappear because no one wants to invest in a jurisdiction that does not have a sound reputation.

Sir, one might say, and we would hear from time to time that Barbados has not capitalised enough on its sound reputation. That can be a subject of further debate at some point in time. The fact though is, we do have a sound reputation as a jurisdiction for international investment but we must strive to make sure that it is maintained. It is not enough for us to say that we have this reputation but not police it to ensure that it is not being undermined.

Sir, Clause 5: "Defines the offence of money laundering and establishes the penalties for the commission of the offence, essentially maintaining the existing position."

Sir, under Clause 5 there will be no change.

Clause 6:

"Provides, like the existing law, in cases where a person is charged with a money laundering offence and the court is satisfied that the property in his possession or under his control was not acquired from a legitimate source, for it to be presumed, unless the contrary is proved, that the property is derived from proceeds of crime."

Sir, let me just say that, in fact, one of the areas I would like to see us as a country, pay more attention ensuring that persons do not benefit from the proceeds of crime. I would like to see more seizures. I would like to see more persons who have been identified as living large in most communities around Barbados, walk around and persons point at A or B and say that is the man in a particular area. Yet we see them driving around in their cars and living. Sir, I look forward to the day when, in fact, our authorities will do more to tackle these individuals in terms of seizure of their proceeds.

Sir, I understand there is a procedure. I understand we cannot just go and seize a man's possession on suspicion. There must in fact be an offence. I recognise that but I do look forward to the time when we can send the correct signal that we will seize the proceeds of crime from these individuals.

Mr. Speaker, let me also take this opportunity to recognise what is happening in Barbados over the last couple of months. I believe the Commissioner of Police, early this year, said that they were going to take a hard look at crime in Barbados and they intended to go into the areas to ensure that where there are deficiencies in terms of the

break down of law and order, they would in fact be rooted out.

Sir, I have said on more than one occasion that the vision of the Royal Barbados Police Force, and my vision, certainly that we are going to go into communities with guns in hand. We want to offer solutions. It is not enough to take a man or a boy off the 'block', as we have heard the comment, and take them to prison for having a little bit of marijuana in their possession. We also have to give them solution so that when the police leaves, if they go back from hence they disappeared when the police arrived, that they return with a more positive mindset. Sir, as I said, we need to have a two-prong approach. We need to not only go into these communities but go in offering solutions.

Mr. Speaker, I want therefore to publicly support the efforts of the Police Force, today, in that regard. I am heartened because I have noticed that, certainly of my colleagues on this side, publicly embracing the action of the policemen in certain areas. I look forward to the Royal Barbados Police Force and our constituency - when I say constituency I mean the people of Barbados, in particular those areas that the police have identified for intervention that we can work toward offering constructive solutions.

Sir, last Friday I visited Her Majesty's Prison, at Dodds...

Asides.

Hon. A.D. BRATHWAITE: No, Minister Jones I was not detained.

Sir, I have to say that was my first visit to a penal institution. The thing that saddened me most was the number of young men that I saw. I know that I have heard this on more than one occasion. It was a bit more difficult to actually see so many young men sitting or standing, and I thought, what a waste to our society. Certainly we have to look at the root causes. We have to see what we can do to address this downward spiral of our young men in particular.

Sir, if you contrast the fact that we have 900 or so Barbadian males, most of them young able-bodied males, who could be working with the National Housing Corporation providing houses for the needy of Barbados, for example, and if you contrast that with, I believe that there are 11 Barbadian females at Her Majesty's Prison, at Dodds, you can see the serious contrast and indeed it should concern us as a society as it does, where there are about 900 males and 11 females. Sir, I may be wrong but the differentiation is very significant.

Asides.

Hon. A.D. BRATHWAITE: Sir, the point is, as a country we definitely have to address it. As I said, I just want to recognise what is happening in Barbados in terms of the efforts by the Royal Barbados Police Force and to pledge my continued supports to the efforts.

I am sure that most of us listen to the news. I listen to the BBC news on mornings. I also listen to the Caribbean news and we must be very concerned as a region as to what is happening. As a region we are seeing an increase of violent crimes in St. Lucia. We are seeing the same thing in St. Kitts. We are seeing the same thing in Antigua. We must be concerned as a region. It is not just a Barbados issue and try to address this from a regional perspective. I daresay that much of the crime we are seeing in the region is through drugs and its attendant activities, that is money laundering.

I do not suspect that as a region there is much by way of terrorist financing, although we must protect ourselves as being a conduit for terrorist financing. Certainly, as a region money laundering is very prevalent and drugs are not just passing through the region but a significant amount of drugs are actually staying within our shores and within our region. Therefore, we must continue to address it.

Sir, Clause 7:

“Requires that there be dual criminality where an act is committed outside Barbados but removes the requirement in existing law that there be an intention to commit the offence in Barbados.”

Sir, again, Clause 7 does not significantly change the existing legislation, but what it does is to remove the requirement in the existing law that there be the intention to commit the offence. That is one of the clauses that there was much concern about.

Sir, in a note that I saw from one organisation is, of an offence being committed in India or Nigeria, where the offence may be more of a religious nature and we would frown upon it here in Barbados. Sir, it is not the case that because it is an offence in that jurisdiction that, automatically it would be an offence in Barbados. The issue of dual criminality still obtains.

Sir, clauses 8, 9 and 10, we can deal with together. In fact, Part III of the Act as it is, there is not much change because Part III really just confirms what I mentioned earlier in terms of the establishment of the Anti-Money Laundering Authority and sets out how it will be financed and, indeed, it also established the Financial Intelligence Unit, which are both active today in Barbados. Sir, Part III of the Bill, we can accept.

Sir, under Part IV of the Bill, clause 15 imposes a duty which would be much more comprehensive than that currently in existence, particularly as regards the verification of the identities of customers of financial institutions and non-financial entities and professions to whom the Bill would apply, to establish the true identities of their customers and verify those identities by means of reliable documents.

In other words what clause 15 has done, Sir, is to make it more onerous on not only financial institutions but law firms and non financial institutions to ensure that they adhere to a stricter customer identification regime. Simply put, and this is an accepted standard, Sir, that no entity, whether it is a financial institution or otherwise should be engaged in business with a third party, unless that entity understands the beneficial owner of the relationship or beneficial interest of the relationship. Sir, that is an acceptable standard and, indeed that is what Clause 15 wants to ensure.

Sir, Clause 16 requires the persons to whom the Bill applies to exercise ongoing due diligence with respect to their customers. In other words, Sir, it is not enough for you at the inception of the relationship to say that you have due diligence and that you need not do anymore. Sir, Clause 16 is saying that there must be a continuous monitoring of the relationship to ensure that the customer you took on initially is still the customer that is before you on a continuous basis. As you know, Sir, people change, circumstances change and what Clause 16 is saying is that you must have ongoing due diligence so that at all time, you are aware of whom your customer is, Sir.

Mr. Chairman, to give an illustration, presently with the International Business Unit, when you submit your annual licence request, one of the questions asked is whether or not there have been any change to the directors, officers, shareholders or beneficial owners of the entity. Sir, where there have been a change, they will request information on any new individuals or entities to ensure that you have done your due diligence. This is what Clause 16 is seeking to establish.

Sir, Clause 17 empowers the Authority to set out in guidelines, the circumstances in which procedures for identification and ongoing due diligence, with respect to customers would be permitted, to be reduced or have to be enhanced. In other words, Sir, there may be circumstances where you look at a relationship and establish that the level of due diligence can be reduced. There may also be circumstances, Sir, that will require you to have enhanced your due diligence.

A good example is Egypt and I use Egypt because it has been on television now for the last eight days. Sir, eight or nine days ago, Egypt was seen as relatively stable.

Today, Sir, there will be some concern in terms of what is happening with its stability so that a business relationship coming out of Egypt, one may want to pay closer attention to it because of the lawlessness that we are seeing on the street. The point that I am making is that as circumstances change, your level of due diligence may be required to change and that is a very sensible position to have, Sir.

Sir, Clause 18 imposes on financial institutions and non-financial business entities and professionals to whom the Bill applies, a duty to keep all business transaction records for a period of no less than five years and, thereby, removes the current threshold and requires record-keeping, mainly in respect of transactions that exceed \$10 000 in value. Failure to keep records would continue to be an offence.

Sir, what this section does, again, which is in keeping with international standards and which we already have in place in existing Legislation, is that in fact it is not enough for you to say that the relationship has come to an end therefore you need not keep the records anymore. It requires you to keep the records for a period of five year because as has happened in the past in my experience, you can very well have an inquiry for your relationship that is no longer with you, with respect to a transaction that you may have done a few years previously.

Sir, I want to share with you a story, in terms of importance, not only of us as a jurisdiction, ensuring that we adhere to proper and acceptable standards but, also to individuals who are involved in the international business sector, maybe individuals who are involved in business dealings, to ensure that their dealings are above board because you never know, Sir, when it will be called into question.

Sir, a couple of years ago, I had an inquiry from a potential client and, I sent him my usual due diligence, et cetera. He called me up and said I have already done my due diligence on you, Mr. Brathwaite. I said that was very nice, et cetera. He said, yes. I did good research and I saw an article with your name attached to it, with respect to a transaction in South Africa. I said, in South Africa, what is this about?

As it was, Sir, in 1991, I was involved in a transaction with my employer then and I was not comfortable with the transaction and, in fact, I wrote to my head office in South Africa and in London, expressing my dissatisfaction with the transaction and I subsequently withdrew the services of the Trust Company that I managed then. Sir, ten years later, this appeared in the newspaper in South Africa that the Managing Director of Hans Bank in BVI, Adriel Brathwaite resigned because he was unhappy with the transaction.

I say that, Sir, not to praise myself but just to highlight that you never know when a transaction that you have been involved in, will come into question and thus, the sense of your position in terms of keeping your records for a period of time. Sir, we have established a minimum period of five years, of course, you are free to have a longer period, if you so desire.

Sir, Clause 20, again is a very sensible position. What it does is that it requires financial institutions and non financial business entities, and professionals to whom the Bill applies, to develop and implement certain internal policies and procedures to combat not only money laundering, Sir, as is the current position but also financing of terrorism, including, training for employees and procedures for reporting suspicious activities.

I believe that most financial institutions now have all of this in place. Even professionals ensure that they have proper procedures in place and that they have proper training for their employees who are involved in the activities. These employees are not only trained on a one-off basis but you would find that there is a requirement for you to ensure that there is continuous training of your employees. Obviously, the level of training would depend on the level of the employee because the level of training that you would offer to a messenger certainly would not be the same level of training that you would offer to your Financial Controller. It is not enough for you to have the training but you would find that the guidelines would require that you document this training because you want to be able to demonstrate that you are indeed giving this training. It is not enough for an institution or a professional firm when they are audited to say they do the training, they need to document and demonstrate that they conduct the training of their employees.

Sir, Clause 22 therefore imposes on persons to whom the Bill applies a duty to comply with any training requirements established and guidelines issued by the Authority. This duty now exists only in respect of financial institutions. Sir, I am saying that the change here would be that professionals like law firms, et cetera, who are engaged in business as defined under Clause 2 would now have to ensure that they have the training of their employees.

Sir, Clause 23 makes it clearer that persons to whom the Bill applies have to report suspicious or unusual transactions to the Authority, regardless of the monetary value of the transaction. Sir, this extends the current law.

Sir, I believe that the feeling was that one only needs to pay attention to transactions of \$10 000 or greater. What the Bill is now saying is that you need to look at the transactions regardless of the level of the transaction so that if a chap is only transferring \$7 000 through his account

and he is doing \$7 000 each day, that is still \$7 000, so you will have to ask yourself why is he transferring \$7 000 each day.

Sir, what the Bill is recognising is that it is not the level of transaction that you must focus on but that you must go beyond that level and look at the transaction as a whole. You must make sense based on your knowledge of the client and that is why the continuous training is important. That is why you would recall, Sir, that I raised the issue of knowing who your client is because you must understand his transactions and you could only understand those transactions if you understand what the requirements are.

Sir, Clause 24 requires persons to whom the Clause applies to report certain transfer of currencies in or out of Barbados to the Authority or to the Comptroller of Customs as the circumstances may require. This Clause maintains the existing position.

Sir, I received an email suggesting that Clause 24 had changed the law and what it is now requiring was that all transactions of \$10 000 or greater had to be reported once the exchange control permission has not been granted. Sir, this is actually not a new provision. I believe that this deals with cash transactions so that the international business community or the practitioners in Barbados who have raised this query should relook at this Clause 24. The Clause, as it is, which has not been changed, is not a new Clause and is not asking them to file a report for each transaction above \$10 000. Sir, I just thought I would spend some time on that because it is really not a change.

Sir, I realise that I might become a bit monotonous if I go through each Clause in detail so with your permission I might just wish from time to time to skip to the more material clauses otherwise I might be here for an unduly length of time and I know that Members on the other side are anxious to say a few words on this Bill. Mr. SPEAKER: You have all the time to do the people's business Honourable Member, so please continue.

Hon. A. D. BRATHWAITE: I thank you, Sir. I would note that, Sir.

Sir, now that I have regained some renewed vigour, Clause 25 expressly empowers the Authority to establish training requirements and provide any necessary training for financial institutions, non-financial business entities and professionals to whom the Bill applies. Sir, again what is new about that is with respect to the non-financial business entities and professionals to whom the Bill applies.

Sir, let me say this. Sir, it is a very simple thing here as far as I am concerned. Anyone who is engaged in financial business as defined under this Bill must come on

board and accept that there are certain minimum standards that we must adhere to as a jurisdiction. If they are not prepared to adhere to these minimum standards then I invite them to get out of the business, it is as simple as that.

Sir, it is not enough for us to have a situation where you can have a law firm or an individual declaring that they are not a financial institution so they do not have to adhere to the requirements of this Bill but low and below the two entities that they manage or the two transactions that they are involved in are the ones that land Barbados before the international community in the worst possible light. We cannot afford, Sir, to take shortcuts because individuals for their self-serving purposes want to posit positions that are at variant with our position, which is, that if you are engaged in this business you adhere to the standards that this Bill requires. Sir, it is as simple as that because Barbados as a jurisdiction is more important than any one individual or any one law firm.

Sir, Clause 26 empowers the Authority to issue guidelines as regards the detection and prevention of money laundering and financing of terrorism. It requires the Authority to consult with any other regulatory authority that supervises the financial institution, business entity or profession for whom it proposes to issue guidelines before issuing the guidelines. This would result in more comprehensive guidelines. In other words, the Authority would want to ensure that it looks to see what standards are required, for example, of lawyers, of real estate agents and of accountants and ensure that if their own guidelines are short that we tweak our guidelines because at the end of the day what we are trying to do is to ensure that we all are operating on the same playing field in terms of a certain minimum requirement for customer identification, et cetera.

Sir, Clauses 28 and 29 provide for the sharing of information with local public authorities and foreign counterparts and in respect of the latter, on the basis of reciprocity, in order to facilitate the purposes of the Bill. This provision allows for the sharing of information among a greater number of public authorities than is currently possible.

By virtue of Clause 49, however, a public authority is empowered expressly to object to the disclosure of information on certain grounds, for example, where the disclosure would not be in the public's interest.

House A82 Sequence 7

11.29 a.m.

Tuesday, February 01, 2011

Hon. A. D. BRATHWAITE: Mr. Speaker, in other words, what we are trying to do is to ensure that if you have an entity regulated under the Insurance Act and the information is required under this legislation or is required by the Commissioner of Income Tax or some other regulatory entity in Barbados, there can be an exchange of information. We want to provide the correct legal framework.

Mr. Speaker, in our double taxation agreement, as a jurisdiction we have always had gateways for the exchange of information. Along this gateway, we also want to ensure that there is integrity, so we would never encourage fishing acquisition from other jurisdictions. In other words, it is not enough, for example, the authorities in Venezuela to send a note to Barbados, asking to be provided with information on X, without providing the information that would satisfy us that such information is required pursuant to the terms of a double taxation agreement and that it is not required for personal or other reasons not in accordance with our taxation agreement that we have in place.

Mr. Speaker, Clause 30, which is not new, gives the Authority power;

(a) to gather information in respect of matters relevant to the purposes of the Bill and to the functions of the Authority and also to conduct investigations into matters; and

(b) in particular, to investigate reports of suspicious or unusual transactions.”

Mr. Speaker, there is nothing new about this, in fact, the Authority has always had power to investigate suspicious or unusual transactions. If they did not have such power, then there would be no need for us to require for the filing of these transactions with the Authority. Therefore, they have always had this power.

Mr. Speaker, what it does, however, is that it imposes a stricter duty on persons to whom the Bill applies, to comply in a timely manner with any request made or instruction given pursuant to any investigation. In other words, it wants to ensure that if the Authority sends a request to a financial institution, that there is a more timely response in terms of the provision of information.

Mr. Speaker, Clause 31 deals with “on site” inspections into the affairs of financial institutions and non-financial business entities and professionals to whom the Bill applies, to determine whether such persons are in compliance with the legislation and establishes a more detailed regime than currently exists in relation to inspections. As I said earlier, the Central Bank of Barbados has in place a regime for “on site” inspections. What does not obtain now is that professionals and even company

managers like myself, when I wear my other hat, that there is more mechanism in place for “on site” inspections. In fact, what we are now doing is ensuring that “on site” inspections can be carried out.

Mr. Speaker, I hasten to add, this would mean that we would have to look at the staffing of the Authority, because if you are going to have “on site” inspections and if you are going to have more regulated entities, then you would see obviously that you must ensure you have the requisite number of staff, since there will be more inspections. It is no use having a requirement to have inspections, then to find that from year to year there is no way that the Authority can carry out these inspections because of the fact it does not have the personnel to carry out these inspections. Mr. Speaker, once inspections are done, obviously if there are issues then there will be also the issue of follow-up to ensure that any outstanding issues are addressed. Therefore, we will have to ensure we have the requisite staff, so that inspections can be carried out.

Mr. Speaker, this is one area we reviewed under this Bill because we want to ensure that with respect to non-financial business entities, this would be new to them and so we have to determine whether such persons are in compliance with the Bill once enacted.

Mr. Speaker, I will take you to Clauses 34 and 36, as I will bypass Clauses 32 and 33. Clause 34:

“Empowers the Authority to impose on persons to whom the Bill applies, certain sanctions.

34(1) Where the Authority is satisfied as to any of the following circumstances in respect of a financial institution, the Authority may take, as it considers appropriate, any action specified in subsection (2): (a) the directors, managers and senior officer of any other individuals who manage or control the financial institution, are not fit and proper persons to manage or control the financial institution; (b) the financial institution has failed to comply with or contravened a guideline issued in accordance with section 26; (c) the financial institution has failed to comply with a directive given in accordance with section 33; or (d) the financial institution is otherwise contravening or has contravened this Act.”

Mr. Speaker, this is important. You will see that this Bill also seeks to amend, for example, the Insurance Act, where what would be required is that the Supervisor of Insurance will now look to ensure that managers of insurance companies are fit and proper persons. In other words, what we are seeking to do is to ensure that at the management level of entities in particular, that are impacted by this Bill, that they are the bona fides.

Sir, if I use a compliant office as an example, the compliant office in a financial institution should be seen as a senior office. Ideally, the compliance officer must be in a position that wherever possible he can report directly to the Board, so that he does not have to bother, for example, about filing a report against the managing director. He should not have to be concerned if the managing director commits an offence, the compliant officer should be able to file a report against the managing director. You would find in most institutions there is a line that allows the compliance officer to report directly to the Board, because no one is above the law with respect to this Bill. Therefore, you want to ensure that not only you have the type of recruiting requirement but also the type of senior and experienced officer who can discharge his responsibilities. Sir, that is what we want to ensure obtains here, that we have the quality officers and that we are able to ensure there is compliance with the requirement of the Bill. I will bypass Clause 37.

Sir, Clause 38 says:

“On receipt of information under this Act and on being satisfied that it is necessary to do so, the Director may apply to a judge in Chambers for an order to, (a) prohibit any person from completing any transaction for a period of not exceeding 72 hours; (b) freeze a bank account of a persons for a period of not exceeding five days.”

Mr. Speaker, Clause 38 is not a new provision. Clause 38 maintains existing provision for providing for the Authority to apply to the court for an order, among other things to freeze the assets of a person where it is necessary to do so, to facilitate the purposes of the legislation. In other words, as has happened, if you do not give the Authority the power to freeze, then you can have a situation where by the time the Authority is able to react, by then that proceed of crime would have left the jurisdiction. Obviously you want to give the Authority the power to freeze assets, needless to say, there is also a right to appeal on the part of any entity or individual who believes that such a freezing order is not merited.

Mr. Speaker, I now move to Part VI - Enforcement. It is only with respect to Clause 46, where there had been a change that should be noted.

Clause 46 (1):

“A person who has been convicted of an indictable offence under this Act or any other law may not be licensed to carry on the business of a financial institution; and where that person is a financial institution, its licence may be revoked; (2) For the purposes of this section, “indictable offence” shall be deemed to include any similar offence committed abroad.”

Mr. Speaker, the law provides for automatic revocation upon conviction of an indictment. Sir, the clause now looks at the legislation and say that you should not have an automatic revocation of the licence and it is recognised that it may be circumstances where because you might still want the licensee to be able to continue in business. Therefore, we have changed that so that you would not have an automatic revocation of a licence on conviction of an indictment.

11.39 a.m.

Hon. A.D. BRATHWAITE: ...you may still want the licensee to be able to continue in business and, therefore, we have changed that so that you would not have an automatic revocation of a licence on conviction of an indictment.

Mr. Speaker, Clause 47 provides, like the current law, for mandatory injunctions to enforce compliance with certain obligations under the legislation, for example, record-keeping and reporting obligation. What the Section actually says is that the officers of the employees of the financial institution shall take all reasonable steps to ensure the compliance by the financial institution with its obligations under the Act. Sir, there is no change to that, in fact, that just confirms what our existing position is.

Mr. Speaker, Part 7 of the Act deals with certain miscellaneous provisions. I will simply go to Clause 50 which gives the authority of the Financial Intelligence Unit immunity from suit (1:25) in respect of acts done in good faith in performing duties or exercising powers under the legislation. This is a new provision and, in fact, I will read it to you. What is says is:

“No action or other proceeding for damages should be instituted against the Authority, the Financial Intelligence Unit, or a member of the Authority or an officer, employee or agent of the Financial Intelligence Unit for any act done in good faith in the performance of a duty or in the exercise of a power under this Act.”

Sir, in other words, we want to ensure is that an officer who is discharging his obligations under this Act, in good faith, in fact, that he does not end up with an action brought against him by a licensee who believes that he has been wronged. (2:29)Sir, note that any act done in good faith in the performance of his duty on exercise of a power under this Act.

Mr. Speaker, those are the material changes to the Act and, as I have said, I want to go through it with you just to highlight the area where there has been some change and, in some areas, just to have dialogue on it so that members like the Honourable Member for St. Andrew, who

does not know, would act to benefit from my presentation, so that is what I attempted to do this morning.

Mr. Speaker, naturally, because of the change to the Bill, there have been some changes to other pieces of legislation. These are addressed in the full Schedule and we can spend some time on them. Sir, when one looks at the full Schedule of the Bill, one can see where there have been attendant changes to various pieces of legislation because of the changes to this particular Bill.

Mr. Speaker, let me say before it is raised that there are references to Bills in this particular Bills that are on the Order Paper but have not yet had their Seconding Reading speeches but, Sir, I assure you that they will be with us in the soonest possible time and I am instructed that the fact that we are referring to a Bill that is not yet law in the Fourth Schedule does not negate the reference in it because these Bills will be with us in the very near future. (4:49) Sir, I refer, in particular, to the International Trust and Corporate Providers Act, which is a Bill that will be with us soon. Sir, it is already on the Order Paper and I am sure that we will have opportunity to debate it within the next week or two. I believe there is one other Bill that escapes me now that is referred to in the full Schedule that will be addressed within the near future.

Sir, while I am at it, let me just say that, as a Government, we are committed to ensuring that within the shortest possible time - they are on the Order Paper - that we will introduce for debate the International Corporate and Trust Service Providers Bill. There is an amendment to the Companies Act that we would also be debating within the next week or two weeks. I am sure that the Organised Crime Prevention and Control Bill, we might actually address that today depending on the level of debate that would obtain after I am finished here and, of course, the Prevention of Corruption Bill (6:20).

Mr. Speaker, out of the 2008 evaluation by the Caribbean Financial Action Task Force those Bills that I have mentioned are areas that, as a country, we have committed that we would address. We have addressed them and it is with some regret that we actually have not debated them as yet in Parliament. I believe that we have given an undertaking to the Caribbean Financial Action Task Force that we would have done this by the end of January. We did have them on the Order Paper and this is now February. Sir, the fact that we have not debated them as yet is not reflective of our commitment to our obligation as a member of the Caribbean Financial Action Task Force. Sir, as you know, Barbados has always been of the leaders. We recognise the importance of having a clean jurisdiction and we would want to ensure that we meet our obligation as a member of the Caribbean Financial Action Task Force.

Mr. Speaker, I give you my commitment that within the shortest possible period of time, those Bills will not only be on the Order Paper but we will have them on the laws of Barbados.

Mr. Speaker, with those remarks, I beg to move that this Bill be read a second time.

Hon. R.D. JONES: I beg to second that and reserve the right to speak.

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

MR. D. D. MARSHALL: Mr. Speaker, the Attorney-General would no doubt be hearkened to hear that the Opposition supports this legislation. Sir, the legislation that this seeks to replace was enacted in the year 1999 but it was a 1998 Bill and my friend's exposition on the history of the Bill dealing with the original recommendations of the G7 followed by the recommendations of Financial Action Task Force, all of those are historically accurate. Sir, that Act, passed in 1999 but coming into force in the year 2000 has seen an interesting degree of activity in our Financial Intelligence Unit. Indeed, Sir, I had the pleasure of being the Minister responsible for that Unit for a few years.

Mr. Speaker, it does not surprise me, and I hope it does not surprise any members of this Chamber, that a piece of legislation of this type, within a relatively short span of its life needs to be revamped and, Sir, it is precisely because of the increasing sophistication of the criminal element, of those individuals who are engaged in money-laundering, of those individuals who use proceeds of crime to finance terrorism and other such ventures, if you would want to call them that. Sir, because of that increased sophistication our system needs to be in a position to respond with alacrity.

H/A82/11:49

Sequence 9

Tuesday, February 1, 2011

Mr. D.D. MARSHALL: Sir, no sooner than we pass a law and establish a set the norms to deal with a situation, that the individuals involve in criminal activity find a mechanism to flog those efforts. Therefore the international community focus, as it is on terrorism especially are constantly having to look to see what are the mechanics that are being employed by the criminal and quasi criminal element. Therefore this legislation, I believe, my friend has said in response to the 40 recommendations, it is important that we constantly have legislation such as this under review.

Sir, there are some crimes for which you do not need to change the law to deal with them, murder is murder, theft is theft. Those definitions do not change. The law is established in such a normative way for it to be able to respond effectively to whatever presentation those criminal events display, but in the case of money laundering, the sophistication - when I had the privilege of serving as Attorney General, in some of my briefings it was astonishing the kinds of methods that individuals not just abroad, but even in Barbados, would engage in to achieve money laundering.

Sir, money laundering is one of those things which we we hear about on television. I believe that by its constant usage we have a notion of what it is. Everybody knows what terrorism is but we do not make any attempt to define it. We know it when we see it. Sir, in fact, I do not believe this Bill defines terrorism either. I am saying you know it when you see it. Money laundering is exactly what it means, taking dirty money and by passing it through a series of transactions, it comes out at the end of a transaction in the hands of a legitimate institution, and unless one is prepared to trace every movement of the money, that in time would appear to be perfectly legitimate money.

Sir, in Barbados they are individuals who engage in money laundering. There are circumstances where money laundering may not be even involve the movement of money, and I will not - I believe the current Attorney General would agree that there are some matters we would not speak about on the Floor of the House given the sensitive nature of information, but there are individuals in Barbados who are engaged in significant money laundering and it has a Caribbean flavour to it. It should therefore come no surprise to Members of this Chamber to acknowledge, if they are not already aware, that the majority of overseas requests that have been made to the FIU, Financial Intelligence Unit, over the past few years, have come from St. Vincent.

Sir, one might have assumed that the largest number of requests for information on suspicious transactions might have come from Canada, England or the United States, any of those places where we imagine vast amounts of money moved around the world, but Mr. Speaker, the largest number of requests have come from our small neighbouring sister island of St. Vincent. Sir, that should therefore indicate to you that we must not feel in Barbados that because of our relatively small market, because of our relatively small economy, that we are not a spoke in the wheel of money laundering.

We also seem to feel that Barbados and the rest of the Caribbean are somehow distant from terrorism. Perhaps a false sense of security because Barbados has been the victim of terrorism in the past. Perhaps at the time when the

Cubana Airline was bombed we did not think of it in the same terms as we think of it now, but that is no less an act of terrorism as the 9/11 incident involving the World Trade Centre.

Sir, I begin therefore in supporting this legislation by reminding all of Barbados that each of the elements, each of the major tenets that are being targeted by this Bill are in fact things that Barbados has had to grapple with in the past. While perhaps the terrorism thing may now seem somewhat extinct, certainly money laundering element of it is significant.

Sir, during the Cricket World Cup when we had to bring to Parliament several new piece of legislation and also to bring new arrangements in place in relation to travel, we were focused on a number of Caribbean nationals who have been recognised as being major players in international terrorism. Therefore we were justified in making the extraordinary effort to ensure that Barbados and other places within the region were safe.

Sir, sometime when you have to pass legislation, and we may do one later this afternoon, we get the feeling, well this really does not apply to us, but that is certainly not the case.

Sir, I believe my support of this Bill by acknowledging that because of the constantly shifting trends, because of the sophistication of the individuals involved, the law constantly has to be moving so as to be to address the issues.

Sir, we have seen what we now call the Forty Recommendations. It would been good if the Attorney General who had gone into greater detail, because if I would have benefited the Chamber to have an appreciation for what these recommendations are. I am not going to do his job for him. In response he may feel it important to do so, but every international agency has been coming up with recommendations. We have the Basel Recommendation and we have the Edmont Recommendations. Every single international agency is visiting small countries with recommendations. Sir, some are easy to follow, others present increasing difficulty. One of our constant challenges in small economies like ours, we recognise it when we were in Government and we want to repeat it as an ever present issue even now. Our small economy, our small infrastructure is constantly being asked to respond to obligations that are dictated for us by international agencies, and if you do not follow them you are treated like pariah, and that is a status that Barbados cannot afford as a centre for international financial services generally. In some cases we have been able to grapple with the requirements of these international agencies, but one of the issues we must confront is our ability to continue to contort ourselves in order to satisfy the requirements.

Barbados signed onto, I think, the Nuclear Test Ban Treaty, a few years ago. It might amuse some Members of the Chamber or even the public to know that under the obligations of that Test Ban Treaty, Barbados is expected to establish elaborate machinery to be able to test for nuclear bombs and a whole set of stuff. I have a feeling that the most nuclear activity we have might actually be found in either the Queen Elizabeth Hospital, in the Radiology Unit or in some of our secondary schools laboratories. Sir, the point is, when we signed onto these things we are really expected to apply ourselves diligently to satisfy the requirements.

Sir, from 1998, where the number of recommendations were small and the extent of the probation requirements were significantly less. The problem was the same.

H82 11:58:59

Sequence 10

Tuesday, February 01, 2011

House A82, Sequence 11, 21.01 p.m.

Mr. D.D. MARSHALL: In 2011, we are being asked to amend our Legislation and we have supported it again but, we have to ask ourselves whether the FIU, whose staffing component has not grown and who found significant challenges dealing with the old Legislation will be in a position, Sir, to deal with the enactment of a new legislative instrument, which is expected to be with 40 recommendations.

This is not a criticism and I am not inviting the Attorney General to feel defensive on the point. It is a simple question that I, perhaps I do not even ask it of him, I ask it of ourselves, constantly. We are being required to put systems in place and are we able to fit the bill? Are we able to meet the task? It was a challenge for our administration and I have no doubt it is a challenge for the current administration. It does not suggest, Sir, that these are not desirable ends but we have to be practical.

In some years, Sir, the FIU has to deal with a significant level of reporting. In some years, they will send as many 50 cases to the Commissioner of Police for his investigation. They have to monitor the results of the investigation. There are a variety of things they have to do and I say, because I know - I sat in the Attorney General's chair - that they are short of staff.

There are elements, Sir, of the old Legislation, which are replicated in the new Legislation that so far as I am aware, have not even been complied with. Under the old Legislation, there is a requirement, Mr. Speaker, that any

individual who receives funds from abroad, in excess of \$10 000 must make a report to the FIU. The Act is put in such a way, it is if you receive money into your account and there is a form that is supposed to be used and there is an exemption, where if you have the permission of the Exchange Control Authority, you do not need to make that report.

Sir, we always have to be conscious of the cost of doing business in Barbados. I am not aware, Sir, that there was any widespread policing of the reporting obligation under the existing statute, passed in 1999. Sir, that statute required that anybody who receive funds from abroad into their account of more than \$10 000 must, on each occasion file a report with the FIU within 30 days.

Sir, I believe that you will be well aware, given your profession as an Attorney-at-Law that in many instances reporting requirements, while satisfied, Sir, the reports find themselves on a desk or in a box and gathering dust. Are they examined or looked at? Sir, not likely. Sir, in a situation where every individual who received over BDS\$10 000 into their account, has to submit a report, the FIU is simply not going to be able to examine all of those reports, for the purpose of seeing whether there is any suspicious activity. I say, Sir, that it was not followed under the old Act.

The exact same position is being replicated under this Act, and I have reason to believe, that those requirements are going to be treated much more seriously, under this administration but will the FIU be able to examine every report that is made. As I said, it is any receipt of funds from abroad for more than \$10 000, so that they are able to determine or to consider even, whether there is any suspicious activity.

I believe, Sir, that it is one thing to enact Legislation and there is another to satisfy obligations placed on us by international agencies but it is another thing for us to be able to deal seriously with the requirements, in such a way as the Legislation is not looked on as a joke. I therefore, Sir, would want to see a serious commitment being given by the Government to increase the staff complement of the FIU so that they are able to discharge the responsibilities under an expanded set of guidelines. They had trouble coping with the existing Legislative requirements that were set, Sir, at a lower level. I think therefore if we are going to expect people to take us seriously, not just locally but abroad, we are going to have to strengthen the FIU.

Mr. Speaker, the requirements that are at the centre of this thrust, Sir, I think you could summarise on the basis of, know your own client. As an attorney in a modest law firm, Sir, I believe it is fair to say that the 'know your own client' obligations are very difficult to comply with. I regret to say that as a member of the legal profession, many

attorneys do not take the 'know your client' requirements seriously. They often think that the 'know your client' requirements relate only to clients who are coming to you from abroad and not applicable to local clients. The fact is, Sir, that as much as a nuisance as they may be, there is good reason for knowing exactly who you are working for.

Sometimes you are involved, depending on the nature of the transaction, with just one end almost, of the fabric. Some of these transactions involve a multiplicity of corporations or sometimes a multiplicity of shareholders and therefore it is often difficult to get to the level of exactly whom you are dealing with. Equally, Mr. Speaker, I am well aware that some clients, when you dare to say, I want a certified copy of your passport, they figure, "Well but who are you to ask me for that? Why should I have to give you that? If I have to give you that, I am going to take my business elsewhere." Sir, we have to combat these attitudes.

However, I think we all have to understand that in a small bar like Barbados, we have to take these requirements especially seriously. I believe, Sir, that in the Caribbean we have seen the situation with Allen Stanford and there was a time when that particular gentleman would have been the King of the Hill in neighbouring Antigua and anybody who would have been working for them would have been rejoicing but these things are possible in Barbados as well.

Sir, it is only with all of our agencies working cooperatively that we sift out those bad apples and try to protect our financial services structure. One incident like that in Barbados could cause our reputation to suffer irrefutable harm. Therefore, it is in the interest of the lawyers and the accountants. It is not just an issue for the banks. The banks receive the money but the individuals involved in the transaction are going to be the service providers.

Sir, we all have a stake in ensuring that Barbados' regulatory regime stays intact. We have a stake in ensuring that our international reputation continues to be untarnished as it is thus far. I therefore would want to urge all of the individuals engaged in the practice of law, accounting or in the other financial services areas to accept the importance of 'know your client'. If you do not do it, Sir, then you are in peril.

Mr. Speaker, the proceeds of crime Legislation, though passed before 1998 is an important adjunct to this Bill. Under the Proceeds of Crime Legislation, the DDP has the ability to go after individuals' assets, on the basis that they were proceeds of crime.

House A82, Sequence 11, 12.09 p.m.

Tuesday, February 01, 2011

Mr. D. D. MARSHALL: We have to remember that it is not just the Financial Intelligence Unit (FIU). The FIU would report matters to the Commissioner of Police who would then investigate. There may be a prosecution but then what do you do. Is it sufficient to sentence somebody to prison or do you have almost in effect to undo some of the complex threads that would have been woven by the individuals engaged in this kind of activity? I believe, Sir, that we are under an obligation to try to unravel those threads and one way to do so is to seriously go after the proceeds of crime.

I am aware, Sir, of a few instances in Barbados where the Director of Public Prosecutions has actually been able to seize assets and have them sold but it is not something that is widespread. We seem to feel that proceeds of crime would only kick in if you are bringing in 30, 40 or 50 bails of drugs but proceeds of crime legislation allow the Crown to go after individual's assets who are involved. I am making the point therefore that there is an interconnection between the work of the FIU and that particular legislative instrument which deals with the ability of the Crown to seize individual's assets and convert those assets to the purposes of the Crown to continue to help us in this fight.

Mr. Speaker, the Caribbean connection is critical. The Caribbean Financial Action Task Force (CFATF) has done very good work. It was an important step for us to take in 2000. I mentioned before, Mr. Speaker, the tendency of international agencies to talk down to Caribbean countries. Our economies are small and therefore like the OECD and others they operate on the basis of doing what we say. The Attorneys-General at that time took the view not only that we had a vested interest in ensuring that our environments were not sullied by money laundering activities but we also felt that we had to take an indigenous approach. The work of the Caribbean Financial Action Task Force has become almost as onerous of the Financial Action Task Force.

There is still a lot of work to be done. As I said, there is no doubt that the environment and the goalpost are constantly changing. Criminals perhaps change their approaches faster than the agencies that are established to regulate them will. It is a standard thing. Agencies are set up under particular charters. They have resource constraints and there are all kinds of issues which determine how they do. Criminal ventures know no more rules and therefore there are going to be shifting and changing and metamorphosing at a rapid rate.

Sir, I have no doubt that notwithstanding however successful we may be on this particular piece of legislation that over time we are going to have to revisit it to make

changes even then. The international agencies instead of relaxing standards are going to be increasing and perhaps implementing more standards and we have to stand ready to be able to help to fight in our corner of the woods.

Sir, at all times, we have to be mindful that we have to put the amount of resources that are required behind this particular agency and therefore the work is not over. I would caution the Attorney-General to pay careful attention to the Caribbean connection. It speaks wonders that most of the requests have come from St. Vincent. I think that it will not be lost because it is a significant amount of drug trade at the centre of the St. Vincent crew element and Barbados is part of that arrangement and it therefore should not come as a surprise that those requests have been made, Sir. The number of requests has increased exponentially over the years and I believe it is in part because people are taking Barbados' stance on money laundering seriously and they recognise that while we have our challenges we have proven that we are able to join in the international fight and therefore requests coming from all over the world. Certainly, when I was Attorney-General, I was pleased that we were able to respond to those requests. It is not every time that reports are made to the Commissioner that there would be convictions. The Commissioner of Police is asked to investigate suspicious activity and often there is no suspicious activity found at the heart of it and those matters where suspicious activity is found continue on for further investigation.

Mr. Speaker, I again reiterate the support of the Opposition for this particular piece of legislation. It is just one cog in the wheel but we must be careful at all times not to become so inundated with our international obligations that we find ourselves grinding to a halt when it comes to our ability to discharge the responsibilities that we take on.

I am obliged to you, Sir.

Mr. SPEAKER: I am obliged. Yes, Honourable Member.

Hon. E. G. HUTSON: Mr. Speaker, I rise in support of the amendments to this particular piece of legislation. As we have heard from the Attorney-General during his presentation, a number of the amendments to this legislation have been as a result of the mutual evaluation of the legislation in Barbados by the Caribbean Financial Action Task Force.

Mr. Speaker, the whole question of money laundering, as has been said by the two Speakers before me, has substantial implications to the international financial sector. Of course, we know that is one of the planks upon which our own economy here in Barbados is based and as such we need to pay particular attention to the efforts as it relates to the laundering of money and indeed

the use of laundered money to finance terrorist activities. As the Attorney-General had said during the course of his own presentation, a number of these initiatives have in fact been driven over the last 20 to 30 years by the Financial Action Task Force, which as we know, has been set up by the G7 countries back in the 80s to address and to influence governments the world over in terms of their own policies as it relates to the proceeds of crime, the laundering of money.

The Financial Action Task Force has sought prior to 9/11 to influence the legislation in a number of countries in different jurisdictions. Since the events of that terrorist activity and the bombing of the World Trade Centre, the Financial Action Task Force has also sought to utilise and to pressure institutions as far as the use of those moneys for terrorist activity. Mr. Speaker, as a responsible jurisdiction, Barbados also needs to be aware of those measures and take the appropriate action as far as our own legislation and so on is concerned.

Mr. Speaker, our international financial services sector has evolved and developed primarily due to the number of Double Taxation Treaties and so on that we have been able to negotiate over time.

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12.19 p.m.

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Hon. E. GEORGE HUTSON: Those treaties, Mr. Speaker, have involved the articles as far as they relate to taxation, in terms of their transparency and giving treaty partners the opportunity to be able to track through the provisions of the legislation, to be to follow some of what you would call dirty money or persons utilising the different corporate structures to launder that money or to cover up the proceeds of criminal activities. Therefore, we have found that increasingly the need for us to adhere to those standards, as they relate to the sharing of tax information, there is more and more pressure placed on the International Financial Services Sectors across the globe, to negotiate and ensure that transparency exists.

Mr. Speaker, Barbados, over the years, has had requests from other countries within the Caribbean in terms of our assistance in developing their own financial services sectors and putting the regulatory structures in place. As has been said by other speakers, the whole question of regional corporation as far as our efforts to manage the Financial Services Sector and to manage the regulatory framework, as we try to do our legitimate business, to be able to keep those undesirable businesses out. Barbados being part of the Caribbean, the Caribbean being a very small part of the global world, is often viewed as one area.

Sir, it is a challenge for individual countries within the world to have international recognition. Many of us have encountered going into North America or Europe and you find that persons are not aware as to where Barbados is located, some people think that Barbados is a part of Jamaica. Therefore, internationally when you try to market Barbados as a jurisdiction, there is always the possibility that you can be painted with one brush, so to speak, as one Caribbean. Therefore, it is important in trying to address the issues here in Barbados that we are also looking at what is happening within the other Caribbean countries. Sir, where we can assist in terms of developing their own legislative and regulatory framework in developing their international financial sectors, it is necessary, in my view, that we should be able to do that in a spirit of cooperation. It will no doubt redound to the benefit of the Caribbean as one jurisdiction and as one people.

Mr. Speaker, we have spent substantial funds over the years, not just this current administration but Barbados as a country, in terms of the training and development of our people within both private and public sector, in terms of developing their skills to be able to address and to assist in the development of the regulation and legislation that will help us in terms of our fight against the proceeds of illegal monetary and criminal activities.

Mr. Speaker, the legislation, no doubt, addresses the definition of how persons in Barbados define money laundering. Sir, I note that the penalties associated with this legislation are very large. When you look at Part II, Section 6(1), it says:

“A person who engages in money laundering is guilty of an offence and is liable on (a) summary conviction, to a fine of \$200 000 or to imprisonment for five years or to both, or; (b) conviction on indictment, to a fine of \$2 000 000 or to imprisonment for 25 years or to both.”

Mr. Speaker, it further goes on at Clause 6(2):

“A person who aids, abets, counsels, or procures, the commission of, or conspire to commit the offence of money laundering is guilty of an offence and is liable on (a) summary conviction, to a fine of \$150 000 or to imprisonment for four years or to both; or (b) conviction on indictment, to a fine of \$1 500 000 or to imprisonment of 15 years or to both.”

Mr. Speaker, this is an approved rate given the nature of the activity and influence that it can have on jurisdictions. We all know that businesses, as we know them, can easily be contaminated by this particular activity. The actual financial basis of the company can be disrupted by involvement within the money laundering sector and those businesses that generally handle substantial amounts

of cash are easily susceptible to persons who want to launder money.

Mr. Speaker, on the whole, one would find a number of persons involved in the money laundering exercise, will, in fact, be part of the what we call the informal financial sector, the sector that is not recorded, because those transactions are going to be generally conducted in cash, so they will be avoiding the banking system. They will also be avoiding the tax systems as we know them because there is no formal record-keeping as far as those transactions are concerned. Sir, to a large extent, those persons who are involved in money laundering exercises and the drug trade will form part of that informal financial sector.

Mr. Speaker, I think the Attorney-General made the observation, as I have done on other occasions within this Honourable House, in terms of the need for the tax authorities here in Barbados to be able to do a bit more in terms of the policing of those activities, in terms of utilising parts of the Income Tax legislation, to allow persons who are obviously living above the level of their income to be able to use that tax legislation to address those shortcomings and to do its part in addressing the issue of money laundering.

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Hon. E. G. HUTSON: Sir, certainly, in the UK where the provisions as far as money-laundering and measures to finance terrorism, the legislation there is a lot tighter than in some of the other First World jurisdictions and places in the UK, Mr. Speaker, can actually be charged with offences for the proceeds of their own crime that might fall within the definition of the money-laundering provisions of the UK. Sir, in the UK money-laundering covers any activity by which the proceeds of crime are hidden or concealed or so disguised so that it may appear to have been the source from a legal origin.

Mr. Speaker, another observation that I would want to make in terms of this legislation...

Asides.

Hon. E. G. HUTSON: Sir, I welcome the initiatives in this legislation to have the Financial Services Authority to be able to investigate different corporations or follow transactions into different corporations and so on.

Mr. Speaker, as I perused the legislation a number of the provisions were very similar to the provisions that we have, as far as the Financial Services Commission is concerned, and I wonder to some extent, given the similarity in the objectives of the two bits and pieces of

legislation and given the limited resources of countries the size of Barbados whether this Authority which has responsibility for managing this legislation, whether this would not be a better fit within the Financial Services Commission. Certainly, the powers should go in and follow the transactions very much contained within the Financial Services Commission as it relates following of transactions in general. It may very well be a situation where the high capital cost, the recurring cost of this Authority may very well be duplicated with the Financial Services Commission which we are in the process of establishing. Nonetheless, Mr. Speaker, the provisions as they relate to this legislation, the establishment of the Anti Money-Laundering Authority, the powers that it has are significant and, certainly, will help to police the businesses in Barbados as well as the international corporations that we have within our jurisdiction.

Mr. Speaker, the issue of beneficial ownership and the need for us to be able to amend our current legislation as far as it relates to beneficial ownership has been referred to within this particular legislation, the need for businesses and the service providers in Barbados to be able to know their customers, to know the true identity of persons who actually own the various corporations given the different international structure and so on that we have in Barbados. Sir, those provisions are covered by Section 15.4, which insists on the service providers having information in respect of the ultimate beneficiary of transactions. Sir, that is something that has been brought out as a result of this legislation as amendments to the Charities Act. Sir, as a Government, we have made amendments to the Charities Act to strengthen that. There are some changes to the Charities Act coming out of these amendments, again, to address the beneficial ownership as it relates to the trustees within the charities legislation.

Mr. Speaker, within the Charities Act as well there is provision for increased penalties and so on if one is found to be in breach of the regulations with that particular legislation.

Mr. Speaker, with the Ministry of International Business concern has also been expressed in terms of the filing of financial statements and annual reporting by business community within the Barbados environment and I think that leads, certainly, on from the need for the regulators to be able to identify the beneficiaries of the corporation.

Mr. Speaker, this legislation and these amendments to this legislation is timely in terms of what is happening on the international scene as it relates to international business and, certainly, welcomed by us.

Mr. Speaker, with those words I would like to offer my support to these amendments in this legislation to amend the money-laundering Act. Sir,

Sir, I thank you.

Mr. SPEAKER: I am obliged. The Honourable Member for Christ Church Central.

SUSPENSION

Hon. R.D. JONES: Speaker, Sir, I beg to move that this House be suspended until 1.45 p.m.

Hon. A.D. BRATHWAITE: I beg to second that.

The question that the House be suspended until 1.45 p.m. was put and resolved in the affirmative without division and Mr. Speaker suspended the House accordingly.

H/A82/12:39

Sequence 14

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SUSPENSION

VELDA TYPED THIS PERIOD ONTO HERS.

Sequence 15

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House A82, Sequence 16, 1.54 p.m.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed.

When the Suspension was taken, we were on Order No. 7, and to that we shall continue.

The Honourable Member for Christ Church West Central.

Hon. S.A. LASHLEY: Thank you, Mr. Speaker,

I rise to in support of this Bill, which in my estimation is a piece of Legislation that has come at a very important juncture in relation to our virtual defense of our international financial services sector in Barbados.

Mr. Speaker, money laundering as we know is a practice that has confronted many countries, all over the world. Practically every country is touched with by the

scourge of money laundering. Money laundering, Mr. Speaker, is generally regarded as the practice of engaging in financial transactions to conceal the identity, source, and/or destination of illegally gained money, by which the proceeds of crime are converted into assets, which appear to have legitimate origin.

In Barbados, Mr. Speaker, we have a vested interest in ensuring that by means of Legislation we can deter those persons who thrive by the proceeds of illegal money and illegal practices. Our jurisdiction, Mr. Speaker, for years has earned a reputation of being not only a friendly jurisdiction, as it relates to international financial services but a jurisdiction which boasts of having systems by which there is disclosure and by which there is transparency, as it relates to transactions in Barbados.

The reason, Mr. Speaker, why I wish to compliment the Honourable Attorney General for having the foresight to bring this Bill to Parliament at this time, is that we need not wait for another or the next rigorous inspection by the OECD countries to ensure that our regulatory framework is put on a more solid footing. We have a proud record, Mr. Speaker, on which we can stand. Indeed what we need to do and what we recognise that we need to do is to ensure that we continue to remain current, as it relates to ensuring that our Legislation and our Legislative framework, as it relates to money laundering remains among the best in the world.

Sir, unless we can attain high standards of compliance in relation to our international financial services sector, we would always have the danger, Mr. Speaker, of another OECD clamp down on us. I believe that we are in a position today, particularly boasted by this Bill once it is enacted by Parliament to ensure that we can withstand any scrutiny. In this April 2, 2009 report, Mr. Speaker, to the G-20 Finance Ministers Meeting, the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes, included Barbados among the countries considered to have substantially implemented the internationally considered standards on transparency and exchange of information.

It is no secret, Mr. Speaker, that the supervision and regulation of our financial services sector are critical to ensure that we maintain that very high standard and reputation. We ought to do that because, Mr. Speaker, the financial services sector contributes significantly to the economy of Barbados. I believe that in 2009, this sector contributed some \$240.3 million in Corporate taxes to the economy. Sir, because of the downturn in the global economic situation, we have seen a lower yield in terms of the amount earned by that sector, if anything were to happen of a nature that creates problems for the international financial services sector in Barbados, there is a direct negative impact on our economy. This is why, Mr.

Speaker, I support a number of the measures in this Bill, which are designed to ensure that we really protect our economy that this Bill is intended to ensure that a vital cog in terms of our economic contribution as a sector, is protected at all cost.

Mr. Speaker, we have a number of treaties, the double taxation treaty and other areas by which we should, by agreement, have proactively ensured that we will operate in the international community, in a manner in which all of our areas of international business are open for scrutiny. As you know, Mr. Speaker, money laundering comes in many forms and fashions and therefore we have to ensure that by means of regulation and supervision, we maintain our friendly and transparent domicile.

In relation, Mr. Speaker, to the kind of agenda set by the Financial Action Task Force, otherwise known as the FATF, we should feel very proud that when we proceed in this way, we are basically ensuring that we comply with a number of the recommendations that come from such powerful organisations. Of course, the FATF is a global body of nations which have determined that they will run our international business sectors by means of certain standards. One of those key standards, Mr. Speaker, is that we need to criminalize money laundering.

Money laundering can no longer be an act that we only wrap persons who offend on the knuckles but what we say is that simply by means of the provisions of this Bill, we will reserve the highest penalties, among the highest penalties for offenders. The Bill as I see it, Mr. Speaker, really codifies in one enactment, a very comprehensive approach, which Barbados has determined that it will go in. It is really a piece of Legislation which will help to boast our international financial services sector but it will create the kind of open environment by which we will grow even further, our international business.

It is known, Mr. Speaker, that once you have jurisdictions such as ours that are very opened to international challenge, open to international scrutiny as it relates to the standards of practice that we follow, that invariably international business companies and other investors feel very comfortable doing business with countries like Barbados and, Sir, that is a plus for us.

I just want to comment, Mr. Speaker, on a few of the provisions because I believe that one of the things that we need to do, even after we enact this Legislation, we have to ensure that we embark on a comprehensive approach to ensure that all players in Barbados, particularly in the business sector so that our service providers are made aware of money laundering practices. Mr. Speaker, we need to embark on money laundering awareness because we are still at a stage where many persons are caught up in a web, not that they have intentionally gotten involved in

acts of money laundering but, had they been made more aware of the various ways in which money laundering occurs, there would have been more vision.

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Hon. S. A. LASHLEY: I believe that this particular Bill, in such a comprehensive manner, ought to be seen as the first point at which we embark on that awareness. Indeed, the penalties are so significant in this Bill that persons who are involved, particularly in the international financial services sector, need to make it their business to become aware of these provisions.

One of the weaknesses, Mr. Speaker, which the Attorney-General spoke of that came out of the 2008 inspection in Barbados was that we had a number of deficiencies, many of them relate to the whole question of information sharing, the access to information and the fact that we were still in that vein where the need to ensure the disclosure and the identity of beneficial owners of enterprises was still not taken as seriously as it ought to have been taken.

What we have done now in this Bill is to ensure that persons involved in this very critical sector understand that they basically have to ensure that they have certain codes of practices. In fact, the Bill sets out in a very detailed fashion a very comprehensive Code of Practice. I believe it appears in the Schedule to the Bill. That Code of Practice is extremely important because it is going to be the Bible by which persons involved in the international financial services sector would have to play. It creates a number of obligations, which in a nutshell, requires persons involved in that sector to know their customer in a much more intimate manner than they ever would have done in the past. Practically every international treaty, which relates to financial systems and for which we gained benefit in Barbados, has now been putting in there an exchange of information clause. That exchange of information requires us to not only ask people to make information available but to ensure by law that they have no choice but to make certain information available once they are required to do that.

Mr. Speaker, I think the Bill goes a long way to clearing up a number of misconceptions about the requirements relating to money laundering. It takes it beyond the realm of doubt so that we are no longer in a position to say that we do not know.

The Objectives of the Act, as set out by the Attorney-General, are very clear in that the Act is designed to ensure that Barbados remains clean and untainted by the proceeds of crime. Certainly, one of the features, and I

believe that is why we are required to obtain a certain approval in this House, is that the proceeds of crime and the proceeds of money laundering now stand to be forfeited. Of course, this has implications for certain constitutional rights to property. Indeed, the standards set by the international community are so stringent and the consequences to a jurisdiction that runs afoul of those standards are such that we believe that we need to enact legislation that we can deprive persons of property once it is found on a balance of probabilities that the property has been secured by the proceeds of what we call dirty money.

Mr. Speaker, having looked at the Bill and certainly being a party to approving it at the level of Cabinet, I believe that this Bill signals a new beginning in the international financial services sector for Barbados. The recommendations from the various international bodies to protect countries such as ours from money laundering have been incorporated in it. The issue pertaining to money laundering is so serious that it is crystal clear that Barbados as a small open economy cannot afford ever to become blacklisted. We know of the history of what has happened in the international community in relation to those countries that have become blacklisted. If you look on the website of the International Financial Action Task Force, you would see, as opposed to two or three years ago when, I believe, there were at least 16 or 17 countries placed on the blacklist, I cannot be too sure, that all of those countries have now been erased. They have recognised that the kind of international pressure that can be brought on a small country such as Barbados where we to become blacklisted is not worth the effort.

A prudent means of compliance in terms of information sharing and protecting particularly our banking system from the scourge of money laundering and those persons who use all kinds of guises to funnel illegal money into countries is such that that has been severely minimized by this Bill and therefore I have no hesitation at all in supporting the provisions. I believe that it would be very well-received by the Barbados business sector. We continue to ensure and aspire to continue to be a friendly but transparent domicile and that has served us well in the past. I believe that once we continue on that vein that it would continue to serve us well into the future.

With those few remarks, Mr. Speaker, I certainly support this Bill and I certainly believe that the kind of seriousness in which we have approached in bringing this here and with the determination to bring it to the House is certainly a feather in our cap and a signal to the international community that we are serious about protecting our international financial services sector and we are focused on adhering to those very stringent standards which are required for us to remain friendly but transparent.

I am obliged to you, Mr. Speaker.

Mr. SPEAKER: I am obliged. The Honourable Member for St. Michael East.

His Honour K. St.C. BEST: Mr. Speaker, I rise to support this Bill before this Honourable House today. I think the Honourable Attorney-General and Minister of Home Affairs set out clearly the preamble and the purpose of this Bill.

Sir, in recognising that Barbados is a small developing country, one has to make sure that all that is said about Barbados is said and Barbados is seen in a very good light. It is extremely important, Sir, that countries are run by various forms of legislation. Barbados has signed on to many international protocols but we must first look very carefully at all that is being done locally and regionally before we, in a holistic way, take everything that the international world serves on us.

Sir, year after year and month after month we come to Parliament and pass legislation but I think what should be essential is an educational programme so that when we come to Parliament and talk about this Anti-money Laundering and Financing of Terrorism (Prevention and Control) Bill, the citizens of this country would know what is involved in money laundering and what is involved in the financing of terrorism. Sir, I believe that we should have town hall meetings to educate Barbadians every time we bring legislation to this Parliament.

Sir, I believe that the general feeling in Barbados is that money laundering is only associated with drug dealers but that is not how it is. Sir, you have the white collar crime and you have some unscrupulous developers who come to these shores to wash money and they come with all sorts of fanciful ideas and projects and as soon as you indicate to those developers that due diligence has to be carried out, they backpedal away from these shores.

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2.15 p.m.

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His Hon. K. St.C. BEST: Mr. Speaker, I am glad that this legislation ensures that at least they will know what Barbados stands for and that Barbados is not a place where they can wash money but that we are ensuring that if you come to these shores, you must account for where you got your finances. I think that will serve this country in good stead.

Mr. Speaker, I believe that further training needs to be carried out on persons employed in these financial

institutions, to make them more aware of their responsibility and to assist them to look at the various ways in which money can be laundered. Sir, I believe the time has come that people who are placed in these critical positions should have a lie detector test carried out on them. Sir, it is about time that is done.

Mr. Speaker, persons who are employed in these financial institutions come from within the society. Barbados is a small society and so people have relatives. Therefore, there might be a time that people unwillingly or unknowingly would facilitate money laundering. I believe if we have a greater educational programme, if we have the retraining of persons employed in these sectors, the errors or any omissions on their part would not occur. I believe if we want to go forward, we need to look seriously at a holistic educational programme of all of our citizens, as well as everyone who forms part and parcel of the management of this piece of legislation.

Mr. Speaker, it is quite clear that the terrorist attack of September 2001 would have signaled many red flags throughout the world, where unscrupulous persons recruit others and place money in certain accounts for the financing of terrorism. This has been happening long before September 2001 but I believe that September 2001 was just the catalyst for the world to take a stop and look see what is happening as far as money laundering is concerned. Mr. Speaker, money laundering comes in various forms and I believe we need to look closely to this Act with the Proceeds of Crime Act. Mr. Speaker, the question of forfeiture of properties should be seriously pursued to ensure that those persons, who believe that they can come in all different fashions, would recognise that Barbados is serious about going after the proceeds of crime and that we are serious about how we do business in Barbados.

Mr. Speaker, with those few remarks, I support this Bill.

Mr. R. C. EASTMOND: Mr. Speaker, when the Wright brothers were able to get a winged instrument off the ground and into the air, thereby ushering in something called an aircraft, a number of subsequent events were entirely unforeseeable to them. First of all, they would have been unable to see how with the advancement of technology, ultramodern jet-propelled aircraft would come into existence. Secondly, by the time the airline industry got established, there would have, I believe though with some hindsight and foresight, known that when aircraft become a popular means of transport, that many airports would be fairly safe.

Mr. Speaker, there are those Honourable Members in here who recall the days when Seawell Airport had a waiting gallery, where you could actually see-off your

relatives. This was this waiting gallery, persons would accompany their relatives to Seawell and they would go up and wave their relatives off. The question now is this. How many countries in the world have waiting galleries? Sir, significant to this debate is that waiting galleries have been closed down, for the most part, because security personnel in airports recognised that people used to throw up things on the waiting gallery or throw down things from the waiting gallery. Sir, much of these things were nothing more than contrabands. The Wright brothers would never have forecast that aircraft would have been used as bombs and that aircraft would have become a fundamental part of terrorism.

Mr. Speaker, it is to the credit of a former Prime Minister of this country, the late J.M.G. "Tom" Adams, that he addressed the United Nations on the issue of terrorism - long before September 2001 - and suggested that as small as Barbados was, Barbados was intent of felting out all those who would bring terror to this world. I recall, in recent times, one issue that has occupied the minds of lawyers and academics is what truly wholesome definition can be advanced for the term terrorism. The term varies in definition from jurisdiction to jurisdiction. It is easier to say what terrorism is about than, from a pure point of view of the lexicon, say what is terrorism.

Mr. Speaker, an Honourable Member correctly said that we in Barbados set about to seize the proceeds of crime. Long before the common law had anything to do with it, long before common law judges were challenged to look at the interpretation of anti-money laundering statutes, the common law itself knew nothing called money laundering, so statutes have had to be brought in to look at money laundering.

Mr. Speaker, while speaking of this unfortunate aspect of things, there are Honourable Members who would tell you that very often the trade in drugs is a frightening phenomenon in more than one way. First of all, the persons trading in drugs are committing acts of crime against their country. Secondly, they are trading these things to persons who, if addicted, might never recover from their addiction. Thirdly and very importantly - and the first time that anti-money laundering legislation came to this Parliament, we consider the link between the trade in guns with the trade in drugs.

Mr. Speaker, I doubt whether there are any vessels transporting, which, at the same time, are not transporting arms, many of which are illegal. Mr. Speaker, I doubt too whether over time enough of what we call due diligence has actually occurred. What really is due diligence? We hear people speak that "A" or "B" enterprise can enter Barbados because we have done due diligence and I am not satisfied that our due diligence process is as comprehensive and all-embracing as it is. Sometimes when you see the

four or five institutions that have collaborated on due diligence, some of them would not have even contacted the international world to find out about the origins or sources of moneys that particular persons would have brought to us in the Caribbean. I believe that up to two decades ago, there were unscrupulous persons in this world who saw the Caribbean as a happy place to wash money. I have heard stories of personnel from Europe who ultimately became investors in the Caribbean, who moved from rags in one day to riches and headed with money to the Caribbean situation.

2.24 p.m.

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Mr. R. C. EASTMOND: Sir, you know something, that made it easy for the Organisation for Corporation and Economic Development to target us in the Caribbean. Sir, one of the most enduring battles we in the Caribbean have had to face, and the Honourable Member for St. Philip South knows this, is that at one point the OECD, not the Organisation of East Caribbean Development countries but the OECD, made up of some powerful countries were suggesting that we may be recipients of investment which was tainted by dirty money and they said that some Caribbean jurisdictions were uncooperative by not disclosing material information and the OECD was so determined to attack that they said that we had not put in enough protective measures as regards our offshore business.

Mr. Speaker, at the same time, we were responding that we were doing our best at the level of due diligence. Sir, the OECD kept picking, and picking, and picking and then when they could not find that Barbados was a haven for dirty money, they started to say then that our tax policies in relation to overseas investments in the offshore sector were tax policies that were too soft. Sir, I am happy that this Parliament has in the last 15 years or so kept a very careful watch on the circulation of money, on its source and on the manner in which particular operate. As we all know, to deposit money over a particular figure, you have to do a statutory declaration to say where the money came from as an assurance that the money was not being washed.

Mr. Speaker, in this debate we are also considering the question of terrorism and it seems to be as though metropolitan are convinced, based on their own experience and, Sir, permit me to talk about their experience. When you talk about the OECD and these countries, you cannot be deaf or blind to the reality that some of the major capitals of the world including Tokyo and London themselves have been the nuclei of dirty money being cleansed so when those big countries turn on us accusing us small countries of either being uncooperative or not having

protective measures they are themselves turning a blind eye to the fact that it in the major capital of the world including capitals known for prestigious financial institutions there has been definitely money-laundering. Sir, successive Governments in Barbados have done their utmost to root out any tendency of our citizens to be heavily involved in money-laundering. Barbados, I am sure, is a signatory to major conventions which point to the need to ensure that the undesirable effects of money-laundering are not practised in Barbados and Barbados is prepared to work with other countries in the interest of making sure that economic activity should proceed under the umbrella of legality.

Mr. Speaker, there can be no question that there are people in this country, people in this region, people in this world, who have benefitted from legality. There is a jurisdiction which I will not mention by name where youngsters in school, 14 and 15 tell teachers that there is no point in getting certificates, there is no point in challenging the normal job market because the market and the inducement for involvement is there and so, one or two Caribbean countries, one in particular, has people who are young who want to become traders in drugs for money. Sir, even when teachers try to persuade them that such behave is illegal, their answer is that such behaviour is so well-established over time that it is here to say.

Sir, I recall being at a lecture in 1983 and Barbados had started to see the use of (5:03) cocaine freebase style, and crack cocaine. Sir, at this lecture, a fellow, who said he wanted to come out of cocaine actually declared publicly in that forum that drugs were here to stay meaning that drugs and illegal narcotics could not be stamped out. Sir, one of the things about persons who are users of drugs at the retail level is that they are never keen to tell you where they get the drugs from. They can tell you that they owe the pusher man, or that they are going to see the pusher man but they never tell you who the pusher man is. Sir, that is very unfortunate because it would be in the interest of law enforcement agencies to have as much information as possible as to those persons called drug barons, as to those persons who sell drugs, make money from drugs and, at the same time, put people's lives at risk.

Sir, one Honourable Member mentioned that last Friday he had cause to interact with a number of persons almost all of whom were very young and he said at the end of having seen these fellows in jail that he said to himself "What a waste."

Mr. Speaker, one of the greatest threats to our human resources is illegal narcotics. Sir, another threat to our human resources is lawlessness and there can be now doubt that excessive involvement in the use of narcotics does eventually lead to lawlessness and ultimately to crime. Sir, in recent times there has been a tightening internationally

of this whole question of the proceeds of crime and, in particular, of the proceeds of the sale of drugs. Sir, in our jurisdiction, we have come to the point where in addition to the legislation being proposed, we need also to consider aggressive forms of rehabilitation of those persons who are hooked on drugs. The short solution to coming off drugs is to avoid the first unit of any mind-changing or prescribed substance day by day or minute by minute, admit that you cannot hold it, admit that you are powerless over it and ask the Almighty to take your will and life under his care and control to get you off the substance. Sir, that is easier said than done though because, so gripping is drug addiction, so insidious is drug addiction, that only the strongest, national, united effort can do anything about it.

There is a gentleman who I believe operates near Westbury Road called Mr. Jones and he has an institution called CASA. I get the impression he is a trained drug counselor. Sir, he seems ready. I am hearing now from the normal Council of Substance Abuse under Miss Forde that efforts are going to be intensified in the fight against drugs. (8:37)

Mr. Speaker, one of the truly frightening things about the drug trade, Sir, is this. There are mothers and parents, who do not discourage their offspring from bringing home drug money. There are women who will come before the Magistrate's Court and curse the authorities and say, "Not my son," and such like. When these women are interviewed, these same women says, "If he does not bring home money, how is he going to get food." Sir, if we come to such a dangerous situation where a family is saying that it is dependant on the financial proceeds of the sale of drugs for sustenance, then we better look out, Sir.

Mr. Speaker, at the same time there are too many intelligent Barbadians who hero worship persons in the drug culture. Sir, there is a drug culture, and then there are the subcultures that go with drug culture like certain kinds of music which some of us in my age group find offensive, and which some of us in my age group would call noise and not music. Sir, certain forms of music constitute a necessary linkage to the whole drug culture.

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R.C. EASTMOND: Even the way some people ride bicycles on the road, suggest that some novel culture not known in this country, over the years, has overtaken our young people; disrespect for authority, defiance, not having enough regard for the finer things of life. Nobody in here is a snob, as far as I know. There are such things as the

finer things of life, good music, good literature, good poetry, education, and we have young people in Barbados who do not wish to embrace those values.

Sir, we have come so far as a nation through ingesting the values that we got out of the education system, a lot of us have come a long way through real hard work, a lot of us maintained oppositions in the community through not having not gone to jail, and through no ambitions to be what people call 'Jail birds', and a lot of us have always been entirely law abiding.

Sir, where you get drugs, money coming out, and where the people in drugs are so anti social and anti social and anti nationalistic, as to wish to invest of their ill-gotten money either in fronts, business fronts for activity, or directly into activity that is linked to terrorism, then that has not only to be discouraged but that has to be tabooed by the type of legislation, which is before the court, and by the type of legislation which has come to this Parliament over time.

I have listened carefully to Honourable Members taking part in this debate and I believe that sooner or later we are going to reach some kind of all-party consensus on this whole issue of terrorism, on this whole issue money laundering, and the Government, through the Ministry of Finance is to be encouraged to this thing called due diligence, because a lot of what is called due diligence is so excessively localised as not to pick up germaine information from abroad. Sir, it is possible to plan a crime in the United States of America for the execution of a crime in Barbados. Similarly, it is possible to come together in Barbados and plan a crime to be committed in England or the United States of America, or in another Caribbean country.

Sir, I want to conclude by saying that the typical Barbadian, in fact the typical West Indian, is a thrifty honest-to-goodness hardworking person, and no substance such as drugs and no enticement such as dirty money should be permitted to corrupt our culture to such a degree that the next two decades we will not be able to recognise Barbados that we so love.

Sir, with those remarks, thank you very much.

Mr. SPEAKER: The Honourable Member for St. James South.

Hon. D. O'N. INNISS: Mr. Speaker, I rise to give support to this Bill which looks to reforming the law with respect to prevention and control of money laundering and financing terrorism. It really has its genius by and large, as the Honourable Attorney General mentioned, in the Forty Recommendations and Nine Special Recommendations of the Financial Action Task Force of which Barbados is part

of. Let me say at the outset that it is a very needed piece of legislation. First, it certainly reflects, once again, Barbados' commitment to the various international treaties, bodies and organisations to which we signed onto. I think Barbados has an excellent reputation of living up to part of its bargain in terms of these regional and international entities.

Mr. Speaker, when we have debates in Parliament, coming up, in respect of the Budget or the Estimates, a few hot issues, there is often quite a hive of activity in and around Parliament and in the country on the whole, but when it comes to matters like these sometimes it seems very subdued. The reality is, legislation like this really hits at the bedrock or the foundation of our economy and our society. Certainly, without maintaining a good reputation in the international arena, our economy is certainly under threat and by extension our society at large. Sir, sometimes debates like these can become rather intellectual and somewhat removed from what people call the average person, but it really and truly hits at each and every one of us in this society.

Sir, this particular Bill before us today basically seeks to do three things. I wish in a few minutes to touch on each one of them. First, to establish and implement measures for the detection and prevention of money laundering and the financing of terrorism consistent with our obligations through the FATF. Mr. Speaker, this is extremely important. Certainly, as other speakers said before, the whole issue of money laundering is indeed a very serious one. Often times in this society it is associated with drug dealers or those involved in international and financial transactions.

Sir, the harsh reality is, money laundering has been part of our society's fabric for many years and exist in many forms. Anyone who attempts to conceal the true origin and ownership of the proceeds of criminal activities is indeed part of a money laundering exercise. A couple areas come to mind, right away, for those who are more on the international arena, the issue of international arms sales, for example, is one that is very prevalent. It is well spoken and documented around the world.

The Honourable Member for St. James North just spoke quite precisely to the issue of drug trafficking, not only in the domestic arena but also in the regional and international arena. That too is, perhaps, the best known area in which a lot of money laundering occurs. There are also other areas, embezzlement, insider trading, for those who get into complex business deals, a simple thing like bribery, but the fundamental aspect of it is, those who seek to conceal ill-gotten gains are certainly tantamount to participating in money laundering.

Mr. Speaker, Barbados today is part of a global village. Certainly, as the Honourable Member for St. James North and the Honourable Member for St. Joseph would have alluded earlier, we are part of a global enterprise today that money moves pretty much at the speed of lighting. You can go to a bank in Bridgetown today and within an hour money can be deposited in a bank account in almost any other part of the world. Certainly Barbados has to be on its Ps and Qs when it comes to this issue of money laundering, because certainly we can easily get caught up in it as we participate in this global financial activities.

Sir, on the domestic side I do not need to repeat a lot of what was said before. We are all aware as politicians and members of the society, and those who, often times one may suspect to be able to display certain lifestyles, certain attributes, and certain assets, perhaps without ever known to attend anybody's office, a place of employment, that you can say that they are gainfully employed. Sir, that certainly is an area that law abiding officials in Barbados will continued to grapple with and deal with.

Sir, the other issue that this Bill seeks to address is, to protect persons whose businesses may be vulnerable to abuse by money launders and persons who finance terrorism and trades, measures should be implemented to detect and prevent such abuse. We need to ask ourselves who are the gatekeepers in all of this effort to combat money laundering and the financing of terrorism.

Sir, terrorism is not new. Perhaps it gained a lot of prominence and has remained on the forefront of managers, politicians and decision makers in the aftermath of the World Trade Centre bombing, and what is now known as 9/11, where those terrorists would have attacked the US. Perhaps it really came to the fore because that was sophisticated terrorism that occurred right in front of the bosom of the epitome of the free world, the United States of America. Since then we have seen all the measures implemented, the United Nation ...

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House A82, Sequence 21, 2.44 p.m.

Hon. D.O'N. INNISS: Since then, we have seen all the measures implemented, the United National Resolutions, Resolutions passed by other bodies around the world that do have some teeth to them, which really hit at the core of how we combat money laundering and the financing of terrorism.

The message here in Barbados and what this Legislation is seeking to address in many respects is how do we prepare our institutions, how do we ensure that our institutions, in particular financial institutions that have to manage the flow of money in and out of Barbados as well as within our own community, are equipped to:

A. Identify,

B. Detect, and

C. Appropriately report suspicious activities that can be construed as money laundering and financing a terrorist or other illegal activities here or around the world.

A bank today is not just a place to deposit money and take it out when you want to, Sir. There are complex financial activities that take place and at the back of all in many respects, are complex corporate structures as well that also facilitate such activities. Commercial banks, credit unions and all financial institutions in Barbados, however they are so defined and structured, must be entirely vigilant when it comes to this issue of money laundering, as they seek to protect not only their reputation, as financial institutions but, certainly, that of our society at large.

One aspect of this Bill is that it imposes the requirements of financial institution to have compliance officers. Often when you go to a bank and you would have bank managers and the tellers and those you see on the front line but we often do not realise the importance of having an officer, who is responsible for ensuring that the bank's standards and protocols, when it comes to such matters as identifying, detecting money laundering and elicit activities, are recognised. Let me say that I do not think, given my own experience that banks in the past in Barbados have taken this seriously.

I agree with the Honourable Member for St. Philip South when he speaks of the need for compliance officers to be able to report to the Board of Directors directly. Any reputable financial institution must realise that a compliance officer cannot be a junior officer but must be a senior manager with the authority to take decisions and to investigate, including investigating fellow senior officers in banks in this society. Therefore, Mr. Speaker, this Bill addresses that and I hope that beyond the Bill itself, financial institutions in Barbados continue to invest in the training and development of compliance officers. It would certainly do a lot to both protect their reputation and enhance that of this society at large.

The Bill also speaks to the administrative measures to the anti money laundering authority and gives them the authority to issue guidelines in respect of standards to be observed and implemented. We cannot be serious about money laundering and issues against financing terrorism

and create an authority like this and then do not have the teeth to do the work. Therefore, I note that within the Bill, there is a specific structure that they do have the authority to set the guidelines and standards.

Sir, standards are extremely important. There must be standards that all financial institutions and all of those in the vanguard of protecting this society against the scourge of such ills, must be able to comply with. I agree with the Honourable Member for St. Joseph. This is a matter that really and truly, both sides can readily agree to and note the support that the Honourable Member for St. Joseph gave to this Bill as he spoke earlier. I wish to join with him and others when we make the call for us to ensure that such authorities and entities are adequately staffed, not just in terms of quantity but in terms of quality of officers.

The public service has never been known to necessarily attract some of these highly specialised skills that are required in these areas. I think many of them will find better paying jobs in the private sector but I think that if we are going to be serious about getting this Authority functioning at the level that we all wish it to function. Sir, given the complex nature of businesses today, we have to accept that we must be able to have compensation packages and authority that make the situation appealing to them to come and step up to national duty. I note that perhaps it was not able to be done before but I know going forward, we will commit to making these serious strides.

The third and final purpose of this Bill, Mr. Speaker, is to maintain the reputation of Barbados as a financially sound and stable jurisdiction for investment. Let me say, Mr. Speaker, I believe that this is of utmost importance to this society and this economy. At the end of the day, Barbados is a service oriented economy and in relation to that, our reputation is of utmost importance. We do not have oil, we do not have gold, our greatest assets are our people, their intellect and by and large, the services that we have in this society.

Let me say up-front, Mr. Speaker, I do not believe that the international business and financial services sector in Barbados have not yet been fully tapped, nor do I believe that we have discussed it enough. I go as far as to say that I consider it perhaps to be the most important aspect of our economy and no offence to the tourism sector. I think I need to explain that because we need both of them but there is always that talk about tourism and the contribution to the society.

I commend my colleague, the Honourable Member for St. Michael South Central, the Minister of Tourism for the work he has been doing. They have been doing well. The international business sector is contributing over two-thirds of the Corporation Tax in this society.

Asides.

Hon. D.O'N. INNISS: The Honourable Member for St. James Central can well speak to the figures when he speaks to them whenever that is, Sir. The international business sector, straight off the back generates almost two-thirds of the Corporation Tax collected in Barbados and that is done without major, major investment on the part of necessarily the same structures and the same ground. Sir, beyond the contribution in taxation, there is also the fact that high-paying jobs is created by this international business and financial sector, whether it is the legal fraternity, the accounting firms, the corporate administrators or whatever.

Sir, you normally will find that those who work in the international business and financial services sector are normally those who are at the upper end of the income scale, even if they are not large in numbers, maybe 3 000 or 5 000, it certainly lends itself to individuals who now have the earning capacity to turn it around and hire the maids, the gardeners, the drivers and the other support staff that is necessary, both domestic and otherwise.

There is also from that sector, tremendous direct foreign investment that is recognised. I believe Barbados is still the third largest recipient of Canadian offshore investment, second to the U.K. and the USA. This is something a lot of people do not talk about but many major corporations around the world, do have some kind of presence in Barbados that has allowed them, through tax arrangements and whatnot to not only earn great sums of money but be able to invest, expand and extend their global reach. Of course, the latest of that is the issue of technology transfer.

I thought I should really emphasise the importance of the international business sector and the contribution it makes to this society because at the end of the day that sector too is at risk, if there is ever any hint of any entity or individual in Barbados involved in the financing of terrorism or any corporate entity or individual associated in Barbados who can be accused in a global arena of money laundering. We only have our reputation, just as the lawyers always say that the only thing is their reputation, and physicians may say that occasionally. Barbados as a society, the only thing we have to move us forward is our reputation, whether you are talking about tourism, or international business and financial services. Mr. Speaker, it is extremely important that we remain eternally vigilant and watch all points in our society to ensure that our reputation is well lived up to. I have worked in other jurisdictions promoting Barbados as a place for foreign direct investment and for facilitating international business and I can tell you that Barbados is certainly a place that is well respected. It is well liked and that is something we

must all hold dear to our hearts as we continue to develop this society.

House A82, Sequence 21, 2.54 p.m.

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Hon. D. O'N. INNISS: Mr. Speaker, I have no difficulty in giving full support to this Bill. I believe that while we oftentimes talk about fiscal incentives and other incentives to generate business and what not that we must continuously focus on what we need to do to maintain what we have and to help grow this society to the next level.

Mr. Speaker, whilst it may not be a very flamboyant part of discussion, the reality about it is that without legislation like this that protects our business, our citizens and our reputation, Barbados' economy and by extension its society would be placed at great risk.

Mr. Speaker, with those few words, I now take my seat and I fully support this Bill.

Mr. SPEAKER: I am obliged. The Honourable Member for St. George North.

Mr. G. A. CLARKE: Mr. Speaker, first of all from the outset I would want to support the Bill and to say for the record that I believe that the Honourable Member for St. James South has delivered a very fine speech, one of the best I have heard in this House, this is not partisan at all. It seems to me that when he is collective he seems to be at his finest.

Mr. Speaker, I want to start off with the point at which he has departed, that Barbados has a very fine reputation internationally. I believe that it is true throughout the world, whether it is in North America, Europe, Asia or the Caribbean, that Barbados has a fine reputation and one that we need to continue. Since adult suffrage and since the 50s into the 60s and into the new century, we have seen moves not only to bring Barbados into the international arena but to strengthen the Barbadian economy as well as to attract foreign direct investment into this country. The move to attract investment into our country is indeed a deliberate move by our great leaders in the past because we saw that agro-industries were not really attracting the type of investment to keep our people and make them a first world country, that is why the late "Tom" Adams in the 1980s spent considerable time on financial services to ensure that sector grow.

Sir, without doubt, the period of the 80s under his leadership saw a number of offshore industries coming to our shores in order to shore up and boost our economy. Today, we see that our economy is growing mainly through

tourism and the offshore sector more than by any other sector.

Mr. Speaker, despite the fact that we say that Barbados is a good place for doing business, we still must be able to protect our economy and therefore this Anti-money Laundering Bill is important not only from an economic point of view. I must say that when the Economists look at this Bill, they must come to the conclusion like... Years ago, there was a King called Henry Tudor way back in the Middle Ages who at that time from my knowledge... It was said by the Economists in those years that bad money drives out good. That is an economic phrase that goes to the heart of this Bill, bad money will drive out good causing tremendous inflation in the economy. It will cause not only inflation but it will cause the black market and the underworld to thrive. It is a dangerous concept.

We believe on both sides of the aisle, even though the Honourable Member who introduced this Bill would have slipped up and I hope that he is able to correct himself, that we must take cognisance of whatever we do in terms of attracting finances. The Minister who introduced this Bill was at pains to point out that if you deposit more than \$10 000 in any bank you had to say where this money came from and it is true. It was not introduced today, it was introduced for a very long time now and mechanisms had to be put in place in order to ensure that persons who are depositing or withdrawing those large sums of money would say what they plan to do with this money. Sometimes people think it is embarrassing to them. Mr. Speaker, there are some persons in the society who feel that the banks have no right interfering with them but we believe that it is a safeguard not only for those persons who are withdrawing but for those persons who are investing. Sometimes those persons who want to invest in our country feel that it is slow in the banking institutions. Sometimes you hear Barbados is a very good destination but a bit slow but I always make the point that we have to protect the slow.

We have a good civil service and we have good regulations in the Central Bank. One is very proud of our Central Bank and we hope that our Central Bank remains firm and not put itself in the realms of politics or else. We would hope that these institutions would understand that we in Barbados, according to one foreign diplomat, punch above our weight. This country, as far as the international standards are concerned, is really doing extremely well and our people must be proud of where we have come from and what we have achieved. We must protect our economy and whatever has to be done, we have to protect the good name that we have brought over the last number of years.

Mr. Speaker, I also want to say that there is a feeling that the use of drugs... We must send a strong warning to

those persons involved in drugs that the use of drugs and drug money in our society would cause harm to our society and to those persons involved in tourist activities. We must not say that Barbados is a small country and it cannot happen to us, the evidence was around since 1976 with the Cubana aircraft disaster crash here. We have an international airport that received thousands of passengers per day and we have to protect that institution and our ports of entries and exits and therefore I think that the financing of terrorist activity must be looked at. We have to protect them and we have to protect ourselves and our citizens.

3.04 p.m.

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HIS EXCELLENCY Hon. D. St. E. KELLMAN: Sir, I am just warning this House that we have to be very careful because we have competitors and this is a very tickle issue because, as you know, this is a very small and aggressive world where people would use the passing of this Bill against us. Sir, remember, not that we were doing anything wrong but the OECD sought to use certain occasion and they blacklisted us, even though we were not doing anything wrong. Sir, we have to be very careful sometimes what we buy into because sometimes we buy into something believing that it is going to serve in our interest and it ends up not serving in our interest.

There is doubt, Sir, that we have done this with good intention but I do not want to hear later down the road that some country because they want an advantage, will come to use this Bill against us. Sir, the point has to be made that we are accepting our international responsibilities and that we are passing this Bill. We are not passing it because we have problems nor we are not passing it because we are correcting anything. We are passing it because we want to block something from happening.

Mr. Speaker, I thank you very much.

Mr. SPEAKER: I am obliged. The Honourable Member for St. Michael West Central.

MR. J. D. PAUL: Mr. Speaker, I rise to also give my support to the Bill and to say that in regards to the Bill in itself, that while we have to recognise the objectives that we are trying to achieve, I think we also have to recognise that in terms of Barbados in itself that we have always tried, as much as possible, to be a society in which we can say that we are relatively free from corruption.

Mr. Speaker, in that regard if you look at what the Bill is trying to achieve which is really, that where persons who are engaged in these activities, where they have been able to gain some monies from that, they have to find somewhere to place those monies. Sir, one of the things

that we have to be very aware of is the fact that there are very small institutions within our society which also can be impacted on as the result of the activities of persons who are actually involved in these types of activities. Mr. Speaker, in that regard, I want to say that I want to compliment the Government for bringing this particular piece of legislation because it sets a standard for businesses operating within the community in terms of what is acceptable and what is not acceptable. Sir, one of things that we need to reinforce at this point in time is that sometimes those very activities which we tend to ignore in our society sometimes affects the broader image that we have as a country and sometimes even for our credit unions. Sir, one of the things that we sometimes do understand is that they, as financial institutions interact in a very real way with people who are engaged in all types of transactions in our society and it imposes on them that responsibility to try to ensure that the persons with whom they are interacting are not persons who are engaged in activities which would run afoul of the legislation that we are actually introducing here at the moment.

Mr. President, I really think that one of the things we want to do clearly from the Bill is to ensure that the reputation of Barbados as a destination where you find that we have low incidences of criminal activities, that we can be able to stand proudly and say that is the case. Sir, when you look at some of the penalties that are imposed here in the legislation, if you look, for instance of the responsibility (5:06) that even in terms of directors of financial institutions, it imposes upon them that they have a very great responsibility in terms of trying to ensure that their institutions actually comply with the requirements of it because if you look at the penalties, it is a penalty which I think most directors would have to take notice of.

Mr. Speaker, in that regard, I want to say that, generally, I am in support of the Bill and I want to emphasize that what we might also need to do is to have an aggressive promotion campaign or something that actually tries to maybe even create among all the financial institutions a sense of responsibility in terms of what they need to do to comply with the various elements of the Bill because, Sir, it seems that is really important. Sir, you find that one of things that it does impose upon these institutions is that it could impose additional cost. Sir, that is something that we need to pay attention. Sir, in terms of the business processes, a lot of institutions are going to have to recognise that in terms of the way in which they conduct their business and how they actually train employees that they have to take this Bill into consideration.

Sir, with those few words, I want to say that I support the measures. I also want to say that what we need to do is to be aware of the fact that maybe we need to have a deeper sensitisation programme among businesses, to

make directors especially in those businesses aware of their responsibilities as is stated here within the Act.

Mr. Speaker, I thank you very much.

Mr. SPEAKER: I am obliged. The Honourable Member Christ Church South.

MR. J.D.E. BOYCE: Mr. Speaker, at this stage I want to move that we now postpone consideration of this Bill.

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

The question was put and resolved in the affirmative without division. (7:43)

ORDER NO. 9 – TRANSNATIONAL ORGANISED CRIME
PREVENTION AND CONTROL BILL, 2010.

Hon. A.D. BRATHWAITE: Mr. Speaker, earlier this morning I told this Honourable Chamber that pursuant to our mutual evaluation as a member of the Caribbean Financial Action Task Force that there are certain steps that we would have taken legislatively to address certain deficiencies and this Transnational Organised Crime Prevention and Control Bill, 2010 is one of those Bills which we have brought to this Chamber to satisfy one of the outstanding areas that was found in our legislative regime but for the record, Sir, it was not a case where Barbados had no intention of bringing a Bill of this nature to Parliament. I think what has House happened is that the evaluation has awoken us to the fact that we actually had signed certain protocols with certain conventions and that we needed to put them into law.

Mr. Speaker, this Bill would give effect to the Convention against Transnational Crime signed in New York on 15th November, 2000, and the following convention to which Barbados is signatory.

Sir, I will just read to you with your permission which is the Protocol to prevent, suppress and punish trafficking in persons, especially women and children signed in New York on November 15, 2000. The Protocol against smuggling of migrants by land, sea and air signed in New York on November 15, 2000 and the Protocol against...

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Hon. A.D. BRATHWAITE: the smuggling of migrants by land, sea and air, signed in New York on

November 15, 2000 and the Protocol of the Illicit Manufacturing of and Trafficking in Firearms where parts, components and ammunition, signed in New York on May 31, 2001. These are the objects and reasons for the Bill. Indeed, you will find that the conventions and protocols to the Convention, in fact, are attached to the Second Schedule of the Bill.

Sir, I will not be very long on this Bill. If I may, I would like to at least address a couple areas. One of the areas I wish to address in this Bill with respect to suppressing and punishing trafficking in persons especially women and children. Sir, Barbados is a type of society which sometimes we behave as if we live in Utopia, but the reality is, there are certain undesirable practices in our society that do exist and, in fact, the trafficking in women in particular is one of them that does exist in this country that needs to be addressed.

Sir, I say this because I know that, according to what I have been reading in the international community, it has been noted that Barbados is actually a transshipment point. However, I believe you will hear from time to time stories of some of our Caribbean neighbours coming to this country to work in less than desirable practices and conditions. Indeed, it is my understanding that there are persons in this society who encourage these young women into Barbados. In some cases, I am advised, seize their passports and encourage them to engage in practices that you and I would not encourage any of our young constituents to be engaged in. Sir, this legislation seeks to address those types of practices so that we can send a signal to those type of individuals and the international community that Barbados is serious about its intention to ensure that its shores are not used for the trafficking and smuggling of persons.

Sir, I am advised that one of the indirect consequences of our recent immigration policy, the much maligned amnesty, one of the indirect consequences of bringing that amnesty to Barbados was the fact that lots of individuals were emancipated because they no longer felt and realised that in having their circumstances regularise in this country, they are no longer to be held hostage by employers and or partners, and because they were staying in Barbados illegally and thus were encouraged to live a type of life now that they have their regular status in this country. Thanks to our amnesty that they are free now to say that they will not engage in certain activities because they have all the rights of anyone who is legally resident in this country.

Sir, in fact that is one of the indirect consequences, because we have actually brought a better life to those individuals, of whom I am advised, have taken our amnesty and are now free to come and go as they please in this country.

Sir, another area that we are concerned about is the whole issue of organised crime. We think of organised crime as the days of Al Capone, one of my favourite movies. Sir, I am sure if you have never watched it, I will watch it with you, again. It is the Untouchables. We think of organised crime as the days of Al Capone, et cetera. Sir, the reality is, what we are seeing in Barbados today would suggest that not only is there organised criminal activity within Barbados, but it may actually have some regional component. That is seen by the fact that there are more fast boats going between St. Vincent and Barbados. That is seen by the fact that boats are actually coming from as far as St. Lucia into Barbados. So obviously they are not going to bring their illegal contraband into Barbados unless they knew who are the recipients of contraband when they arrive.

Sir, we are also concerned about the use of, should I say certain Shows, as a leading through which money is being laundered, and it is a medium through which that organised crime, that I discussed, in other words that relationships are fostered between persons in other jurisdictions and Barbados. These Shows are staged in Barbados as a medium through which funds are cleansed and brought into our banking sector.

Sir, we do not believe for one instance that we live in a Utopia on this side, and it is for that reason that we have no problem bringing this piece of legislation before you this afternoon. I do not anticipate that there should be much opposition to this legislation, but I have learnt over the last three years that even where common sense will tell you that, in fact, there should be no opposition, lo and behold, the common sense is abrogated and other forces take hold. So we will see what happens. I believe that these Conventions and the Protocols, which are attached to this legislation, should not see any large opposition. Sir, if there is debate, certainly we should not see any opposition to the legislation itself, because of the obvious benefits that would be derived from having this legislation on our books.

Sir, just two weeks ago, I was reading one of the local newspapers and Barbados received bad press internationally for not having these Conventions as part of our laws. One of my colleagues, a Senator on the other side, whose interest, as we all know, is championing the cause of women and children, just yesterday reminded me that every once in a while, going into international forum, the issue of Barbados' signatory to this Convention and Protocol and not having them as part of the laws that have been raised. What is happening is, and we spoke about this earlier today, we have to be careful that as a jurisdiction we are not maligned through innuendo. Sir, what tends to happen, as has happened in the case of the report that I was referred to in the local newspaper two weeks ago, the report was actually based on what they saw in certain parts

of the Press. The report was not based on statistics coming from the Government of Barbados or hard evidence coming from the police of Barbados, but the point is, they can publish that and link it to the fact that there is an absence of this legislation to suggest that it is expected that Barbados would have that kind of behaviour in Barbados, because they have not actually enacted this legislation that we are debating today.

Sir, the issue of illicit manufacturing of the trafficking of firearms, we are not engaged in the manufacturing of firearms. Although as a boy growing up, there was a saying that men in St. George used to make pipe guns. I am not sure if there are men from St. George South, but there was a saying that men in St. George used to make...

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House A82, Sequence 26, 3.23 p.m.

Hon. A.D. BRATHWAITE: They were saying that men in St. George used to make guns. In fact, I am now being told not just St. George South but St. George North. Of course, Barbados is not engaged in the manufacturing of firearms but we are concerned that firearms are used in crimes, not only in Barbados but in other parts of the Caribbean and that links, Sir, to the issue of the criminal network.

Sir, we are concerned - and I do not mind and I will use this as an illustration - that guns are flown from St. Vincent into Barbados to commit crimes and then are shipped back out to be used for other similar activities. We are very concerned about that and one of the things that we have to address at the local and at the CARICOM level is to ensure that we have the technology to identify where guns are used in multiple offences, Sir, not only in Barbados but outside of Barbados so that we can tap into this knowledge and ensure that we eradicate the type of organised activity to which we are referring.

Sir, just to go back to the whole issue of organised activity, in support of something that was said earlier this morning, one of the things that I have noticed as Attorney General is that we have been having lots of seizures of cash by individuals leaving Barbados heading for St. Vincent, in particular and, of course, you would hear all kinds of excuses, in terms of lack of knowledge of the Exchange Control Regulations, et cetera. Sir, when you look at that along with the multiple inquiries that we have had from the FIU in St. Vincent, that would suggest where the evidence is that, in fact, there is a bit of a criminal nexus between the

two countries. Again, we want to address that very seriously and send a signal to our international partners, indeed to our regional partners that we are very serious about organised criminal activity on our shores and will do all within our power to ensure that this is addressed.

Sir, I will take a different path and I will in fact leave it until we get into the Committee stage to go through the various clauses, which are not significant. I believe in the Bill there are about 26 clauses and I can comment on them when we get into Committee. Sir, I just want to signal that this Bill, as single as it is, is a message by the Government of Barbados that we are serious about ensuring that Barbados is not used as a jurisdiction for human trafficking, smuggling of migrants by land or sea, or in illicit manufacturing of firearms or ammunition. Sir, I hasten to add very quickly and, indeed, you will see it during the course of the actual review of the clauses in the Bill that human trafficking also includes trafficking of human organs.

Sir, I say in closing that Barbados does not live in isolation. We certainly do not, as much as some of us would like to believe, live in utopia. There are real issues faced by us from day to day. There are real issues faced by our police force on a day-to-day level, and it is in that regard that we need to give them the tools to ensure that they can deliver and continue to protect the way of life that we have in this country.

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

Hon. P.M.T. TODD: I beg to second that, Sir.

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

Mr. D.D. MARSHALL: Mr. Speaker, this particular piece of Legislation has made it to this House. I believe that Honourable Members will be aware that the particular Treaties and Protocols were signed as far back as the year, 2000.

Sir, having participated in the negotiation of the Convention itself and the Protocols and therefore being in part responsible for the end product, the Opposition certainly could not but support this piece of Legislation. The Treaty itself, as well as the Protocols to the Treaty make for interesting reading. Again, Sir, I echo my words earlier in the debate in the House today and I think the Attorney General and I are even on this issue.

Sir, too often, Barbadians seem to feel that these things do not happen here. I well recollect instances in private practice, where individuals have complained that other individuals have seized their passports. It often

happens that the people whose passports are seized are ladies working in particular establishments. It is a fact, Sir, that many people who come to Barbados illegally are recruited in places like Jamaica and others, on the promise of jobs in the public service, on the promise of good paying jobs and they come to Barbados having had their plane fare paid by an entrepreneur of some kind. Then, when they get here, their passports are seized and they are forced into prostitution.

Sir, you might argue that a person does not have to be so naive as to snap up those offers but individuals whose circumstances do not give them a lot of options, they do take these opportunities. And so, Sir, you would find - perhaps I should not say that you, Mr. Speaker, would find - but I believe the Authorities would confirm that in many instances where people are working in strip clubs and in other facilities like that, are working there without the ability to take their passport and go back where they came from. It is as simple as that.

Clearly, Sir, any right-thinking society would deprecate that kind of predatory behaviour but if it only occurred in the underbelly of Barbados, that would be one thing but in construction, it is well - known that individuals, some and - I mean a rapacious few. I would not want it said that the Opposition or this particular Member of the Opposition held the view that it is widespread. It is not but some people do come to Barbados and get their passports seized and it compels them to show up for work and work extraordinarily long hours and to suffer the tyranny of a rapacious employer.

Sir, these are things that we whisper but in fact there are instances that occur on the Barbadian landscape and tarnish us. These particular Protocols, Sir, to the extent that they may deal with trafficking in the forms of what is called human slavery, may be seen as not being relevant to Barbados. Equally, Sir, there are instances in the past where, Barbados has been used as a transshipment point.

Sir, what we have and it is an important point too that both of these pieces of Legislation should come to the House on the same day because their purposes are allied. A close examination of the particular Protocol on suppressing and punishing trafficking in firearms would reveal that many of the provisions in that particular Protocol, deal extensively with the subject that we discussed earlier today, and has been differed for further consideration, dealing, Sir, with the proceeds of crime, dealing with the role of money laundering in these particular circumstances.

Mr. Speaker, we support this Bill, the Barbados Labour Party administration through its offices in New York worked on this Convention, tirelessly as part of the Group of 77. The debates in the UN on those occasions

went well into the night and Barbados presented well on all of those occasions.

House A82, Sequence 26, 3.44 p.m.

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Mr. D. D. MARSHALL: It has been a few years since its signature but it is important that we deal with it today and I therefore support this piece of legislation.

Again though, Sir, we have to bear in mind that a piece of legislation does not exist in a vacuum. Again, I come to the matter of our availability of resources. The Royal Barbados Police Force is the central agency that has to deal with matters relating to the criminal side of this Convention and therefore I believe that it is important that in any debate dealing with this issue we have to look at the situation within the Royal Barbados Police Force. When it comes to dealing with trafficking in firearms and so on, this is clearly the work of the Royal Barbados Police Force.

Mr. Speaker, the Opposition remains concerned at the instability that exists within the Royal Barbados Police Force. In any situation, Mr. Speaker, where the Attorney-General feels that he has to intervene in an apparent dispute between a Commissioner and a Deputy Commissioner of Police, then clearly there is instability in the Royal Barbados Police Force.

The Royal Barbados Police Force under our Administration was a well-equipped force. Under our Administration we spared no effort in making sure that they had the finest of resources. We gave them capacity that they did not have before in terms of the ability to conduct offshore surveillance and other measures. We buttressed those efforts by equipping the Coast Guard so that they could assist in the interdiction...

Hon. A. D. BRATHWAITE: On a point of order. The Honourable Member is misleading the House. The records would reflect that under the Barbados Labour Party, District "C" Police Station, District "B" Police Station, District "F" Police Station and Black Rock Police Station deteriorated, therefore it is grossly misleading this House to suggest that in fact that the Barbados Labour Party equipped the Royal Barbados Police Force as was said by the Honourable Member. In fact, Sir, the only thing that they did was to pay twice for the construction of a police station.

Mr. SPEAKER: Very well, Honourable Member. Honourable Member, please continue.

Mr. D. D. MARSHALL: Mr. Speaker, the Honourable Attorney-General knows that it would be invidious for any Honourable Member of this Chamber to

outline the full set of equipment, if you want to talk about equipment, and the capacity that the Royal Barbados Police Force has so we have to be deliberately and intentionally vague on some matters. However, Sir, there is absolutely no doubt that under the Barbados Labour Party Administration the terms and conditions of the members of the Royal Barbados Police Force were improved. There is absolutely no doubt that under the Barbados Labour Party new police stations were built and planned. The fact of the matter is that under the Barbados Labour Party you had the brand-new police station at Horse Hill, you had the Police station at Crab Hill and you had other facilities. Sir, the Attorney-General knows that there are some things that by convention are not spoken of in this Chamber and so I am unable to speak of them as is he.

Sir, let us not delude ourselves, the fact of the matter is that the amount of resources directed towards the Royal Barbados Police Force over the last years of our Administration in fact even in our first term, were significant but the point now is that you have a situation where the police force is now reeling under instability, where the Police Service Commission is countermanding every step of the Police Commissioner where the Deputy Commissioner's promotions are being taken and not the Commissioner's promotions, where members of the Commission are sending in their own list and it is scandalous, Sir, let us not mess around, it is absolutely scandalous.

Mr. SPEAKER: Yes, Honourable Member.

His Honour K. St.C. BEST: On a point of order. I cannot stand in this Chamber and allow the Honourable Member to mislead this Chamber. The Honourable Member is misleading the House. The Commissioner of Police has the authority to submit a list. If the substantive Commissioner of Police is not in office and the acting Commissioner of Police... Their list coincide and that is exactly what is happening in the Royal Barbados Police Force. What is happening in this Chamber is that the Honourable Member for St. Joseph should take cognisance that he went into St. John and used the same remarks that the Police Force is in disarray and as a result of that their candidate lost his deposit.

Mr. SPEAKER: Let us crystalize the point of order and let us move on.

His Honour K. St.C. BEST: I will not stay in here as a former member of the Police Force and say that the Police Force is in a disarray and that two persons are sending different lists to the Police Service Commission, that is untrue.

Asides.

Mr. SPEAKER: If you keep quiet, I would hear it properly, please. Honourable Member, please continue.

Mr. D. D. MARSHALL: Thank you very much, Mr. Speaker. Sir, as much as we may get the legislative fundamentals correct, there are underlying issues which would prevent Barbados from fulfilling its obligations and I want the Attorney-General to deal with them. There is absolutely no divide on this but we are saying...

Hon. A. D. BRATHWAITE: On a point of order. The Honourable Member is misleading the House. There is absolutely no divide in the Royal Barbados Police Force that I am aware of, none whatsoever.

Mr. SPEAKER: Very well. Honourable Member, please continue.

Mr. D. D. MARSHALL: The Honourable Member is on record as saying that he will intervene. If there is no divide in the Royal Barbados Police Force, then there is nothing to intervene in, it is as simple as that. What is it that he is going to intervene in if there is no divide?

Asides.

Mr. D. D. MARSHALL: You are worrying about us over here, that is fine with me, we are glad for the attention.

Mr. Speaker, I come to you, at the end of it all, we come back to our ability to properly discharge our obligations under the Treaty. If the Attorney-General is of the view that we are able to do so, good for him but the reality is that people are engaged in firearm crimes in Barbados. It is frightening the amount of offences that are being committed by firearm crimes in this country at an unprecedented level and it all has to do with the availability of illegal firearms, the very thing that this legislation is being put in place today to assist in.

Mr. Speaker, the legislation is before us. The Opposition has said that we support it. All we are saying is that the Attorney-General needs to deal with the issues in the Royal Barbados Police Force and allow them to do their job, plain and simple.

I am obliged to you, Mr. Speaker.

Mr. SPEAKER: I am obliged. Yes, the Honourable Member for Christ Church West Central.

Hon. S. A. LASHLEY: Mr. Speaker, I rise to speak in this debate. I do not think that we should in any way be deflected by the Opposition in considering such an important piece of legislation. I know that the Attorney-General would speak very fully to the cankers on the other

side in relation to the allegations in relation to the Royal Barbados Police Force. We still, Mr. Speaker, have full confidence in the law enforcement agencies in Barbados but this Bill that we are called on to consider, which speak to three very important protocols, the protocol in relation to the prevention, suppression and punishment of trafficking in persons, the protocol against smuggling with migrants whether by land, sea or air and the protocol against the illicit manufacturing and trafficking in firearms and parts are indeed very important areas of legislative enactment, which we are about to enact in Barbados. Certainly, from the perspective of the Ministry of Family, Culture, Sports and Youth, we have a vested interest in the passage of this legislation because of the myriad areas which now provide some level of comfort not only in relation to the work that the Royal Barbados Police Force is being required or would be called upon to do but certainly in relation to Barbados' international commitments as it relates in particular to the trafficking in persons.

House A82 Sequence 27

3.55 p.m.

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Hon. S. A. LASHLEY: For many years, Mr. Speaker, this issue has gone untreated in Barbados. Certainly the attempts to deal with the question of human trafficking has been dealt with at the level of several other pieces of legislation in Barbados. The Sexual Offences Act has been used in Barbados to try to deal with the situation in some areas. Certainly in relation to sex traffickers and those related to this particular trade, many of them have gone untouched by the law. Mr. Speaker, what we are doing today is enacting the legislation to give the law enforcement agencies the ammunition or provision by which to prosecute offenders and also to ensure that they are punished to the full limits of the law. Mr. Speaker, once the legislation is enforced, as I think it will be, this Bill will also provide for Barbados meaningful and more accurate statistical data by which we could determine a true extent of this problems of trafficking in human persons.

Mr. Speaker, what we know now is that indeed Barbados is a source and destination country for men, women and children being subjected to trafficking in persons, specifically forced prostitution and forced labour. We do know that some children in Barbados are subjected to commercial sexual exploitation, via transactional sex, where third parties, whether a parent, a potential employer or involved in some illegal activity whether prostitution or bondage activity. We do know that certain persons are identified and targeted for this kind of activity.

Mr. Speaker, this Bill now affords us an opportunity to put an end to this. Certainly from our perspective within

the Ministry, it gives us an opportunity, particularly as it relates to our reporting requirements to our various international partners, whether the United Nations or otherwise. It gives us an opportunity, once we enact this legislation, to be able to say that we have filled a gap in our laws in relation to the question of human trafficking.

Mr. Speaker, sex traffickers, criminals, particularly those who prey on victims, particularly children and those engaged in child labour and who exploit particularly females, and men to a lesser extent, who are brought to Barbados on the pretense that they will be engaged in meaningful, productive activities. What invariably happens, Mr. Speaker, is that their passports are confiscated, they are made, in many cases, to work for slave wages, so to speak. Sir, because these persons are not properly documented, they are liable to be exploited. Mr. Speaker, what has happened is that the Government has been very proactive in relation to this problem. What this Bill now seeks to do is to provide the legislative framework by which these persons can be prosecuted and certainly punished, once they are found guilty of this Act.

Mr. Speaker, we are aware that once this Bill becomes enacted, there are other things we have to do. We have to ensure that our police, immigration and customs officers are exposed to intense training, so that they are able to quickly identify persons who are engaged in the business of human trafficking. I believe also we will have to extend training to our healthcare workers and those persons who are working within the protective sectors of Government, so that they are able to ensure that any gaps which are there in relation to persons who prey on innocent victims are very quickly filled.

Mr. Speaker, in 2004, the Government began work on a protocol for anti-trafficking action via the Bureau of Gender Affairs. This particular protocol would have been passed to various Government agencies for comment. It has, in fact, been very pivotal in ensuring that we could be here today to consider this particular legislation. Indeed, the officers of the Bureau of Gender Affairs should be complimented for the hard work they have done over the years. They have mounted several seminars and workshops, many of them have been publicised. A lot of the hard work that has gone into ensuring that not only Barbadians but that persons across the Caribbean are sensitised to the importance of human trafficking and the extent to which it could impact negatively not only on our social fabric but that the economic cost from human trafficking are very extensive, particularly for small countries such as Barbados.

Mr. Speaker, the Bureau of Gender Affairs has worked very hard. Although to date there are no reported cases of Barbadians being trafficked to foreign countries, we know there are circumstances where had it not been for

the vigilance of the Royal Barbados Police Force that several things would have occurred which might have seen that happening. The Bureau of Gender Affairs is also very mindful, they have already put in place specialised services that would extend to a situation where a situation arose where there were persons from Barbados trafficked to foreign countries. What this legislation will do is certainly to strengthen the hands of the authorities in Barbados and assist the Bureau of Gender Affairs in ensuring that once we put in place certain protective measures, that they supported by the law.

Mr. Speaker, as I said, we had a number of educational workshops for officials and social service providers. The Bureau of Gender Affairs would have worked with regional and local non-governmental organisations, religious organisations, community advocates, to better organise their anti-trafficking efforts and outreach.

Mr. Speaker, you will be aware that not being in a position to comply with international treaty obligations in relation to human trafficking, Barbados has placed at tier two of the watch list which has been established among the international community. Sir, this tier two speaks to countries whose Governments do not fully comply with minimum standards to detect and prosecute human trafficking but are making significant strides to bring about compliance.

Mr. Speaker, this legislation provides a good opportunity for Barbados to argue its case that we should move to another tier because in fact this is evidence of compliance. Of course, there are other things we have to do. We have to ensure that the legislation is enforced. That is going to be important to ensuring that we can demonstrate that not only having enacted this legislation but that we are complying fully in relation to the efforts to detect and prosecute offenders.

Mr. Speaker, the statistics are there. I believe that over the years we have seen cases of trafficking. Barbados first identified two adult women from Guyana as victims of sexual exploitation in 2004. There is no reason not to believe that kind of trend has not spiralled. What we want to do is to ensure that we have a mechanism to be able to set out data, to plot occurrences as they occur and to ensure that we can have a more accurate report of what is happening in this part of the world.

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Hon. S. A. LASHLEY: ...and to ensure that we can actually have a more accurate reporting of what is happening in this part of the world.

Mr. Speaker, one of the areas that we recognise that we have to pay more attention to and, certainly, once we have enacted this legislation we have to look at, is the whole question of the need for protective services to be afforded to the victims of trafficking in human persons. Sir, currently what has been happening, given our lack of legislative arrangements to deal with this issue, is that the police force has actually been treating victims who arrived in Barbados undocumented and who, of course, would have been targeted for human trafficking. Sir, they are now treated as persons who are in violation of the immigration laws of Barbados and, indeed, they are deported. In fact, we believe that a whole new approach needs to be put in place and needs to evolve in relation to victims, those persons who are innocently placed in Barbados as a result of exploitation whether sexual or whether it is by means of employment exploitation, that we have to devise a scheme and a system to protect and support victims of these kinds of crimes.

Mr. Speaker, just to conclude. This particular Bill before the House is a very serious piece of legislation. It is an accomplishment for the Government to be able to finally bring this legislation to the House. Of course, it is not only dealing with trafficking in human persons, it is dealing with ensuring that those persons involved in the arms trade and those involved in trafficking of human persons whether by air or sea, in other words, those who are being ferreted to Barbados by various ships, planes and so on, that the jurisdiction to deal with these particular issues are now etched in the law and it provides now an answer for prosecutors who would have not before this had an answer in terms of prosecuting offenders. It provides an answer to prosecutors to ensure that there are specific provisions in the law to prosecute and to ensure that persons offending are punished.

Mr. Speaker, I believe this is a very useful development for Barbados. It helps us to comply but is also sends a message. It sends a very clear message to those who are engaged in this act within Barbados that they now have to ensure that when they flout the laws of Barbados that there will be punished for that. Sir, sexual exploitation has been occurring in Barbados for many years and what we have now is appropriate legislative arrangements to ensure that it is detected and punished. I think the persons, in particular, who would significantly benefit from this legislation are innocent children who are made victims whether through persons they trust or otherwise.

Mr. Speaker, with those words I, certainly, would signal that this is a particular development which the Ministry has been moving towards for a while and which it certainly supports.

Mr. Speaker, with those remarks, certainly, I endorse this particular Bill.

Mr. SPEAKER: I am obliged. The Honourable Member for St. James North.

Mr. R. C. EASTMOND: Mr. Speaker, I am satisfied that a lot of preparatory work would have gone into this piece of legislation, a lot of preparatory work preceding 2008, that is. I am also satisfied that many of the aspects of the rules in this particular piece of legislation do overlap markedly with what we have done earlier today. I am further satisfied that the observations of the last Honourable Member who spoke in relation to the treatment of migrant workers and in relation to the question of child labour are sentiments that carry an enormous amount of veracity.

Mr. Speaker, the trade union movement of Barbados has been lamenting the fact that, notwithstanding that there are illegal immigrants in Barbados who are undocumented and who have overspent their time, that the seizure of the passport of these people and the type of inhumane treatment fall the expectation of a civilised society. Sir, even before the year 2000, Barbados as an active member of the International Labour Organisation, would have attended conferences where the whole issue of the treatment of migrant workers was raised and where the whole issue of child labour was raised but about seven years ago or eight years ago, the Honourable Minister of Labour can check this, a Dr. Denn did a rapid assessment as to the conditions of the hapless segments of this community and some of the evidence raised these questions, that visitors to Barbados as tourists were asked these questions:

Are you looking for a prostitute female? What age group?

Are you looking for a prostitute male? What age group?

Are you looking for a child? What age group?

Sir, then, as has become obvious around the courts of law, we are faced with a phenomenon of something known as child wandering, where little children exposed to vice can see no purpose in going school. Sir, that is truly, truly, very shocking and I am happy that this legislation is going to treat this.

Mr. Speaker, this legislation only has three gaps, as far as I am concerned, gaps to which I will come. Sir, let me make the observations that was made by the last Honourable Member that there was a time when the 200-plus countries of the world would put their signatures to treaties and conventions and do nothing else and then I believe after a case that we are very familiar with call the Black-Clawson case the superior court said that to give proper effect to a treaty or convention in a situation where

the municipal law was in conflict with international law, pass your convention into the municipal law and make it the law of the land which means now that beyond the conventions that started years ago, we have gone past the treaty stage at the level of international law and brought this as part, an important part at that, of our municipal law so to breach this law, you are really offending twice. You are offending all the basic tenets of international conventions and you are also offending against our municipal law. Of course, now the question of when municipal law is in conflict with international law, municipal law would prevail, now becomes totally and entirely irrelevant.

Mr. Speaker, I am attracted to Clause 3.3(a) which says that an offence in more than one country be in one country but a substantial part of the preparation, planning, direction or control takes place in another country or such takes place in one country but has substantial effects on another country, I am satisfied that this bring us to the stage where we have captured the purpose of transnational crime.

Mr. Speaker, I am not going to be long but just a short while ago I mentioned that there are only three gaps. I think that in a situation where the concept of incitement in law still is very much in the air at Common Law, where the concept of conspiracy is still in the air at Common Law that we have come to the stage now where we are going to have to think through some statute for incitement and for conspiracy especially in the light of ...

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R.C. EASTMOND: Mr. Speaker, I mentioned

that there are only three gaps. I think that in a situation where the concept of incitement in law still is very much in the air at Common Law, when the concept of conspiracy is still in the air at Common Law, that we have come to the stage now, where are going to have to think, through some statute for incitement and for conspiracy, especially in light of Clause 3. Clause 3 deals with it in a kind of oblique way, but we have to have a frontal attack on what is incitement, because we do get ladies, as has been said, being encouraged to come here, expecting that they are coming to paradise and expecting rapid wealth, and then they are reduced to conditions that are inhumane. We therefore have to deal with those who incite them.

It is well-known that three or four persons from Nelson Street, all of whom are now deceased, used to hire interpreters and send them to Hispaniola to recruit sex workers. It was very much known, but I would want us to

define incitement properly. I would want it to go beyond the common law, the narrow common law concept of conspiracy, and developed conspiracy especially viewed in the era to which we have come. I want "attempt" clarified.

Sir, do we have a Criminal Attempts Act of Barbados? If we do not have a Criminal Attempts Act of Barbados, then that common law, with those old-time cases like Halton and such like, leave us in confusion. Sir, even if the Government does not amend this particular piece of legislation to take into account novel approaches to incitement, conspiracy or attempt, it can be done by a separate legislation to walk into our legislation that deals with matters like these.

Sir, I am also attracted to Clauses 14 to 16. I am very much attracted there. I think that if ever justice is to be done, Clauses 14 to 16 point out a walk down the judicial road that makes enormous common sense. Sir, with your permission, I will cite Clauses 14 to 16.

"There is hereby established a Fund to be known as a Criminal Assets Recovery Fund. 15: The Fund shall consist of all monies derived from the orchestration of forfeiture of money and property under the Proceeds of Crime Act."

Sir, now who could quarrel with that? If the proceeds of crime have been seized, if the proceeds of crime by their very nature ought to have been seized, then the proceeds of crime should be taken from those persons who were in possession of the funds and put to the type of use that Section 14 to 16 are contemplating.

Sir, let me read Section 15.

"The fund should consist of:

(i) All monies derived from the confiscation and forfeiture of money and property under;

the Proceeds of Crime Act;

(ii) Section 10 of the Anti-Terrorism Act; "

We were reminded of what happened today, earlier, when we adjourned the General Orders.

" (b) Any money voted for the purpose by Parliament; (C) Any moneys paid to the Government of Barbados by a foreign state and recovered from seized assets whether under a treaty or a bilateral agreement that makes provision for the sharing of those assets;"

Sir, we have to work with our partners that where our people are involved in crime and when money is recovered, that our partners cooperate with us and let the money to come to Barbados in, the say way that many of

those partners would expect that when the burden falls on us to remit money to them, that we so remit.

Sir, we are in an era of interesting exchanges on the councilor and ambassadorial front. We want legislation where a prisoner at Dodds, who is a foreigner, can spend out the rest of his or her time in his own domicile. We have that. Similarly, a Barbadian in certain States, with whom we have an agreement, who is in prison, can spend out the rest of his or her days here at Dodds.

Sir, this whole thing about transnational crime is serious, for many reasons. Technology has improved and moved apace rapidly. Technology can be abused. In addition, forms of communication between our young persons in different countries can so be established, that unless there is some interception, our sovereignty can be compromised and our name tarnished, but Barbados must necessarily take every possible step to protect its good name and to prove to the world that it is consistent in obeying its duty or power, living up to its treaty obligations and in doing all manner of good in the interest of the good society.

Sir, with those few remarks, I am deeply grateful to you. I thank you.

Mr. SPEAKER: The Honourable Member for St. George South.

Hon. Dr. E.R. BYER-SUCKOO: Mr. Speaker first of all I am in support of this Bill and would like to add a few words to the discussion and the debate thus far. Sir, from the point of view of the Ministry of Labour, we are certainly pleased to support this Bill as well. This Bill, as you would have heard, speaks to giving effect to the convention against transnational organised crime, and in particular protocols to that convention. One protocol is to prevent, suppress and punish trafficking in persons, especially women and children, a convention which was signed in New York, some ten years ago. Sir, the purpose of this protocol, as the name suggests, is to prevent and combat trafficking in persons, especially women and children, and to protect and assist the victims of such trafficking, with full respect for the human rights and to promote cooperation among State parties in order to meet those objectives.

Sir, we heard that Barbados was previously placed on Tier 2 of a list from, I think it was the US State Department, where the observation was made that Barbados had no legislation in place to prevent this country from being used as a transshipment point, while there was no hard evidence to suggest that these things were happening here. Certainly, they said that the legislation and the systems were not in place to prevent it from happening here in Barbados.

Sir, certainly with child labour, this is something that we are concerned about in the Ministry. I have seen a report recently, one that was commissioned and coming out of the University of the West Indies, which suggested that child labour does occur in Barbados. Now child labour is not where a child of school age does small task for money, but child labour is that work that would keep that child from developmental activities or including school. Fortunately it is recognised that our legislation and the provision of adequate places in school that would allow children under the age of 16, and would mandate for children under the age of 16, to be in school, that legislation keeps such incidences of child labour to a minimum, as children are in school during the day, for the most part. Sir, some countries in world, including some in the region, there are not sufficient places especially for students after they have done the Common Entrance Examination, so they find themselves involved in all manner of things.

Sir, there is a report that suggest, and I do not have it to hand right now, but this report suggests that there are indeed some of the worst forms of child labour that occur in Barbados. These forms of child labour include a child being used in the drug trade. For example, maybe being used as a lookout for a drug transaction, or being used as an innocent messenger in the drug trade, or someone, who will carry some of the drugs as delivery. Sir, more and more we are seeing this happening to children across the world, and it is suggested that this is happening in Barbados.

Sir, we have heard also that children are being used in sex acts, and sometimes for transactional sex and often put up to that by a parent, an older person, a pimp. These are areas that we need to move to ensure that our children are protected. Sir, we would traditional say that this was not happening in Barbados but we can no longer rest on our laurels. It is happening around the world. We see it on our televisions. We hear of it in our music and if there is nothing to stop it from happening...

4.24 p.m.

Sequence 30

Tuesday, February 01, 2011

House A82, Sequence, 31, 4.42 p.m.

Hon. Dr. E.R. BYER-SUCKOO: We see it on our televisions, we hear of it in our music and, if there is nothing to stop it from happening here, Mr. Speaker, we will wake up one day to a very rude awakening when we realise that our children, when we see it blazing across the front page of our newspaper and then we would realise, oh we should have addressed this earlier. I am glad that we are

moving in that direction, for example, with Legislation such as this, Sir.

We need to ensure that our children are protected and where parents need that support, there needs to be Legislation to help to protect our children to keep them out of activity such as this. I am concerned too for the impact that this has on our tourism industry. The Honourable Member for St. James North just now mentioned the study that was done by Dr. Dunn and I suspect Dr. Dunn did the earlier report that I mentioned that spoke of child labour in Barbados.

Sir, Dr. Dunn's report dealt with visitors to Barbados and asking them what it is they wanted and, indeed, there are visitors to many of our shores. We speak now not just of tourism for sun, sea and sand but we have added two other eses. There is sports and now they add sex, as well to the eses to which people travel and sadly, for which they travel to Barbados.

Sir, we are seeing that people are coming to these shores for sex and indeed to have sex with children. Again, this is something that we have to be concerned about. We need to be vigilant, Mr. Speaker, and need to set these systems in place but we also need to start, for example, at our Immigration Department.

My children cannot just go with any adult into, for example, Canada. If my children are going into Canada, with an adult, they need to have documentation that says they are my children but I gave them permission to travel with someone else. I am not sure that when children come into Barbados the same documentation is demanded. You come into Barbados, you present the passport, so the person is not related to you but, yes, this child is travelling with me. Sir, you somehow or other convince the Immigration Officer that you are a responsible person, with all the best intentions and you are bringing this child into Barbados and you intend to take care of this child until this child goes that child grows up.

Mr. Speaker, that raises concerns because such child can be brought into Barbados for an illegal adoption. Such a child could be brought into Barbados and then be picked up by some other party from somewhere else in the world. These are things that happen and unless we have the documentation and our immigration services are prepared to look out for this, it can happen where someone, for example, from a neighbouring Caribbean island can bring a child here and claim to be an Aunt or Uncle and not required to show documentation. Then, someone from Europe, for example, can come and pick up that child and then leave Barbados with that child. These things happen and we need to prevent it from happening.

As I said earlier, there are effects on tourism as well. When our children are used in sex acts, especially for our tourist, when a tourist would come and that tourist is asked well what is your pleasure, how can we make your stay enjoyable, and we intimate that we can make available for them, a child for them to have sex with. Mr. Speaker, I daresay that even though that person may go away somewhat having his or her desires met, that is not the image that we want for Barbados. We want to protect our image, when it comes to our human rights. Barbados has been blazing a trail, in terms of human rights and we want to continue to protect our children. We have in a new era to establish the new guard, the new gateways to protect our children. Yes, we protected them from the ills of yesteryear but the ills of today, we need to establish the new systems to protect our children, such as illegal adoption, child prostitution and child labour.

Mr. Speaker, as I said, there is a report that says the worse form of child labour occur here in Barbados. Again, this is something that the Ministry of Labour is moving towards and this Bill, though it does not speak directly to that, does encompass that and it sets the stage for us to move the next step with the necessary Legislation. We cannot bury our heads. There has been a lot of talk about niche tourism and moving our tourism into sports tourism and perhaps into medical tourism and so on. Sir, this Legislation also helps us to set the stage to protect persons whose organs could be used or optioned for what would then emerge, as a medical tourism market.

There are countries in the world, where a person would go for an operation for a kidney transplant or for some other human tissue and be able to purchase that tissue or that organ right there in that country. Our Legislation and this Bill, in particular Section VIII speaks to persons who are having any organs or human tissue being removed. It speaks to the removal of the human organ or human tissue, in circumstances amounting to exploitation and the removal of that organ or human tissue, and that is an offence in this Legislation.

Mr. Speaker, these are things that unscrupulous people are doing across the world. They can bring people in. They can take our own people, and use their organs for their own benefit. When you talk about something costing an arm and a leg, a kidney and a spleen are quite expensive on the market today.

Mr. Speaker, we need to protect our people and we need to protect the reputation of Barbados so that what we offer here as tourism, is not tainted when a person comes to Barbados. Sir, as we look to promote medical tourism, hopefully in the near future, Barbados may be seen as a place where you can get excellent healthcare, where you can recuperate with our lovely climate but not a place where you can come and buy an arm and a leg on the black

market. This is not what we are moving to supply here in Barbados an`

This is a test 08:23:20 Real time d this Legislation will ensure that this is not a place where such transactions can be done, where people will just be brought in to be used for such purposes.

Mr. Speaker, another Protocol in this Legislation speaks to the smuggling of migrants by land, sea and air. This Legislation, Mr. Speaker, and the purpose of the Protocol are to prevent and combat the smuggling of migrants, as well as to promote cooperation among the states, while protecting the rights of smuggled migrants. We have heard that there are people who come into this country. They are deceived after they are brought into this country and they are told that they are coming here for fancy jobs and jobs with titles.

Mr. Speaker, when they get here, their passports are seized and they work on farms. They work on construction sites and they work in other elementary occupations. They work in prostitution and they suffer abuse from their employers. They cannot escape because that employer holds their passports, withhold their salaries and literally has control of their lives.

Mr. Speaker, we are now in the 21st Century and we have to move from there. My great-grandfather came to the West Indies from India and he was told that he was coming here to own a plantation in Trinidad. This has been the plight of many of the Indians who came to the Caribbean, Trinidad, Guyana and Jamaica, at the turn of the last Century more than 100 years ago. They were told that they were coming here to own a plantation and they left their families in India and they came to Caribbean. In the case of my great-grandfather he came to Trinidad. When he got there, he was an indentured labourer and he had to work his way into owning that plantation, that estate, that he had come to this region to own.

Sir, 100 years later, people are still suffering in this way. People are still being deceived. They are still being brought and moved to other countries under false pretenses. Mr. Speaker, we cannot pretend that it happens in other parts of the world and does not happen here. We cannot pretend that it happened 100 years ago and no longer happens now.

House A82, Sequence 31, 4.34 p.m.

Tuesday, February 01, 2011

Dr. the Hon. E. R. BYER-SUCKOO: Moving people is a lot easier, it does not take as long, technology will allow it. Mr. Speaker, we have to keep pace. In fact, we have to set the standards where possible. I think it would

seem especially to legislators that the crime and the nefarious activity outstrips the law and we have to try to keep pace with it. We have to keep up and we each actually have to move ahead and have the foresight to know that these things can affect our people. We always say in Barbados that our greatest resource is our people. We have moved to educate our people, we have moved to ensure that our people can give of their best in this society and we have to ensure that their human rights are protected.

Mr. Speaker, as we move into an era of globalisation and certainly with the CARICOM Single Market and Economy and the free movement of our people, we have to move to protect the human rights of all those on our shores, those men, women and children who are born here, those men, women and children who came here legally and those men, women and children who were brought here under false pretenses against their will.

Mention was made of what do we do with them, how do we repatriate them, how do we ensure that they do not suffer further abuse here at our hands once we found them. All of these things have to be taken into place. This opens up a whole new area of discussion but we are on the right foot and it certainly sends a signal to the international community that we are keeping up our commitment when we sign on to these protocols. There are many other protocols and conventions that we have signed on to that the legislation still has to come into place but I am pleased to see, certainly from the perspective of the Ministry of Labour where the issue of child labour and illegal labour often comes to our attention, that this legislation is being put in place and I therefore fully endorse this legislation.

With that, Mr. Speaker, I am obliged to you.

Mr. SPEAKER: I am obliged. The Honourable Member for the City of Bridgetown.

Hon. P. M. T. TODD: Mr. Speaker, I rise to support this Bill before this Honourable Chamber and to agree with the Honourable Attorney-General and others on this side who have pointed out to the Honourable Member for St. Joseph when he suggested that this Administration does not care about the state of affairs of the Royal Barbados Police Force... To further illustrate the point made by Honourable Members on this side that it was indeed the Barbados Labour Party that showed scant respect for the plight of the Royal Barbados Police Force, in the middle of that 14-year period when the Barbados Labour Party was in office from 1994 to 2007, I remember going for a Police Certificate of Character as I was applying for a job, and right in the heart of Central Police Station within the City of Bridgetown, that office was accommodated in a dilapidated wooden building with windows falling off and the black ink from the fingerprinting process all over the walls. That is the deplorable condition under which those dedicated members

of the Royal Barbados Police Force and indeed the public had to endure. That is a fact of life, Mr. Speaker, not to mention the fact that they let the barracks at the rest of the building run to ruin so the Barbados Labour Party's track record in relation to the Police Force is really inadequate. The Honourable Member for St. Joseph was Attorney-General and Minister of Home Affairs with responsibility for the Royal Barbados Police Force at that time.

Mr. Speaker, let me go on to the substantial nature of the Bill here and to agree with the Honourable Member for St. George South and with those who have spoken before that in relation to the trafficking or the illegal sale of human body parts, that this legislation will go a long way to ensure that we set the correct tone in terms of Barbados' medical tourism or the advance in medical services provided to even Barbadians in terms of transplants because you have kidney transplants, liver transplants, cornea transplants and heart transplants. Sir, in many instances the waiting list around the world even in developed countries for patients who are waiting to receive such organ donations are very long. The demand outstrips the supply. Oftentimes the patients have to wait until a younger person dies in a car accident so that the body can provide those organs in a timely manner where a question of hours or a few days are critical for increasing the likelihood of the transplant being successful and that the recipient body does not reject the implanted organs.

Sir, people with millions of dollars would pay whatever it takes to get one of these organs transplanted into their body to save their life. Clearly, you have instances around the world where persons would be abducted against their will and they would be drugged and when they wake up they find one kidney missing as the assailant would have removed that kidney, put it in a chiller and rushed it to a willing recipient who would pay whatever it takes to get that organ and not care where it came from. In some instances this results in the death of the person from whom the organ was illegally removed.

Mr. Speaker, I would also add that in the issue of the illicit trafficking of firearms that I would encourage Barbadians who are generally good-natured... We are Caribbean people and we have the tradition of people travelling from Barbados or coming back to Barbados and friends and relatives asking them to take along with them be it a cake, some particular food stuff or clothing or whatever items they may be to give to some other person in the country where they are destined. Oftentimes this occurs and there is no incident but in the current realities we must be very careful and vigilant to ensure that unscrupulous persons do not use our good-natured spirit to actually give us contraband, be it illegal drugs or weapons to seek to have them transported such that those persons do not actually take the risk themselves of taking these illegal items with them. Sir, we must be very careful in this regard

and be cautious and really do the necessary due diligence to make sure that we can really trust that person and that we can examine those items to reduce the likelihood of being caught innocently and held at the airport or seaport with this contraband resulting in incarceration.

Mr. Speaker, I would also agree that the issue of the abduction of children is a reality of this modern world where children can be sold into slavery as it were where they are sold to rich and famous people around the world who would take them either as illegal orphans or even as illegal spouses and exploit them. We have seen in the media in Europe and other places where criminals were able to actually have people locked up in dungeons and beat them and abuse them and even impregnate their children and so forth and it was decades before they were finally detected so this is a reality that can occur and so I agree with the Honourable Member for St. George South that this legislation would ensure that we do not make it easy for Barbadian children or other children to be transported here and further shipped to other countries to be exploited in this regard.

House A82 Sequence 32

4.55 p.m.

Tuesday, February 01, 2011

Hon. Patrick M. T. TODD: Mr. Speaker, in relation to the trafficking of adults, as other Honourable Members would have mentioned, many persons around the world are lured by promises of land of milk and honey, in terms of high-paying jobs, luxurious accommodation and high standard of living. Sir, quite innocently these persons pay substantial sums to those human traffickers but when they do reach their destination, then to find that it is a total kettle of fish, so to speak. In fact, if you would recall the unfortunate situation where we had a plane load of our African brothers and sisters coming here, where some alleged they got the impression they were coming for secure jobs. In fact, within the last few weeks, you would have seen in the local media reports coming out of Jamaica, where a female Jamaican is incarcerated and charged for allegedly taking money under false pretense from Jamaica citizens, who were promised jobs in Barbados which did not exist. This is a reality we have to face and we must be very vigilant.

Mr. Speaker, I agree with the Honourable Member for St. George South who highlighted the fact that as we promote Barbados as a tourist destination, we should not yield to the temptations, which other destinations around the world have accepted, in terms of promoting the tourist destination as a paradise of sun, sea and sex.

Asides.

Hon. Patrick M. T. TODD: Mr. Speaker, there is nothing wrong with sex, once it is under a legal framework. We know that persons come to Barbados to get married or for their honeymoon. There is nothing wrong in promoting that natural, enate drive of human kind but certainly when we look at child sex and prostitution which are illegal, then we should frown upon these things.

Mr. Speaker, I think we must be brave as legislators to stand up and set an example to the public to indicate what is right and what is wrong. We should not be afraid of losing votes or popularity for to say that we cannot upset the apple cart. Mr. Speaker, we are elected here to represent and to lead the people of Barbados and they expect us to be frank with them, in a loving way. As the Honourable Member for the City of Bridgetown, as the Honourable Member for St. James North mentioned, there was a time - I do not think it exists today - when you entered Nelson Street there are certain establishments where you had to be proficient in Spanish in order to communicate. In fact, one alley in that vicinity is called Santo Domingo Alley and I am sure that the historians would be able to do the necessary research that would indicate the origin of that name.

Mr. Speaker, I am very happy today we do not have that situation where I would say prostitution is rampant in Bridgetown. I believe that this is a thing of the past. When people come to me on a weekly basis, as I conduct my clinics or visit my constituents, some people do indicate to me that they do not want to engage in a life of prostitution, they would wish to have an opportunity to become an entrepreneur or to become gainfully employed. In fact, some people tell you they do not want to be involved in other criminal activities, be it robbery, housebreaking, shoplifting or drug pushing, they want to be in mainstream society. They are looking forward to Government giving them a hands-up, not necessarily a handout, so that they can be gainfully employed and earning a decent and honest living, either as employee or entrepreneur, to support their families and themselves. That is why I always take every opportunity to represent my constituents and to urge society as a whole not to profile or stigmatise people because of where they live, because they live in a workingclass district in the city or any other part of Barbados. Mr. Speaker, we should not be condescending to these persons and think that they are all prostitutes, drug abusers or criminals. These persons are Barbadians too and have aspirations like those who live in the heights and terraces and we must embrace them. We must encourage them to participate in legal activities and be able to make a significant contribution to the national development.

Mr. Speaker, sometimes we can go too far. We can say that we are concerned about the spread of HIV but this does not give us a licence to say therefore the only way to deal with workers in the sex industry is to legalise

prostitution. If we do that, what else would we legalise? Where would our moral fabric be? If we decrease the demand for prostitution, be it in tourism or mainstream society, then it will decrease the need and feasibility of those persons with criminal intent, who may seek to bring people from abroad in terms of human trafficking to supply the demand for prostitutes. If we reduce the demand for prostitutes, male and female, by ensuring that we do not patronise these places of ill-repute, in terms of brothels, then I think that will go a long way to reducing the likelihood of Barbados being a venue for hosting human trafficking.

Mr. G. A. CLARKE: On a point of order. Mr. Speaker, the Honourable Member is misleading this Honourable House. Sir, the Honourable Member is using an economic tool to suggest that there is a demand for prostitution within the city. I am not sure if the Honourable Member is correct.

Asides.

Mr. G. A. CLARKE: Mr. Speaker, the Honourable Member is using the phraseology that the demand for sex is prevalent in the city. I am saying the Honourable Member should not be using an economic tool to justify what the Honourable Member may want to suggest.

Mr. SPEAKER: Please continue, Honourable Member.

Hon. Patrick M. T. TODD: Mr. Speaker, I am happy the Honourable Member for St. George North seems to have suddenly awoken from his slumber. Sir, I made the distinct point several minutes ago that on the contrary prostitution is on the decline in Barbados.

Mr. Speaker, one does not have to be an economic graduate to understand common sense and I am sure that the Honourable Member for St. George North, when he fully gets hold of his faculties, having been asleep for a while, would be able to understand this basic common sense. If you decrease the demand for whatever products or services, then clearly it would reduce the need and feasibility of those persons who do the supply.

Mr. Speaker, I note that even in some of our classified advertisements in the newspapers, we see these glamorous advertisements for exotic dancers, escort services, masseuse and masseurs. A few years ago a Barbadian was suggesting there was a tendency for persons in that sector to perform what they call extra, where they are massaging the entire body of the clients. I am saying that I look forward to the law enforcement agencies being able to weed out any illegal activity in that regard.

Mr. Speaker, as the Honourable Member for St. George South mentioned, we must ensure that both public and private sector do not assist in promoting Barbados as a destination where you can have your fill of male or female prostitutes, either beach bums or what-have-you. We can still have a very successful, clean and morally correct tourism industry without going into the gutter to that extent.

4.54 p.m.

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Hon. P.M.T. TODD: Mr. Speaker, I am very happy that we have come that far where can have this legislation being debated and, of course, passed later on, so that we would ensure that the reputation of Barbados is not in any way sullied, and that we hold our heads up high in the international community as a modern, developed country with a deep sense of what is right and what is wrong.

Mr. Speaker, I thank you.

Mr. SPEAKER: I am obliged. The Honourable Member Christ Church South.

SUSPENSION

MR. J.D.E. BOYCE: Speaker, Sir, I beg to move that this House be suspended until 5.15 p.m., to coin the phrase of the Honourable Member who just spoke, to satisfy the basic needs of human kind.

Hon. A.D. BRATHWAITE: I beg to second that.

The question that the House be suspended until 5.15 p.m. was put and resolved in the affirmative without division and Mr. Speaker suspended the House accordingly.

H/A82/4:55

Sequence 34

Tuesday, February 1, 2011

RESUMPTION

Mr. SPEAKER: Honourable Members, this Sitting is resumed. The Honourable Member for St. Philip North.

Hon. M.A. LASHLEY: Mr. Speaker, I rise to make a brief intervention in this debate. I want to say from the outset that I am in full support of this Bill. Sir, I perused this legislation and I certainly want to speak to certain sections of this Bill very briefly.

Sir, I am attracted to Section 13 of this Act. It speaks to, and if I may read from it, with your indulgence, Section 13, subsection (3):

“Where a person is convicted of an offence of trafficking, the court may, in addition to any penalty imposed pursuant to this section, order that person to pay restitution to the victim.”

Sir, it speaks to the fact that it can take the following forms:

(a) Costs of medical and psychological treatment; (b) costs of physical and occupational therapy and rehabilitation. (c) costs of necessary transportation, temporary housing and child care.

(d) Lost income

(e) Attorney’s fees and other legal costs. (f) Compensation for emotional distress, pain and suffering. (g) Any other losses suffered by the victim which the court considers applicable.

Mr. Speaker, I have been an advocate for victim compensation. In fact, I have asked time and time again, I believe, that we have amended earlier legislation to ensure that the effected victims will be compensated in certain cases. I wholeheartedly support this Bill that is why I said that I am attracted to this section, as an attorney-at-law I have witnessed victims of crimes who cannot get, after those crimes were committed, and that those persons still suffered at the hands of the person who committed the crime. They cannot live a normal life thereafter. Sir, most of the time the person who committed the crime is a man of straw.

Sir, in an instance like this where we are speaking respectfully to the proceeds of any crime, and, of course, once there is a conclusion by any court of lawmen, a tribunal or whatever, that these proceeds are the result of crime, the victim is there to benefit in relation to any restitution order or whatever that would be geared towards compensating the victim.

Sir, I believe that this section, the answer is revolutionary. I want to congratulate the Honourable Attorney General, the Honourable Member for St. Philip South for bringing this piece of legislation and particularly in encompassing this section in the legislation.

Mr. Speaker, further, the first speakers mentioned the Proceeds of Crime Act. I do recall that during my time as a practitioner, this Act, to my mind, was under utilised. In fact, I could only recall only about two or three instances were the Director of Public Prosecutions made an

application under this piece of legislation as a result of a criminal offence and the result for conviction.

Sir, I attended a conference about a year ago, and it came across to me that most of the other jurisdictions did not utilise the particular legislation. In fact, when I asked for the research, particularly St. Lucia, Trinidad and other countries throughout the Caribbean they did not have a piece of legislation in place similar to the Proceeds of Crime Act. Certainly, when we look at whether they performed or whether they utilised other pieces of legislation to capture the proceeds of crime, to me, it was not heartening.

Mr. Speaker, the Criminal Assets Recovery Fund in this legislation I believe is revolutionary. The necessary checks and balances are in place in this particular section, so I believe that any proceeds coming from this, due to the fact that there are checks and balances, any proceeds or assets in this Fund would not be subject to any abuse of any kind.

Mr. Speaker, today a comment was made that there is a rift in the Royal Barbados Police Force. I want to side with the Attorney General to state that there is no rift in the Royal Barbados Police Force. It is a unified force. Mr. Speaker, I also want to refer to the comment made by the Honourable Member for the City of Bridgetown. When we examine the conditions that members of the Royal Barbados Police Force work under, I can go on and mention station by station. In fact, Hastings Police Station is in a bad state. You have police officers working in some of the worst conditions. I can name some. In fact, the space is so inadequate that police officers actually have to bring suspects and persons who come to make statements in their immediate working area.

Sir, I can mention Black Rock Police Station. The same thing obtains there too. There is no room. If you have four or five suspects at the Station you have to place them within the working area of the police officers, placing them at risk, and nothing was done.

Sir, I can say to this Honourable House that the Attorney General, agitated for better conditions for officers working at Black Rock Police Station. Sir, Cabinet recently approved the leasing of a building so that the police officers can move out of the Black Rock Police Station, and into better working conditions. This is a Government committed to improving the working conditions of the police officers.

Sir, I know that there is an inquiry to the Ministry of Housing to acquire other lands in the area of Black Rock to improve the conditions, and to expand the Black Rock Police Station for the officers.

Sir, I can go on and speak about the numerous police stations.

Mr. Speaker, the Honourable Attorney General, the Honourable Member for St. Philip South, mentioned District C. He knows full well that we were promised a full complex, a new court, and a police station at Six Roads time and time again, by each former Attorney General on the other side and it was never done. Sir, I have to get up and defend and to put a case that was not put for the police officers, by the other side.

In fact they were called 'not special'.

H82 5:27:37

Sequence 35

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House A82, Sequence 36, 5.27 p.m.

Hon. M.A. LASHLEY: In fact, they were called, 'not special'. I am saying, Mr. Speaker, the fact is that one day, if we had to actually estimate or tabulate the quantum of damages that police officers suffered as a result of personal injuries on the job because of bad working conditions or inadequate furniture, we could have been better off, if we had moved with haste to provide better working conditions for those police officers.

Asides.

Hon. M.A. LASHLEY: Mr. Speaker, again, I am in full support of this Bill. As I said, I am attracted to Sections 11, 13 and 14 of this Act and I know that the Attorney General, the Honourable Member for St. Philip South is on the right track.

I thank you, Mr. Speaker.

Asides.

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

Hon. A.D. BRATHWAITE: Mr. Speaker, I will acquiesce to the wishes of the Honourable Member for St. Joseph, and I will not be long. I want to thank all Honourable Members for their intervention. Sir, I genuinely mean all Honourable Members because, even with the comments that you do not agree with from any Honourable Member, it gives the public of Barbados listening and us, obviously, who are here, a greater insight into the thinking of the speaker.

In that regard, Sir, I initially just wanted to dwell on the comments made by the Honourable Member for St. Joseph with respect to the police but I will leave that because there will be other occasions for us to address that issue. In any event, Sir, I am convinced that once the members of the Royal Barbados Police Force see what this Government has in store for them, there will be no doubt who have their interest at heart. Sir, time will prove that this Government is more interested in their well-being than any other administration.

Sir, I am indeed heartened that all Honourable Members have embraced this Legislation. As I said at the inception, I believe that this was the type of Bill, Sir, that it was difficult not to receive support from both sides of the isle, and so it is proven. I will therefore reserve any further comments from political sections for when we move to the next stage, although I believe that most of the material sections have been dealt with by other Honourable Members.

I note the Honourable Member for St. Philip North is attracted to the area of victim compensation and this is one area that he has championed in this House. In fact, even before I became a Member, I knew that he was an advocate for victim compensation. He firmly believes that there should be some methodology for compensation for victims of crimes. Indeed, no wonder why he was immediately attracted to Section XIII of the Legislation.

Similarly, Sir, section XIV, the Honourable Member for St. James North embraced the Criminal Assets Recovery Fund, which would allow any funds received by the Government, as a result of proceeds of crime, as a result of Section X of the Antiterrorism Act, Sir, and any other monies seized by the Government that these proceeds can be used for a number of purposes under section XVII but I note of interest again, not preempting what we will do. Sir, I note of interest again, section XVII(c), which is to defray any expenses incurred, in respect of the administration of this Act, the Proceeds of Crimes Act, the Money Laundering and Financing of Terrorism (Prevention and Control) Act, the Drug Abuse (Prevention and Control) Act, 2010 or any other enactment to which Section VIV applies, Sir, and to defray any expenses incurred in respect of the implementation of any measures relating to the prevention and detection of criminal activity. In other words, Sir, any assets seized, would enable the Government of Barbados to recover some of its costs in the fight against these criminal activities.

Sir, I beg to move that this Bill be read a second time.

Hon. J.D.E. BOYCE: I beg to second that, Sir.

On the motion of Hon. A.D. BRATHWAITE, seconded by Hon. J.D.E. BOYCE, the House resolved itself into Committee on the Bill, Mr. J. PAUL in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee.

Part I, Clauses 1 and 2 were called.

Hon. A.D. BRATHWAITE: Mr. Chairman, I beg that Clause 1 be amended and that 2010 be replaced with 2011.

Part I, Clause 1, as amended, and Clause 2 were passed.

Part II, Clauses 3 to 7 were called and passed.

Part III, Clauses 8 to 10 were called and passed.

Part IV, Clauses 11 to 13 were called and passed.

Part V, Clauses 14 to 20 were called and passed.

Part VI, Clauses 21 to 26 were called and passed.

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The First Schedule was called and passed.

The Second Schedule was called and passed.

The Third Schedule was called and passed.

On the motion of Hon. A. D. BRATHWAITE, seconded by Hon. J. D. E. BOYCE, Mr. CHAIRMAN reported to His Honour the SPEAKER, the passing of one Bill in Committee as amended and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motion of Hon. A. D. BRATHWAITE, seconded by Hon. J. D. E. BOYCE, the Bill was read a third time and passed and cited as the Transnational Organized Crime (Prevention and Control) Act, 2011.

ORDER NO. 11 – RESOLUTION THAT THE HOUSE
RESOLVED ITSELF INTO COMMITTEE OF SUPPLY TO
CONSIDER THE GRANT OF SUMS OF MONEY FOR
THE SERVICE OF THIS ISLAND

On the motion of Hon. J. D. E. BOYCE seconded by Hon. A. D. BRATHWAITE, the House resolved itself into Committee of Supply, Mr. J. D. Paul in the Chair.

COMMITTEE OF SUPPLY

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

(a) Resolution to grant the sum of \$34 221 985 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Estimates 2010-2011 as shown in the Supplementary Estimates No. 8 2010-2011 which form the Schedule to the Resolution and that the Explanatory Notes to Head 62 be amended as set out in Schedule II to the Resolution.

HEAD 19 - TREASURY

\$7 260 000

Hon. J. D. E. BOYCE: Mr. Chairman, I beg to move that Head 19 stand part.

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

The question that Head 19 stand part was put and resolved in the affirmative without division.

HEAD 38

MINISTRY OF HOUSING AND LANDS

\$9 954 168

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

Hon. P. M. T. TODD: I beg to second that, Sir.

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

HEAD 62

MINISTRY OF FINANCE, INVESTMENT,
TELECOMMUNICATIONS AND ENERGY

\$200 000

Hon. J. D. E. BOYCE: Mr. Chairman, I beg to move that Head 62 stand part.

Hon. P. M. T. TODD: I beg to second that, Sir.

The question that Head 62 stand part was put and resolved in the affirmative without division.

Hon. J. D. E. BOYCE: Mr. Chairman, I beg to move that the Explanatory Notes to Head 62 as amended stand part.

Hon. P. M. T. TODD: I beg to second that, Sir.

The question that the Explanatory Notes to Head 62 as amended stand part was put and resolved in the affirmative without division.

HEAD 66

MINISTRY OF THE ENVIRONMENT, WATER
RESOURCES AND DRAINAGE \$16 807 817

Hon. D. St. E. KELLMAN: Mr. Chairman, I beg to move that Head 66 stand part.

Hon. P. M. T. TODD: I beg to second that, Sir.

The question that Head 66 stand part was put and resolved in the affirmative without division.

On the motion of Hon. J. D. E. BOYCE, seconded by, Hon. P. M. T. TODD, Mr. CHAIRMAN reported to His Honour the SPEAKER the passing of one Money Resolution in Committee of Supply and Mr. SPEAKER resumed the Chair and reported accordingly.

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5.48 p.m.

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RESUMPTION

Mr. SPEAKER: Good afternoon, Honourable Members, this Sitting is resumed. The Chairman has reported to me the passing of one Money Resolution in Committee of Supply.

On the separate motions of the Hon. J. D. E. BOYCE,

seconded by Hon. Patrick M. T. TODD, the Money Resolution was read a second and third time and passed.

ORDER NO. 13 – RESOLUTION TO APPROVE IN ACCORDANCE WITH SECTION FIVE OF THE LAND ACQUISITION ACT, CAP. 228, THE COMPULSORY ACQUISITION BY THE CROWN OF THE PARCELS OF LAND AT MASON HALL STREET, IN THE PARISH OF SAINT MICHAEL FOR THE PUBLIC PURPOSE OF HOUSING DEVELOPMENT.

Mr. SPEAKER: The Honourable Member for the City of Bridgetown.

Hon. Patrick M. T. TODD: Mr. Speaker, with great pride and joy I rise to introduce this Resolution before this Honourable Chamber, since the Government is seeking to compulsory acquire lands situated at the corner of Mason Hall Street and Lakes Folly, within the bosom of the constituency of the City of Bridgetown, which I have the honour to represent in this Honourable Chamber. This acquisition is for the purpose of housing development.

Mr. Speaker, this parcel of land measuring some 2 461.3 is owned by Mr. Hallam Payne, and this administration, through the Cabinet of Barbados, as far back as November 2008, approved in principle the acquisition of this said parcel of land for the public purpose of housing development, empowering the Ministry of Housing and Lands, to commence the acquisition procedure. This has been initiated and completed, so that Section 3 Notices of the Land Acquisition Act, Cap. 228 were published on September 21, 24, 28 of 2009 and the Section 4 Notices were signed by His Excellency The Governor-General on October 13, 2009, and the Chief Surveyor on November, 2009.

A survey plan of the land was carried out by Mr. Michael L. Banfield, Land Surveyors. The survey plan No. 813/2010 was certified on 17th June, 2010 and recorded at the Lands and Survey Department on June 30th, 2010. The plan delineates the land being acquired as 2 461.3 square metres. This parcel of land being acquired for housing development is a timely acquisition because as you would know Mr. Speaker, being the Member of Parliament for a neighbouring constituency in the urban corridor, within these urban constituencies there is a limited quantity of land space available for the provision of housing solutions, since many of these districts are thickly populated, either with commercial or residential buildings.

Mr. Speaker, we know there was a tremendous demand for low-income housing throughout Barbados and so many of the residents in these urban constituencies look forward to being provided with modern housing solution within the districts with which they are familiar, where several generations of families would have grown up. In these central locations, we the residents enjoy the comfort of being in the heart of the capital of this country, in terms of being able to access the various Government and other departments, shopping centres and other commercial

houses within the city, simply by strolling down the gap to reach these places. You do not have the hassle of having to take a bus or some other transportation, at some cost, like living in a more rural area. Therefore, many of these residents like the idea of remaining in the central urban corridor where they can get to work, school or church in a timely fashion, without having to worry about traffic congestion, et cetera.

Mr. Speaker, Government's acquiring this land before it goes into commercial or other private sector interest, so that we can keep this for housing development would definitely be a step in the right direction. Mr. Speaker, if you would note, this Honourable Member was able to get the Minister of Housing and Lands, the Honourable Member for St. Philip North, to accompany me to view a couple remaining parcels of land in the City that are large enough to accommodate large numbers of housing solution. In particular, we would have gone to a plot of land at the corner of Kings Village and White Park Road, where the land does not have any encumbrances that I can see. It is a flat piece of land with a solid foundation, where the coral stones are actually protruding to the surface from below the soil. Mr. Speaker, it is next to your constituency because as you know, Passage Road divides the two constituencies.

Mr. Speaker, we went to a smaller plot at the bottom of Whartons Gap, in the heart of New Orleans. This land is situated at Wharton Gap/Beckles Land/10th Avenue. I can hardly think of any plot of land as large as an acre that is available within the City of Bridgetown that can accommodate housing and so we in the City are very happy that Government is taking this bold initiative to compulsorily acquire this plot of land. Mr. Speaker, this is especially so because when one views the fact that just a stone throw away at Mason Hall Street, at Murphy's Pasture which has been flood-prone for decades, under the Barbados Labour Party administration the residents were promised to be recycled. These promises were simply empty promises but this Democratic Labour Party is not just promising, we are delivering tangible modern housing solutions to my good people of the City of Bridgetown. Certainly, as the housing solutions are erected, clearly we would not be selfish, so that residents from neighbouring communities will be accommodated.

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Hon. P.M.T. TODD: Mr. Speaker, we can speak some more but the hour is late and so, without further ado, I beg that this Resolution do now pass.

Mr. SPEAKER: I am obliged. The Honourable Member for St. George North.

MR. G.A. CLARKE: I do not intend to speak long on this Resolution because I must say that this Resolution has been around for quite a number of years. I too have visited the site at Mason Hall Street because this site was agreed to some years ago to help relocate a number of persons in the urban corridor. Sir, this side supports this development, it is the site where the ice house used to be on. We have visited it and it was supposed to be for high-rise housing.

Mr. Speaker, I remember visiting this site with the IADB team when they were looking at the Neighbourhood Upgrade Programme for Barbados and this site was one of the areas that was earmarked for development.

Mr. Speaker, the Honourable Member Christ Church South must understand that Government is a continuum and that work that was left must be continued by the Government. We were active in the Ministry of Housing and Lands but every thing could not be undertaken at the time. I want to give the assurance that this side understands what the Government is doing in this regard in providing housing for City. In fact, we believe that if you want to have a prosperous City that you have to bring housing to the City and that is why concepts like London Bourne and Country Park Towers were developed in those days. Sir, we need to put housing in the City because we do not want to have a City that is without an inner population.

Mr. Speaker, certainly, there is a need to further upgrade a number of areas within the urban corridor. Sir, when I speak about the urban corridor, I am speaking about the wider and the greater Bridgetown which encompasses right up to the highway including Waterford, the area of Bank Hall, Bush Hall and Garden Land. Mr. Speaker, it includes Church Village, Greenfields and all of those areas to the east of Nelson Street.

Sir, we need to look at the 1 800 derelict properties across the urban corridor. We have spoken about this before and I know that in another jurisdiction properties that are left idle...

Asides.

MR. G.A. CLARKE: Sir, maybe the Attorney-General or the Honourable Prime Minister can give some insight on this, what could happen because we Spent a lot of time in the Ministry of Housing and Lands looking at derelict properties and what happens, if they become idle for too long.

Mr. Speaker, I know that in a case like Bermuda, for example, if a property is left idle for more than five years then the Government lease the properties from the owners and develop the property giving those would be owners an opportunity to own or to have access to those properties.

Sir, I have travelled through St. Michael and I have noticed that a number of properties are now in bush and I would want to implore the Government to continue that programme of investigating where these derelict houses and properties are to see how they can upgrade them. If there are no owners, because sometimes the owners have died and there is no clear case where the properties can be owned by anybody but Government should look at this. Sir, I hope that this can be done so that a number of persons within the St. Michael area who are asking for house spots and asking for housing can be accommodated.

Mr. Speaker, the other which I want to highlight is this. We were able to relocate a number of persons from the Murphy's pasture area. Sir, a number of persons were relocated over the years. Sir, some were relocated and others went and put their homes back there. If the Honourable Member for the City was doing his homework, he would know that many persons were relocated from the Murphy's pasture area and they went and put back their homes.

Asides.

MR. G.A. CLARKE: Sir, it is now happening in the St. Andrew's area. Sir, you clear an entire village but the Ministry of Housing and Lands does not have staff to police that area. Sir, the Minister of Housing and Lands is the largest land owner in Barbados and he cannot police all the land. In fact, he does not know what he owns. Sir, the Crown does not know what it owns. It is a tedious job and I not here condoning or condemning anybody because I suffered from that as well. Sir, the Crown owns a lot of land and it is not easy for the Crown to police the land it owns and people go back and squat over time.

Mr. Speaker, for example, we were able to relocate all those houses around the Central Bank of Barbados in 2003/2004...

Hon. P.M.T. TODD: Mr. Speaker, on a point of order. The Honourable Member is misleading the House. The Honourable Member said that the Barbados Labour Party administration relocated all of the residents of Church Village but this administration came to office and there were a number of people living still in Church Village awaiting to be relocated because they were dissatisfied with the poor quality of housing and I am happy to report that this administration has been able to put a dent in relocation of the remaining residents.

MR. G.A. CLARKE: Sir, the point is that the relocation in 2002. There were a few people let...

HIS EXCELLENCY Hon. D. St. E. KELLMAN: Mr. Speaker, on a point of order. The Honourable Member is misleading the House. (7:23)

MR. G.A. CLARKE: Mr. Speaker, I am not sure what the Minister is speaking of. I do not think he understands what he is speaking about either. The truth of the matter is that persons were relocated. I do not know who profited and if the Honourable Member knows who profited, he can say so and what profits were made.

HIS EXCELLENCY Hon. D. St. E. KELLMAN: Mr. Speaker, on a point of order. The Honourable Member is misleading the House. (8:07)

MR. G.A. CLARKE: Mr. Speaker, the truth of the matter is that the relocation was started. There are many persons who were relocated. There were a few persons who did not move because they felt that they wanted better accommodation or they felt that the houses were too small. The question of what is size has always been debated and will continue to be debated in his House when we are here and when we are long gone. The question of size and how much compensation for Government because people would want to say that Government owes them every thing.

Mr. Speaker, the salient point I was making is that there are a lot of derelict properties across St. Michael. What is happening around the Central Bank of Barbados is unfortunate because it is now growing to be a derelict place. Sir, that is all I am saying...

HIS EXCELLENCY Hon. D. St. E. KELLMAN: Mr. Speaker, on a point of order. The Honourable Member is misleading the House. Sir, how can new houses be derelict? The Honourable Member said they removed all the houses from around the Central Bank of Barbados and now he is saying that the houses are derelict.

MR. G.A. CLARKE: Mr. Speaker, I want to proceed because I am not talking the language of the Honourable Member for St. Lucy and I am sure the Honourable Member does not understand what I am saying. I am saying for the attention of the Honourable Member for St. Lucy that houses were relocated from the Central Bank of Barbados and, Sir, you understand that further point. The second point is that...

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Mr. G.A. CLARKE: Sir, the second point is, because of our location, we now have a vacant lot by the Central bank, and the land will appreciate.

Mr. Speaker, in your concern, there are several derelict properties that could be acquired by Government to

provide housing for the benefit of the people of St. Michael who really want land. That is all I am saying.

Sir, with those remarks, I am saying that we support the Bill, and we would want to ensure that the Government continues the programme of providing housing for the people in the St. Michael.

Mr. Speaker, I am obliged to you.

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

R.C. EASTMOND: Mr. Speaker, I rise to make these few brief remarks in support of the people of the City of Bridgetown. Sir, prior to this evening, the Honourable Member for the City of Bridgetown, has repeatedly raised issues on the Floor of this House in relation to his concern about the physical condition of persons and the circumstances in which they have to live. I am going to join with him in supporting his constituents.

I want to first observe that the Honourable Member for St. Philip North has, through ministerial courtesy, permitted the Honourable Member for the City of Bridgetown to move the debate on this Bill. Now the Honourable Member for St. Philip North is also now Minister of Housing, urban and rural. The Urban Development Commission Act, speaks specifically on the issues raised by the Honourable Member for St. George North on the question of slum clearance. I believe that being an Honourable Member of this House he would not be satisfied to know that slums still exist. Now concomitant with the slums is an issue deserving of the greatest public notice, and that is a lot of people who occupy lands in the City and in St. Michael do not know the owners of the properties, and that has constrained development. It has constrained development clearly because if an occupant feels that says that the person boasting a superior title, comes around collecting rent, or making threats, then that occupant is not going to have any incentive to progress.

Sir, the harsh reality is, and I am not being sensational about it, there are houses in the City of Bridgetown that still have mud floors and are acceptable - if an edifice ends up having a mud floor, what other modern facilities will certain edifice have? It would certainly be carrying a vestige of poverty.

The Honourable Member for the City of Bridgetown correctly raised an issue that has to be disposed of as expeditiously as possible, and that is the never-ending problem of flooding. Sir, Baxters Road floods even when there is no rain in Baxters Road. Baxters Road floods and Murphy Pasture used to flood all the time, and we therefore have to confront the problem of trying drainage. There is a problem of drainage in the City of Bridgetown that has

been going on for a long time. Sir, now if you have a problem of drainage, a problem of mud floors, and a problem of dry pit toilets, which the Honourable Member for City of Bridgetown had not raised on this occasion, then every effort should be made to tackle these.

Sir, we therefore have as a Parliament to identify every vestige or even evidence of persistent poverty in the City. Inner city slums have to be eradicated in the year 2011, because inner city slums affect people's thinking, affects livelihood, and affect how people see themselves.

We also have a situation where many an occupant of the City came from rural Barbados to lead a better life., to begin thinking of ways and means of further empowering the residents of the City of Bridgetown, and the Minister who is the Representative for the City of Bridgetown is in a position to further the process of empowerment of the people beyond simple infrastructure and into convertible entrepreneurs, which a lot of them argue one has. Sir, a lot of entrepreneurs in Barbados are being entrepreneurs but need guidance, direction and some technical support.

Mr. Speaker, another thing that we Members of Parliament do not know is, something that happens in the City of Bridgetown, this thing called rental units. You can have a small chattel house occupied by six or seven people, people renting rooms and sharing a common toilet, a common bath and a common yard. Normally the toilet is a dry pit toilet, as the Honourable Member is going to concede. Sir, I make these remarks in the context of a challenge to both the Minister responsible for the constituency of St. Philip North, and the Minister responsible for the City of Bridgetown to go through the Urban Development Commission Act carefully, with a fine tooth comb, and see what it will empower you to do.

Sir, I used to know Cats Castle very well. I used to be of the view that there was going to be an attempt to clean up and tidy up Cats Castle. I used to know the back of Baxters Road where the mud floors were, and the businesses in Baxters Road are not capably equipped as businesses and they therefore have to be real interest by a buying public to go there. Sir, there are buildings in Baxters Road where the Minister can have a lime, a pork chop and things like that, but there are also certain aspects of the physical area that need attention. We are to defend the Orleans recently.

Sir, in my judgement, the example the Orleans have set to rural Barbados is a simple example, that when a community may have some volatility in its early infancy as a community, but thereafter settles down as a community a lot of the negatives will go. Sir, I was looking at the Orleans and incidents in the Orleans compared to other areas in Barbados, and I am satisfied that there is no viciously high crime level in the Orleans, and the vice that

used to be associated with the Orleans twenty-five years ago is no more.

Sir, any Ministry of Housing has, when it is doing infrastructural housing to also have the foresight to put in certain basic and social services beyond roads and street lights that would make life comfortable. Sir, we need that St. Philip-style sense of community and community solidarity. St. Philip is the Headquarters for community solidarity. It sets the example. St. Philip people have a sense of communitism. Sir, when St. Catherine was just called to the 1st Division Cricket, the whole of St. Philip went there. Sir, when 'Red Plastic Bag' has to Stadium the whole of St. Philip is there, and the parents of St. Philip children tell their little children not to be ignorant but to learn in school and do their homework. The people of St. Philip are known to be thrifty. They join the Credit Union Movement. They make sure that any land they have behind them they plant lettuce and cabbage. That type of thing has started to happen in the Orleans.

Sir, I will conclude by saying one thing. One of the challenges facing my Honourable distinguished friend, the Prime Minister, and his Cabinet is now going to have to identify under law these hundreds of tenancies in the parish of St. Michael where people crave the security of tenure and where, under the Tenancies Freehold Purchase Act, along with other legislation, it might be possible.

Mr. Speaker, your constituency may have as many as eighty-tenancies. If a tenancy is five or more spots, look out, you might be carrying the constituency with the biggest amount of non plantation tenancies in the island.

9.46 p.m.

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Hon. R.C. EASTMOND: Sir, based on an evaluation, you might be carrying a constituency, with the biggest amount of the non plantation tenancies in the island. Our people need to be empowered. I would like to see people of this hue with one. One time a person in another place made bold to say that the average Barbadian should expect to live and die without being a landowner and they did not subscribe to that view.

I think that with the right social surveys and the right way, we can give freehold title to a number of persons in St. Michael and in the City of Bridgetown. The Tenancies Freehold Purchase Act says that if the landlord cannot be found or is unwilling or if there is no formula by which...the land Registrar can confirm title.

It is not going to be an easy task. It is going to be an awesome task and it will take time because St. Michael may very well be sitting on in excess of 500 non plantation tenancies.

Thank you very much, sir.

Mr. SPEAKER: The Honourable Member for Christ Church East Central.

Hon. R.D. JONES: Mr. Speaker, thank you very much.

Mr. Speaker, just like the Honourable Member for the City who introduced this matter, the compulsory acquisition of the Land at Mason Hall Street, let me say that I support from the outset, the acquisition because it is for a public purpose, it is for a public good. Our city, Sir, has had for sometime certain areas, which were neglected, therefore the renewal of the City is extremely welcome.

I know that the Honourable Member for the City has been for, not only the last three years but for sometime, been canvassing very vigorously for city renewal. Sir, to some extent, our City, outside of the commercial area, and not all of the commercial area, had areas which really need significant rehabilitation. The Honourable Member for St. Philip North under whose portfolio falls the Ministry of Housing has, in the last couple of years really invigorated the whole aspect of housing development and ensuring that there will be housing solutions for every last person. It is an ideal.

Asides.

Hon. R.D. JONES: It is really a significant ideal but we have, sometimes as in this instance, to look at the stars and hope that we reach there. This is what we have to do. We have to work assiduously to ensure that the tens of thousands of Barbadians find somewhere that they can rest their heads at nights and somewhere in which they can rear their families.

Therefore, the establishment of the 84 housing solutions at Mason Hall Street is a remedy for the starting of that renewal within the City/Urban corridor.

Asides.

Hon. R.D. JONES: One will see a transformation of the urban sector of Barbados, the urban neighbourhood as I would call it because I am aware, Mr. Speaker, that not only would you have at Mason Hall Street, a high-rise housing solution but in other parts of St. Michael, a very strong and most popular parish, you would find other housing solutions, a major concentration of housing development in Barbados.

The Minister of Housing and his Minister of State, as well as the Government, even though we do not seek any plaudits, should be applauded for this action today and those that have started it in the past. I know that the Honourable Member for St. George North, I do not remember if it was under his jurisdiction that Country Park Towers started. I know that somebody abandoned them, I was hoping that it was not the Honourable Member for St. George North.

Asides.

Hon. R.D. JONES: It is one and the same person. Well that is unfortunate because when that project was abandoned, this country had a plentiful supply of resources. It is not like it is now where we have to maneuver carefully and we have to carefully manage scarce resources to ensure that our citizens, our people, our brothers, our sisters and our neighbours have somewhere that they can call home.

There is a dividing philosophy between the two parties on this matter. They talk. We do. Sir, that is the dividing philosophy.

Asides.

Hon. R.D. JONES: I am not saying that ideas would not come from there. Ideas are generic. Knowledge is commonplace. They are those who have the ability to move the idea from its conception to interaction and definitive or definite conclusion. This is where there is a great demarcation between the Barbados Labour Party and the Democratic Labour Party.

Mr. Speaker, any one of the Honourable Members on this side, you could start with the Honourable Member for St. Lucy to my right, and end up with the Honourable Member for St. Michael West Central, would have performed just as admirably as the Honourable Member for St. Philip North because of that demarcation in our philosophy.

Asides.

Hon. R.D. JONES: We are doers, as well as brilliant conceivers.

Asides.

Hon. R.D. JONES: We work. We do not only promise people that we will do, we in fact do and when the people in a couple of months at Mason Hall Street, Valerie, Eckstein Village and all over St. Michael, they see stones spout like cane, first crop by the way, you would understand that out of the ground, this is not talk but there is a conscience and a purpose to what we are doing.

Asides.

Hon. R.D. JONES: I know that the Honourable Member for St. George North is now like the boy on the burning deck. He is completely alone but he is trying to create fire and brimstone but he should keep it to himself.

Mr. G.A. CLARKE: Mr. Speaker, on a point of order. The Honourable Member is misleading the House. I am in here with all Honourable Members. The Honourable Member is so lonely that he is even saying that I am lonely. I am not lonely and I am not alone either.

Mr. SPEAKER: Very well, Honourable Member.

Hon. R.D. JONES: The Honourable Member is very well aware of what I am speaking but I would quote from the great book:

“Go to the ark thou sluggard and consider the ways and be wise.”

Asides.

Hon. R.D. JONES: The point is that on this side of the House, where all other Honourable Members are in their seats, the Honourable Member who had responsibility for housing sits alone like the boy on the burning deck, Sir, and that is the only point I wanted to make.

Asides.

Hon. R.D. JONES: This initiative is important, one that, as I said before, should be applauded. I know the Honourable Member for St. George North would applaud it. He has already said that and he said though hesitatingly. He said it with a grudging tone but they could have done these things. What happened is that they starved the people. They created these banks. They were in all kinds of verb mode. They were contemplating. They were planning. They were earmarking. They were conceptualising. They did not move into any action.

House A82, Sequence 41, 6.26 p.m.

Tuesday, February 01, 2011

Hon. R. D. JONES: I have never spoken on housing in this House in the last three years because I was satisfied and I still am... but I thought that I should lend my voice today because of the movement in a very direct and strong way into the city, even though I come born and bred and my navel string buried in Christ Church, because after the initial landing at The Hole in St. James, this area took on the greatest focus of development for this country.

The first people who landed moved very quickly down the coast and started to develop this space because it was the flattest land around. When you came out of St. James, you had to go up the terrace steps and therefore as an area of plantation expansion because at one time plantations went almost down to the seashore in this country, from St. Michael, parts of St. James near to St. Michael into Christ Church and as you move through the central lands into St. Philip, et cetera, for the development of agricultural land, so there is a history not only to St. James, which is represented by the Honourable Member for St. James Central, the Honourable Member for St. James South and Honourable Member for St. James North but as part of that whole movement. The need for housing was also present in the early settlement of Barbados not of the type we have today nor the type which would come to Mason Hall Street as being developed by the Ministry of Housing and Lands with the support of the contracting class in Barbados.

Mr. Speaker, let us hope that as we see the transformation of the city that persons would see themselves as social activists creating space for family life to really burgeon, to really grow and to really develop so that whomever inhabit these spaces would protect their spaces with zeal and with zest and that they would not fall into forms of decay which sometimes can come from inner city development but that they would see this new investment in their lives and in their livelihoods as coming from a caring Government on their behalf.

I would want to spend much time, Mr. Speaker, going into the whole sociological development of high-rise housing because I believe that there must be a consciousness imbedded in all of those who will have an opportunity to own their own space. The Honourable Member for St. James North spoke about persons owing a piece of the rock. I have said that we are not all going to be able to own 10 acres and a mule but we are all going to be able to own a space. I have gone to many other countries where persons share common walls but they are able to have freehold use of that space and they are able to sell that freehold use of that space. Neighbours live neighbourly. Neighbours do not fight and quarrel and degrade each other and therefore we have to imbed within the consciousness of all of those persons who now would be part of the modern development of high-rise solutions in Barbados that they must establish their tenants associations and that they must meet and take common decisions in relation to these high-rise solutions.

I commend, Mr. Speaker, this acquisition. I look forward to many other citizens in Barbados coming forward as have some in the past and offering land to the Government for the development of housing solutions to an active and mobile population, persons who knock on our constituency offices every day but even now because of the

massive backlog we are not able to remove a large number as we would want to. We have to incrementally...

Asides.

Mr. SPEAKER: Just a minute, Honourable Member. Yes, Honourable Member.

Mr. G. A. CLARKE: On a point of order. The Honourable Member is misleading the House. The Honourable Member said first of all that there is a great action and then he says there is a large backlog of members.

Certain remarks made by the Honourable Member for St. George North were ordered expunged from the record by Mr. Speaker.

Mr. SPEAKER: The Honourable Member for St. Michael South East.

Mr. H. F. LASHLEY: Thank you very much, Mr. Speaker. First of all, Sir, I really want from the bottom of my heart to express my sincerest appreciation to the Honourable Minister of Housing and Lands for the consultative process that he had clearly with the Minister of State. From the inception of this debate, the Minister sat next to the Minister of State in terms of the presentation of this Bill before this Honourable Chamber. I am saying that, Sir, because I have a particular interest in this particular debate here this evening primarily because my mother was born and raised in Church Village and I too was raised in Church Village in my very embryonic stage.

Mr. Speaker, it is critical that we seriously examine housing in the City of Bridgetown. This acquisition is certainly going to provide approximately 84 solutions to the people in the City of Bridgetown. The acquisition of the historic site at Mason Hall Street is long overdue for such a purpose. The precept and the concept of building up rather than across is most notable particularly now. You would remember, Sir, that I began by talking of the process of consultation. Sir, the City, particularly that of Murphy Pasture and Church Village, has its unique challenges. Sir, consultation is critical to many of the issues facing the city particularly in terms of the resiting of the residents. There is a great challenge that was facing the National Housing Corporation at the time in terms of the resiting of the residents from Church Village to my constituency in Lower Burneys. Sir, three persons from Murphy Pasture were scheduled to be resited in Lower Burneys also but what happened although town hall meetings were held not much listening was done then by the technocrats, the bureaucrats and the persons who chaired the meetings at the time because, and this is the crux of the matter, many of the residents who were resited from Church Village to Lower Burneys had a problem with the floor space of the houses

that did not equate in actuality to what the residents of Church Village had in terms of the furniture that they had in their houses. In other words, the furniture could not fit into the redesigned houses that were built in Lower Burneys. Sir, that happened because the front house was 54 square feet and they gave the persons 54 square feet but what they did not take into consideration was that the various walls they were putting in took up part of the floor space so many of the residents in Church Village protested and determined that they were not going to occupy those houses because their furniture simply could not fit into them. Sir, that is why we still have up to today some residents still residing in Church Village.

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6.38 p.m.

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Mr. H. F. LASHLEY: Mr. Speaker, I want the Honourable Members to hear me clearly because I am the representative for St. Michael South East and I now the process well. I know exactly what happened. Now that I am listening to those residents, some of whom with serious concerns, one being if their present furniture cannot fit, then they do not want go buy new furniture, like if poor people could find the cash to go buy furniture, particularly at exorbitant prices. Mr. Speaker, the thing about it is that the Government discarded the voices of the residents of Church Village.

Mr. Speaker, the other problem is at Murphy's Pasture, where whenever there is high tide and a lot of rain, Murphy's Pasture becomes extremely flooded. In fact, those residents from Murphy's Pasture were also to be resited at Lower Burney and from realising the problems the folks at Church Village had, decided that they were not going to move for fear of also encountering that problem where their furniture could not fit into those houses to which they would have been resited. Mr. Speaker, that is why there are some house there that are vacant that have been designated to certain persons, but some of these matters are tied up in court.

Mr. Speaker, that is why I began by talking about the consultative process, we must be able to listen to the voices of the poor people in this country, not only the technocrats and bureaucrats have the answer. Sir, this is a clear oxymoron that here it is you have draftsmen and technical persons who are designing the floor space to what they exactly found previously, yet the people's furniture cannot fit into these new houses, because of the fact that these technocrats would have diminished the floor space by the design of the interior structure of the houses. They could not understand something as simple and as basic as that.

Mr. Speaker, I am happy that every time this young man, the representative for the City of Bridgetown, for whom I have a great and fond admiration - and not because we share the same type of tailoring or the African mentality that we share, coming out of the African Diaspora but because of his passion and representation for his people in the City. Sir, representation is not only coming to Parliament and speaking fluently, representation is also about caring and sharing. Whenever this young man comes to Parliament he speaks passionately about the people in the City. He could only speak about something if you care about it, you could speak about anything, even from a generic standpoint too but you would not have the same daringness attached.

Mr. Speaker, there are areas of the City that are disasters just waiting to happen - Cats Castle and New Orleans. Sir, let us imagine, a tragedy of a fire occurring in that area. Imagine a fire occurring in Halls Road. Imagine the devastation would be enormous. Mr. Speaker, this Government is moving with haste to make sure that the residents who live in these areas are not only securing their tender but are also having the option to build to suit themselves.

Mr. Speaker, I am saying that the time would have to come in Barbados when we are going to have to look seriously at compulsory insurance. What hurts me is that the majority of persons affected by a fire in Barbados are usually poor persons. Sir, when this happens these people then have to go to National Housing Corporation or the Welfare Department, which are inundated with requests for housing and assistance. Sir, these entities are doing a wonderful job and under tremendous pressure. Therefore, I want to congratulate this Minister. Mr. Speaker, I saw an incident outside National Housing Corporation where a young woman had camped outside the National Housing Corporation compound and this Minister put his stamp to make sure that they find accommodation for that lady. It was reported in the Press.

Mr. Speaker, perhaps the notion of compulsory insurance with some show of injection from Government, where the logistics would have to be worked out between the insurance parties, Government and that house owner, with Government giving a small subsidy possibly can also be looked at.

Mr. Speaker, when we talk about the aspect of housing, we are talking about the poor, about surviving. Every human being in Barbados should have a roof over their head. Sir, as Honourable Member for Christ Church East-Central said, we cannot talk about housing in a vacuum, we have to look at the whole sociological dimension of housing. We have to look at why the environment fashions human nature within the context of

their behaviour in housing areas. We are now seeing it at a level that was unprecedented before.

Mr. Speaker, I think perhaps one of the areas that we are going to have to seriously examine is that in any future construct of housing in Barbados, particularly high-rise housing, we are going to have to put in all of those other social amenities. We should have in each community across Barbados, one-stop shopping mall for services. When you take a person to leave their housing area, then to go into Bridgetown to get a simple things, for example, an immigration form. I am saying that every housing area designed in future across Barbados should include provision of amenities for businesses, so that

we could promote small businesses within these communities.

Mr. Speaker, one of the best aspects and symbols of that is at Parkinson Field, the Pine. Those persons who designed that housing area under the Democratic Labour Party administration, put in those spaces for small businesses.

Asides.

Mr. G. A. CLARKE: On a point of order. Mr. Speaker, the Honourable Member is becoming very cheesy.

Asides.

Mr. G. A. CLARKE: "Cheesy" is not unparliamentary.

Mr. SPEAKER: Honourable Member, what does cheesy mean?

Mr. G. A. CLARKE: Mr. Speaker, I have to ask Honourable Member for Christ Church East-Central. The Honourable Member said they are cheese and we are chalk. Mr. SPEAKER: Honourable Member, as I understand it, the language of this Honourable House is the English language. If you are using a colloquial term, you need to tell us what it means or withdraw it.

Mr. G. A. CLARKE: Mr. Speaker, the Honourable Member for Christ Church East-Central once said in this debate...

Mr. SPEAKER: Honourable Member, I am not interested in what the Honourable Member for Christ Church East-Central said, you just use the word cheesy. I am just asking what it means so that we can understand or let us move on.

Mr. G. A. CLARKE: Mr. Speaker, according to my English dictionary the word cheesy means insincere. I am

saying the Honourable Member is being insincere in this instance. The Honourable Member has a big grin on his face. He said that the Pine Housing Area was started by the Democratic Labour Party. Sir, that is not true, the Pine Housing Area was started by a gentleman named M. C. Cox, in the 1950s. M.C. Cox was the first Minister of Housing, he then became Minister of Public Works. The Honourable Member must not be cheesy in this instance.

Mr. SPEAKER: Please continue, Honourable Member.

Mr. H. F. LASHLEY: Mr. Speaker, I can see the Honourable Member for St. George North passing a lot of what I recall temporary goals. It seems as though the Honourable Member has been through a system of systematic amnesia. Mr. Speaker, for his information, the Pine Housing Area was started in 1948, after the flood.

6.47 p.m.

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MR. H.F. LASHLEY: . . .

Mr. SPEAKER: Honourable Member please. Are you still discussing the point of order?

MR. H.F. LASHLEY: Sir, I want to clear what he has said because he has brought to this Honourable Chamber issues that are not factual either too. Sir, when I talk about Parkinson Field which is a part of the Pine, the Pine was built in stages beginning with Princess Royal, Golden Rock, Regent Hill and then Parkinson Field, and that is where we are at now.

Asides.

MR. H.F. LASHLEY: Sir, the housing area was develop and that business was developed under the Democratic Labour Party. Sir, not only that but it is a precursor for all the other models that came after that.

Mr. Speaker, Sir, the point I am making is that we go on into the future with the changing sociological landscape with the housing areas across Barbados, I seriously believe that we have to put in the amenities and create the spaces for businesses now within all of the housing areas. Sir, when we developed the housing area in Mason Hall Street, I also believe that we should have amenities for the playing area for children et cetera.

Asides.

Mr. H. F. LASHLEY: Sir, there are other playing facilities that could be added within complexes like this. Mr. Speaker, it is against that background that I really want

to congratulate the Honourable Minister of Housing. I really want to congratulate the Democratic Labour Party of which I am a proud member now for the fact that they are seriously pushing ahead with programmes, social revolutionary programmes for the poor, the marginalised, the disenfranchised and the disabled in this country. The development of Barbados cannot and should not only be measured in dollars and cents and it is critical that we examine the social fabric. Sir, when the recession hits that particular country, the first services that are attached are the social Government but this Government has preserved the social services and have provided a safety net for the very poor, vulnerable and single women of large households. Sir, I am getting into the sociological aspects of the development of houses. Sir, in addition, let me say that the Honourable Prime Minister on the campaign in St. John talked about the dimension of providing assistance for single women of large household in particular.

Asides.

MR. H.F. LASHLEY: They are all inextricably linked. Sir, as I wrap up, again I really want to congratulate the Honourable Member for bringing this Bill before this Honourable Chamber and, perhaps, the Honourable Member for St. George North should take a page and leaf out of the revolutionary Minister of Housing that we have who will go down in the annals of social development as the best and most productive Minister of Housing Barbados has ever seen in the last 60 decades or so.

Mr. Speaker, Sir, I thank you.

Mr. SPEAKER: The Honourable Member for Christ Church South. (4:50)

Mr. SPEAKER: Mr. Speaker, I rise to join this debate and to signal my support for this Resolution for the acquisition of lands at Mason Hall Street, for the purpose of housing development. I want to congratulate the Honourable Minister, the Honourable Member for the City who led this Resolution. Sir, I could almost hear every word he uttered. He uttered the delight and pleasure which he felt about the entire prospect of the property at Mason Hall being converted into an adequate housing solution not only for the people of the City but for entire Barbados.

Mr. Speaker, as has been pointed out by various contributors, this is the real major difference between what we do here as the Democratic Labour Party in Government and what the people of Barbados have become totally fed-up with from the performance of the Honourable Members on the other side while they held the reigns of power in this country. The backlog has also been mentioned of housing needs that we have to satisfy. It requires necessary urgency to be attending the work of the Ministry of Housing which

is aptly demonstrated by the Honourable Members, who in this Chamber represents that portfolio.

Mr. Speaker, the relentless attack by Honourable Members on the other side on the projects of the Democratic Labour Party Government will no doubt come about because today we are hearing tongue-in-the-cheek congratulations as we continue the housing programme but I am sure, in very short order, we will hear references to cranes working to build houses et cetera, (6:28) how many contractors are employed and whether they represent a cross section. Sir, it is the kind of thing that we have to tell Barbadians about.

Mr. Speaker, we have to provide housing solution in this country. We cannot provide all of them by way of the direct Government injection of capital. We have to find ways for partnerships and we have to find ways to execute reductions in cost.

Mr. Speaker, we had a most interesting section at Estimates, for instance, at the Ministry of Transport and Works because the point is being made that unless we are in a position to drive the cost of the projects that we undertake, unless we can reduce the elaborateness, and nobody is saying to compromise the quality of the design, nobody is saying to inject any unsatisfactory safety factors within our building structures but what we are saying is that there must be a measured way in which we can take our approaches to the solutions that would see us reduce the cost of construction. The millions and millions of dollars that we spent from year to year are not a sustainable option. We hear the Ministry of Finance crying out all the time about this fact and, Sir, we have to do something about it and hence the concept too of the starter home within the Housing Every Last Person Programme. Mr. Speaker, the Honourable Member for St. George North has tremendous difficulty in adding to his HELP the correct interpretation, "Housing Every Last Person". (8:13) He is never prepared to accept that this is part of our programme.

Mr. Speaker, only on Sunday, I took a visit with the Honourable Minister of Housing to some projects of National Housing Corporation around Barbados. We stopped at two housing solutions being put in place by the National Housing Corporation as part of a starter home project. Sir, it takes a little time, it takes a little vision, it takes a lot of effort and it takes, some times, a lot of prodding and pushing of the entire Government bureaucracy to effect these solutions.

Mr. Speaker, as we try to put the solution at Mason Hall Street, for example, in place, as we put in place the solutions for Exmouth and the other areas that have been so far identified as ideal high-rise solutions, we have to look at the whole question of being able to separate the ownership so that we can have clear, freehold entitlement

to the housing and, Sir, we have to put in place areas of recreation, as mentioned by the Honourable Member for St. Michael South East, in this contribution.

Mr. Speaker, we have to look at the whole question of mixed solutions. Sir, in other words, there may be within the same housing complex persons who would be paying what is the real value for the property. There will be others who are occupying the same area but because of their circumstances are being allowed discounted housing or being subsidised by a Government's subvention. Sir, there is nothing wrong with that because we actually have to promote an environment of a multi-sectoral ...

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Hon. J.D.E. BOYCE: There is nothing wrong with that, because we actually have to promote an environment of a multisectorial growth and a Barbados community which looks after everyone. This is the beauty about the nature of the kind of solutions we are discussing. It is the nature of the kind of solutions which this Democratic Labour Party intend to bring to this Chamber from time to time.

Sir, as I speak as the Member of Parliament for Christ Church South, there are crying needs for solutions in my constituency. There are many persons who want to have housing solutions provided at all ranges of the economic strata, the ones who can afford to pay, the ones who are on the fringes in terms of affordability, and the ones who do not really represent a group that could necessarily pay rent or pay a meaningful mortgage, and so will have to be part of the subsidised programme.

We, therefore, in our administration, need to actively continue to wrap our minds around these kinds of projects. We have to present to the people for discussion, we have to bring to this Chamber, discuss, and implement Resolutions, Bills and related regulations to make sure that these housing solutions are met. It is with this kind of approach that we can look forward to a continued strong Barbadian society. Sir, without that we are going to be continually bombarded by a need - if I am satisfied, will actually leave our efforts at risk, because without a quiet and satisfied society, we know that all the economic efforts that we are making to attract business and to attract tourism, to attract development in this country would come to nought.

Therefore, it is with those few words that I embrace this Resolution and I want to urge both Ministers of Housing, the Honourable Member for St. Philip North and the Honourable Member for the City of Bridgetown, to

carry on with their programme, knowing full well that the support of this administration and the Honourable Members on this side is unswerving.

I am obliged to you, Sir.

Mr. SPEAKER: The Honourable Member for Christ Church South.

SUSPENSION

Hon. J.D.E. BOYCE: Mr. Speaker, I beg that this House be suspended until 7.45 p.m.

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

The question that the House be now suspended until 7.45 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the House accordingly.

7.00 p.m.

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House A82, Sequence 46, 7.50 p.m.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed.

The Honourable Member for St. Philip North.

Hon. M.A. LASHLEY: Mr. Speaker, I rise in support of this Resolution and I want to sincerely thank the Honourable Member for the City for his presentation. Indeed, I also want to make reference to the speeches made by the Honourable Member for St. James North and the Honourable Member for St. George North.

Mr. Speaker, the Honourable Member for St. James North touched on the fact that in the urban corridor, there are a number of tenancies. My research revealed that in the urban area of Barbados, also referred to as the greater Bridgetown, included 200 tenancies. The majority of these tenancies, Mr. Speaker, are located in the parish of St. Michael and vary widely in terms of the size of the land area, as well as the numbers of tenants to be found on the land.

In fact, larger tenancies are Allen's Land, Bush Hall, Halls Village, Halls Road, Bannister Land, Martindales Road, Holders Land, Bush Hall and Bibby's Gap. Mr.

Speaker, the research also revealed that within the urban tenancies there are approximately 300 households at that time and my research is subjected probably to some correction because I believe the updated research would reveal more or could reveal less.

Mr. Speaker, when you look at these acquisitions and the Honourable Members have already spoken to it, that within the urban corridors, Sir, the research revealed that there are some 1 525 parcels of underutilised vacant land. Further, these lands obviously include the lands on which there are ruined structures and abandoned structures. The derelict building programme was also mentioned by the Honourable Member for St. George North and I believe, St. James North too, and that is indeed a programme that we constantly hear about and in fact I made attempts at numerous meetings to gather the information to look at those derelict buildings.

In fact, we came across the land at Valerie where there was an abandoned structure up there in the constituency of the Honourable Member for St. Michael South Central. Sir, I want to say to this House that Cabinet has just agreed to a new urban high-rise programme throughout the corridor of St. Michael.

Asides.

Hon. M.A. LASHLEY: Mr. Speaker, we have looks at areas and in fact we have earmarked Valerie in St. Michael, Mason Hall Street in Bridgetown, Exmouth Gardens Deacons Road, St. Michael and, of course, we are coming to this House very shortly, respectfully, for an acquisition at Grotto, in which we are looking at three parcels of land suitable for high-rise, when you look at the quality of the housing stock in the urban area, even the housing stock that is for rental and the housing stock that is outside of the rental market, private housing.

Mr. Speaker, the fact that people are now renting rooms, the fact, Sir, that some of them cannot be repaired and the fact too that there are a number of persons in a landlord/tenant relationship, and even as recently at the Tomas situation, landlords used it as an opportunity...In fact, when UDC went in to do some repairs, even in the rural areas, the landlords decided that this is the time for them to claim back their property and they are not allowing the state, through the UDC or the RDC to build back a house on their land because I need back my land.

Sir, what happens as a consequence is that the person or persons are now displaced and is placing an additional burden on the State to provide housing for them. This is why we recognise that there was a need to provide the urban high-rise apartments throughout the same urban corridor. Indeed, Mr. Speaker, when I looked further at what we can do to assist persons in that category or outside

of that category too, I want to say to the Honourable Member for St. Michael South East that we have also looked at the in-filling programme and only recently we received permission to construct apartments at Rock Avenue, Rock Close and Mellow Road Wildey in St. Michael.

Asides.

Hon. M.A. LASHLEY: Indeed, Mr. Speaker, again we can construct apartments there and I have already mentioned it to the Honourable Member for St. Michael South East and we will have a grand opening and a grand launch, Sir, of the Urban High-rise Apartment Programme. Mr. Speaker, it is against a background, even as I go back to the Tomas situation and the Honourable Member for St. Michael Central will attest to this that, there is a dire need for housing particularly in the urban area. What has happened is that even the Welfare officers - and, I am not casting any aspirations on them - have been telling their clients to go and find some place, even if it is a room, where they can put them up.

I can understand the frustration because of the fact that there is a dire need for housing and the demand for housing, Sir, particularly in the St. Michael's area and even outside of the St. Michael's area. Again, the welfare officers there are challenged and we hope that this programme, the fact that we will be building communities, we are not just putting up structures but allowing for recreational facilities, allowing the small businessman, the barber, the tailor, the hairdresser, can have a space underneath these apartments so that they can ply their trade.

Asides.

Hon. M.A. LASHLEY: I believe that we are on the right track with respect to these. I have been asked many times by the Honourable Member for the City when we are going to start Mason Hall Street. He has been like a stuck record, as we would say, asking all the time when Mason Hall Street will be started. Sir, even the Honourable Member for St. Michael South Central has asked, time and time again for Valerie to be started. Sir, we have now started to conceptualise the high-rise apartments at Valerie.

Asides.

Hon. M.A. LASHLEY: Sir, hopefully, we will have a major block of the urban high-rise programme, the first of its kind, in Barbados.

I thank you, Sir.

Asides.

Mr. SPEAKER: The Honourable Member for St. Michael South Central.

Hon. R.L. SEALY: Mr. Speaker, I rise from my seat very excitedly, after hearing the news that the Honourable Member for St. Philip ended on. I can only say that it has been quite some time, of course, that I have been making a call from both sides of this House for some meaningful opportunities for quality housing to come to the people of Brittons Hills and make use of that Valerie site.

House A82, Sequence 46, 8.00 p.m.

Tuesday, February 01, 2011

Hon. R. L. SEALY: I must say, Mr. Speaker, that I am further impressed by the fact that this Government has decided to go the way of high-rise. I am also on record as stating that I do think that is the future for housing in Barbados. There are critics who find these edifices sometimes imposing and not in keeping with the traditional character of how we have associated housing in Barbados but I think that we can do these buildings in a way where they can be aesthetically pleasing and even enhance the environment in some cases. Sir, I am very excited about the fact that this Government is going to be embarking on an urban high-rise programme to bring housing opportunities for people in the urban corridor. I think it is progressive. It is taking the whole concept of housing to another level in terms of the role the State is playing and provides further testimony of just how remarkable the Honourable Member for St. Philip North is as Barbados' Minister of Housing and Lands.

As I understand it, Mr. Speaker, from Valerie and the Bayland and I believe as well as right across Deacons, Brandons and Mason Hall Street, we are going to have possibly as many as 400 solutions provided via this high-rise route. Sir, that is important because again if you realise what was taking place under the last Administration whenever urban issues were spoken of, particularly where the City of Bridgetown is concerned, it was about how to improve the central business district, the commercial part of Bridgetown. You had to have a Broadwalk, you had to put up palm trees, lanterns and cobblestones in front of the shop fronts, that was what mattered.

Sir, what this Government is saying is that we believe that the housing stock in urban Barbados where people are living needs to be improved. Sir, even though one would like to say that providing shelter should not be a political issue, it is a natural human issue, the reality is that you have again further testimony to what we mean when we say that the last Government was about the economy and the economic situation in Barbados. Sir, we are about the society of Barbados and so we are thrilled to be able to announce this programme this evening and I am quite

honoured that my colleague and friend is choosing to launch this programme. He did not give a date but I hope that it is some time very soon. Maybe later in the month or early next month we should launch the programme in Valerie, Brittons Hill, we are very happy about that. As I understand it, there will be 80 housing solutions.

More importantly, Mr. Speaker, there will not just be houses but, you heard it from the Honourable Member for St. Philip North, economic opportunities as well so the hair braiders, the barbers and so on can have an opportunity to set up their shingle and further to provide entrepreneurial opportunities as well and to keep the community together. We are not rupturing the community of Brittons Hill here, we are enhancing and adding to it.

Mr. Speaker, there is the whole question of the public amenities component as well, the playground and the commons area, I think that is the term the British like to use. The whole idea is that because everyone cannot have their own backyard, you have to have areas that you share to recreate yourself, to read a book and to get a little fresh air and so on. I believe Barbadians are beginning to appreciate these things. If you go to the Broadwalk any morning or evening you see the extent to which Barbadians are sharing a common space to recreate themselves so I think that as we look at these high-rise projects that we have to remember that aspect of things. We have to remember the need that people have to relax and for families and so on to enjoy the outdoors. I think that component has been recognised in the Valerie project and would be recognised going forward as well and that is extremely important.

The fact is, Mr. Speaker, the Honourable Member for St. Philip North alluded to this, is that we have already seen changes in how Barbadians see their living situation. Certainly, I am not that old but when I was at school nobody in Barbados was renting a room, that practice just did not exist. Even if you are working for a modest weekly wage, you would have a modest property and as your wages increase, the property would add on. You would start with what they call a one-roof, which was basically just the basic rectangular chattel house and then you would add on as the family expanded.

Sir, we now have this practice of renting a room and it is unfortunate that it has kind of entrenched itself now that we have families that are forced through necessity to rent rooms and so I think that again the urban high-rise programme is aimed at tackling that problem head on and not pretending it does not exist. It is occurring and it is especially popular in urban Barbados. What we are saying is that if we can improve the housing stock and do so in a manner that is affordable, the demand for this room to rent concept would be diminished and hopefully it can be wiped from off the face of Barbados once and for all. It is

unhygienic, it is dangerous, it has all sorts of security implications and it is not good for building good family life and we need to make sure from that point of view that we get these projects off the ground and running.

I suppose, Mr. Speaker, before I take my seat, that I should also say that I too am quite familiar with that Mason Hall Street/Lakes Folly area and I am quite happy for the folks in that area as well. I sincerely hope that the buildings that are planned down there will be sensitive to the peculiar nature of that very unique community and area. The St. Mary's Church, a very historic church, is right there and we need to fit into the character of the area. We all know the story of Lakes Folly and the fact that the old ice factory and even the old St. Mary's School going down heading in toward the Baxters Road/Tudor Street area...and I sincerely hope that when the planners and the architects put their thoughts together that they would come up with something that again can enhance and not necessarily take away from the environment.

The Honourable Member for the City of Bridgetown is very excited about what is going on in Cats Castle, which of course is just in the same area. This all fits in with an idea of trying to improve the lot for the residents of the City of Bridgetown and not only those persons who are in Broad Street, Swan Street and so on, not that their work is unimportant but it cannot only be about them, it has to be about the others, so I am very, very happy to see that that situation is being addressed. Mr. Speaker, some may question the model that the Government has chosen but the whole idea of Governments teaming up with the private sector to provide affordable housing is not at all unique. It happens all over the world.

House A82 Sequence 47

8.10 p.m.

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Hon. R. L. SEALY: In many municipalities in North America, it is quite normal for a city government or a state government to identify a particular area, maybe a depressed inner city area, and approach private sector and say to come and development that area and government will either offer them concessions or provide incentives for them to do so. Sir, joint venturing, with the captains of industries or construction magnates, to deal with a national problem, to deal with one of our basic need, that of shelter, is very appropriate and something for which I think this Government should be saluted for doing.

Mr. Speaker, in the same way that the private sector, on their own, can provide almost 2 500 villas and condominiums that are sold at astronomical prices on the south and west coast of Barbados...They find the resources

to do that type of accommodation but there is no attraction necessary to do the more affordable type of accommodation. Therefore, is a government suppose to sit by and allow a situation like that to develop? Is a government to take all the responsibility on its own for providing low income housing? Of course not, we have to sit down with these players and look for ways and means of involving them in providing housing solutions for Barbadians.

As I have said previously, because we are sitting down with the big players, does not mean we are not working with the others as well. That does not mean that small and medium-sized businessmen cannot get business as well, they too have to come and be part of that process. Sir, as I understand it, the loans funds that we have guaranteed in here, \$40 million from First Caribbean, will go towards employing small contractors also to contribute to providing affordable housing solutions for Barbadians. Therefore, there is a role for everyone to play. Sir, I think that is the position of this Government.

Mr. Speaker, we came to office and we thought it was very clear that housing was not given the attention it deserved and in three short years we have shown exactly how you handle it. We have had a number of projects that have started. Sir, as impressive as the three years gone by have been, from what I am seeing and hearing in here tonight, Mr. Speaker, the best is yet to come. Sir, on that note, it is time for me to take my seat but before I sit, I want to say that this is a historic announcement, it is going to transform the entire concept of how we deal with housing in Barbados.

Mr. Speaker, I am saying that other regions of the island may also see a series of high-rise developments. We are dealing with the St. Michael urban corridor here tonight.

Asides.

Hon. R. L. SEALY: Sir, are we going to continue with these developments, where we have concrete boxes all over the place or are we going to look possibly at a series of high-rise for that parish? I think agriculturists would be happy that we have taken up less acreage and at the same time we can provide the amenities in the common areas that people could enjoy themselves. Sir, in Christ Church and other parts of the island you could easily see a series of high-rise going up. Therefore, we are onto something here. Again, it shows what progressive government is about, it shows what it is to people first and that is what this Government is about.

Mr. Speaker, I am happy to associate myself, not only with this particular vesting in Mason Hall Street but also with the programme of which it forms part, the urban

high-rise housing programme, which we look forward to being launched in the very near future. Mr. Speaker, I am obliged.

His Hon. K. St.C. BEST: Mr. Speaker, I rise to support this matter before this Honourable House. It is quite clear that both the Minister of Housing and the Honourable Member for the City of Bridgetown have their thinking cap on, as far as Housing Every Last Person in Barbados is concerned. It is also good to see that the inner city is getting some developments but I want to move closer to home because it is said that home drums beat first. Sir, St. Michael East happens to extend out to a wide part of the urban corridor, as well as a part of the rural corridor and so I would want to see some of these goodies that are being transformed in the City and in other parts of this county, into the constituency of St. Michael East. Sir, it is only but fair that the constituents of St. Michael East be part and parcel of the Housing Every Last Person programme.

Mr. Speaker, I am aware that Haggatts Hall has received some attention but Haggatts Hall is only a tip of the iceberg. Sir, if you look at Licorish Village, we have serious problems there. Sir, that problem is not only one for the Honourable Member for St. Michael East, it also a national problem therefore we have to take the bull by the horn. Within St. Michael East, there are areas that are now becoming common ground for squatters. As was said before and I will reiterate, this particular Honourable Member is against squatting. Sir, people squat for various reasons, one is that they have necessarily tried several avenues to find housing for themselves.

I believe if you look at it, the question of squatting escalated under the Barbados Labour Party's administration, where there was land was in the land bank but the key was thrown some place in Christ Church East, St. George North and in St. Andrew. There were three sets of keys for the land bank and not one of those keys could get the bank opened in the other constituencies. Sir, out of the inability to get the bank opened, persons within St. Michael East, St. Philip, St. Peter, including various parts of Barbados, took it upon themselves to squat. Sir, the basic needs of mankind is food, clothing and shelter and when people need shelter, they would look for the closest opened spot.

Mr. Speaker, I heard the Honourable Member for St. Michael South-Central speaking to the question of rooming accommodation. It is unhealthy. Sir, there are some unscrupulous landlords who take pig pens and foul pens and transform those places into rooms, and charge exorbitant rents, then as soon as tenants of those places complain about the condition of these accommodations, the landlords either give them a notice to quit or send bailiffs, at all times, to disrupt the quiet enjoyment of these people.

I am asking that the Minister would bring that Act with haste, to make sure that we have legislation to deal with these unscrupulous landlords. Sir, I believe that before the next financial year, we should have such legislation before this Honourable House. We should have an all-out debate in which I am sure that every Honourable Member will participate because Honourable Members representing their constituencies, suffer the same consequences where their constituents come to them, day in and day out, complaining about these unscrupulous landlords.

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HIS HONOUR K. St.C. BEST: ...where their constituents come to them day in and day out complaining about these unscrupulous landlords and the conditions which these landlords provide housing for people.

Mr. Speaker, we are doing a great job but I also want to reiterate the words of the late Prime Minister, may God rest him in his grave, and the Honourable Member for St. Lucy who said that if the opportunity comes along where house spots are available that we should give them to the people. I believe that there is still that community spirit where a Sunday or so, people will get together and build houses in their community. They will pool their resources together and you will get back that community spirit.

Mr. Speaker, I am all for the high-rise concept because I have always said that in England, they call them terrace houses and people pay exorbitant prices, hundreds and thousands of pounds for these terrace houses but in Barbados we call them housing units and people are afraid to live in them. They say that they not want to live in a housing unit because my walls are too close to somebody else's wall but the condition that they were living in previously, Sir, I do not want to say it in here.

Asides.

HIS HONOUR K. St.C. BEST: Sir, we have to educate people that this whole mindset about having their own piece of land with a backyard that the land in this country is scarce, we are going up in the air, as the Government is doing, and we need to educate Barbadians that this is the way forward if they are supposed to have a decent place to call home, this is the way forward.

Mr. Speaker, I would want to say now that this whole question where all this money is owed to the National Housing Corporation for rent that we have to develop a programme and a policy where you have deductions from people's salaries so that persons who have units from National Housing Corporation would know for sure that they would budget according to the disposal

income that they receive in their hands and they would know full that the rent comes out first. Sir, in that situation that rent could go towards rebuilding.

Mr. Speaker, I must say that, yes, we have projects on hand but I must comment on Constant. Sir, I get calls every Wednesday in my constituency about the question of Constant. Sir, Constant has come to a standstill and I am asking the Government to take a decision and either sell Constant to the persons as they are, so that we can go forward and persons would be in a position to have a house to call their own. We need to go forward. We know that there are some burning issues as far as Constant is concerned but we cannot sit back, as a Government, and wait. Sir, we need to take a positive decision as far as Constant is concerned.

Mr. Speaker, I believe that if we start moving in that direction that we will start to get the numbers of people on the waiting list at the National Housing Corporation down. I believe that when it comes to the question of infilling and all sorts of things, I believe that there are areas in St. Michael East that are well equipped for infilling.

Mr. Speaker, with those few brief remarks, I fully support this acquisition.

Mr. SPEAKER: The Honourable Member for St. Michael West Central.

Mr. J. D. PAUL: Mr. Speaker, Sir, I rise to support the Resolution but also rise too to make a few points in respect of the housing policy and also too to refer to the constituency of St. Michael West Central whose residents have been experiencing problems. Sir, I just want to say that when I look at the current prices and the current patterns of housing that we see in this country what we can say safely is that it is really a direct result of the policy of a previous Government where I think that the whole question of land going to its highest economic value has (1) put tremendous pressure, not only on land prices in themselves in this country but on property prices in general. Sir, that in a sense was manifested by the fact that landlords felt that in order to get a just return on their properties they basically had to carry up rents. Sir, in addition to the fact that we had a situation of land taxes going up. We had also the particular feature of immigration policy that saw persons looking to put up migrants in rooms. At first when it started to happen many of us Barbadians felt that it was just a feature that applied to migrants alone but we only began to discover afterwards that it was not only migrants alone who were renting rooms but they began to discover that Barbadians were also renting rooms. Sir, one of the other things about that is that it speaks to the fact that under the last Government we saw a misguided policy that did not speak to the fact that when we look to the future of Barbados that we need to plan development in a manner

that ensures that we plan development in the interest of Barbadians and not necessary in the interest of other persons who we might want to bring to our shores.

Mr. Speaker, I just want to come back to the point in terms of St. Michael West Central. What is happening in St. Michael West Central is really typical of what is happening in many parts of St. Michael. I think in that regard I would like to compliment the Ministry of Housing in recognising that, in truth and in fact, we need to have a new approach in terms of the provision of housing. Sir, I want to say that we should not see every landlord in this country in a negative way because they are experiencing genuine difficulties in terms of the maintenance of those properties and one of the things that Government may need to do is to find a way to at least enlist the help of those persons who own properties to, first of all, ensure that they bring the properties that they own up to a standard which is suitable to the housing standard that we want actually to give Barbadians. I believe that is unacceptable that we have some Barbadians who are forced to accept substandard housing at ridiculous rates but I believe that is as a result of the fact that there has been a considerable pressure in terms of trying to find housing especially within the urban areas. I think we actually need to do something about that and, Sir, I want to compliment the Minister of Housing for the initiative in terms of going to high-rise housing.

Mr. Speaker, I also want to say that one of the things that we have learnt in terms of development when it comes to the whole question of trying to provide high-rise housing is that we also have to be very careful that we also provide the necessary amenities around those housing developments so that we do not have a situation where we have too many people living in a confined space without the appropriate physical amenities. Sir, in that regard, I would want to compliment, again, the Minister of Housing for ensuring that at least you have the provision of amenities for the persons who would be living there.

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J.D. PAUL: ...that at least you the provision of amenities from the persons who have been living there.

Sir, one other point I want to make is, I think we looked at that before, the whole question of the provision of green spaces even within urban communities. We sometimes forget that when we have these new concrete jungles which cause certain social problems, we would also want to avoid. Again, we have heard from the Minister of Housing that very careful attention is being paid to ensure that when those units are established, appropriate attention

will be paid to at least the provision of areas such as parks where people can actually go and relax. Sir, I think that is very important.

Sir, going back to St. Michael West Central, I want to refer the Minister of Housing to areas in my constituency such as Eckstien Village and Stuarts Land. In the Gazette area there is a large area of open land which I think is ripe for development. I would want to encourage the Minister to at least look at it in a way that ensures, as it was clearly laid out in what he said, where we have development that also takes into consideration the provision of social amenities so that placed in the constituency it does not become disruptive. Sir, I think that is extremely important. That is something we need to look at.

Sir, sometimes when I look at some of the housing developments in the past, some people seem to have forgotten that people have children. In a sense we have to consider that Barbadians still wish to maintain a certain standard of living. I think it is extremely important that we look at this particular feature.

Sir, there is an additional point I want to make. I know in a way it is a related point. When we are looking at the whole question of housing development in the urban areas, one of the big issues in the St. Michael West Central is the whole question of drainage. Sir, a lot of the drainage in St. Michael West Central is becoming compromised. Sir, considerable work has to be done in terms of improving the drainage structures within St. Michael West Central. I want the Minister of Housing when he is placing houses within St. Michael West Central constituency to ensure that we look at the related issues that might necessarily impact on the housing development that would be taking place within St. Michael West Central.

Asides.

J.D. PAUL: Sir, I see him nodding his head. Sir, I would want him to at least give the assurance to St. Michael West Central that something will be coming in St. Michael West Central very soon.

Asides.

J.D. PAUL: Sir, there are some residents in St. Michael West Central, I even had a chat with some of them, this morning on my way to Parliament, who have indicated that they are waiting anxiously. Sir, I am pleased to see that the Minister of Housing is moving quickly to look at initiatives in relation to Eckstien Village and it is part of the programme already.

Sir, with those few words I want to give my support to the Resolution, and indicate to the Minister of Housing

that the residents of St. Michael West Central will be looking forward to future developments.

I thank you very much.

Mr. SPEAKER: The Honourable Member for the City of Bridgetown.

Hon. P.M.T. TODD: Mr. Speaker, as I rise to wrap up the debate on this Resolution, I wish to sincerely thank all Honourable Members who made contributions to this debate. I would seek to reflect on some issues which would have arisen during this same debate. I would wish to remind the Honourable Members of the Opposition, as the Honourable Member for St. Michael East so eloquently mentioned, that the policy of the Barbados Labour Party in relation to housing was based on the much touted land bank scenario in which that administration acquired land but I would say most of the fixed land assets in that bank were on fixed deposits ad infinitum. This is illustrated, as you would know being a Member of Parliament for St. Michael West, that within your constituency at the corner of Country Road and Passage Road, the Country Park Towers high rise project was abandoned literally by the Barbados Labour Party administration. When they left office in January 2008 that site was overrun with bush, breeding vectors and, of course, the steel was sticking up from the foundation, rusting. That is the poor track record of the Barbados Labour Party, in contrast to the very imaginative approach of this administration led by the Honourable Member for St. Philip North, where within literally months we have been able to restart that project and virtually completed it to the extent that those state-of-the-art spacious apartments at Country Park Towers, are on the verge of being allocated to Barbadians who are waiting patiently to gain access to those accommodations. As you know the Stuart Lodge Project at Tweedside Road, in the constituency of the Honourable Member for St. Michael South Central, which that Honourable Member reminded us that under the Barbados Labour Party they promised and they did not deliver. The sign indicating the project location had actually started to rot. That was the attitude of the Barbados Labour Party and yet, as I said, that spacious, modern accommodation is now ready to be allocated.

Sir, this Honourable Member would have visited the site at Country Park Towers, on the border with the City of Bridgetown, because Country Road is the boundary between the two constituencies. I know for a fact that the apartments are very spacious, and really can rank with equality with any modern condominium apartment complex in any other part of the island, or indeed any other part of the world.

Sir, that brings me to the notion which was sort of alluded to by the Honourable Member for Christ Church South, where he talked about even the possibility of mixed

accommodation where you have middle income mixed with working class.

Sir, this Honourable Member has always said and will reiterate here that we need to empower the working classes so that their self esteem is built, so that they would not feel ashamed within a ghetto depressed slum area, but they can be given the modern amenities, including housing and the necessary supporting infrastructures such as roads, drainage, lighting and so on, so that they can feel proud of their communities, proud of themselves, proud of being Barbadians treated not as second class citizens but as equal partners in this project of building a better and brighter Barbados. Sir, these urban high rise apartment projects that the Honourable Member for St. Philip North introduced in his presentation would definitely go a long way in sort of transforming the landscape of working class Barbadian communities.

Mr. Speaker, these mixed solutions where we have middle class living side by side with the working class will help to lift the people up as one Barbadian community, eliminating the prejudices in terms of stigma where some people in the heights and terraces would wish to condescend towards those in the working class districts. This would do well in ensuring that we do not develop this ghetto mentality where people get into a vicious vortex of perpetual crime, generation after generation and all the negative aspects of human behaviour.

Sir, I also note the contribution of Honourable Members such as the Honourable Member for St. Michael West Central who, have alluded to the fact that we need to create the necessary green spaces and recreational amenities to ensure that the community development is positive in this regard so that there is no overcrowding.

8.40 p.m.

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House A82, Sequence 51, 8.39 p.m.

Hon. P.M.T. TODD: I should state that opposite the proposed site at Mason Hall Street is the old St. Mary's School building, which was occupied by the Sanitation Service Authority but when their new complex at Reed Street was opened recently, it has gone back to the Anglican Church. I had discussions with the Rector of St. Mary's Anglican Church, who is very keen on working along with Government to ensure that it will be rehabilitated to provide for community activities, be it a community Centre for indoor games such as table tennis, draft, dominoes, dancing and a venue for clubs, to really uplift the community.

The older generation told me about Youth Town, which was at the corner of Sobers Lane and Tudor Street, from where we had a lot of leading table tennis players from the City, such as Everton 'Culture Man' Ford and Mr. Sealey from the same Sobers Lane area, who have been national players in table tennis. Sir, this is the vision that I, as the Honourable Member for the City, have for my dear people of the City. Mr. Speaker, I also note that in the same Cats Castle area, which is bounded by Mason Hall Street, Reed Street, Baxters Road and St. Mary's Road and this is part of the Housing and Neighbourhood Upgrading Programme, funded by the Inter-American Development Bank (IADB) loan, which this administration signed in the early days of our term in office.

As you know, Mr. Speaker, this project will encompass an area within your constituency, namely, the Garden Land, as well as Cats Castle, Green Field and Allen View in the City. This project, as you would have heard in the presentation of the Honourable Member for St. Michael North West, the Minister of Finance and Economic Affairs in his Financial Statements and Budgetary Proposals, when he committed himself and the Government to time lines in which the execution of this project will be commenced. In fact, Mr. Speaker, I am happy to report that, land surveyors have been working for several weeks in the same Cats Castle area on the preliminary work, as part of this project to ensure that this project is executed in a timely manner.

The IADB is excited and this Government is just as excited, in terms of ensuring that this project is executed on a timely basis so that we can get all of the necessary draw-downs from the IADB, as we meet the necessary pre conditionalities. Sir, as you know, this project will transform these areas to such an extent, as millions of dollars will be spent in each area to ensure that those persons without water borne toilet and bath facilities will be suitably outfitted, as well as addressing issues such as green spaces, drainage, lighting and so on.

Mr. Speaker, I can go on all night but I know that we have had a long day but I am very happy as well to note that as the Minister Responsible for the Urban Development Commission (UDC) and the Rural Development Commission (RDC), I have met with the Board at the UDC, and the Minister of Housing and myself have met, informally, with Members of the Board of the RDC, and they are well equipped to assist in dealing with the repairing and replacement of houses, in terms of vulnerable groups within the urban and rural corridors. I pledge to do all in my power to ensure that this work moves smoothly because we know that housing every last person is a very important mandate and commitment, which this administration has made to the people of Barbados and we will not fail them.

I thank you, Sir.

Asides.

Hon. P.M.T. TODD: Mr. Speaker, I beg to move that this Resolution do now pass.

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

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

ORDER NO. 12 – RESOLUTION TO APPROVE THE
GUARANTEE BY THE MINISTER RESPONSIBLE FOR
FINANCE OF THE PAYMENT OF THE PRINCIPAL
AND INTEREST IN RESPECT OF THE BOND
ISSUE OF

\$161 000 000 IN THE CURRENCY OF
BARBADOS ISSUED BY THE BARBADOS
AGRICULTURE MANAGEMENT COMPANY
LIMITED

BY WAY OF A LOAN FROM THE BARBADOS
NATIONAL BANK AND TRUST CORPORATION
FOR THE PURPOSE OF FINANCING

THE SUGAR INDUSTRY.

Mr. SPEAKER: The Honourable Member for St. Michael South, the Prime Minister.

Hon. F.J. STUART: Mr. Speaker, very briefly, this Resolution calls on Parliament to approve the guarantee by the Minister with responsibility for finance of the payment of the principal and interest in respect of a bond issue in the sum of \$161 million in the currency of Barbados. The purpose, of course, of this bond issue is to finance the out-of-crop operations of the Barbados Agriculture Management Company (BAMC) for the period 2008 through to 2011.

Mr. Speaker, by way of background, the Barbados Agriculture Management Company was incorporated, I believe, sometime around 1992-1993 and its whole purpose was to manage the operations of the highly or heavily indebted estates to the Barbados National Bank (BNB). The agriculture portfolio of the Barbados National Bank had become virtually distorted by loans extended to the sugar industry and to plantations.

Sir, as part of the restructuring of the sugar industry, and the restructuring of the Barbados National Bank as well, that part of the portfolio was separated from the bank and vested in, or transferred to the newly established Barbados Agriculture Credit Trust. The debts owed by the plantations were transferred to this Barbados Agriculture Credit Trust so that the bank was freed of the encumbrance of that debt, which tended to distort its financial position.

Of course, once that decision was taken, the Barbados National Bank experienced an upswing, which has continued to the present.

Sir, the Barbados Agriculture Management Company was then incorporated to manage the operations of these heavily indebted estates, in such a way, not that they could not walk away from the debt they owed to the Barbados National Bank but that by more effective management of these estates, the debts owned to the BNB could be liquidated. Sir, that arrangement was worked out by a lease arrangement between these estates and the Barbados Agriculture Management Company.

Sir, they leased the estates to the Barbados Agriculture Management Company and the rents that would have become due and owing and become payable to these estates, were paid to the Barbados Agriculture Credit Trust by way of extinguishing the debt owed formerly to the BNB but now to the Barbados Agriculture Credit Trust. Those leases were supposed to have a term of 12 years. Of course, there was always the option to extend the leases and they have been extended over time, so that they are still effectively in operation.

In some cases where estates have in fact paid off the debt, they have allowed the Barbados Agriculture Management Company to continue to manage the estates.

House A82, Sequence 51, 8.50 p.m.

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Hon. F. J. STUART: Mr. Speaker, so far as this bond issue is concerned, some time around 2008, the BAMC produced a three-year plan, which called for a sum of about \$161 million over a three-year period, to finance its operations. We are now in the year 2011 but the three-year plan was to begin in the year 2008, so that what we are dealing with this evening is a bond issue to finance out-of-crop operations that had their beginnings in the year 2008.

Mr. Speaker, I make that point and make it in this way because the impression is not to be conveyed that this bond issue is now going to flood the BAMC with money which it has to spend in the foreseeable future. The proceeds of this bond issue are really to pay off debts incurred over the period 2008 through to 2011. Of course, one could justifiably ask what was happening to the Barbados Agricultural Management Company between the years 2008 and 2011. The answer to that question is that it was obtaining interim financing to look after its operations from FirstCaribbean Bank, Citicorp Merchant Bank and the Barbados National Bank itself.

Mr. Speaker, I know that based on how news items are framed, sometimes the impression can be conveyed that

the Barbados Agricultural Management Company is floating a bond issue for \$161 million and that full subscription to the bond issue would mean that the company would have \$161 million at its disposal but that is not so. It is not going to have that money, the money is really being raised to pay off debts already incurred. That point has to be made very clear.

Mr. Speaker, having come to the conclusion that it needed this money and having raised the matter with the Ministry of Finance, an evaluation was done and it was concluded that over the three-year period in contemplation the Barbados Agricultural Management Company was likely to incur net losses of \$138 million. Mr. Speaker, that is the context within which what we are doing tonight has to be seen and evaluated. Those losses would result not only from increased expenditure in the industry but from declining revenue as well.

Mr. Speaker, expressions of interest were sought by the BAMC for the raising of the \$161 million and the BNB Finance and Thrust Company ultimately presented the most attractive proposal and it is on that basis that the House is being asked to approve this bond issue with the BNB Finance and Thrust Company being the arranger.

Mr. Speaker, the bond issue which is going to be floated by the Barbados Agricultural Management Company is going to be disbursed in two tranches and the \$161 million will cover expenses incurred for the season 2008/2009 through 2010/2011.

Against that background then, Mr. Speaker, I beg to move that this Resolution, calling on Parliament to approve this guarantee by the Minister with responsibility for finance, do now pass.

I am obliged to you, Mr. Speaker.

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

Mr. SPEAKER: Yes Honourable Member for St. James North.

Mr. R. C. EASTMOND: Thank you very much, Mr. Speaker. Time was, in the history of the Barbados economy, when the sugar industry stood supreme. Economic historians would tell you, Sir, that up until about 1960, we were able in this country to produce 260 000 tonnes of sugar or thereabout but then the 1960s and 70s started to see declining production sometimes caused by the alienation of land out of agriculture into other activities. However, Sir, around 1978/79, some buoyancy did come the way of the sugar industry but then thereafter sugar has been met with many challenges. As the worthy and Honourable Prime Minister said, some estates became heavily indebted. In fact, the restructuring of the sugar

industry that occurred between 1992 and 1994 occurred primarily on account of the fact that a substantial number of estates were very, very heavily indebted.

Mr. Speaker, before the coming into existence of the Barbados National Bank, other banks used to finance the sugar industry. Once the Barbados National Bank had come into existence with a nationalistic attitude, suddenly a lot of the private sector sugar dealers started to deal with the BNB and with it started to owe the Barbados National Bank.

What we have to do here tonight, beyond approving this guarantee... When we speak to the question of guarantees, I am saying that the borrower is primarily liable to pay the debt and the Government only comes into the picture as guarantor but that the Government should make sure that whenever it is guaranteeing any debt or advancing any money, they should account. If in any event any sugar producer is getting any subvention or assistance from Government, Government should compel that person to account because we have had stories of the subsidisation of sugar operations in the last 30 years and some of the subsidies apparently went astray.

Mr. Speaker, we have, in light of some recent pronouncements by Dr. Athlee Brathwaite, to look closely at sugar's future. One of the principal or a group of the principal supporters of sugar cane would be our environmental lobby in this country. Those who see the aesthetics and the environmental value of sugar cane, considering our thin soils and the need to have grasses green the place, will support sugar forevermore. However, Government and Government agencies have had over time to invest heavily to preserve the sugar industry. Mr. Speaker, Dr. Athlee Brathwaite was making some pronouncements recently, which are not all at variance with the Barbados Labour Party's position. Having watched world market prices and having seen the behaviour of the European Union, we in the Barbados Labour Party came to the same conclusion as Dr. Brathwaite before he spoke, that beyond bulk sugar, we should look at speciality sugars. In fact, we even conceptualised the idea of a sugar cane industry.

House A82 Sequence 52

9.00 p.m.

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Mr. R. C. EASTMOND: Mr. Speaker, we have very friendly ties with a country called Cuba. I will not go into the misfortunes of Cuba offending a particular State but Cuba has taken the sugarcane plant, analysed it and has been able to make many products out of it, including a

product called PPG, which is an excellent anti-cholesterol drug.

Sir, in looking at the future of sugar, in realising that bulk sugar is not going to optimise profit for us, we are going to have to continue looking at specialty sugars. Sir, the time has not yet passed us where we are going to have to ask the Barbados Agricultural Management Company (BAMC) and like-minded people to go into the realm of research and development of sugar. We have done very well, we have a cane-breeding station in Groves, St. George, that has done excellent work. That cane-breeding station has been able to develop varieties of sugarcane, one of which can resist particular pests. There is a certain type of sugarcane that the rats will not trouble. There is a certain types of sugarcane whose juices are not that attractive to vectors and things like that. We have now, in addition to the success we have achieved in the cane-breeding station, to look to see what chemical by-products we can make from sugar. I think Cuba would be willing to share their experience with us, in respect of how to diversify products out of sugar cane, although Cuba itself is finding that on the world market the traditional type of sugar they were producing is not attracting the type of market demand that used to be in this situation. There are some new producers of sugar in Africa, which have large tracts of cheap land, large amounts of cheap water and low labour cost. We have found ourselves as a high-cost producer, yet the Barbadian sugar brand, and with it its rum, have been able to assert themselves internationally as very worthwhile products. There are those in Barbados who cannot visualise a life without sugar cane.

Mr. Speaker, even though earlier today we would have made about the contribution made by tourism and the offshore sector to our economy, there is still a role for sugar, although, to tell the truth, we Barbadians in this community have all had to pull our weight, at the individual level, to provide financing to Government to assist the sugar industry. There is no Barbadian who has worked in this country, who has not made a contribution to the sugar industry. Sir, I am saying so because Government has had to come in and filled the void repeatedly for years. What transpired was that there came a time when officials of the Ministry of Agriculture were saying to themselves that as much as they possess the technical expertise for sugar, they did not have the financial resources. That is how the Ministry of Finance then developed a relationship with the Agricultural Credit Trust and the Barbados Agricultural Management Company (BAMC).

Mr. Speaker, the Barbados Agricultural Management Company (BAMC) can, in reassessing its role, in taking an inventory, look at a number of variables. The Honourable Prime Minister, earlier in his contribution, mentioned the off-season of sugar. We have had Honourable Members here say that in years when sugar did very well, non-sugar

did very well too. We now have statistical proof that non-sugar agriculture is contributing more to the Gross Domestic Product than sugar and that sugar itself, in terms of the volume of production, has so gone down so markedly that non-sugar is featured.

Mr. Speaker, in a situation where the Agricultural Management Company (BAMC) has a mandate to subscribe to and promote agriculture, it does not prevent them from taking part in non-sugar agriculture. I believe that at Edgcombe, St. Philip, there is something of a herd of sheep or animal livestock-rearing...

Asides.

Mr. R. C. EASTMOND: Mr. Speaker, without, in anyway, widening the debate, the Agricultural Management Company (BAMC) has to bear in mind that it is asking Government to guarantee. In a situation where it is asking Government to guarantee, it should try its utmost to be as prudent as possible in spending money, both on sugar and on non-sugar. As I said, it should pay some attention to research and development, with the view towards making more products out of what has been described as one of the most wonderful plants ever to come. Mr. Speaker, environmentally, to stop sugar production - and I am going to use the example of Antigua - is to bring disaster. If you go through Antigua, there is no real husbandry of anything beyond a number of buildings. We have to have proper animal husbandry. We have to have mixed farming. We have to make sure that our varieties of sugar can bring optimum benefit to Barbados.

Mr. Speaker, there is a type of ambiguity over something which I will raise. There is a species of cane called fuel cane, which is good for the generation of energy but very poor in terms of the yield of sucrose. We have to check to see the alternates or the opportunities, strengths and weaknesses. We have to check to see whether it is viable to introduce fuel cane at this stage and what contribution it can make to energy. We have to check to see whether in introducing it we do not compromise the industry itself by bringing down ordinary sugar production. We also have to consider our branding and labeling. I am aware of the fact that a number of counties in this world have done their own thing, have produced their own sugar and pawned them "made in Barbados," because of the Barbadian name. There are those who feel that have in excess of 350 years' experience in sugar and that we should bring that experience to bear in the mightiest of ways possible. Ultimately, Sir, each Barbadian has made a contribution to providing Government with revenue to keep our sugar industry alive, I think that the Barbados Agricultural Managing Company (BAMC) should so some stocktaking, it should look to see where its strengths are, it should check the entire gamut of sugar production worldwide.

Mr. Speaker, there was a time, a few years ago, when there were shortages of sugar and countries such as India and China, having heard that Barbados was a major sugar producing country years ago, had been willing to purchase our sugar but we did not have enough. We have had a situation where some years we have not been able to meet our quota, as far as sugar sales to Europe is concerned. We had a US quota, which we lost because we had to give to other Caribbean countries. Sir, all of these things have happened. We have had a situation where our molasses industry has more or less vanished and we were a net importer of molasses, even though to our credit we have not parted company nor divorced ourselves from the production of the finest rum possibly known to the world. Sir, even there, with rum being a by-product, we should do our best to optimise good returns.

I trust that the Barbados Agricultural Management Company (BAMC) gets going. I trust that the industry's future would never be in doubt. I hope that the millions of dollars that had been invested in sugar have not gone to waste. I trust that at the level of international that throughout negotiations with Europe in particular, that we would be able to persuade them not to be as drastic as they intend to be, in relation to not providing the price that we would want for sugar.

9.10 p.m.

Tuesday, February 1, 2011

Mr. R.C. EASTMOND: Sir, in the meantime, we should intensify our efforts at our branded sugars. We have Bajan Muscovada and such like and we should intensify our efforts to see if we can make medicines and other chemicals out of locally grown sugar.

Mr. Speaker, thank you very much.

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

Hon. D. St.E. KELLMAN: Mr. Speaker, I rise to support this Guarantee. I want to say from the outset that there is no doubt that the brand name sugar that we have, the Barbados sugar, has always had a good name and there is no doubt that we have made some mistakes over the years. I remember well when we had bulk sugar, we had the special sugars that were exported to the United States of America and we had the fancy molasses that were exported to Canada but traditionally, we made an error that we held on the bulk sugar and we gave up the special sugars that were exported to the United States of America and the fancy molasses even though we were getting a premium price for those exports, we tended to side with the bulk sugar because we felt that we had to maintain our quotas.

Mr. Speaker, it is no doubt also that we also made some errors when we sought to mechanise the industry without realising that there was nothing wrong in mechanising the factory aspect of it because we have saved a lot of money by mechanising the factory aspect of it but where we have failed is that we got involved in a lot of expensive machinery without looking at the cost and the damage that occurred to the fields in introducing that machinery.

Mr. Speaker, one of the most important things in the sugar industry as it relates to the field is ratooning. If one looks back at the history of ratooning when we were cutting canes by hands, it is clear that we operating more efficiently when we were cutting canes by hand than when we moved to the machinery. If we are to seriously tackle the problem as it relates to the field, we are going to have to go back like what we are now doing with energy. We will have to go back to renewable cutting of canes for this simple reason. Sir, when we were cutting canes, we had a longer crop but every time the canes are cut by the machines, the most you can get is probably three years, four years, and sometimes if you get three years or four years, you get a lot. Sir, anybody knows that is more expensive to keep replanting than to pay a premium price to cut the cane. One of the things that I would like to suggest, I have been suggesting it and I will continue to suggest it is the price of local sugars. We have been only getting \$0.69 since 1981 and I believe that the time is ripe that we, as Barbadians, if we appreciate what we have that we pay a higher price for the price of sugar on the local market and that the additional money goes into a fund to pay a premium price to cut cane. Sir, that is, it will be no additional cost to the farmers but the consumers should be prepared to pay that price so that people who cut canes will get a premium and cane cutting will once again become a profession and something that somebody would want to do. When this happens, you will see higher yields and, Sir, that is very important. Sir, mechanise the sugar factor, mechanise the other things outside of cutting cane but make sure that you make the price attractive for people to cut the canes.

Mr. Speaker, if we are going to be competitive in this world within the sugar industry, we must get back and insure that the ratooning aspect of it is the most important aspect again. Sir, as long as we use those machines on our fields we are not going to get the ratooning that we want. The only way the sugar industry is going to be viable is if we can attract people to cut canes again.

Mr. Speaker, a lot of people say it cannot happen but, Sir, I disagree because once the price is right, and once people appreciate what you have, what you want, and you pay what you want for it, people will be attracted to it.

Mr. Speaker, we have to be very clear on this and we have to recognise that we have something that is very important. Sir, there is a very famous man in Barbados who have said to me lately that all he needs is one ton of canes, a pretty girl and a right location at the airport. Sir, I have said it repeatedly, and I will continue to repeat this. We have a way of undervaluing what we produce in this country. If we continue to deal with sugar the way we deal with it, we are only going to devalue the product. We cannot continue to treat sugar the way we continue to treat it. We load it, carry down to the harbour and do whatever you like, which I cannot describe because I have no intention of devaluing it any more but we have to understand that we have to change the style. Sir, even if it means that we have to stop dealing with bulk sugar and bag all sugar and export it, because we have to find an attractive way to deal with something that is so precious.

Mr. Speaker, when we have gold, we appreciate gold and we treat it the way it should be treated. I am saying that we have to treat sugar the way it must be treat and that, right now, the way we treat it is not the best way. We are not encouraging people to be appreciative of it. We have to understand that we have a history to sugar.

Mr. Speaker, it is rather interesting. When sugar propping up England it was important and we have allowed the people who we have built up to give the impression that they can now come and treat us as they like. Sir, I am saying that even how we negotiated with the European market is wrong. We were not selling them just ordinary sugar, we were selling them a special sugar and we allowed them to believe that the same sugar that we have is the same thing as beet sugar and all other types of sugar when we had a history to our sugar and it is now competing with sugar that even has a bad name. Sir, the same thing with our bananas. We allowed mass producers to come and behave as if the bananas that were produce that all types of chemicals and all types of stupidity were the same thing as our local bananas but no, Sir, they are two different types.

Mr. Speaker, last but not least, we built those countries, we give them something but then we allow them to treat us as if were begging them for something. When we would have created goodwill, and we behaved as if goodwill was nothing. Sir, I am saying no, we did something that was right and if they wanted to get rid of us, they should have had to pay us what they took from us but we behave as if we were begging favours. Sir, too often, even though we had done what is good, we allowed people to treat us like beggars and we do not behave as if we have contributed anything to the industry. Sir, I am saying that we were wrong because for over 300 years, we would have contributed and we had a right to demand from them what we gave them for 300 years but, Sir, we allowed people who came two years after the decision to make the switch

and behave as if 200 years can match 300 years, and we accepted the same thing from them. Sir, I am saying no, we have to understand that we were equal partners and that we were not beggars. We allow all sorts of international organisations to pass all sorts of rules and regulations and we lie as if we are dead people and accept everything.

Mr. Speaker, I am saying that is wrong, that we have understand that we had 300 years and more of producing sugar..

9.20 p.m.

Sequence 54

Sequence 54

Tuesday, February 01, 2011

House A82, Sequence 56, 9.29 p.m.

Mr. J.D. PAUL: Sir, I want to compliment the Honourable Member for St. Lucy for his foresight in recognising that we cannot just look at the raw sugar as the product because what we have failed historically in Barbados to do, is to look to see what are the downstream activities that we could be employing in order, Sir, to create greater value added out of the product that we are producing.

Sir, if you talk to a lot of our condiment producers in Barbados, they will tell you that they have a problem in securing sugar of the appropriate quality to make the products that they are producing because a lot of the sugars that we are bringing into this country are of low quality. For instance, Sir, many of the condiment producers say that they used to make something called, black-bitch before - but even the normal sweetsies - and in some instances those persons who make juices will tell you that many times the amount of sugar, say from Guyana or wherever that you have to put in them to give the product the kind of taste that you need to get, Sir, is much more.

Here it is, Sir, that before we were producing a commodity that was really second to none, and we have allowed production of that commodity to decline to the point where even our need for that particular product locally cannot be satisfied. I think, Sir, that we need to address that as an issue in a very urgent way.

Sir, I also want to look at the issue of the whole point of the load shedding. I think that the Barbados Agricultural Management Company (BAMC) has a very significant role to play. One of the points too that we need to recognise is that in order to play that role, I think that the players in the industry need to look at themselves. We need to examine seriously the roles that we are playing within

the industry, in terms of the development of sugar and the significance that it has for agriculture.

Sir, I will continue to say that unless sugar continues, we will have a situation where agriculture will decline in general because we have failed again to look at the byproducts of sugar to see how it could also be employed with other agriculture activities.

Sir, facing us right now on the world market, we have a situation where we are seeing now, because of the fact that in some countries around the world, for instance, in Australia we have had floods, in Argentina we have had hard climatic conditions, which would have had a negative impact on the productivity of crops where you had as a result of that, low yields in terms of agriculture production. What we are seeing now generally, Sir, is a rise in the price of staples such as wheat. The price of wheat is going up around the world. We have a situation where the price of soya beans is going to nearly \$400 a tonne. You have corn moving from a price when it was around \$5 and \$3.50 a bushel, now going up to nearly \$7 a bushel and we are not sure where it is going to end up.

Sir, here it is, Sir, that we had a product, an industry that in some cases would have provided us with a field input that could actually be utilised by livestock animals. Sir, we need to look seriously at the extent to how sugar can provide the additional feed inputs that we require in order to feed livestock. Sir, these are the kinds of things that we know. Research has been done. The papers have been prepared but unfortunately, Sir, they are gathering dust on somebody's shelves. I want to say this too because the amount of money that we are looking to obtain is \$161 million.

I know, Sir, that some might ask why are we borrowing this money. One of the things we need to recognise is that if we were to adopt sound development strategies for the sugar industry and, by extension, the agriculture sector, Sir, that money will be well spent. Sir, what we have the opportunity to do, is to look and see what strategies we could adopt to, at least, lead to certain clear benefits, in terms of enhancing food production within this country, not only in terms of vegetables but also in terms of livestock to, at least, create alternatives for ourselves.

One of the points I think we need to recognise is that because of the trend of food prices around the world, it is very clear that the whole world will be challenged as a result of increasing food prices. Again, I think that the mandate that was given to us by the Barbados Agricultural Management Company, in terms of the whole question of increasing the supply of food in Barbados that we need to grow more staples.

We need to at least start to look at varieties that are more suitable to our soil here in Barbados because some plantation owners will tell you that they can produce the amount of food that is required to feed Barbadians. Sir, they can and I am saying that the coffers that are earned as a result of that food production can be used in the area of research technology to improve on varieties. Clearly, when you look at the work of the West Indies Cane Breeding Station here over the years, and the fact that even as far afield as Australia that we are admired for the work that we have been doing over the years, it says to us that we can be better than we think we are.

Sir, in conclusion, I really want to encourage the Government to proceed in terms of agriculture development. I think that the Barbados Agriculture Management Company has a strategic role to play, in terms of facilitating that development.

With that, Sir, I want to indicate that I will give my support to the Resolution.

Thank you very much, Sir.

Mr. SPEAKER: The Honourable Member for St. Michael South, the Prime Minister.

Hon. F.J. STUART: Mr. Speaker, I am indebted to all of those Honourable Members who contributed to the debate on this Resolution. It ranged much wider than my introduction signalled as we discussed the sugar industry. I do not want to get into the sugar industry tonight, I deliberately did not because I expect that in the foreseeable future, we are going to have a full-scale debate in this Chamber on agriculture and that will include the sugar industry. Since the issue has been raised, I just want to say this.

I know there is a lot of understandable sentimental attachment to the sugar industry. After all, it has made a massive contribution to the economy of Barbados and, of course, a great contribution to the development of the British West Indies. Sir, let us be very frank. The golden age of the West Indian Sugar Industry was that period during which there were no problems with labour, which was during the days of slavery. Let us start there.

When Barbados was described as the brightest jewel in the British crown, it was at the height of the slave period, when the West Indian sugar industry in general and the Barbadian one in particular, did not have any problems with labour. By the time the slave trade was ended around 1807, and by the time slavery was abolished in the 1830s, books began to be written. I remember one by a man called, W.G. Seawell entitled, "The Ordeal of Free Labour in the West Indies" because once you could not get slave labour anymore, the West Indian Sugar Industry in general,

the Barbadian one, in particular, began to experience what the author called, an ordeal.

House A82, Sequence 56, 9.40 p.m.

Tuesday, February 01, 2011

Hon. F. J. STUART: Mr. Speaker, the sugar industry has been in decline from then until now. It has always faced challenges, particularly in the 19th Century, but from the 19th Century on, from beet sugar in Europe and from the Cuban sugar industry here in the West Indies because of the fact that production cost in the British West Indies could not cope with cheaper production cost from beet sugar in Europe and of course the much more expansive and much more sophisticated Cuban sugar industry, so that by the time we got into the 20th Century, the sugar industry in Barbados was in systematic decline.

Mr. Speaker, I remember during my teenage days, and the Honourable Member for St. James North is quite correct, when we used to produce 260 000 tonnes of sugar here in Barbados. I also remember that during that period, we were importing labour from other parts of the Caribbean. In those days, certainly in the parish of St. Philip where I live, there were five active sugar factories when I was a teenager, but in the whole of Barbados today there are two. There was Harrods, there was Foursquare, there was Three Houses, where my father worked and where he lost his life, there was Oldbury and there was Carrington's. In the whole of Barbados today, there are two sugar factories and in some cases one of them is underutilised, that is where we are.

Mr. Speaker, sugar lions have to compete with the demand for housing across the country. When I was growing up in St. Philip, I said this to this House already, Union Plantation and Ruby Plantation were very much sugar lands. That is where Ruby Park is now and where Union Development is now. I have always asked myself the question, if those lands were still in sugar, where would those people be living now. It is really a titillating question.

Mr. Speaker, the sugar industry in Barbados has been in continuous decline since the 19th Century, let us be very clear on that. We are down to a shadow of what we used to be as recently as in the 1960s. That is why some time in the 1960s, I know he has been excoriated for it, the late Errol Barrow, as he then was, stood up in King George V Park on a May Day and said that he could foresee the day when he would be able to stand up in King George V Park and look down to St. Lucy and his vision would not be obstructed by a cane blade because it was his view that the death of the sugar industry was inevitable. I was present when he made the statement. He could not say when it would happen but it was bound to happen, the sugar industry that is, as we know it at that time.

Sir, I understand all of the sentimentality that attaches to it. I really believe, as do many other people, that it has made a mighty contribution to the Barbados economy. I accept and understand that there are a few things we need to do differently with what sugar lands we have and how we handle our bulk sugar, the special sugars and all of that kind of thing, but let us not fool ourselves, the competition for land for housing and the fact that we in Barbados do not grow sugar competitively anymore and have not been doing so for a long time will continue to put pressure on the industry as we have known it. It is a fact we are going to have to confront and of course respond in a creative way to that new challenge.

Mr. Speaker, I deeply appreciate the interventions that were made. I think that since we still have the industry or some facets of it that we have to manage it efficiently and try to make the most of it but we have to face the reality that the industry has been in seemingly unstoppable decline from the 19th Century. Its golden age was the age during which there were no labour problems in the industry because it had at its disposal slave labour. Mr. Speaker, against that background and in spite of the fact of course that there are these interventions in the sugar industry, what has united the House in this debate on this issue is that all Honourable Members who have spoken support the Resolution, and therefore against that background, I beg to move that the Resolution do now pass.

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

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

ADJOURNMENT

Hon. J. D. E. BOYCE: Mr. Speaker, we have come to the end of Government Business for today and I beg to move that this House do now adjourn until Tuesday, February 08, 2011 at 10.00 a.m.

Hon. F. J. STUART: I beg to second that, Sir.

The question that the House do now adjourn until Tuesday, February 08, 2011 at 10.00 a.m. was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.

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CLARKE, Mr. G. A. (St. George North)

EASTMOND, Mr. R. C. (St. James North)

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**KELLMAN, HIS EXCELLENCY Hon. D. St. E. (St.
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EDITORIAL NOTES — NOT PART OF THE REPORT

Prepared with the transcript; for checking against the recording and the Minutes.

EDITORIAL QUERIES

Points noted while preparing this report from the edited transcript. The text has not been altered except where stated.

Q1. Masthead. The session is not stated in the source, so no session line is printed.

Q2. Order No. 7, about 2.54-3.05 p.m.. The source carries two reporters' versions of the end of Hon. D. O'N. Inniss's speech and the whole of Mr. G. A. Clarke's speech (take-slips House A82, Sequence 21 and Sequence 22). The first, more complete version, which includes the Speaker's call to the Member for St. George North, is printed here and the second version (about 1,040 words) has been left out. Please confirm.

Q3. Order No. 7, after Mr. G. A. Clarke. The speech beginning 'Sir, I am just warning this House' is labelled 'HIS EXCELLENCY Hon. D. St. E. KELLMAN', but no call from the Chair precedes it and it follows straight on from Mr. Clarke's speech. Please confirm the speaker.

Q4. Suspension, about 1.00 p.m.. Between the take-slips for Sequences 14 and 16 the source carries the typist's note 'VELDA TYPED THIS PERIOD ONTO HERS.' as a heading; it prints as in the source.

Q5. Order No. 13, Mason Hall Street Resolution. After the Speaker's call 'The Honourable Member for Christ Church South. (4:50)', the following speech of about 790 words is labelled 'Mr. SPEAKER'; its later continuation is labelled Hon. J.D.E. BOYCE. Printed as in the source.

Q6. Order No. 7. The Money Laundering and Financing of Terrorism (Prevention and Control) Bill, 2010 was not passed at this Sitting; on the motion of Mr. J.D.E. Boyce its further consideration was postponed. The procedural line carries the time '(7:43)', which does not fit the take-slips (about 3.20 p.m.). Printed as in the source.

Q7. Order No. 13. Hon. P. M. T. Todd gives the area of the parcel first as 'some 2 461.3' with no unit, and then as '2 461.3 square metres'. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met on Tuesday, 1st February, 2011 at 10.18 a.m., with Mr. Speaker in the Chair; prayers were led by Canon Father Ivan Harewood.

The Minutes of 25th January were confirmed. Hon. E. G. Hutson, Member for St. James Central, laid the Annual Report of the Grantley Adams International Airport Inc. for 2008-2009. On the motion of Hon. J. D. E. Boyce, three months' leave of absence was granted to Dr. Denis Lowe, Member for Christ Church East, who had been unwell, and Standing Orders were suspended for the rest of the day.

The Attorney-General, Hon. A. D. Brathwaite, moved the second reading of Order No. 7, the Money Laundering and Financing of Terrorism (Prevention and Control) Bill, 2010, which reflects the 40 recommendations and nine special recommendations of the Financial Action Task Force; he undertook to bring forward the International Corporate and Trust Service Providers Bill and other measures arising from the 2008 Caribbean Financial Action Task Force evaluation. Mr. D. D. Marshall, Member for St. Joseph, said the Opposition supported the Bill but asked whether the Financial Intelligence Unit, whose staff had not grown, could administer it. Mr. Hutson, Hon. S. A. Lashley, His Honour K. St.C. Best, Mr. R. C. Eastmond, Hon. D. O'N. Inniss, who said international business generated almost two-thirds of Corporation Tax, Mr. G. A. Clarke, Hon. D. St.E. Kellman, who warned that competitors could use the Bill against Barbados, and Mr. J. D. Paul all spoke in support. Consideration of the Bill was then postponed.

The Attorney-General next moved Order No. 9, the Transnational Organised Crime Prevention and Control Bill, 2010, giving effect to the Convention against Transnational Organised Crime of 15th November, 2000 and its protocols on trafficking in persons and the smuggling of migrants. Mr. Marshall's remarks on police equipment under the Barbados Labour Party drew points of order from the Attorney-General and Mr. Best. Mr. S. A. Lashley spoke on human trafficking and the Sexual Offences Act; Dr. the Hon. E. R. Byer-Suckoo supported the Bill for the Ministry of Labour; Hon. P. M. T. Todd argued against legalising prostitution, drawing a point of order from Mr. Clarke; and Hon. M. A. Lashley welcomed the victim compensation provisions. After a suspension, the Bill passed through Committee, with Mr. J. D. Paul in the Chair and clause 1 amended to read 2011, and was passed as the Transnational Organized Crime (Prevention and Control) Act, 2011.

In Committee of Supply a Resolution for \$34 221 985 under Supplementary Estimates No. 8, 2010-2011 was agreed, Heads 19, 38, 62 and 66 standing part without debate. Mr. Todd, Member for the City of Bridgetown, then moved Order No. 13, the Resolution for the compulsory acquisition of 2 461.3 square metres at Mason Hall Street, St. Michael, owned by Mr. Hallam Payne, for

housing. Mr. Clarke supported it but recalled the earlier relocation of residents of Church Village, which led to points of order from Mr. Todd and Mr. Kellman; certain of Mr. Clarke's remarks were ordered expunged. Mr. Eastmond, Hon. R. D. Jones, Mr. H. F. Lashley, Mr. Boyce, the Minister of Housing and Lands, Hon. M. A. Lashley, who named Valerie, Exmouth Gardens and Grotto as sites for urban high-rise housing, Hon. R. L. Sealy, Mr. Best and Mr. Paul also spoke, and the Resolution was agreed to.

Finally the Prime Minister, Hon. F. J. Stuart, Member for St. Michael South, moved Order No. 12, the

Resolution guaranteeing a \$161 million bond issue by the Barbados Agriculture Management Company Limited by way of a loan from the Barbados National Bank to finance the out-of-crop operations of 2008 to 2011. Mr. Eastmond recalled production of 260 000 tonnes of sugar up to about 1960 and urged branded sugars and by-products as Cuba had developed; Mr. Kellman and Mr. Paul spoke on special sugars and value added. The Prime Minister replied that the industry had been in decline since the 19th century and competed with housing for land, and the Resolution was agreed to. The House was adjourned until Tuesday, 8th February, 2011 at 10.00 a.m.