

THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1981 – 86

THE SENATE

Wednesday, 30th June, 1982.

The Senate met in the Senate Chamber, Public Buildings on Wednesday, June 30, 1982, at 11.20 a.m., today.

PRESENT

His Honour Senator J. C. W. WICKHAM, M.B.E., (Deputy President); Senator the Hon. N. A. BARROW, (Minister of Information and Culture) (Leader of the Senate); Senator the Hon. O'BRIEN TROTMAN, (Minister of State in the Prime Minister's Office); Senator H. R. LINTON; Senator C. I. E. DEANE; Senator Mrs. E. M. LYNCH, G.C.M.; Senator D. A. C. SIMMONS; Senator Miss J. CLARKE; Senator A. P. L. REECE; Senator Mrs. M. O. REECE; Senator E. E. GREAVES; Senator W. W. HALL; Senator A. W. A. McCLEAN; Senator Mrs. G. G. READER, M.B.E.; Senator C. D. SEALE; Senator the Rev. Can. I. McK. JONES and Senator K. A. ROÛSE.

Prayers were read by Dr. the Rev. Lionel Crawford.

ABSENT

His Honour Senator the Hon. Sir ARNOTT CATO and Senators C. A. GRIFFITH, J. E. D. WILLIAMS and StC. E. HOWELL.

OBITUARY SPEECHES

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, I rise at this stage, Sir, because yesterday afternoon Mrs. Carlotta Griffith, who is the mother of Senator Clyde Griffith, was laid to rest. Mrs. Griffith, who was almost 75 when she died, was someone whom I have known for a number of years – and therefore someone of whose outstanding qualities it is easy to speak.

Mrs. Griffith, in addition to Senator Griffith, Sir, had three other sons and she almost had two daughters. Working in very humble circumstances, she was able to bring up that size family and to do a remarkable job of it – even though she did not have the assistance of her husband who pre-deceased her by many years.

I believe, Sir, that we in this Chamber would wish to extend our sympathy to Senator Griffith and other members of the family in their hour of bereavement.

SENATOR E. E. GREAVES: Mr. Deputy President, it is occasions such as these that the Opposition join with the Government in expressing our sympathy to the family of a departed one. On this occasion, we are doing so in respect of the mother of Senator Griffith.

Senator Barrow did not refer to the fact that Mrs. Griffith was born in St. Lucy. (I think she was born in Crab Hill). I knew the family fairly well and I would say that she has come from a good St. Lucy stock.

I think that what Senator Barrow has indicated is really the struggle of a typical Barbadian mother who, very often, is called upon to bring up children without the assistance of a father because of one circumstance or another. In this particular instance it was because of the fact that her husband pre-deceased her.

I, myself, would like, on behalf of the Opposition, to extend our very deepest sympathy to Senator Griffith and the other members of his family.

SENATOR C. I. E. DEANE: Mr. Deputy President, it is on occasions like this that I find this side of the Table, the independent side of the Senate, agreeing with the Government and Opposition. So, on behalf of the independent Senators, I extend our deepest sympathy to Senator Clyde Griffith. Thank you, Sir.

SENATOR K. A. ROUSE: Mr. Deputy President, when I attended the funeral service yesterday afternoon, I realised that Senator Griffith and I had something in common in that his mother had four kids. My mother had four boys.

The Reverend spoke highly of this lady and of her hard work and dedication in bringing up her children, which has proven to be something that can be admired. I was very impressed with the way the Reverend spoke of Mrs. Griffith yesterday. I did not know that that was the mother of Clyde Griffith until yesterday.

I associate myself with the words spoken by the Honourable Leader of the Senator, the Opposition and Senator Deane of the independent Senators. Thank you.

Mr. DEPUTY PRESIDENT: In associating myself with the expressions of tribute to Mrs. Griffith, I will ask the Clerk to ensure that these sympathies are conveyed to the family of the deceased; and I will also ask the Senate to stand for one minute as a tribute of respect to the memory of Mrs. Griffith.

The Senate stood for one minute silence.

PRESENTATION OF PAPERS

SENATOR THE HON. N. A. BARROW: Mr. President, I have the honour to lay the following:

The Customs Tariff (Amendment) Order, 1982.

Air Transport Agreement between the Government of Barbados and the Government of the United States of America.

Annual Report and Financial Investment Corporation.

I believe that is the Annual Report and Financial Statement of the Tourism Investment Corporation for the year 1981. The Clerk has the Papers, I wonder if he would look at them. What is typewritten before me is incorrect. So it is the Annual Report and Financial Statement of the Tourism Investment Corporation for the year 1981.

INTRODUCTION OF BILLS

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, on the Order Paper, adequate notice has been given of the first three items which, I may inform the Senate, are being managed by Senator Trotman.

Orders Nos. 4, 5, 6 and 7 are Bills which are for first reading today. Honourable Senators have been circulated with a view to establishing whether they have any

objection to their being dealt with in all their stages today.

We have had no response indicating any objection, Sir, and therefore at the appropriate time, after Order No. 3, I shall move the suspension of Standing Order No. 45(2) to enable that they be dealt with in all their stages. At this stage all that is necessary in respect of those items would be that the first reading be recorded.

Mr. DEPUTY PRESIDENT: Let it be noted that the Bills referred to in Orders Nos. 4, 5, 6 and 7 have been read a first time.

PUBLIC BUSINESS

THE BARBADOS WATER AUTHORITY (AMENDMENT) ACT, 1982

Order No. 1 was called — To move the Second Reading of a Bill to amend the Barbados Water Authority Act, 1980—42.

SENATOR D. A. C. SIMMONS: Mr. Deputy President, I just want to make a comment on the delivery of Papers for this meeting. Mine came on Monday afternoon. Not having received them on Friday — or Monday morning — I scheduled business for my Chambers today, which has had to be rearranged at the last minute.

On behalf of Senator Seale, I also want to say that as of yesterday afternoon at 4.30 his Papers had not been in his possession. He knew that there was a Senate Meeting today from the newspapers. And the newspapers are such a reliable guide that a few weeks ago they published a meeting of the Senate which was not even summoned for that day!

I hope that the Honourable Leader of the Senate will take steps to ensure that members have the papers in their hands — this is a perennial problem — certainly by the week-end. Even if they are delivered at our homes on Saturdays, I think that would still give quite enough time to re-schedule your business during the week. Obviously, if one assumes that there is not a meeting of the Senate on a Wednesday, whereas normally one might set aside that day if there is a meeting, then you have enough notice in which to rearrange your business.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, the efficiency of certain members of the staff of Parliament continues to embarrass me. Yesterday I got my Papers. It is only because I am Leader of the Senate and have something to do with setting the meeting time that I am in a better position than Senator Simmons.

The Deputy Clerk circulated a letter earlier in the week — which I am surprised that Senator Simmons did not get — and Senator Seale seems not to have received it — which did state that there was going to be a meeting. Members were asked if they would agree to our dealing with Orders Nos. 4 to 7 at this meeting. So, in a sense, the damage was not as bad this time; because there was that notice that went to members. But I have no doubt that there are other members around this Table who got their Order Papers between Monday and Tuesday.

When I did not get mine, I caused an enquiry to be made in the Printery. It has been established that the Deputy Clerk sent the papers to the Printery at about noon on Wednesday, June 23, which is a good time for the Printery to get them finished by some time Thursday afternoon, or at the least on Friday. So they were sent in good time.

The Printery did not push forward its work and treated them in the usual manner, which requires that they be finished by Friday afternoon. They were printed on schedule and they were ready for delivery at 3 o'clock on Friday afternoon.

Three telephone calls were made by the Assistant Government Printer, Mr. King, to Mr. Best at Parliament; to inform him that the papers were ready and could be collected. But on no occasion did Mr. Best return any of the calls made by Mr. King, although on each occasion it was to do with a message asking him to collect the papers.

At 4 o'clock — since Mr. Best did not go for the papers — the Printer instructed Mr. King to take the papers to Parliament and deliver them to Parliament and told him the person whom he could contact at that point was Mr. Holder, the Hansard Editor, who agreed to stay behind and receive the papers at 4.15 p.m. Mr. King delivered them down here at 4.15 p.m. on Friday afternoon. They had been ready for some time before, and were not collected.

We continue, Sir, to have problems with the administration of Parliament. It is the duty of the Clerk, as the Chief Executive of Parliament, to supervise the work of the other officers of Parliament; to ensure that Parliament is properly served by its staff.

We are getting a lot of co-operation from the Reporters who report these Debates and the typists who type them up. But they are co-operating by dealing directly with the Hansard Editor. That is how we are getting Debates out early.

The Deputy Clerks are part-time. There is a full-time Clerk who is supposed to run the administration of

this place. And any time, Sir, that things fall to be done by the Clerk, and sometimes when they fall to be done by the Deputy Marshall, there is trouble. I cannot understand why it is that Mr. Best cannot treat the business of getting Papers and delivering them to members on time as serious. I cannot understand it.

It is my view that if we were properly supervised, we would not have that problem. But we are having a chaotic situation in terms of Parliamentary administration. This is by far..... This is minor compared with some of the other things we have to put up with.

I am speaking very specifically, Sir, because the last time I made a comment in here about the competence of certain members of the staff of Parliament, the Press went and published that I criticised the staff of Parliament and that the next week Minister Craig was praising them for getting out the Debates on time.

I was not talking about them at all, because I had to deal with them. I was the person who put the package together to get the Debates out on time. So, I would know what kind of co-operation I was getting in that area.

I am afraid, Sir, we are in a situation where Parliament may soon have to be faced with taking decisions for the improvement of the administration of Parliament. I am sorry, Sir, but we are coming very fast to that. It is chaotic.

I understand, Sir, that Friday afternoon Mr. Best was talking some nonsense about not having a car. The whole setting of the emoluments and I believe some kind of travelling allowance relates to the fact that part of his duties involves the delivery of Papers.

So you do not make provision to get the Papers out if you have a transportation problem? You just forget about it. You do not even go and collect them? Just sit down and say you do not have a car today, or some such foolishness. And then members, who have been asked if they would be good enough to consider doing the business of the Senate in one bite today, are to be inconvenienced. I mean, Sir, if we did not have goodwill in this Honourable Senate, I wonder in fact what would happen.

Mr. DEPUTY PRESIDENT: Senator Trotman.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, Sir, the Barbados Water Authority Act was passed in 1980 to establish an independent corporation called the Water Authority. Among the duties assigned to that Authority is designing, constructing, operation and maintenance of sewerage works in Barbados.

As you and other members would have known by now, Sir, the Sewerage Scheme has made good progress. What is mainly left to be done is the installations, the connections between households and the Sewerage System itself.

The contract between the Barbados Government and the IDB provided BDS\$600 000 to assist low income families in financing the installations and in-house plumbing which would be necessary if they were to benefit from the Sewerage Project. It is estimated, Sir, that there are 322 houses in the area which will need facilities and some assistance.

But before this could be done, Sir, it has been realised that it is necessary to provide for the proper funding of the money provided from the IDB. Section 28 of the Water Authority Act, which gives the Board power to make various regulations — some regulations with the approval of the Minister and other regulations with the approval of Cabinet — has therefore got to be amended. This is considered necessary to give the Board the additional power to make regulations to accommodate the in-house installations and the disbursement of the money which is to be used from the Inter-American Development Bank. It is for that purpose, Sir, that the amendment is before us.

There is, however, Sir, another amendment, which should have been circulated from the Other Place. When the Act was passed, Sir, it was provided that certain concessions would be made in terms of taxes to the Water Authority.

It is now proposed to remove the tax concessions from the Authority, in an effort to make sure that it operates efficiently as a commercial concern without any hidden concessions, in terms of taxation or duty concessions.

To that extent, Sir, it is proposed to amend Section 31 of the Act, to ensure that, henceforth, the Corporation pays its full duties and taxes to the Government.

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

Mr. DEPUTY PRESIDENT: It is proposed that the Bill be read a second time.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, Sir, before I sit, it will be necessary to have a Chairman of Committees for today's proceedings since the President is absent and the Chairman of Committees is in the Chair. I move, Sir, that Senator Linton be appointed Chairman for today.

Mr. DEPUTY PRESIDENT: If there is no objection, Senator Linton will carry out the duties of Chairman of Committees for today's sitting. Senator McClean.

SENATOR A. W. A. McCLEAN: Thank you, Mr. President. I note that the Bill makes reference to loans and grants which may be made to certain classes of persons. I presume that the qualification here would be in terms of income rather than anything else — those who might have levels of income which might disqualify them from this particular provision; who might find it a bit difficult to finance what is required to link them with the sewer system out of their existing savings.

I have heard of one or two instances in places like Baxters Road and so on, where the people believe that it would involve them in completely re-plumbing their homes because of the difficulties in marrying the existing plumbing with what is required for linking them to the sewer system.

These people may not be in the income bracket to qualify for this kind of loan, but yet they might need, not a grant but some source of finance, so that they can immediately carry out what is required. If the conditions of this particular grant prevents one from extending it to include such people, one would presume that credit from such institutions as commercial banks should be made available to these people.

We know that at the moment there is severe restrictions in terms of credit available to individuals. It is just possible by virtue of this, that people may find it impossible in the normal course of things, to obtain funds from commercial banks unless specific provision is made for that.

Maybe Government should look into this matter and try to identify how many people fall into the category to which I am referring, and try to develop some mechanism which will enable them to obtain credit from commercial banks, inspite of any restrictions that the Central Bank may have. In other words, they can have a type of exemption, specifically in relation to this activity, for these people.

I thank you, Mr. Deputy President.

The question that the Bill be read a second time was put to the Senate and agreed to.

On the motion of Senator the Hon. O'B. TROTMAN, the Senate resolved itself into Committee on the Bill, Mr. DEPUTY PRESIDENT, left the Chair and Senator H. R. LINTON took the Chair.

Clauses 1, 2 and 3 were called and passed.

The question that the Senate be resumed and the Bill be reported as having been passed without amendment, was put to the Senate and agreed to, and Mr. DEPUTY PRESIDENT resumed the Chair and reported accordingly.

On separate motions of SENATOR the Hon. O'B. TROTMAN, the Bill was read a third time and passed.

RESOLUTION TO APPROVE THE VESTING IN ARAWAK CEMENT COMPANY LIMITED

Order No. 2 was called — To move the passing of the Resolution to approve the vesting in Arawak Cement Company Limited of land at Checker Hall St. Lucy.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, some time last year when we came to Parliament we acquired certain portions of land for the purpose of starting the Cement Factory in St. Lucy. The Resolution before us seeks to vest that land which was earlier acquired — and that is why I did not seek to circulate the maps, Sir. The land then acquired, and now owned by the Government, is to be vested in the Arawak Cement Company, in order to facilitate the proper operations of that company.

The land is described in the Schedule and I think there is no real need for the map, since the description is proper and fairly adequate, Sir.

I beg to move that the Resolution do now pass.

Mr. DEPUTY PRESIDENT: It is proposed that the Resolution do now pass.....Senator McClean.

SENATOR A. W. A. McCLEAN: Mr. Deputy President, I do believe that Arawak Cement Company is a company jointly owned by the Barbados Government and the Trinidadian Government and as such, therefore, the question of the consideration attached to the vesting of this land in Arawak Company becomes one of interest.

We want to know what this is going to mean in terms of cost to the company. In other words, what level of equity, what level of payment, or whatever, Arawak Cement Company would be making in return for this particular arrangement. This is important. If it was a fully owned Government company, it would be of secondary importance; but since it is not a fully-owned Barbados Government operation, one wonders whether the other shareholder might be getting some benefits

that should rightly accrue to the Barbados community, so to speak.

Another matter to which I would like to direct attention is that the cement company was established to facilitate construction in Barbados, both in the business sector and the household sector, and it will be coming on stream at a time when I believe Government construction is going to have to ease down a bit. (The Post Office and the major Government projects will be fairly well out on the way, and I do not think Government can maintain the same rate of public investment programme over the next three or four years, as they have within the last two or three years.) It would mean, therefore, that if the output of the cement company is going to depend very much on substantial sales in Barbados, that the private sector, the housing sector, so to speak, is the one which will have to become more buoyant. If this does not happen, you may have a situation where the cement company might start off operating at a loss. And if you enter into that situation in a pronounced way it might pose further problems up the line.

When we consider this, we know that in Barbados we have major problems at the moment facing would-be house owners who want to be involved in the construction of their own home.

The single most important problem here is the problem of bridging finance, the wider problem of mortgage finance. At the moment the problem of obtaining mortgage finance is not the constraint, because there are people who can get mortgage finance, but they cannot get a bridging loan during the construction period to avail themselves of the mortgage finance. There are lots of people around Barbados who have been told that if they can get a house completed they would get a mortgage, but they cannot get money to get ahead with the work.

I think this is a problem which Government will have to address its mind to, and I would think that any reasonable solution to this problem would have to involve commercial banks, because commercial banks collect, by far, most of the loanable funds in Barbados. Commercial banks are the single most important financial intermediaries in the country, and will remain so for all time. Therefore, any solution to any major problem of financing which we have, if it is to be a reasonable solution, must involve the commercial banks.

At the moment we know that commercial banks do not engage substantially, in relation to the overall side of their portfolio, in mortgage lending. In addition to this, we know that as far as bridging finance is concerned, that is classified as a personal loan, and personal loans are subject to restrictions imposed by the Central Bank,

where the level of lending is not supposed to increase what it was about a year and a half or two years ago.

In these circumstances you find that it is virtually impossible for anybody to get bridging loans from commercial banks. Basically, I believe that this should not be the case, because the business of housing is, in my view, a matter of extreme importance and urgency in the context of Barbados, and the priority which places like the World Bank and so on attach to housing must be entirely different from the priority which we must attach to it.

I think that housing is a problem which we have to confront, and, as such, I would think that the mechanism must be found to ensure that commercial banks provide an adequate amount of "housing finance". I use the term "housing finance" as distinct from mortgage finance, housing embracing both mortgage finance, when you execute the particular type of loan instrument called a mortgage, and bridging finance.

I would think it would be necessary for the Central Bank to separate out "housing finance", and, in particular, bridging finance, from personal loans and place it in a separate category so that the restrictions on personal loans would not apply to housing finance and bridging finance. That is the first step.

The second step would involve the introduction of some type of mechanism which would make commercial banks interested, from a self-serving point of view, in making such loans. The only way this can really be achieved, in my view, is if the Central Bank should impose a portfolio requirement on the commercial banks that they make loans of some given percentage of the deposits, let us say, or their loans and advances, whatever they want to tie it to, in the area of housing finance. If they fall short of that level of lending they should have to place a special deposit with the Central Bank which will not earn any interest. That is the only way you can basically get commercial banks, given their present outlook, to actively seek to make loans for housing. They do it sometimes now, but it is something they would really rather not do.

The Central Bank, up to now, has been imposing different types of restraints. They have been imposing restraints as to maximum amounts they should lend in undesirable areas, but never about minimum amounts in desirable areas; and basically our interest is in getting loans into desirable areas. That is a rather more important consideration and it would be better if the restrictions imposed by the commercial banks were so formulated as to ensure that minimal amounts went into these critical areas.

Mr. Deputy President, in supporting this Resolution, I will point out that the reasons why the Arawak Cement

Company has been set up indicate to us that there are things we can do to ensure that the objectives which we had in mind are attained. Part of these objectives would extend to ensure that people have adequate access at reasonable prices, or appropriate rates of interest, to housing finance.

There has been some talk about increasing interest rates so that they bear comparison with other interest rates, and, therefore, on that basis, people would then make housing loans. But if you want to encourage commercial banks to make housing loans on the basis of the attractiveness of the interest rates, those interest rates would have to be higher than the interest rates on car loans and so on, because other things being equal the commercial banks would still prefer to lend for a car than to lend for a house — a 36 month loan as opposed to a 20 year loan, or whatever. So we cannot think of lending by commercial banks for housing as being attractive, in terms of comparability of interest rates. That is one point.

The other point is that if the interest rates get too high, a lot of home owners would have to settle for much smaller houses, and this community has associated with different income levels up to now. For these reasons mortgage loans must remain low, or must return to being low if they are not low now, and other mechanisms must be made to ensure that a fair share of the loanable funds generated in this community are channelled in the direction of housing loans.

I thank you, Mr. Deputy President.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, Senator McClean has just touched on a topic that is extremely dear to my heart. It is the business of financing housing programmes.

The first thing I will do though is make the point that this land represents the Barbados Government's contribution to the total equity of the company, so this is why it is being handled in this manner. I cannot remember exactly what Government is putting in beside the land, but I know that land is the principal way in which the Government is making its equity contribution.

Sir, there is not any doubt about the point which the Senator is making — the importance of a national emphasis on housing and house building. Indeed, I believe that there has been an indication, certainly given, that Government intends to publish a White Paper in two or three areas very soon, and one of these areas is housing.

In order to deal with the various aspects of housing; the various problems which relate to getting a national housing programme, of the dimensions at which Senator McClean was hinting, off the ground; in order to deal

with that there is a whole lot that has to be thought out. Senator McClean has spoken from the point of view of how to finance it.

I, too, regret that the Central Bank's classification of bridging finance is as personal loans. I, too, understand the impact which this has on the availability of mortgages; because if you can get the mortgage and you cannot get the bridging finance, you might as well not have been able to get the mortgage in the first place.

The problem, Sir, is that we are very badly lacking in institutions like Building Associations where mortgage funds are dispensed on a basis of periodic draw-downs. In this way, you can finance the construction of the house by drawing money down as you go from stage to stage.

Bridging finance is what we use in order to do the building. I have always thought — and I am still of the opinion — that it is a very serious piece of inflation of a man's building cost when you make him pay a commitment fee to earmark funds for his mortgage — and then he cannot touch those funds. But, indeed, if he does not finish by a certain date, he will lose that commitment and have to become involved in another set of expense in order to have new funds committed.

In the meantime, he now has to borrow money, not at the prevailing 10 per cent or 11 per cent — I think it is 11 per cent now for mortgages — but at whatever the interest rate is for personal loans, which might well be 17 per cent, 18 per cent. (I have even heard higher but 17 per cent or 18 per cent certainly).

So there is a serious cost factor, a serious problem of increased costs, if the mortgage monies remain committed there — but are not drawn down in stages and instead, the route of bridging finance classifying as personal loans is the route that one has to go.

What worries me about this, Sir, is that Barbadians have traditionally done a lot of converting from wood to wall; and sometimes not just conversions from wood to wall, but building stone houses off the ground. With a great deal of self-help, they have been able to get the cost of a house built, for domestic purposes, down to a minimum.

When mortgages are made as difficult and as expensive as this — in fact it is not so much the expense, it is the fact that you cannot get it — it means that the basic cost of each house can become so high that, really, you have no alternative then but to be served by firms that go into building a fairly large number of houses, like Corbin and Ideal Homes and so on.

While I understand, recognise and appreciate the contribution made by such builders, the question is, why shouldn't the person who is able after all to put together the same kind of skills at the same level that are used by these firms; why shouldn't that person who can do that and, with some self-help, keep the price on his own house down? That is one of the biggest dangers I envisage if this classification continues, and we do not develop any other institutions which will allow the Barbadians to get around this rather expensive mechanism.

I must say, Sir, that some people might well like to pass a street and see all houses with the same design; and, therefore, argue for the mass builders to do the building. But since I like to see a little bit of somebody's individuality in his own house, I must tell you that my own preference is for Barbadians to build the houses in whatever way they like, and in the way that they used to. Observe the Town Planning standards, but build the kind of house you want. You are going to live in it. You need to feel comfortable in it — not the person who builds it. The person who builds it for you is not going to live in it.

I know people tell odd stories — that the kitchen ended up next to the bedroom, and so on and so on — but the fact is that while people tell you those stories, I have not seen houses in which that has happened. What I have seen is a lot of houses built on what is the basic old Barbadian design. Some of them are twisted around a bit so that they look a little different outside (and this does help to break up the monotony of the street and gives you an indication of which house you are going at rather than having all looking the same way).

But those houses, Sir, all of us know them, and know them as comfortable houses — for all the years. And I really do not see why we should be so anxious to promote the day, or, rather, let the banks promote the day, when that kind of Barbadian activity should go.

The other thing that Government is thinking about in dealing with this is, of course, making the Mortgage Finance Company able to dispense more mortgage funds, and obviously the Central Bank is going to have to play its role. If it wants to get classified personal loans, bridging finance as personal loans, I would think that one of the things it would have to do is to.....(Come to think of it, Sir, what I was about to say is something that had been discussed and so I am not sure about the extent to which I can be free with it because I am not sure what decisions have been reached) I would just say that, generally, something will have to be done in relation to what percentages are allocated for what, and something will have to be done to ensure that money for mortgage

purposes should reach the consumer a little more directly than it does at present.

I, for one, Sir, do not buy the argument that interest rates would have to be increased any further. In my candid opinion the interest rates in this country are too high. They are too high! If theorists are going to argue for interest rates on the basis that money will go to the markets abroad — unless we have interest rates that match those markets — those of us who are facing it at a more practical level must make them understand that there is no way in which we can run this economy in any reasonable kind of way and match the interest rates, which the persons who they fear are exporting money would be able to get by putting their money in the United States — where interest rates seemed to be coming down the other day and they seem now to have gone back up a notch again.

We cannot compete with that kind of thing so there is no point even setting our sight there. Absolutely no point! Even if we could compete, why would we want to compete in a situation like that while all the economists who are looking at the situation in the United States, and who are not tied to a particular line of thinking, are recognising that the high interest rates in the United States are driving people in that country out of business and, at the same time, doing a great deal of harm to the economies of the allies of the United States.

On political grounds it does not seem justifiable, and, certainly on economic grounds, it seems to be madness to keep the interest rates any where as high as they are at present.

Briefly, Sir, Government does recognise that the thrust has to be in housing, and it is desirable that the thrust be in housing. In a number of areas, in terms of social policies, we have been able to have real impact, but in housing the impact has not been as great as we would wish. Therefore, we recognise that in order to house Barbados within a reasonably short period of time; in order to improve the quality of the housing stock throughout the country; there has to be a revised and updated national housing plan, and it must make provision for the financing aspect. We have recognised. We also recognise that we cannot continue a situation in which, though it is difficult enough to get a mortgage already, if you get mortgage, then you have horrors getting bridging finance. If you do not get the bridging finance you cannot start to build. We recognise the links.

What we must warn is that with the present problems, without foreign exchange earners, we do have to face the fact that until the Cement Plant comes into stream, and, perhaps, even thereafter, the building industry will continue to absorb or to use a fair amount of

foreign exchange. Therefore, it is very, very important for us that the Cement Plant come on stream. Just as important, we should either use suasion or, if necessary, price controls to ensure that the cost of building materials be kept down to a more realistic level.

We know that the mark-ups in the lumber yards are extremely high. We do not know whether this is a result of a great deal of wastage that cannot be avoided, or whether it is a result of something else, but decisions in respect of that would have to be taken in the context of an over-all plan for housing.

SENATOR THE REV. CAN. I. McK. JONES: Mr. Deputy President, I have heard it said in this Honourable House already, that sometimes when we are introducing Resolutions enough background knowledge is not given to members in the Senate, and I think this is one of the instances.

I heard Senator McClean make the very vital point, in my opinion, that this Arawak Company is a joint thing between the Barbados Government and the Trinidad Government and he was wondering whether there might not be some imbalance concerning the financial assets, or whatever you call them — I do not know the economic jargon — in the way that this was distributed.

I think that we need to know a little more about that before I can, in conscience, say I am voting for this Resolution. I would be very glad if either the Leader of the House or the mover of the Resolution would give us a little more data on this vesting in the Arawak Cement Company Limited.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, in the opening remarks on the Resolution I did not seek to get into any debate on the Arawak Cement Company *per se* because that company has been the subject of several debates in the Senate before today.

We have gone into the question of how the company was to be established, the contributions to be made by the Trinidad Government, the contributions to be made by the Barbados Government, the concessions to be made by the Government of Barbados to the company and so on. We have had several debates on that and I really did not think it was necessary to go into all the details for this debate.

The point before us today is that I know for sure that one of the things we have to do is to put in the limestone and quarrying as well as the facilities for the company. That is part of the input that the Barbados Government has to make into the company. These things would have been valid before the company was set up, and really to ask me now to research it again, a second

time, is really pressing a bit hard on me. If the Senator insists we can get the details for him a second time, but we have had all the details on the Senate Floor already.

The question that the Senate concur in the Resolution was put to the Senate and agreed to.

RESOLUTION TO COMPULSORILY ACQUIRE LAND AT CHECKER HALL

Order No. 3 was called — To move the passing of a Resolution to approve the compulsory acquisition of land at Checker Hall, St. Lucy for resiting of residents of Checker Hall dislocated by the Cement Project.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, as the Resolution suggests, Sir, several persons were inconvenienced by the Arawak Cement Company being established at Checker Hall and those persons now have to be resited as part of the arrangements we discussed earlier.

From my reckoning it seems to me that there are some fourteen houses which have to be resited. The land we are acquiring, belonging to one Skinner, will be used to resite those fourteen houses. Ten of the houses seem to be owner-occupied and another four seem to be under some other kind of arrangement.

There is a house standing on the land as well which will be used for some other purpose. My advice is that it has good architectural value and, therefore, the house will not be allowed to fall into disrepair. But the rest of the land will be used for the resiting of the fourteen houses which, at present, have to be resited because of the Cement Plant.

I beg to move that the Senate concur in the Resolution.

SENATOR E. E. GREAVES: Mr. Deputy President, there are just two questions I want to ask in connection with this particular Resolution. We are seeking approval for the acquisition of land to resite those residents who have been dislocated as a result of the construction of the Cement Plant.

It has not been specifically stated, but I want to find out if the land being provided for those being resited will be larger than a house spot. I know, for example, that the most of the people who are going to be resited are people who have been living on areas of land larger than house spots. I also know that these residents have been expressing some concern about whether or not they will be getting areas of land which would enable them to do some of the cultivation, if not all of the kind of cultivation which they were pursuing before the advent

of the Cement Plant, which they undertake on the areas of land which they still occupy.

My basic concern is whether or not the areas on which these people are going to be resited would be areas bigger than the average house spot.

The other question, Sir, relates to the kind of development which one would expect to find in a modern resiting situation. The Minister has not given us an indication as to what kind of development would take place in the resiting and I wonder if this is an oversight.

We have had the privilege of listening to debates and the presentation of Resolutions for resiting residents in other areas of Barbados and we have had the privilege of hearing, simultaneously, about the kind of developments which would be going with the proposed resiting. So, as I say, I really wonder if this is an oversight.

I would like to draw to the Hon. Minister's attention that the particular area in question, even although there are only going to be 14 houses which are going to be resited, is in a fairly relatively populated area in St. Lucy. (Persons who know the constituency of St. Lucy would recognise that the Checker Hall area is probably one of the larger areas in St. Lucy) Therefore, I had hoped that the Government, along with this particular resiting programme, would have been making some kind of announcement about the establishment of maybe a playing field and a community centre in this particular area.

I, certainly, Sir, have had my eyes on this particular area of land for a long time and I had made a commitment that if the Democratic Labour Party was returned to power that a part of this area of land would have been used for the establishment of a playing field and community centre. It was something I was really looking forward to hearing about as part of the overall resiting programme of the Government and I was somewhat taken aback that we were not treated to such a decision or, indeed, such an announcement by Senator Trotman when he introduced this particular Resolution.

I am making that point because, as I said, when the residents of the Emmerton Lane were resited in Clapham, if I may get specific, they were not just put there like that; but plans were announced — and indeed provision was made for the building of a community in that particular area. So you could understand my disappointment in the presentation of this particular Resolution. I am therefore urging the Government to give some consideration to this.

I believe it is fairly well-known that it would have been certainly done — it was on the cards — if the Demo-

cratic Labour Party was returned to power. But in spite of not being in power, Sir, I think that something ought to be done in this particular regard.

There is one other point which I would like to make. I must confess that I have not checked within the last couple of weeks; but up to recently, some of the residents in the area have been complaining about not having been compensated for the land which the Government has acquired. I wonder if the Minister could give some indication as to the progress in that area in his reply.

Thank you.

Mr. DEPUTY PRESIDENT: Senator Simmons.

SENATOR D. A. C. SIMMONS: Sir, I would just like to pick up briefly from what Senator Greaves said and direct the Hon. Minister's attention to certain specific areas for his reply, Sir.

When the Emmerton Lane people were transferred to Clapham Park, and there were other transfers done during the three years I was at the Housing Corporation, early on in that three year period, we had settled on a scheme of minimum facilities that would attend any resiting or relocations that were consequential upon public acquisition.

For example, the Housing Corporation would move the houses at the Corporation's expense. They would repair at the Corporation's expense such repairs as were incurred during removal. In the case of a house which was uneconomic to remove, in the sense that it was dilapidated, worm eaten or whatever, I think there was also a provision to meet a substantial proportion of the cost of replacement of a new unit, with very concessionary and soft loan conditions for the owner of the house to repay over a period of time.

But, in addition — I am conscious of health standards — one of the requirements, Sir, was that all of the houses which were resited were given water-borne systems. Where there were no modern sanitary facilities, these were provided. I think there was some method of sharing the cost. In one or two areas, I believe the Corporation picked up the total cost.

So, I want to know from the Hon. Minister whether in this resiting, this scheme, which up to about 1979 had been almost uniform, is being continued. We used to build fences instead of having all kinds of palings dotted about the place; we tried to set up the houses in an orderly manner and build proper fences for backyards. I wonder if this is being carried to the North, because it is a desirable pattern that should be continued.

Mr. DEPUTY PRESIDENT: Senator Trotman.

SENATOR THE HON. O'BRIEN TROTMAN: Mr. Deputy President, Senator Simmons answered his colleague in part when he reflected on the performance of the former Government in resiting people who have been dislocated.

As far as I understand it, Sir, arrangements are being made to have satisfactory arrangements made for the relocation of these people.

On the question of the community centre, I just wanted to say that consideration has been given to community centres. (*Aside*) I was just being reminded that he did not finish the specific questions whether I could confirm that it is Government's policy to upgrade facilities in general when people are relocated. To reassure him quickly, the policy has not changed with his move from the National Housing Corporation. It is still Government policy.

But to get back to Senator Greaves, Sir, he asked about what will happen to the houses which have been moved, the new village, whether there would be a community centre, and what will happen to the house? I do not know the house myself but I understand from the briefing that it is a house of some value.

One suggestion is that the area becomes a stop over point for tourists to the north. That is just one suggestion. But the Government is working on what should be done to the area to make it a pleasant and presentable area in St. Lucy.

Senator Greaves need not worry too much about Checker Hall. He can be assured that we will take care of it. Checker Hall will take care of us and we will take care of them. He need not worry too about that. But we are working making the particular area a complete village and a more attractive place than it was before.

The question that the Senate concur in this Resolution was put to the Senate and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, I beg to move that the Standing Order No. 45(2) be suspended for the remaining of today's proceedings.

The question that Standing Order No. 45 (2) be suspended for the remainder of the day was put to the Senate and agreed to.

TRAVEL SERVICES ACT, 1982

Order No. 4 was called — To move the Second Reading of a Bill to provide for the registration and control of travel agents and for related matters.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, this registration is a very important item in the planning for the continued development of the tourist industry. This registration has been very carefully researched in a number of jurisdictions — as far as the United States of America and Canada and also in some Caribbean jurisdictions — and it has been closely examined to see exactly what are the kinds of provisions which exist in other jurisdictions. This is being done in order to streamline the travel industry, to protect the travelling public and to protect the travel trade, which are the general objects of this legislation.

It is found, Sir, that the general framework of the legislation was precisely what we have now brought before this Honourable Chamber.

In this Bill there is provision for licencing, and there is disqualification on very clear grounds in respect of certain persons or companies in liquidation, persons under the age of eighteen years, persons convicted of an offence within the period of seven years immediately preceding, persons of insufficient resources, persons with insufficient training or experience necessary to carry on business as a travel agent and persons of insufficient resources. Licencing is, however, within the context of Section 16, which requires that every travel agent provides security to satisfy claims for refunds and to settle obligations in the course of his professional activity.

There is provision for inspection by the Registrar, or by the inspector, and I should, of course, mention that there is a provision to hear and determine complaints. There is within the law, at Section 22, protection for the confidentiality of information acquired by the Registrar and staff in the course of business. There is provision for anyone who is refused a licence to appeal.

Then there is a section on offences. This is quite the norm in relation to legislation existing on the subject in other jurisdictions. You will, however, find minor differences. For example, there may be a jurisdiction in which there is a Committee instead of a Registrar, or there may be a jurisdiction where the Board of Tourism serves as the Registrar. There may be a jurisdiction for the Minister responsible to appoint someone as a Registrar.

So it is just a matter of putting legislation on our Statute Books which will provide and safeguard the misuse — and misappropriation — of funds, inadequate book keeping or record keeping, and undesirable trade practices. We have to consider all of these things, Sir. These are the areas covered. (The Bill does not include hotels and taxis. These are expressly excluded. They are not included in the scope of the Bill).

The Bill will cover any person who sells travel services to the public. It is the travel agents and ground tour

operators who are within the ambit of this Bill. The criteria for licensing and for registration are clearly set out, and I refer to the need for there to be security and for inspection of premises and so on.

I should also add, Sir, that this legislation has been brought before us after consultations which took a fair time and which were thoroughly conducted with interested parties — the Hotel Association, the Tourist Board, the Travel Agents Association, and so on. All the parties with an interest have been consulted, and this is the legislation we have before us.

I just want very briefly to make the point that particularly with the kinds of problems that are taking place in the travel industry, and the failure of operations, particularly tours, which have resulted in great.....not only personal inconvenience but actual loss to would-be travellers, this kind of legislation has now become urgent for all of us who did not previously have it.

I move that this Bill be read a second time.

SENATOR D. A. C. SIMMONS: Sir, I crave the Senate's indulgence to support this Bill and at the same time to make my accustomed criticisms of legislation — and there will be some I have to offer — but I have first of all to disclose my interest.

I am a shareholder and a Director of a travel agency. Others in the business have seen this legislation and dealt with it. In fact another lawyer, who is also a shareholder in the business, I believe, may have seen a copy and dealt with it.

What the Minister says about its having had extensive ventilation in the trade is true, Sir, but I think the Bill could be improved in certain respects, and, subject to my declaration of interest, I would like to make a few brief comments about the Bill.

I am pleased that there is a separate Registrar of Travel Services set up. It has been an unfortunate practice of this Government, and of the previous Government, where there has to be some kind of supervisory person administering new legislation and so on, to foist certain responsibilities on to the Registrar of the Supreme Court without making adequate provision for the enhancement or the extension of existing physical facilities, or providing additional staff in Coleridge Street. To that extent, I am glad that this Bill does not put any more responsibilities on the Registrar and creates its own Registrar of Travel Services. (They tell me I have to declare an interest in the Acting Registrar of the Supreme Court, who happens to be my wife, Sir. I declare that. There is no special pleading because of that marital connection).

I think that as far as possible these areas should be separated so that they can be properly administered within their own organised area of activity.

What I am a little disappointed about is that the Registrar of Travel Services seems to me to have no power to initiate investigations, I conceive of the Registrar of Travel Services similar to, let us say, the Supervisor of Insurance, who is a person above the insurance companies, to whom complaints can be made and so on, and to whom reports have to be made — but he has power to initiate investigations.

I would have thought, especially in the light of the recent experience with tour operators, who are cancelling out or running down their businesses, indeed in the light of the experience of a case which was made public in Barbados some years ago — Mrs. Denise Colby vs. Sun Tours — and this legislation should have followed immediately after that in 1977, Sir, — that the Registrar would be given this power.

In the case I mentioned a Barbadian operator of a hotel was taken for a ride and ripped off by Sun Tours, to the extent that the Chief Justice awarded her \$168 000 and some interest on top for the misrepresentation of the tour operator. He came and told her to fit up the Banyan Court Hotel — he was going to supply her with people, and a whole contract — and then they did not send her one guest, after she had had to go and borrow money from a bank to fit it up according to their requirements. They diverted some of the guests to Welcome Inn and other hotels, so she came out with a law suit. The law takes account of that and so she was suitably compensated.

It is that kind of practice on the part of tour operators that needs to be checked. And there is enough information knocking about in the trade, both in the travel services business *per se* as well as in the tour operation activity, that the Registrar of Travel Services, in my opinion, without waiting for any formal complaint such as provided for in Clause 8(b) should have the power of his own motion to initiate investigations.

One would not assume that a responsible Registrar of Travel Services would act whimsically or arbitrarily in the initiation of an investigation, but at least it cannot hurt to give him the power to move on his own. That is the first criticism of the Bill, that I think that the functions of the Registrar are too blinkard and do not allow for the exercise of an initiative in the area of investigations by the Registrar himself, and without the need for complaint.

There is an appeal procedure of which I approve, Sir, but if we are trying to clean up an area in which there is some current infelicity or potential infelicity, and we

are serious about the relationship of these two services — the travel agency and the tour operation service — to the tourist industry, which is a vital sector of the economic life of Barbados; I think we have fallen short as parliamentarians, or we will fall short as parliamentarians, if we do not ask Government to include in this Bill a provision for the annual reporting by the Minister to Parliament, a procedure that I envisage would be quite simple.

The procedure that I envisage would be quite simple: that the Registrar of Travel Services

- (1) should make a report concerning the activities of travel agents in his purview for the previous year. (There would be little accounting that he would have to provide so it would be a kind of narrative report);
- (2) should report to the Minister and
- (3) the Minister should have to relate in Parliament the report of the Registrar so that all of us could have an oversight and superintendence on the efficacy of what we have created, and how the whole thing is working.

I cannot see that this is burdensome. If the Government is serious about its claim to open Government, well, that is another facet in the development of the concept of open Government. Let the Registrar tell the public. Let the report be made available so that we can see how these things are operating; if there are any delinquent operators, in the areas of disquiet, which he may come across in the year.

I cannot compromise on calling for an accounting provision. Not accounting in the mathematical sense, but in terms of reporting — accountability provision then, if I can change the word, Sir.

If Government will accept an amendment, Sir, they can compare Section 145 of the Insurance Act, which will give them a very neat provision to include a clause for accounting to the Minister and to Parliament.

As to the offences, at Clause 26(g), I wonder if, perhaps, the Minister could explain in his reply why a person is guilty of an offence who “by the offer of any gratuity, bribe or other inducement prevents or attempts to prevent the Registrar or a person authorised by him from carrying out his functions?” Why is it negative and it does not include the positive?

In other words why should it only be an offence to attempt to bribe somebody not doing something; when, perhaps, a bribe and an inducement encourages you or influences you to do something? You might pay a man, a Registrar \$100 to issue a licence. He has to issue the licence. You are not preventing him from carrying out

his duties. You may be in some kind of obtuse way prevent him from carrying out his duties satisfactorily (Asides). Yes, offering him a trip.

In other words, I would prefer to see — well this is purely stylistic and perhaps a criticism of the draftsmen rather than any area of policy — “by the offer of any gratuity, bribe or other inducement attempts to influence the Registrar in carrying out his functions.” That would be, in my view, a happier way of putting it; which would allow for the negative angle of preventing it and also where you give him a kick-back to do something for you. But as I said, Sir, that is something that the Minister can raise at the appropriate level.

I do not understand Clause 26(3) and I would be grateful for an explanation. Perhaps, if I had my papers earlier than Monday afternoon, and had applied myself for half an hour to Clause 26(3), on page 12, I would have been able to understand what this Clause means. I like to be in the position when I read a Bill to understand what we are talking about as my eyes come across the lines.

Clause 26(3) says “Subsection (1) (h) is not applicable if the act complained of has not been forbidden or required to be done otherwise than by use of the imperative auxiliary “shall” or it is otherwise inconsistent with the purpose of this Act that the act is regarded as an offence.”

Sir, I am not an expert in the English language like Your Honour, and I lay no claim to be able to write in such a way that people can easily understand, but really this is the best example of the clumsy use of simple English words that I have ever come across. I do not understand what it means, Sir. I cannot work it out.

Sir, I believe we will shortly be going to lunch and perhaps, during the luncheon interval some member of the Senate will be able to work it out, and on our return express it in a very short and concise way. (Asides). No, Sir. We are not the draftsmen at all; and I am not doing it because I do not get paid for drafting up here.

It is not only a question of draftsmanship but what does it mean? It is a little too clumsy, Sir, I can see a Judge having great difficulty in construing these. Or worse, a Magistrate; because this will probably come before a Magistrate first before they reach a Judge on appeal.

I would like the Government to just have the draftsman explain what this mean. Then, perhaps, those of us who understand the English language, and have the facility for putting it down in an intelligible way can help him redraft something that is more — I might not say sensible, Sir — something that is a little more intelligible. At the moment, I do not understand it.

Now, Sir, in Clause 17 I have a further criticism. It says, “the liability of a travel agent is not limited to the amount of his security.” I ask myself liability for what, Sir?

You have to read this, as I understand it, in conjunction with Clause 16 which provides that you should, in your accounts, set up a fund by way of security which will recover refunds on tickets and so on. There is no problem in that. That is quite sound and necessary. But I believe that under the present IATA Regulations, all the IATA agents in Barbados have some kind of reserve funds, and a fund which must be there. It used to be \$30 000 at the minimum and you had to be able to show that anytime the IATA man came to Barbados to check. That is separate and distinct. So even if they go beyond that, I think that is a good provision, certainly in advance of, sometimes, some of the things that occur in the insurance business. But then it says “the liability of a travel agent is not limited to the amount of his security.” I think it is too loosely drafted now. The other one was clumsy, this is loose.

If you are a Company, your liability is limited to the amount unpaid on your shares and there are separate provisions in this for recognising individual human travel agents and individual corporate travel agents as artificial legal entities. The Act, itself, takes account of the two types of legal persons who can operate as a travel agent, so I am not quite sure what is meant here.

Does this in anyway relate to the limitation of liability in the Company Law, liability of a travel agent? If so, then I say, liability for what? The liability for what, Sir? To pay out of the fund, to pay out of the security?

It is a section on its own. It is not related to Section 16. It is not, in other words, a subsection of Section 16. So I wonder what they mean here and how this is to be interpreted:

“The liability of a travel agent is not limited to the amount of his security.”

There is a beautiful piece in Section 5(c). Now I understand, if you are an individual human person, as I put it, that you will have a character and reputation and if you are applying as a sole trader — that is, David Simmons applying to open a travel agency — they ask for a certificate of character from the Commissioner of Police that I have no antecedents or previous convictions recorded in Barbados.

Now Section 5 (3) (c) relates to a company:

“a certificate of character issued by the Commissioner of Police is sufficient to satisfy the requirement specified in paragraph (d).”

But that has to be read in conjunction with (2) at the top, where the applicant is a body corporate. So where you are a body corporate you still have to get a certificate of character issued by the Commissioner of Police.

I do not know if that makes a lot of sense in practice, as there are only very few crimes for which a company would be liable in any event. It would have been neater to say that on application by a company or corporate body, as they say, to be registered; that the directors or shareholders or the directors and shareholders, the human people in the company could be asked to provide certificates of character in relation to themselves. The artificial entity, the company.....(Asides) Does it say that here now?

Oh yes, Sir. It would seem to be the intention, so you get the certificates in relation to the directors. I will withdraw my criticism on that. But you see it only emphasises that you must get these Papers out in good enough time that I can comb them with my comb of finest teeth. I think those are all the points I wanted to raise under this one and I am obliged to Your Honour.

SENATOR A. W. A. McCLEAN: Mr. Deputy President, based on the very enlightening intervention of Senator Simmons, it would seem as though it would not be appropriate for us to pass this Bill through all its stages today. The person introducing the Bill could perhaps decide what course of action should be taken, but quite clearly it requires some details which would either have to be done elsewhere. If the Senate is involved it would at least have to be at the level of Select Committee of the Senate.

There is one particular point raised by Senator Simmons, however, that I was wondering whether or not it was not provided for in the Act already — that is, the question of the Registrar being able to initiate investigations on his own, and if there is a distinction between an inspection and an investigation.....(Aside). Yes. But at 8(c) it says that the Registrar can inspect the business affairs of the company. If to inspect falls short of to investigate, it may be so.

Another point which concerns me is that I do not see why it should be necessary for all the directors of, say, a travel agency, to have an expert knowledge of the travel business so to speak. A company has requirements over and beyond what is associated with its direct functioning. This is Section 5(2) on page 4 which says:

“Where the applicant is a body corporate subsection (1) shall be deemed to have been complied with if the directors comply with the requirements of that subsection.”

Subsection (1) included working knowledge of the business of travel agency.....(Asides) But this says all the directors. It did not say the Managing Director.

SENATOR THE HON. N. A. BARROW: On a point of elucidation, if Senator McClean would give way, because I think there is a danger that we could have more and more speeches going off on a particular track which would involve us in using time which we would prefer to use otherwise. This is why I looked down to Senator Simmons and pointed out the existence of Section 5(2).

The point is that we are making provisions here which apply quite clearly to a particular human person. But a company is also a person in law; and where we are to apply these provisions, we either have to say where the person is incorporated under the companies laws of Barbados so-and-so and so-and-so would apply; or you use what is done here — which is very simple — where we are talking about persons must be of good character and so on. Then, if it is a company, the directors must be of good character. So you should not really read it now to try to find ways in which to make it look ridiculous. Interpretation of the law is not about that.

Frankly, the only question is whether we think Section 5(2) is clear enough, but when I read it I understood it. If we think that is clear enough, I do not think we should try to stretch it into, for example, making each Director a Managing Director.

SENATOR A. W. A. McCLEAN: Yes, Mr. Deputy President, I was not trying to make every Director a Managing Director. I was just indicating that the requirement relates to directors; it does not specify which set of directors.

But going beyond that, I would like to suggest that the Act indicates that one must satisfy the Registrar in relation to your competence and so on, but it does not indicate whether the Registrar has any right, or authority, or obligation, to set out any objective criteria by which he is supposed to judge one's competence. One would hope that the question of objective criteria relating to the questions of competence should have been at least..... (Asides: Section 27)

Section 27 says the Minister may make regulations. Well, presumably, Section 27 has been suggested as an answer to that particular question; where the Minister may make regulations relating to any aspect of the Act. We do not have any regulations before us, so we do not know if that would be taken up in the regulations. I do not know if the Minister would want to regulate the Registrar as to how he should interpret his duties and so on, but maybe this is so.

All in all, Mr. Deputy President, what I would say is that the Bill does not seem to satisfactorily address the distinction between someone who is operating on his

own behalf as a travel agent and the officers of a corporate body who are functioning not only as the directors but as the people who are really dispensing the service and the type of standards which must be adhered to. I have only looked at the thing quickly but I am not so sure, especially listening to some of the observations made by Senator Simmons, that this Act is entirely clear in our regard.

SUSPENSION OF SITTING

Mr. DEPUTY PRESIDENT: I think it is appropriate at this time to suspend this sitting for forty-five minutes. The sitting is suspended for forty-five minutes.

On Resumption:

Mr. DEPUTY PRESIDENT: This sitting is now resumed. Senator Barrow.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, Sir, as Senator Simmons said in closing, it is a pity he did not have his papers in time and therefore was not able to give the kind of study to the Bill which was absolutely necessary. That, Sir, is something to which we paid attention earlier and, therefore, it is a matter on which I would not dwell any further, except to say that I hope that there is not any recurrence of this business of the designated officer on the staff of Parliament getting to the Printery and getting the Papers and getting them out on time. I also trust that the Clerk will supervise the work of Parliament to ensure that we are not inconvenienced by that kind of nonsense.

One point which Senator Simmons was in the course of making had to do with Section 5, subsection 2, which is a section that relates really to the things about which the applicant must satisfy the Registrar. It is a qualification of subsection 1 in that it says that if an individual would have to satisfy the Registrar as to certain matter, then that will now be the responsibility of the directors of a company; if we are dealing with a body corporate. So Senator Simmons took that point and did not pursue it further.

The point which seems to be giving Senator McClean some difficulty coming out of that had to do with (c), 5 (1) (c) persons entrusted with the day to day management. The applicant must satisfy the Registrar. It does not matter whether the applicant is an individual or if the applicant is a body politic:

"the person entrusted with the day to day management and control of the travel agency possess a working knowledge of the business of a travel agency and the premises to which the licence relates and the resources are adequate for the

efficient running of the travel services to which the licence relates."

So, if we look at 5 (2), we would see that where you would expect an individual normally to do this, if it is a body corporate, it is the directors that must do it — satisfy the Registrar that "the persons entrusted with the day to day management" et cetera, et cetera.

If the applicant is to be of good character and a fit and proper person to carry on the business of a travel agent; in the event that the applicant is a body corporate, then the directors must be of good character. So there is no real difficulty with that one.

To look at the other point raised by Senator Simmons, 26 (3) gave me difficulty when I read it. I have done during the luncheon interval what had been my intention to have done earlier this morning — that is, to check this with the draftsman. Yesterday when we went through it, 26 (3) did stand out.

The intention in 26 (3) is to distinguish those sections of the law where "shall" is used from those sections where, "must" is used. "Shall" is imperative according to the Interpretation Act and "must" is supposed to have a slightly weaker force. Where something is a requirement, then "must" has been used in parts of this Bill. But where "shall" is used, it is used strictly as an imperative, not as merely reposing an obligation. But I thought that if the obligation were imposed then that was strong enough, but apparently this is not clear and I think this is probably where a lot of us got into trouble.

But there are some things which are expressed in terms of "must" which is not the intention to bring within the ambit of 26 (3). What the draftsman is doing here is directing attention to that fact; that only if "shall" is used, or if the act is otherwise inconsistent with the purpose of this Act.

So you are saying that two things come within the ambit of this section. Those things where in the Act it is said, 'so and so, "shall" do so and so' and the other things that will come within the ambit, are those acts which are clearly inconsistent with the purpose of this Act.

I must confess, as I said before, it did give me difficulty, and I would prefer it worded so that it would be easier to understand. But, indeed, Sir, I cannot offer an amendment to the Honourable Chamber because I do not know of any way in which I can word it any more clearly and still meet with the intention of the draftsman. So that, Sir, is the explanation as to 26 (3).

Now, 26 (g), where Senator Simmons referred to a person who is guilty of an offence who; says:

"By the offer of any gratuity, bribe or inducement prevents or attempts to prevent the Registrar or a person authorised by him from carrying out his functions"

Senator Simmons in dealing with this point thought that this covered only the negative and that it should be re-worded so that it would catch persons who attempted to influence the Registrar in the carrying out of his functions.

It seems to me that that is fundamentally a misconception, especially when we note one of the principles of the Law which we learnt in Criminal Law. As it were, it is not an offence of strict liability. There can be no crime just by virtue of the existence of *mens rea*. There must be both *actus rea* and *mens rea*. There must be both the state of mind and the deed, the intention and the crime, the wrongful act.

It would be very difficult, I would think, to word this section so that somebody "does....." — to word it in what Senator Simmons calls a positive way. You would certainly be running the risk of going contrary to the principles of the Law that says, if a thing is a crime, the attempt is the crime; and, therefore, if the thing is not the crime, no matter how wrong your purpose was, then you cannot have attempted a crime because you did something which, morally, we regard as wrong. In other words, Sir, you cannot bribe a man to do his job. That, in Law, is not a bribe. It can only be a bribe if what you are intending to do, what you want to obtain is something wrong.

If, for example, a Registrar, having satisfied himself of all the facts, delays in issuing a licence; can someone then bribe or otherwise induce the Registrar to do something improper by getting him to issue the licence? We have to be very careful that we do not try to rewrite the whole Criminal Law in this particular way.

I believe that had Senator Simmons had his Papers earlier he would have thought that one through. I do not think that you can really attempt to turn an act into bribery, when, ordinarily in the Law, it is not a bribe.

If, on the other hand, the Registrar had not considered the application and came to a decision, and you try to induce him to issue the licence; clearly, Sir, I think that would fall squarely within this because in fact what would be happening is that you would be trying to get him to exercise his powers improperly. This would be a case, Sir, of trying to prevent him from carrying out his functions, if you are trying to get a man to do because it is no part of his functions to issue licences

in return for a consideration. I cannot see that the thing is as negative, really, as the Senator suggests. I think it is a perfectly acceptable clause and I do not know what else we could do to make it clear. I think it is perfectly clear and adequate.

I believe that what is envisaged here is the case where someone may have drawn down part of the security, (the Registrar has a duty to have that security restored as soon as is reasonable), and the person seeks to offer a bribe or inducement so that he does not have to bring security back up. Surely that is the kind of situation we envisage. How many situations can we envisage in which what would be an improper act would not be covered by this section. That is really the point we have to ask ourselves. I cannot think of any.

Section 17 also gave the Senator some trouble. This says,

"The liability of a travel agent is not limited to the amount of security."

Section 16 is the one relating to security, where it says,

"Every licenced travel agent should provide, in such manner, within such period and in such amount as may be prescribed, security to satisfy claims for refunds and to settle obligations arising in the course of his professional activity."

The point I want to make is that you are prescribing an amount and you prescribe a manner of holding the security. Now in the ordinary business where the obligations rise to an amount which exceeds that security — what happens then? Since the travel agent has to pledge the security, which is supposed to be sufficient to satisfy claims for refunds and to settle obligations, what happens when business fluctuates and the obligations and claims go above what is a normally acceptable limit? Without this clause, isn't it likely that the travel agent is going to argue that his obligations are limited to the amount of his security? So again I do not have any difficulty with the clause.

As long as we understand that there is nothing static about business, as the volume of business grows the obligations grow, or should grow; as long as we understand that, we understand that there can be a lag between the security posted and adequate security. Where this happens the travel agent must understand that his liability is not limited to his amount of security. I do not have any difficulty with that and I think it is necessary that the clause be included.

I have left the other two points for last because in a way the other two points are virtually overed together.

Senator Simmons made points about the Registrar seeming to have no power to initiate investigations. I would like to refer members of the Honourable Senate to Section 8(c),

"where the functions include to inspect the business affairs" (I would like to emphasise that point) "books, records and premises of the travel agent; and (d): "generally administer the provisions of this Act."

Read those two along with Section 18, which is a point of security which I have made already, and 19:

"Every travel agent shall establish and utilize a trust account approved by the Registrar for the deposit of moneys for which there are trustees; whether or not those moneys

- (a) have been collected by them on the account of a customer; or
- (b) have been received by them from a customer for payment over to another person.

To give you an indication of the range of things that the man handles, let us go to Section 21:

"The Registrar or a person authorised by him may during office hours enter and inspect premises....."

If you go to Section 23,

"the Registrar may revoke a licence if the holder thereof fails to comply with any condition specified in the licence or is convicted of an offence specified in Section 26."

And remember, Sir, that in granting the licence the Registrar is empowered to grant the licence subject to any conditions which he deems fit.

I want to know Sir, when you have powers as wide as those, what it is that we are talking about? Then we have

"a person is guilty of an offence who obstructs the Registrar or a person authorize by him in the performance of his functions" (that is Section 26(e)) and

"a person is guilty of an offence who fails to carry out any instructions given by the Registrar under this Act or the Regulations."

Now if we are aware of those very wide powers and we go to Section 27:- it says: "The Minister may make

régulations (a) prescribing the conditions for the granting of licences (b) prescribing the method for providing the security by travel agents," and so on.

If we understand, Sir, that, like other legislation of this sort, a lot of the teeth will be found in the regulations — and there is a comprehensive Section 27 dealing with the regulations — and having put the necessary conditions in the licence, and having the legal power, having the full authority to revoke the licence, having the power to inspect the business affairs, and the books and whatever else; really, I wonder, what more power does the Registrar wants? In what sense can you say that he does not have the power to initiate an investigation?

What is the power of inspection and his general duty under the Act in 8 (d)? This says: "generally to administer the provision of the Act" Obviously, Sir, he has the power to look and enquire into whether the licensee is behaving properly within the law. And if he has this power to look and see, and he also has the power to revoke a licence if he is so satisfied, what are we talking about the absence of a power to initiate investigation?

It is a point which, as I said, I understand. It is a point made because the Bill is read in haste, but indeed it is not the type of point I believe the Senator would normally make.

Finally, Sir, the other point made, a point made by Senator McClean, relates to where we are talking about whether a person is competent to carry on that business. If we look at 27 you will find particularly at (h) and (i) — (a), of course, is the one which I think really relates to Senator McClean's point — we will see what the Minister can do. I am trying to take Senator McClean's point and another point made by Senator Simmons — Senator Simmons is arguing that we should put in this Bill something that says that the Registrar should report to the Minister annually and the Minister should then lay the report before Parliament.

If you are dealing with Statutory Corporations, you do write that into the law. The reason for writing it into the law there is that you have a Governing Body in a company under the Companies Act and an Annual General Meeting where the real owners of the company are then able to have their say and so on. But in a Statutory Corporation there must be reporting to Parliament.

In this kind of legislation, Sir, I would wish to submit that it would be entirely adequate, because we are setting up a system of regulation in this Act. And it is entirely adequate in those circumstances for the Minister to prescribe in his regulations when and how often the Registrar shall report to him and for him also to lay that report before Parliament.

I wish to stress that it is not necessary in legislation of this type to have what is a standard provision in legislation relating to Statutory Corporations, because this is not a Statutory Corporation; this is a different kind of situation.

In 27(h) all of that is envisaged, because it says that the Minister may make regulations respecting any other matter that is necessary or appropriate for the proper administration of this Act, and in (i), prescribing anything that is by this Act authorised or required to be prescribed otherwise than by order. Section 27 provides for the making of these regulations.

The actual framework for the implementation of the Bill, including guidelines for the activities of the Registrar, will be given greater definition and clarity in the Regulations. That is standard.

In short, Sir, apart from Section 26(3), which did give us all some problems — I believe even the draughtsman would admit that its wording is not immediately clear — all of the other points raised, I think, are adequately covered by the Bill.

As for 26(e), as I said before, I know of no amending formula which would meet the point. So now that we understand that the intention is to distinguish between those obligatory sections where "shall" is used as opposed to those where "must" is used, I think that will help us all to understand it.

Ultimately, the only test of whether it is clear and what understanding one ought to put on a section of an Act is if the matter should go to litigation and the court should have to interpret it.

I believe now that it should be possible for us all to support this legislation.

The question that the Bill be read a second time was put to the Senate and agreed.

On the motion of Senator the Hon. N. A. BARROW, the Senate resolved itself into Committee on the Bill. Mr. DEPUTY PRESIDENT left the Chair and the Senate resolved itself into Committee, Senator H. R. LINTON in the Chair.

SENATOR THE REV. CAN. I. McK. JONES: Mr. Chairman, I would like to ask whether this Bill could be voted for in Parts rather than section by section.

Mr. CHAIRMAN: Thank you. We are now discussing that.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, if I detect correctly, there is a consensus

and therefore I think Senators would agree to the Clerk calling sections 1 to 31, not seriatim.

Clauses 1 to 31 inclusive were called and passed.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I beg to move that the Senate do now resume and the Bill be reported.

The question was put to the Senate and agreed to and Mr. DEPUTY PRESIDENT resumed the Chair and reported according.

On separate motions of Senator the Hon. N. A. BARROW the Bill was read a third time and passed.

BARBADOS BOARD OF TOURISM (AMENDMENT) ACT 1982

Order No. 5 was called — To move the First Reading of a Bill to amend the Barbados Board of Tourism Act, Cap. 342.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, again we have legislation which is regulatory. The Act which regulates the Tourism Industry in this country, the principal Act, the Act providing for the creation of the Board of Tourism, was enacted in 1958. Since then, there has been a significant growth in the industry both in quantitative terms and in terms of the number and variety of services and activities.

It is in our interest to ensure that these services and activities are developed in a manner in keeping with the overall objectives of the industry's development and for this reason, Sir, the need for regulation has become more urgent.

If the legislation which we have just dealt with seeks to regulate in terms of those who supply a service to travellers, either by booking airline passages or hotel rooms, or by operating tour operations on the ground; this Bill seeks to permit the Minister to provide for the regulation of such services as he may deem, from time to time, to be appropriate.

In this particular Bill, attention is focussed on the programming which is on the way for the regulation of hotels, apartments and guest houses.

The first thing that necessitated this Bill was the fact that a hotel is defined in the Hotel Aids Act, Chapter 72, as "a building or buildings operating a single business and consisting of not less than 10 bedrooms." That definition would exclude a number of apartments and guest houses which it is intended should be registered and classified. That is why "hotel" here is being defined as a premise "offering sleeping accommodation in six or more bedrooms."

There is, Sir, a corollary of classification, and it is this: that the person whose hotel or apartment or guest house has not been classified to his satisfaction must have a right of appeal. This is provided for in the Act.

As to the Registration Classification Scheme, in which participation is going to be made mandatory for all hotels, apartments and guest houses, regulations for its implementation have been drawn up and will shortly be submitted for parliamentary approval.

This scheme, when implemented, will not only serve as an inducement to property owners to upgrade and maintain certain standards in their premises but will also give the public a general indication of the level of service which could be expected of any establishment.

What is proposed, Sir, is a "star system" of classification ranging from one star to five in the scale of one to five. An annual award of a rosette will be made to the hotel which, during the year, has offered exemplary service and cuisine beyond the standard associated with that category of hotel.

Each classification reflects the provision of facilities and service rather than comparative merit. Provision is also made under the regulation for the designation of hotels, apartments and guest houses which meet the minimum standards for registration.

The development of the scheme has taken almost three years to complete. But this was necessary in order to ensure maximum participation by the hotel industry in the development programme. The industry has given every support for the scheme and has welcomed its implementation.

As a supplemental exercise, it is proposed to register, classified and grade restaurants catering primarily for tourists. Section 12 of the principal Act is to be amended in order to give authority to the Board to carry out this function. In this particular case, participation will be on a voluntary basis.

The legislation before us therefore, Mr. Deputy President, is legislation which seeks to give effect to those policy decisions which have just been set out. As we can see, Section 2 is the section which changes the definition of hotel; Sections 3 and 4 are the sections which deal with registration and classification, and Section 5 is the section which deals with the appeal mechanism.

Just before I formally move the motion, there is just one point which I want to make, and that is to emphasise how important it is that this sort of regulation takes place — particularly at a time when the industry is not really operating at its best. The receipt figures are

down and so on, so we know where we are. If there was any time to try and tighten up, and try and be able to establish the quality of the product which we are marketing, I doubt there can be any more appropriate time than now.

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

SENATOR W. W. HALL: Mr. Deputy President, the Minister, in introducing this Bill, said that it seeks to permit the Minister to provide for regulation of such services as deemed appropriate; no doubt in relation to the classification of hotels, apartments and guesthouses.

I have never worked in a hotel, but in my former career I have been obliged to use facilities all over the world; some of them I cannot really call. I have lived in good hotels, bad hotels, small hotels, big hotels and everything that is between those.

But one thing that I have learned from those experiences throughout the world, Sir, is that a hotel is not a pile of bricks and mortar, swimming pools, cutlery and things like that. There is a very important element — and that is the human element.

And, Sir, we have to worry, because workers can make or break a hotel. That is a fact. No matter how well appointed it may be, you will find that the human element is rather important.

You may have two hotels, Sir, which are rather identical — same price range, similar facilities, same size — and in one you can feel rather welcome, and you will always find yourself in rather happy and congenial surroundings. In another you may find, although identical in appearance, that there is a "don't-care attitude" among the workers; and feel the apathy, fixation that come from low staff morale.

Because of that you will find that the difference is merely people. That is the difference. The buildings are the same but the people are different. You have to ask what motivates people in one way or another, and it has to be one word — management. The standards therefore are different, and it is the element of different standards that concern me in this Bill.

I do not think one could have any objection to a Bill that attempts to improve the hotel business. It is a question of the measurement of the standards when these classifications are done.

If you were going to publicise the classifications overseas for the benefit of visitors, then I believe that you would have to bear some relation with the standard at the said hotel.

This should not really be a matter of whether the hotel has a swimming pool or two, telephone in every room, a golf course or what-have-you. It should not be recitation of that sort of thing; it should be a matter of whether the hotel offers value for money.

That is the situation here, and it is this vital element that concerns me — because in this Bill I am just wondering who would be the judge and who would be the jury.

I know the Minister says it seeks to give the Minister power to provide regulations for such services, but it is a matter of grading these hotels.

There is a star system for hotels in some countries. There are five-star hotels. These are normally the very big hotels with the sort of amenities that I mentioned before. But the possibility exists that you may have a hotel, or a type of hotel — like Mrs. Talma's at Silver Beach, and Mrs. Stuart at the Blue Caribbean, Robin Simmons — Senator Simmons' brother — at Worthing Court, Mrs. Robinson at Bagshot or Miss Maitland at Andrew-on-Sea — with very good value for money, and you may very well find that because of the lack of facilities such as a golf course, swimming pool, telephone in each room and things like that that they may have a two-star rating.

So what rather concerns me is the fact that these smaller business places should not be discriminated against, or should not appear to be less publicised than the bigger ones.

I have nothing against a big hotel, even though most of them are foreign-owned, but what I am concerned about is that the smaller hotels be given the type of credit that they deserve through their value for money aspect.

I think that when the Minister replies — I do not think he is here, but if they tell him, I think when he replies he might be able to give us some indication about how they are going to work this one out.

We are not really going to disagree with the Bill in principle. As I said, it is more or less the measurement of such standards that worry us. We feel that while we will not disagree with it, that we will like to ask questions; and we hope that the Honourable Minister will allay our fears.

The Bill also gives us the opportunity — because, mind you, Sir, we soon will be in our summer recess, so you have to speak now or hereafter hold your peace — to speak a few words on tourism in its totality, with specific references to areas that concern us.

I believe, Sir, that the people in charge of tourism must be aware, obviously aware, of the fact that when countries become prosperous, they spend their new-found wealth on travel. As a consequence, tourism has become the fastest growing industry in the world. That is a fact, Sir. There is hardly a child of ten years old, Sir, that has not travelled. And, you know fully well, Sir, that it has taken us some thirty years and, some of us, forty years to travel.

The point is that the organisers and the people in charge must sit down and understand, quite clearly, why people travel. People want a change. They want to be different. And that is the reason why they travel. There is no point travelling to see the same things that you see at your house. There is no point in making a trip to see that, Sir. It is obvious that if you come from a very hot climate that you tend to gravitate towards something different, perhaps a cold climate — even if it is Siberia. You want to see frozen rivers and dams.

I remember once, Sir, I was in Australia and there was a hydro-electric dam with all the facilities. It was a sight to behold. One of the most amazing things about the location, Sir, is that part of this great scheme was located a mile inside of a mountain, Sir. You travelled deep into the mountain. Well, as a Barbadian who has never been on top of a mountain, far less inside a mountain, I was rather pleased and tickled pink. Although it was an eerie sort of experience, I thought that it was something that, perhaps, would not pass my way as a Barbadian, and, perhaps, would not pass the way of many Barbadians, Sir.

Sir, people travel because they need some type of a change. No amount of pictures can satisfy your curiosity until you have seen the Taj Mahal, the Eiffel Tower, the Whispering Galleries, the Leaning Tower of Pisa, the Pyramids. I can tell you, Sir, I have seen them all — the Grand Canyon, and, Sir, I am very glad to say Harrison's Cave. I would include that too.

Tourists, you see, do not particularly want to go to a hotel and stay there. They want to go to a place which is different from theirs; they want to be able to mix with the people, the locals; they also wish somewhere where they can take their children and they wish personnel who are well versed in the happenings around them so that they can tell them what they want to know.

Sir, that is what tourism is all about. That is my concept of tourism. I do not know if the people in charge of Barbados understand it that way. I think if one has to travel a bit they would realise this. I know, Sir, that all the Ministers have travelled so I am quite sure they can give advice to the people who make the decisions.

You see, Sir, tourism, especially in a country like Barbados, where it occupies if not number one, the number two position and is very vital to our economy, it changes the lifestyles of people. There is no doubt in my mind, neither is there any doubt in yours, Sir, that it changes the lifestyles of people.

When tourism becomes big, as it has become in Barbados, you will find that people who do things like nursing tend to move towards jobs in the industry to chase after the tourist dollar. That is a fact.

In countries like Fiji, you find that when you go there a whole village is involved. Not just people working in a tourist office; the whole village! There are dances. There are souvenirs and people are made to feel that they are in a different country, not because of the environs, Sir, but certainly because of the warmth and hospitality and the feeling that the inhabitants are very happy to see you. You feel real good to feel wanted. That is the crux of the matter, Sir.

I see where tourism has got to take a new lease of life and you have to have the people ready to accept the challenging job.

People like, Sir, to take photographs when they go on holiday but the most important thing is that there should be something there to photograph. Sceneries are fine — yes, they are fine — but people make photographs come alive. But you find that in Barbados, even though we are told, "day in — day out," that we must be courteous to the visitor, we should try and participate in a national campaign so that more people would come here, you find, Sir, that there are times when people, who should know better, let the whole country down.

I would just say to you, Sir, that in no less a place than the Sir Grantley Adams Airport, you find some people working in what you could term the airlines there, obviously in the tourist industry. Once there is travel and people coming and going, tourists and Barbadians alike, you find that people working in these industries should be amenable to reason. They should be helpful. They should be able to guide not only Barbadians but indeed tourists. But this is not so, Sir.

Only last Sunday morning, I was at the airport, in the early hours of the morning, to see a few of my friends and my son off to Martinique. They were travelling by LIAT, but they were inadvertently booked by LIAT on the 26th instead of the 27th.

Now a Barbadian going to Martinique for more than twenty-four hours must have a visa but if that same Barbadian had a British passport the visa is unnecessary. The supervisor there, a young lady, she just looked

at the ticket and said, "you cannot go." I said, "Excuse me, but why?" She said, "you just cannot go. There is no visa and you cannot go." I said, "But lady, look these three guys are desirous of going to Martinique simply because if they do not go, it could have serious ramifications. There are only three jockeys in Martinique, three or four, and we have to send three from Barbados to make it look good and if the three of them do not go, it is a no-go system." But she said, "well, they just cannot go." I said, "Excuse me, can I please get a telephone message." She looked at me, Sir, and said, "No, you have to use the one over there." So, I said, "Well look, may I speak to the Manager? May I phone the Manager? Hoping that since I said, "the Manager," she may have acceded the request for the telephone call; she said, "No, you go over there and talk to him over there."

Sir, well, in between getting change from paper money to coins and then looking up his name in the telephone book, Sir — after twenty minutes doing such — and then explaining the situation to him, Sir, it transpired that the airline, because of the facility of direct dialling, would have said to its employees, "Be careful about how you are giving away telephone calls." But certainly, Sir, if I ask you for a telephone message to the Nation newspaper, that is not an overseas call. It is obvious.

As it turned out, Sir, there was nothing but an abject rejection of the people involved; the same "don't care less" attitude that I mentioned one can find in the hotel industry. And by doing this in front of tourists, and all and sundry, it does appear to me, Sir, that if this attitude is found prevalent in the airlines, and — I hope to God not Sir — if it is found prevalent in our society, then tourists will find it rather difficult to come to our place, this lovely island of Barbados.

So while we are telling people, broadly, that we should all chip in, we should all do what is necessary to make sure that this beautiful island stands on the apex in terms of tourism. We must be aware that there are people who are doing their utmost to destroy it.

Thank Heavens that the Manager was well trained; thank Heavens that he understood that there can be problems, and that these problems could easily be alleviated by some measure of tolerance. Maybe that is why he is the manager and that lady is only a supervisor. But I must say, Sir, that it does leave a very sour taste in your mouth when these sort of things happen.

The Government, the Opposition, and all Barbadians are crying out loud asking people to be aware that tourism is very vital to our economy, and obviously, we must do nothing that will give our visitors the opportunity to say that they are not coming back here, Sir. It pains me, and it should pain every right minded

Barbadian, when that sort of attitude is exhibited in places which are so obvious, like our international airport.

So you see, Sir, I feel that in looking at tourism broadly, we have to understand very clearly that we are not talking about a party issue. We have to understand that it is an issue for every one of us because very vital dollars might easily go down the drain. That is why we, on this side, Sir, believe that we have to pay very strict attention to so vital an industry.

Sir, if you are going to talk about tourist promotions, I will just like to say that personally, I am of the opinion that our tourist promotions — as well meant as they appear to be — are not particularly what I would say dynamic enough to arouse the imagination of those for whom they are meant.

I say so, Sir, because other countries are doing a lot better. There is, for instance, a beach in Spain which was barren twenty years ago and it is now the most popular tourist resort in the world. There is no doubt about it. There are places, Sir, that have been transformed into tourist resorts.

I feel that the tourist promotion system in Barbados can do with a little revamping. (Aside) I know — a lot yes, Sir, not a little a lot — that the film "The Magic Isle" has been shown for a long time, but it has outlived its usefulness. That is a fact. I know that the Minister will get up and say, and it will be a fact "Oh yes, there is a new film; you know it is going to come soon." They have been saying that for years.

Senator Trotman will tell you. But I am saying that the Tourist Board film "The Magic Isle" has outlived its usefulness and you will agree, Mr. Leader.

I am also saying that the new film which was on the drawing board for a year, the one that Rank organization has been earmarked to produce; that has been too long in coming.

As a matter of fact, those of us who saw the Carolyn Leacock show on TV, two nights ago, will admit that we have the expertise here in this island. (The Ronnie Carrington Company did that video project. It is a proper thing, Sir.) All we need to do is to go around and get some video work done, and get some erudite, some charismatic character, gentleman or lady, and go overseas and promote this Island.

This idea, Sir, of every Tom, Dick and Harry, and Jane — who seems to own a hotel, guest house, or an apartment going on these promotions; Sir, I respectfully submit that even young people like us, Sir, cannot do these promotions. Even people like us who are

accustomed to living in a suitcase, and going to ten cities in ten days; even people like us, Sir, find it very tiresome.

I am putting to you, Sir, that people cannot do their job properly, they cannot do it with any great degree of effectiveness, if they are rushing up and down ten cities in ten days, and they are not particularly well endowed with any fitness, Sir. And I am saying that they would do a better job if you were to streamline the situation and get some action into this tourist promotion. As a Barbadian Sir, I am a bit upset about it, and I think we have to do a lot better.

While we are on to this, Sir, we have to think in terms of the staff. I am going to ask about the staff in the USA, Sir, who are up there without proper accreditation, Sir. They cannot work, sometimes, Sir. It seems to me that there is a mix up between the two Ministries. Sir, the Minister will know about this, and I honestly think that something should be done about it.

If we were to look at the local situation, Sir, where you appoint a Personnel Manager or Officer, who, when appointed, was well trained — not in need of any training, not as far as I am concerned, not for that job, Sir — and you will find that all like now, Sir, that person is on two years study leave. Now I am not against study leave; I am not against training; far from it — oh no, I am not against that. But I feel that — public relations not personnel; public relations, PR, I beg your pardon Public Relations Department, Sir— the training should be determined by the Board and I feel, Sir,—(the Minister has gone to check, he will soon come back) — that we have got to look at this in the light that the Tourist Board has got a very important job to do.

We have got to look and see that the local awareness programmes move smoothly. In fact, Sir, in true parlance, they have been a total fiasco; that is a fact. While we are at it Sir, I would like to ask what innovations the present Public Relations Department has come up with since the departure of Clenell Bynoe. Let the Minister go outside now, make a phone call, Sir, and come and tell me what innovations we have seen.

Sir, while we are talking about the Tourist Board, you have to understand why people do not take it seriously. How can you take a Board seriously that cannot handle Mickey Mouse and Donald Duck? (Laughter) That is what I ask? How can you take them seriously? They goofed! They even brought Goofy — and goofed!

Sir, we had a scandalous spectacle organised by the Tourist Board where all of Bay Street within a radius of perhaps a mile or two one way or another was completely jammed with vehicular traffic, and, indeed, people who went to Bay Street. Anyone with a modicum of

common sense would know that an occasion such as that would bring out Barbadians in their thousands. I saw Senator Williams — I am sorry he is not here — and his two children. I had one child there, Sir.

The fact is that anyone would have known that the Garrison Savannah or the Stadium would have been a better place for something like that. What do we have these places for, Sir?

If a man with a bus or a car knocks down a man with a bicycle in Bay Street at 5 o'clock in the afternoon, traffic is at a standstill. That is a fact.

And one cannot foresee that at 5 o'clock in the evening Disney World characters, who people in Barbados and people throughout the world travel thousands of miles to see, would not create this congestion? If you bring them here to Barbados, Sir, do you not expect that all and sundry, everybody, will go to see them, and a resultant chaotic situation would be imminent? One must show some sort of initiative.

Another thing, Sir, which was nothing short of embarrassing, was that you could bring an international... I know people say that Barbadians do not treat their own stars well, but I know that we do not treat any star well — local or otherwise — but Burl Ives came here and had to suffer the ignominy of performing at the Esplanade when no one more than ten yards away could hear him. That is a fact, Sir. I was there. If you could see the faces of the disappointed little children in Barbados, it will take a decade or two, or perhaps three, for them to get happy again. The bitter experience was too much for them, and some of them were reduced to tears. That is what they have done.

I started by saying that I cannot take them seriously, but I have tried to proceed to let you know the reason why I cannot take them seriously. That is why the last time we talked about tourism I told this Honourable Chamber that you need a leadership that was dynamic, and I remember Senator Linton said you had that. Is there any evidence subsequent to that untrue remark? Is there any evidence to prove this?

Then, Sir, he must tell the officers of the Tourist Board that they must stop making remarks that will tend to alienate the public from the Tourist Board, because even they have gone a little further now, in art form, calypso. You can well see where Sam Couch and the duddie will be singing about them. Let me rephrase that, Sir. All and sundry will find that you are talking about them; and whether you are right or wrong, you will find the words already on everybody's lips. That is important, Sir, and that is the reason I have to speak like this this afternoon. (Aside). Senator Trotman, do not worry. If I go wrong, Senator Greaves can correct me. The

unfortunate thing is that on that side when you go wrong nobody tries to correct you; they leave you in the mire. That is a good word.

Sir, another thing that concerns me, and this is very serious now, is that we have right now in Barbados Police Officers going around from one hotel to another asking people questions — this is a fact, Sir — about hotel occupancy in the last two months, the present occupancy, and what it is likely to be in the next two months. That is the question. For what purpose?

One would have thought that in these days, where the good women and men of the Royal Barbados Police Force would have their hands full and be kept fully occupied in their effort to combat crime, that they would not be asked to do such jobs. After all, Sir, we have a Statistical Department and people who could well do this.

One might well say that if police are asked to do things that are not police matters, you could ask them to do anything; and people do not like police asking questions that are not police matters.

I feel that these are very serious questions and I hope that the Minister would be in a position to throw some light on these rather vexed situations.

SENATOR E. E. GREAVES: Mr. Deputy President, I am sure we all sat and listened very carefully to the very detailed and concerned presentation of Senator Hall on the question of tourism in this country, and listening to him one cannot but be very concerned about such a vital industry.

I think there is no gainsaying the fact that tourism is vital to our economic life and we have to make sure that we are able to plan for its development as carefully as possible. I would like to start, therefore, by saying that in this presentation I will treat Barbados in its entirety as our tourism plant; Barbados, in all its aspects, as our tourism plant. That is what we, supposedly, are selling.

First, therefore, in this regard I will say that there has been a severe deterioration in our tourist plant within recent years and this, I submit, has made life difficult in terms of our ability to continue to attract tourists here. Some of this deterioration can be attributed to natural deterioration and some can be identified as man made.

Let us look at the first one I would identify, the question of the erosion of our beaches. This is something with which I believe Senator Linton is *au fait* and, no doubt, would want to make an intervention on. I think the slowness of the Government to respond to this particular problem is appalling.

We have a situation where private developers have not, by their general attitude, assisted Government because what is very clear is that the Government must have, and certainly map out, a policy in this particular direction. It would seem to me that there is an absence of guidelines and I think that this is a matter which must be looked at very, very quickly because as I said this makes up part of our Tourism Plant.

The second factor I would like to identify relates to the fact that over the last couple of years Barbados, far from becoming a cleaner country, has become dirtier. (I know that Senator Rouse, who is, I believe, Deputy Chairman of the Sanitation Board would want to respond to this. You see, Sir, I am bringing in everybody here this evening. I am giving everybody a chance to talk. I am inviting comments from all of the Senators who have responsibility in various areas). There has been a very serious deterioration in this particular area. And when one takes these, along with some of the other points which I will make just now, take them together, one must agree with me that there has been this deterioration in our plant, the plant which we are supposed to be offering to the tourists.

Thirdly, our roads, Sir, have never been in a worst state. (Asides) That has nothing to do with tourism? Senator Rouse in a *sotto voce* remark wants to know what that has to do with tourism. If Senator Rouse is so ignorant — in its purest sense, now, Sir, not in any derogatory sense — as not to know what is a proper road system, roads where there are pot holes, where people.....

SENATOR K. A. ROUSE: On a point of order, Sir, I would like to have that word withdrawn.

Mr. DEPUTY PRESIDENT: I think Senator Rouse that Senator Greaves clearly explained the original meaning of the word "ignorant" and that he meant no personal reflection. I understood it to mean that "ignorant" simply meant not knowing, and I did not interpret it as having any offensive implication.

SENATOR E. E. GREAVES: If it would please Senator Rouse for me to say 'if he does not know' well if he does not know that a proper road system is conducive to making our tourism plant more saleable — then, I will tell him. We have a situation in Barbados where, as I have maintained, our roads have deteriorated within the last couple of years to the point of absolute embarrassment to Barbadians. And I am saying that this is another contributory factor to the fact that we are in this position as far as tourism is concerned. (I am going to list them one by one, Sir). That is number three.

Number four: Crime has been on the increase in Barbados in spite of the fact that Government is trying to fool people who do not know that there is no such

increase. We have to be able to deal with the kinds of situations and the Government, which is supposed to provide leadership in this country, is not providing the kind of leadership and not demonstrating the kind of capacity to deal with these problems. These are the kinds of problems which, I am submitting, are affecting our tourism.

There is a neglect and a complacency which is exhibited by the present Administration which I am submitting is responsible for the deterioration in our tourist plant and which has led to this downward monthly drift in tourist arrivals in Barbados. (Asides) I do not want to hear about any recession. Do not give me anything about the recession because, Sir, as far as I am aware, the last published statistics, I think within the last month of World Tourism, have indicated that there has been a 4 percent increase in world tourism.

We have, Sir, to be able, as I said, to prepare our plant in such a way that it is marketable and attractive. People will choose a tourist destination above other destinations if that destination has an edge.

We have seen, as Senator Hall has indicated, no new initiatives in tourism within the last five years — maybe, I would say, with two exceptions. I will name them — none of your making, that is why I will name them — the Harrison's Cave and the Underwater Park. None of your making.

Tell me or show me any new initiatives which have been embarked on by this present Administration to make our tourist plant more attractive. Do not worry to tell me that this is one — that you are classifying hotels now. All the classifications that you are talking about will make absolutely no difference if the things I am talking about are not put into place and into proper perspective.

There is an ambivalence on the part of the Government relative to gambling and to nudity. These are two issues which already touch on tourism. One does not know nudity.... (Asides) (Laughter) (We are all in it if you are in tourism.) We want to get a very clear position from the Government on this because I recall, very clearly, when this matter came up in the Lower House, a statement being made by one of the Government Ministers to the effect that legislation would have been coming down very shortly in order to make sure that there would be legislation to prevent this kind of public exhibition on our beaches. These might appear to be matters that honourable Senators might laugh at, but these are serious matters. I do not speak often on tourism, but I speak, Sir, with some feeling on this matter.

As I said, the fourth point is the fact that there have been no new initiatives except the Harrison's Cave

and the Underwater Park, which are not creations of the present Administration. But we are not even dealing with that.

The fifth one has to do with a very fundamental point, which not only affects the tourists but also affects all Barbadians. Indeed, I am suggesting that the other points, which I have mentioned, also affect all Barbadians. The question of the cleanliness of our environment, the question of beach erosion, the question of initiatives in tourist promotion and, generally speaking, tourism — all of these do affect Barbadians. But I will touch now on the question of prices.

Prices, Sir, have gone wild in this country. The Prime Minister, in today's newspaper, I notice, has admitted that there is nothing that he can do about prices — or some nonsense to that effect — in spite of the fact that if you were to read the Manifesto of the Barbados Labour Party in 1976 in particular, and also in 1981, very strong commitments were made by the Barbados Labour Party about bringing down the level of prices in this country and what-have-you. Yet, we heard the Minister of Information, Senator Barrow, today talking about the need to control prices in construction and construction materials. He is singing one tune and the Prime Minister is singing another tune.

SENATOR THE HON. N. A. BARROW: On a point of order, Mr. Deputy President. I believe that when we use certain terms that we use them with a specific meaning. When we talk about price controls in the context in which Senator Greaves is talking, I believe that if he is to be understood to mean that we are talking about price controls within the context of the legislative machinery in this country — if that is what he is talking about — he is unfortunately misleading this Honourable Senate, because that is not what I said.

I did not advocate putting price controls. I mentioned a number of things and I said how we deal with them will all affect the overall national housing plan. I did not say that this or that specific was going into the plan. I want to be very clear, or very careful, as to what I say. If that is what he means, I am afraid he is misleading the Senate.

SENATOR E. E. GREAVES: Sir, I am talking about price controls — our ability to control prices in this country, and when I talk about prices in the context of the tourism industry, naturally I would have to talk about prices at all levels and in every area, and look at not only the prices of rooms, but also at our ancillary services, hire car rentals, higher taxi fares, restaurant charges, watersport charges.

These are things about which tourists complain. The prices of good items. Let us say they are in an

apartment and have to go to a supermarket to purchase certain goods; they discover that the prices are horrendous and often wonder how Barbadians can exist in such a situation.

At this point I think that this is a plea which I am making on behalf of all Barbadians, that something ought to be done in that area.

The question of building costs, to some extent, would determine, presumably, the final rate which a hotel would offer. Added to this would be the very vexing question of interest rates, to which we have had very long references today from both Senator Barrow and Senator McClean, because in the final analysis the interest rates which are paid in Barbados, whether for extending a house or extending a hotel or constructing a hotel, I am suggesting also goes, it would seem to me, to make up the high prices which eventually we see emerging in this country.

Senator Hall indicated that there seems to be a need for new leadership in tourism. He referred, just to give you an example, to the fiasco, which, presumably, is an indication of the level of organisation in the Board of Tourism, of the recent Disney World Show. I am not even referring to that. I very well recall somewhere around Easter, the almost, it appeared to me, like drowning people grabbing at a straw when President Reagan announced that he was coming to Barbados, the Tourist Board held on to this and paraded this as if this would be the be all and end all for tourism in Barbados. Barbados would get all sorts of unpaid advertisement from coast to coast in the United States of America, and one was led to believe, Sir, that tourists would come rushing to our shores. Reagan has come, and Reagan has gone — and the tourists do not seem to be coming.

What I am saying is that all this has demonstrated a bankruptcy of ideas in the promotion of tourism in this country. Sir, in the papers today there is some announcement to the effect that our Police Band is going to Orlando, Florida. I am saying this is a waste of taxpayers' money. I make bold to say that. What is the purpose?

We are led to believe that if the band goes to Orlando that tourists will hear the Band and will hopefully come to Barbados. This, I am saying, Sir, is a complete misunderstanding of the dynamics of tourism, because Orlando is also a tourist resort.

When the band goes to Orlando, they are entertaining people in Orlando and people who go to Orlando would, when they go back from their holidays, say what a good time they had in Orlando and would therefore

encourage their friends to go to Orlando the next time, because of the level of entertainment which you get in Orlando.

When the Barbados Police Band goes to Orlando, do you think anybody is going to stop and find out where they came from? You go to these resorts and they have all sorts of bands and all sorts of entertainment. People hear them and enjoy them and will say that next time I will go back, and encourage others to go there, because of that.

We lack direction in this very important area. Sir, I believe that the time has come for us to take a very serious look at this whole question of tourism and tourist promotion.

Of course, at this point in time, I am not even sure where the leadership not the leadership, because there is no leadership at all in tourism. You get the Prime Minister going overseas promoting tourism – because we do not hear very much about the Minister of Tourism being involved in tourist promotion now – you get the Parliamentary Secretary also going and promoting tourism and talking to – who is it? Percy Sledge or somebody like that? You know – present them with a bottle of rum – this will bring tourists to Barbados. An absolute waste of time. A waste of time.

I think the time has come when we must sit down and plan, properly, for the development of tourism. I am submitting, Sir, that this is not taking place. And when all of this is added to the very serious problems in this society, to which I have alluded, then we can see why we are deteriorating as a tourist plant and why we are not demonstrating any ability to attract tourists in this country.

Sir, the workers in the hotel industry are very concerned about their jobs. They are very, very concerned about their jobs and the future of tourism. And, as a Barbadian, I think that we all ought to be concerned.

But we are talking about leadership. I just want to read an extract. I can pass it to Senator Barrow when I am finished because he likes to read the complete thing. I will read an extract of a debate to show you the kind of I have to try to use the most elegant language – Sir, if I were on a political platform, I would use the word, “nincompoops”; but I know it is unparliamentary to use it in here, so I would not do that – but, to show you the kind of people who we have in the leadership in the tourism industry in Barbados, let us turn to page 1444 of the Debates of the House of Assembly for Wednesday, March 31, 1982. Here, Mr. L. L. Sisnett, who, I believe, is the Parliamentary Secretary in the Ministry of Tourism, on the second half of that page, paragraph one, two, three, is talking about people who

are sabotaging the tourist industry in Barbados. You know what that gentleman had to say? This is what he had to say – I just show how he treats visitors:

“I believe there are visitors, who are opposed to the development of Barbados, generally, that might have a hand in the total destruction of the basic economic fabric of Barbados.”

You read this here, “visitors”. I interpret this to mean tourists.

Now, when you get people who will make such loose and careless remarks, it does our industry no good. It does our image no good. So we have to in my view, adopt a more serious approach to this question.

Quite recently, the newspapers reported, the anger of the captain of a tourist liner which, from what I can gather, came to Barbados for the first time and which, apparently, had forewarned the Board of Tourism of its arrival. The captain was expressing his distress that when he reached Barbados, the tourists and, generally speaking, the ship was not accorded a proper welcome and he threatened that he would not return to Barbados.

If we are going to be in the business of the promotion of tourism and the encouragement of tourists to Barbados, we have to look at all aspects of our tourism; and we have to give the necessary encouragement to make people feel welcome and make people feel at home. It does not appear to me, Sir, as if we are doing this.

Now, I am a Barbadian, a very proud Barbadian, and I want to say that all that I have said has nothing to do with pushing Barbadians in the background or just doing things for the tourists. I want to make that point very, very clear because, as the calypsonian has said – the Mighty Gabby in a calypso, which I hope will be the road march in Barbados – our navel strings are buried here whilst the tourists’ navel strings are buried anywhere.

So whereas I am making an appeal for an improvement in the quality of services which we offer to the tourists, an improvement in the kind of campaign which we carry out in order to lure tourist to Barbados, while I am saying all of that, I am recognising the fact that we have to be able to make Barbados comfortable for Barbadians first of all. And I believe, Sir, that if we make Barbados comfortable for Barbadians, and when we make Barbadians feel that they have a stake in this country, then we would be going a far way in rectifying some of the ills that I have identified and with which I am submitting, the tourists have become disgusted.

I hope, Sir, that I have been able to touch some of these very important ills and that we would hear the response from the Government and also, of course, from

the Senators who sit on Boards that I have given a little 'touch-up' to this evening.

Thank you, Sir.

Mr. DEPUTY PRESIDENT: Senator Lynch.

SENATOR MRS. E. M. LYNCH: Mr. Deputy President, the closing words of the leader of the Opposition, when he talks of making Barbados better for Barbadians, does stimulate a favourable response from me.

I would like to think that we begin to look at tourism in human terms and that we should use this pause in the growth of tourism as an opportunity, not to exult about our failures in any particular period of time, but that we use this period to look critically at our society and to do the things which we think are necessary for creating and improving our way of life so that it is pleasant for us and therefore, attractive to visitors.

Each country will develop a particular pattern to suit itself. In Barbados, I think that we made a great act of faith. We did not, as happens in some countries, isolate our tourists. We have no Mill Reef. We have no Montego Bay. We have nowhere for tourists only. The visitors to Barbados mingle with the society and become a part of it.

Not many people realise that numbers of our visitors do not live the tourist life at all. They come into the country, they rent a house in a seaside village, and they live among the people of that village.

Therefore, we need to be careful about the glamorized pictures that we may take abroad, because there are visitors who come and see the country as it is. They live among the people — that is how they like it — you cannot hide our defects from them.

One thing which concerns me greatly is that Barbadians do not seem to be as responsive to reason and to clear thinking as they previously were. We see, year after year, a great many attempts to educate people to the importance of the sugar cane industry, they are told carefully year after year why there should not be cane fires, yet the skies are blackened each year with more and more smoke coming from a greater acreage of crops being destroyed. It is clear then that there are people in our society who are not concerned about the welfare of our country, who do not realize that their own well-being is bound up with the well-being of their community. Here is where I think we must begin — we must stress individual responsibility for what is taking place in Barbados.

That last speaker is himself an educator of an important section of the society — the trade unions,

30 000 members. I well remember some time ago that there were some wage negotiations and at the end of those wage negotiations great was the content, of both management and workers, with the decisions they had reached. But lo and behold — in a few months time the price of hotel rooms went up considerably.

The last speaker has himself stressed how much the cost of living and rising prices have effected the tourist industry. We can therefore say that the trade union itself has a job of educating to do, and has a vital part to play in this matter of cost in the industry, especially, as he mentioned, since workers are anxious about their jobs.

In countries where workers are anxious about their jobs, they are behaving very differently. They are saying let us keep our jobs; let us ask for the kind of wages that will enable us to keep our jobs. In fact, they are taking a somewhat sensible and broader view than we are.

I am sorry that Senator Greaves has left because he, himself, raised this question and I would like to stress that he, as the chief educator in the trade union movement, has a great opportunity to influence a large section of the society in this matter of tourism.

Our pattern of tourism is that the visitor is invited and encouraged to move around in the society. We say that our beaches must be available for use by everyone. We say that the buses are there, very reasonably priced, for visitors and citizens alike. There are taxis and shops which are all manned by our local people and, as I mentioned before, visitors, year after year, share in the life of our seaside villages. In fact, they often keep up a steady correspondence with the landlords during the year to make sure that they can get that same house when they come again to visit.

But, in pursuing this kind of tourism, we cannot be too careful about the backlash that we get when we go abroad selling Barbados as a place a smile wide — people on beautiful beaches, relaxation, quietness and peace, and all the beauties that we like to picture — and then the tourist find, on arrival, that this is not the reality. Their reactions are then perhaps greater than if they had not had quite such high expectations.

Spain is mentioned. That is a country, I have heard, with very reasonable prices. Jamaica has a very wide variety of scenery. In Bermuda everything is done for the tourists. In fact, the Bermudians often think that tourist come first. But I understand that it is a very beautiful country and there are rows of oleandas and so on, as you arrive; you see all these flowers, and it is small but a very beautiful country.

When we talk about the refuse on our street, again, immediately you will hear about the Sanitation Department when, in fact, what we ought to be talking about is every individual citizen feeling a responsibility for placing refuse where it should be placed.

It does not matter how excellent the Sanitation Department works — the streets will be dirty if every one eating on the streets drops litter. So we come back to this question of personal pride in our country, of a strong sense of responsibility, of thoughtfulness, of caring that our country should have a high quality of life. We can only get that if each individual citizen plays his part.

The other day I saw a snow cone man at a very crowded gathering, a place where there were lots of people, and I said something to him about the place he had chosen to put his snow cone cart. He answered me very rudely, and informed me that he was not concerned with what happened to the snow cone cups; that was the business of the Sanitation Department.

Now this exemplifies the kind of attitude where somebody, who is dealing in the trade which will give rise to littering, tells you quite clearly that he is not concerned about what happens to his snow cone cups — that is the job of the Sanitation people, and they should make arrangements for cleaning them up. This is a problem to which we have not seriously addressed ourselves.

There are lots of people going around in this society painting very dismal pictures of our lives, and, in a way, doing something dangerous.

A small country like ours, with the kind of economy which we have, survives on confidence; the Americans know that and so do we. That is, in countries which have a high level of credit, those are countries which have realized that as long as confidence is there you get business transactions, borrowing and lending, and it breaks down the moment that people panic; the whole economy comes tumbling down. As long as you are confident, you keep moving.

So people who destroy our confidence in ourselves are not helping us. We have to see our problems, yes; but we have to continually affirm our faith in our people, to face those problems and to deal with them.

We have problems with crime. When people leave a country, you may say there is more crime in the countries from which these people come. But they have left their countries to come on holiday because they want to get away from that sort of atmosphere. If they leave an atmosphere in their own home where there is a great deal of crime and come on holiday to another atmosphere where they face criminal attacks, they would not have had a holiday.

They come to us because they feel that we are a placid, quiet society where they can rest and have a pleasant time. If we are selling our tourist plant, perhaps we should be trying to sell Barbados as a place which is restful — it used to be law abiding — and we should try to get our people to understand that they are the product we are selling. So we have to make up our minds about the kind of tourism we want.

We can encourage a type of tourism to which Senator Greaves referred just now. We can have as much nudism as we want, as much gambling as we want, and as much other things which we associate sometimes with tourist destinations, but that kind of tourism destroys itself because it destroys the life, the very thing for which the visitors come.

The visitor, himself, can help to destroy the very things he wants to enjoy when he comes, so we have to be careful about this. We cannot give every type of tourist the kind of life that he may wish. We have to sell a particular way of life, and the tourist who likes the way of life that we have to offer will come to us. The others, who want to do other things, will choose other tourist destinations which may have the kind of tourism that they wish.

I think that is a decision we have to make. What kind of a visitor are we trying to attract? How can we ensure that our life is sufficiently pleasant, that our streets are sufficiently clean, that our people are sufficiently friendly, that the visitor will feel that he is getting good value for his money.

What we wish then is a change of attitude. We want to move away from what is the prevailing attitude to tourists almost throughout the world, I think, and that is exploitation of the visitor; here is a visitor, how can we wring as much money as possible out of him?

We have to realise that people who are travelling in such numbers must, of necessity, be very often simple folk, who have saved to come for their holiday, and who have to watch their expenditure. We should be trying to see that what we really do have is a variety of places where people can go according to their means, that we have a whole attitude of helping the visitor to enjoy Barbados and giving them a good return for their money, rather than let us see how much we can make.

It is really amazing to see how many people have gone building hotels, apartments; everybody seems to feel that this is the way to make money. Everybody is getting very imitative, everybody is busy trying to jump on the tourist bandwagon.

I think we need to change this attitude entirely to keep our national pride; to say, "here is our country, we

think it is a beautiful country, we think it is a fine country. You can come and share it, you can come and look at it, and we are glad if you spend some of your money here, but we know that we will not attract every type of tourist."

We should not be trying to do that. We should have the type of person we want very clear in our minds and work hard to attract that type of tourist — and keep a sense of balance.

For example, I heard something about our roads and how bad our roads are. Jamaica, we are told, has got a great increase in their tourism recently, but outside of Kingston Jamaica, roads are not as good as ours. (SENATOR THE HON. N. A. BARROW: Only outside Kingston?) I am being generous. We hear, for example, of the amount of crime we see on television. I know countries which have no television, but they have more crime than we.

So we have got to be positive, we have got to be confident, we have got to have faith in ourselves and we have to pull together. We are no longer fighting merely for political power. No kingdom, no king. When Barbados has been destroyed, it would not matter which party is ruling it — it would not be worth ruling.

We also have to realise, whether we are trade unionists, whether we are employers..... in fact, I find it very difficult to discover how people divide the country into workers and employers, because many of us are workers on the one hand and employ other people, so that the worker is very often both a worker and an employer. He sees both sides of the coin and we should not try to divide the country in that kind of way.

I think we should see ourselves as all fighting for survival. It does not matter at what level of society we are. In a country as small as Barbados, with an economy as fragile as ours is, we are all fighting for survival. And in this effort to improve our country, we will reach our goal of improving what Senator Greaves refers to as a tourist plant.

I want to say something, briefly, on this question of crime among young people. I am a bit disheartened that I have not seen any attempt to bring together the people who deal with young people to look at the whole question of what is happening, because some of the young people committing a very large number of crimes are of an age when they would have been in school. They are either in school or ought to be in school, or they are just out of school.

When things begin to go wrong with a certain age group so noticeably in the society, we should not merely concentrate on that group; we should concentrate on

what is happening just before that, what is happening in our very large schools, for example, and what are the circumstances.

By now, we ought to have a sufficient body of information about the kinds of young persons who are committing serious crimes, their sort of home backgrounds, and whether they are really employed or unemployed. We should have a whole body of information about them which would enable us to tackle the problem from the preventive side.

It is not merely the number of policemen we have, or how clever the police are. We ought to set out to look at a problem of this sort constructively.

I think that even people who are criminal in intention should realise that they do not help their country, and, of course, do not show any pride in their country by singling out visitors for attacks, because they happen to be better than they, they think. Such things as sullenness, discontent, the idea that nobody should have more than we have; all these are things which are often encouraged in the society by the utterances of people who should know better.

I think we ought to be aware of our individual responsibility for what is happening in our country and see improvement as a definite step towards the other problem of attracting a kind of visitor that suits Barbados.

SENATOR MISS J. CLARKE: Mr. Deputy President, I think it is but right that we should be moving towards the establishment as a system of controls and regulations for the tourist industry because this industry is too vital a plank in our economy for us to continue to rely on self-regulation as a means of control. I therefore have no difficulty in supporting the Bill, although I would have like to see provision for additional areas, which I consider to be very important.

While I appreciate that the Board of Tourism Act may be sufficiently broad as to permit the Board to supervise the industry generally, and therefore to have the impact of all areas of operation, I feel nevertheless that there are at least two specific areas which give cause for concern. And while I do not normally like to speak unless I can speak specifically to the Bill in question as set out before us, and unless I can avoid repetition, I would crave your indulgence in drawing attention to these two areas.

In the first place, there is already legislation in existence, but I think that this needs to be tightened in order to give greater protection to the buying public. I am thinking here of the Condominium Act since condominiums have now become part of the hotel scene and therefore part of the tourist industry.

I feel that there is very real need for that Act to be tightened so as to protect more adequately the rights of members of the public who may be persuaded by developers, hoteliers or other entities to invest their hard-earned savings in condominium ownership. To this end I feel that some consideration needs to be given to the matter of the promotional material used in facilitation of investment in condominiums so as to remove any possibility of misleading information being provided to induce the public to purchase.

I submit, too, that there is urgent need for the establishment of a system of regulations under which persons seeking permission to establish condominiums ought to be required to submit, in advance to the relevant authority, the promotional material which they intend to use for approval.

In doing so, I think that it should be mandatory for applications to be accompanied by adequate details of past, and present, performance, where this is seemed to be applicable, and to be backed by audited financial statements. In this way the authority can satisfy itself as to the authenticity of projective yields of investments on which purchasers of condominium units are being asked to base their decisions to purchase.

Furthermore, I submit that there should be provision for periodic audits of the performance of those who manage condominium operations, of hotels in which condominium operations are part of the plant, so that the investor or the owner of the unit can be protected, as far as possible, from any possibility of mal-performance on the part of the hotel management.

As I said, there is an Act in place already, but I believe that it needs to be upgraded in order to take full care of all of the areas of operation.

The other area in which I see the real need for action relates to the question of time sharing. Since we have no legislation at the moment to protect investors in time sharing, I believe that we need to move, with all speed, to rectify this position so that the buying public, wherever it may be located, can be protected, as far as humanly possible, from the weaknesses which has been experienced in our countries where time sharing has become a feature of tourism.

There is, in my view, urgent need for the passage of such legislation which would control and regulate the technique of time sharing.

Even though it may be argued that there are advantages in using time sharing as a means of boosting our tourist industry, I feel that there are also disadvantages which are inherent to the time sharing mechanism. We must recognise these, and work as far as possible to

eliminate them. Certainly, we must be conscious of the need to balance the advantages against the disadvantages. If we do not do this, we stand the chance of doing irreparable harm to our tourist industry particularly, and to our economy generally.

In the absence of a time sharing law, we cannot assume that time sharing developers would operate under the tenets of the laws which they know to exist in other countries. Therefore, we need to move with some speed if we are to avoid some of the possible damage which has been done elsewhere and which can easily be done here.

There is, for instance, need for time share developers to be required to establish Trust Accounts or Escrow Accounts to which purchase monies can be deposited and withdrawn as time sharing intervals pass by.

Earlier today we debated a piece of legislation relating to the control of travel agencies. Although we have been lucky, so far, that we have had no fiasco in that segment of the tourist industry, we might not be as lucky in the area of time sharing and condominium activity. And therefore I submit that we cannot afford to wait as long as we did on the travel agency legislation.

The potential loss of investment by locals, and foreigners, in condominium units, and the potential loss of investment of potential visitors through time sharing techniques, are sufficiently serious — to warrant urgent action. There is, of course, also the potential loss of revenue to Government, where time sharing becomes fashionable, as well as potential loss of employment within the hotel industry.

Now, recognising that it takes a very long time to draft an enact new legislation, I would like to suggest that it might be advisable for the Minister responsible for Tourism to direct that the Board of Tourism, in the meanwhile, act in the area of control where condominium and time sharing activities are concerned in the same way that they are now being asked to act in the area of control of a classification of accommodation and ancillary services.

As has already been said, tourism is a very important sector of the economy and, this being the case, we must do whatever we can now in order to ensure that we do not suffer any undue losses, either in terms of real cash or in terms of good name. So I urge that consideration be given to further expansion of the powers of the Board of Tourism, if this is seen to be necessary, so that we can try and avoid the possible calamities which have occurred elsewhere where time sharing and condominium mechanisms have been at work.

SENATOR THE REV. CAN. I. McK. JONES: Mr. Deputy President, much debate has ensued on this topic, as well

as it might, because, as has been already mentioned, it is an extremely important sector of our economy. I perceived an element of levity by a speaker in dealing with some part of this, and I am glad to see that an element of seriousness has been brought back into it by the last two speakers.

It would seem to me, Sir, that one of the main things about our tourism is that people seem to forget that it is a human thing. It has to do with humans and, as is said, first impressions go a long way.

I personally think what is at the back of most of the trouble with tourism at the moment, and its decline, has a lot to do with how people are treated when they come to a place. I feel that when you arrive in a new place for the first time and you go through Customs and you meet a certain coldness and a certain lack of a smile or anything of that kind, you are put off right away.

I have been at the airport several times when tourists have arrived, and I myself, have to wonder how these people feel when they look at the faces of the people who have to take their passports and so on.

I would hope that the Tourist Board would pay much more attention to the way how people are received when they come here. In other words, I agree with Senator Clarke: that supervision should be much more imposed at places like Grantley Adams Airport. Supervision of the industry is needed at the Grantley Adams Airport now and at the Harbour.

Another thing that strikes one as you come to Barbados — and I must say it as a Barbadian — is that I do not think there is anywhere I have been that I have heard more expletives used in ordinary conversation as I have heard in Barbados.

People are always using these kinds of words and expressions for no rhyme or reason — not because they are angry, because they are not angry with people. It is just an ordinary mode of speech, and I think it is really degrading. This is something we should also be looking at.

I really feel, too, that there should be more emphasis on proper speech, and that people who use filthy language on the streets and so on, and at the airport, with policemen around, should be arrested. I am saying this and I am not making any apology for it.

I feel that Justices of the Peace who also have the authority to charge people for indecent language should use their authority, because I feel this has a lot to do with the kind of response, or lack of response, we are getting from tourists coming here.

Then, there are the high prices in the hotel business. I really feel that the hoteliers have largely priced

themselves out of the market. There must be some truth in this because everyone knows that tourism in Jamaica was almost down to zero three or four years ago and now, I understand — I do not know if it is true, but I have been told this only the day before yesterday — that the occupancy in Jamaica hotels is running somewhere between 75 per cent and 85 per cent. That is what I am told, and if that is so, and if that can be true of Jamaica, it can also be true of Barbados. I understand that the Jamaican hoteliers have slashed their prices. They have really dropped their prices far down, and that is one of the reasons why they have between 75 per cent and 85 per cent occupancy at the moment.

I think my charge against the Board of Tourism at least one of the charges I would make against them — is that it would seem to me that they do not allow their personnel placed in foreign countries to operate as they ought to operate. It seems to me that they operate more or less under duress in those places.

It would seem to me that people who live and work in a country, if you have tour operators in Canada, in the United States of America, in England, they are people who are living there and know their way around the places that they are; they know the people to get in touch with. And they will send over here and tell the directors and others over here at the Tourist Board what they have done — just to hear that that is not to be done. In other words, it would appear as though the Board of Tourism wants to service the tourist plants from Barbados in all these overseas places, and that seems to me to be wrong.

It seems to me if you have people who are living in an area, and who have been accustomed to dealing with people in the area — and everybody does not think the same way — those people on the spot ought to know a little more about it than the people who are based back here in this island. I would hope that the Board of Tourism would listen more attentively to some of the suggestions made by the people in foreign places, like Toronto, Montreal and London and so on.

I have also been informed that the CTRC has brought out a very good manual or journal with some very factual material and that that journal or manual is not sent to these various places abroad. Now if that were done, that would help the people over there very much. But I understand that some did not even know it was published and it was out over six months ago.

We talk about recession. I do not think that we should blame the decline in tourism on recession. I think we should blame it mostly on ourselves. I do know that there is a lack of courtesy and a lack of decency and a lack of warmth amongst many people in Barbados today, and I think that militates against the coming of tourists more than anything else.

Senator Hall pointed out that when you go to a hotel it is not the building that makes the hotel, it is the warmth, the kindness, the friendliness, the courtesy and service of the people who man these hotels. I think this is where we are falling down. We are producing a breed of people who seem to feel that all they are interested in is themselves.

I feel that we should make people understand that tourism is an essential thing for this country, and, in the schools, too, we should have our children hearing something about tourism and what it means to us.

It has been said that people have been trying to make a political football of tourism. I do not think that should happen. I think we are all Barbadians and we should all wish the best for our country, and we should not see this in terms of you belonging to this party and I belonging to this party. We should see it in terms of what is best for our Island, Barbados. It is not really correct to say that this Government or that Government has not done anything for tourism. All Governments have done something good for tourism.

It is true to say that over the past two years the numbers of arrivals in this country have set a record. The fact that we are going downward now, I still do not think that should be put on the recession only, but it is a lot to do with the attitudinal responses of people here. If our attitudes to people were different, I do not think we would have anything to fear.

Therefore, I am saying, that bleak as the prospect may look to some people, I still feel that we as Barbadians have it within ourselves, within our inner spirit, to bring about the revival of tourism in this country, in the same way that they have just done it in Jamaica.

Thank you.

Mr. DEPUTY PRESIDENT: Senator Rouse.

SENATOR K. A. ROUSE: Thank you, Mr. Deputy President. Mr. Deputy President, I rise to support this Bill because I believe that tourism is very vital and valuable to our economy and that our people must first decide what they want in order to make Barbados a very valuable place, not only for us but for visitors to our shores.

One of the things I noticed quite recently while abroad, and which worried me, was that people thought that Barbados was pricing itself out of the tourist industry. I believe, Sir, that hotel owners, people with restaurants, mini buses, taxis, and all of these things that attract tourists, should realise how important it is to have

those people coming to our shores and welcoming them, as Senator Lynch mentioned, to show that it is important to us to have these people come to our shores.

I do realise how important it is for the country to appear as clean and as sanitary as it can. I notice that Senator Greaves, in his contribution, mentioned a dirty Barbados.

I do not share his views for the simple reason, Sir, that for the past two years, in spite of equipment problems and everything that happened to come up at the time, the Sanitation Service Authority has done a very good job.. It must be noted that Dr. Padden of PAHO, who visited Barbados in 1981, said in his report that he was very, very happy and pleased with the way the Sanitation Service Authority was making its contribution to the cleanliness of this country.

But, Mr. Deputy President, one can hardly blame the Sanitation Service Authority for allowing people to dump anywhere. In the past years, Mr. Deputy President, we have been putting signs throughout Barbados asking people not to dump garbage any place, especially the people in motor cars, especially the people who are riding on buses.

I heard Senator Lynch talk, not long ago, about the snow cones where people are more interested in themselves than in the environment, cleanliness, the tourists coming, or any other thing in Barbados. People must realise that if they do not do their part to help Barbados maintain its position in this world, then they are disappointing Barbados.

As Senator Canon Jones said, we are building our own destiny and if we do not consider that Barbados firstly belongs to us, secondly it belongs to the tourists, then we are falling short of our own thinking.

Mr. Deputy President, the Sanitation Service Authority is embarking upon very positive and preventative measures to curb illegal dumping in this country. Very shortly – and I am giving notice to all those persons who put garbage in their cars and come down the streets and dump it alongside the road – we, very shortly, will be having wardens – very shortly – and we are going to have people with a police background so that we will not have any trouble in prosecuting these people.

We have warned them by signs. We have warned them by notices on our radios. We have warned them throughout the country by all means. And they have neglected our warnings. We are going to be very positive. We are going to be very....(SENATOR E. E. GREAVES: Drastic).....drastic (Laughter) (If Senator Greaves feels that I am taking words from him, he is wrong. I heard other members say that Senator Greaves is the leader of

the Opposition in the Honourable Senate, but from Senator Hall's contribution, I do realise that Senator Hall made a valuable contribution to this debate and therefore, I have decided that.....)

But, Sir, not making any jokes about this whole thing at all, I believe that we have got to realise how important it is to look after Barbados, not only for the tourists but for Barbadians as a whole.

I do believe that we have got to make sure that the hotels consider that there are people who come to our shores who are sanitary workers, who are bus conductors, who are drivers, who are train conductors. They are not millionaires, Sir. As Senator Lynch said, they have left their country and they have come to look for relaxation, and we must offer that.

And, therefore, I believe that our hotels, our taxis, our mini buses, and all these people who assist in tourist promotion, must realise that we must welcome these people and we must not overtax ourselves.

Thank you, Sir.

Mr. DEPUTY PRESIDENT: Senator Reece.

SENATOR A. P. L. REECE: Mr. Deputy President, I rise to support this Bill, and, in doing so, I want to make a few remarks as regards the standards which are obtaining in this country and as regards the attitudes which currently prevail among staff of hotels.

It is a very important step that this Bill is introduced whereby we will grade the hotels. Once we set about classifying and grading hotels, it is obvious that the tourists who arrive in Barbados will be exploring the best hotels and looking for the best standards.

It is like petrol, Mr. Deputy President. If we had no stars on the petrol in Barbados, then you have to accept what you get. Once you have stars on the hotels in Barbados, then the tourists will be looking for the better hotels, those with the most stars, in which to stay.

It is to be hoped that the staff of these hotels will match up to the stars which these hotels are supposed to be carrying once they have been classified three, two, one, or five star. It is most important, Mr. Deputy President, that the attitudes of these workers change and become commensurate with the standards the hotels are supposed to be projecting.

It seems that, even in some cases, there is a suffering and a breakdown in the hotels starting from the management coming through to the staff.

There is a case of a hotel which is known to offer all kinds of goodies to guests — from small matches up, including their usual cocktail parties, and rum punch parties — and a lot of these things have gone out of the window. In lots of cases this is not because of an economic problem, it is only that the tourists have been taken for granted, in many cases.

Further to this, and what is making the situation felt even more, is the problem of the attitude getting through to the tourists. The tourists seem to be feeling the reaction of the staff in these hotels, and that has caused lots of tourist who were regular visitors, the type of tourist most hotels rely on for their business, to react by ceasing to come to Barbados.

The Department of Hospitality Studies of the Barbados Community College, is, I know, pursuing, as part of its policy, an attempt at upgrading the approach and attitudes of its students who are then thrust on to the hotel industry. One is to hope that the students, having taken in the standards which are taught them at the College, will maintain them when working. (I know of one lady who has gone away to try and upgrade those standards, and has come back to pass on her experience and her knowledge to them). Once you can get that improvement from the prospective staff coming out of the hotel school, then I am sure this can at least assist the industry.

Mr. Deputy President, in the area of the promotion of the industry, I think that an aspect which has to be given careful attention is the profile of the promotion. There needs to be a high profile by the Barbados Board of Tourism. The Board is already doing a good job, but there is room for improvement. There is a need for a profile in projecting the industry in Barbados.

One of the approaches, which I can see, which can immediately be used, is to shift the direction of its advertising away from the commercial and trade magazines and direct more of it to the consumer.

In so doing, the use of the television is a very strong and effective medium. We need to see Barbados promoted in the homes in New York, New Jersey, Rochester, Baltimore and a lot of the North American cities. We are already known in Canada and perhaps that influx of television advertising in the homes in Canada, as an extension of the North American concept, will assist us greatly in improving our numbers.

We know that Canada is in the midst of its economic recession, like most other countries. But we need prepare our profile from now so that when they are coming out of their economic problems, they can react

by showing people, "well I have recovered as individuals." There are individuals who want to show people that they have recovered from the economic recession of the country, and they will want to start travelling. But they need some place to go. They need some place that has been projected at the right level. This is why projecting Barbados on the television screens in these countries would do a lot for the country.

I know that it takes a lot of money. I know that 30 second ads on North American television cost thousands of dollars. But you are dealing with a thousand dollar and a million dollar industry. No man can put up a block of apartments or a hotel for less than \$800 000, if he wants to strike at any good market. It therefore behoves the Board of Tourism to strike at that level in its promotional campaign.

I am not suggesting that you are trying to induce people who are working in the top-most bracket of income in England and North America to come to Barbados. But the way you project your image is the way you will get your reaction and when we talk of classifying our hotels and upgrading our hotels, we need to attract people who will be satisfied when they come here that this hotel meets what it says; that the Board of Tourism has promoted itself accurately, and that we are not misleading anyone. Therefore, that high profile, by way of promotion of our tourist industry, is most vital to Barbados, if we are to come out of the recession we are in.

I believe, very frankly, by way of comparison, that Jamaica has adopted a similar attitude in coming out of the tourism recession, as opposed to economic recession, which Jamaica had been suffering. And they, as a country in the Caribbean — although closer to the North American continent and therefore cheaper to get there — have been able to recoup a lot of the losses they suffered in their recent past.

I do not see a gloom hanging over Barbados in the tourist industry. There is too much to lose in Barbados and no one to sell the hotels to, if they are to be closed down and sold out by the mortgagees. Therefore, I see an improvement coming to the Barbados tourist industry in the very near future, so long as we deal with the attitudes of the people who are now using the kind of approach they use in dealing with tourists, and as long as we improve the profile which we need.

Mr. Deputy President, I hope that I am not too late in declaring the fact that I have a vested interest in the industry. But perhaps it allows me to speak from a position of personal knowledge when I report these matters.

Mr. Deputy President, I certainly look forward to an improvement in the pride of every Barbadian, a pride in the tourist industry, especially at a time when the agricultural segment is at one of its lower standards, and we cannot have the agricultural segment and the tourist segment going down at the same time.

We need to put our backs to the plough, so to speak, to bring up the tourist industry. And I am sure that the classification of hotels and improvement in the standards of the hotels, and, therefore, of its staff, will all go well for the tourist industry in Barbados.

SENATOR THE HON. N. A. BARROW: Mr. President I trust that in my haste I do not overlook any of the points to which I shall reply, but I am aware that Senator Hall has an engagement and wishes to leave. I do not think that the other two items will take too much time, and I do not think we can lose any contention there. But there are one or two points raised in the course of the debate which I believe I should pay a little attention to.

Senator Hall at one point, doing what was rather an extensive sweep, made reference to a system to be used in the classifications. I had indeed intended, Sir, when I introduced it, that I would have intimated that while the details of that classification are not in my mind, I am aware of it, because we have seen the document already.

It goes something like this. Dealing with a hotel at the lowest rung of the ladder they would be aware that there is satisfactory accommodation, but shared bathrooms, for example, and you move from that stage, one, right through to a luxury hotel, with differentiations at each stage. But they are quite clear as to what things would be required to qualify for one star, two star, three star, four star, or five star.

In determining room size, for example, the cupboard space and ante room space cannot be taken into account in that size of the room.

There might be a mixture, for example, where a hotel has some private bathrooms and some shared bathrooms, and the whole rating again would be in accordance with what it has specifically. Another thing — if a hotel has more than one floor, except it is merely one more floor, if it goes above a second floor, there will be the requirement that it has a lift, for example, and if it does not, that would also affect the rating. These things are among the quite clearly stated objective standards operating.

The Senator made a point which I rather like, when he was talking about seeing the Carlyn Leacock Show on television on Monday night. What surprises me is

that he waited until now to make that point, because some good professional work has been put out by GIS, with Roy Byer's camera, for a long time, and I believe that Senator Hall must have noticed this.

I want to make the point, Sir, that it is a fact that a lot of people, including some Government Corporations, prefer to pay outsiders to do that kind of work for them, and recently, however, we have had rather a change in this. They are getting more confidence in the quality of the local work. The Central Bank, for example, commissioned its film to be done by GIS, and BIMAP did the same thing, so maybe the Tourist Board will come around to that too, so do not worry.

Senator Hall was making general observations which were not in my view, particularly contentious. He made a reference to a Public Relations Officer on study leave. I do not understand why you should not want people in the field of public relations to be educated and to be properly trained. It is very, very necessary that people in journalism, in any area of journalism — if you want to regard public relations as part of journalism or as an ally to journalism — are, first of all, educated to a point that can make them appreciate what the job is they have to do. In fact, we are suffering a lot because we do not put enough emphasis on training.

There were a couple of other points made, Sir. Senator Reece went into quite a detailed thing. I recognised that his recipe was going to require a great deal of expenditure, and I think he must recognise that he has to weigh this with competing demands for limited money. But I do not believe there is anybody who would dispute that the promotion of Barbados needs to be more dynamic.

I believe that while we were promoting Barbados, using certain techniques, and the tourists were coming, we might have become a little complacent about the subject of promotion. This is always possible. When things are going good you hardly ever say you are going to look at the thing and throw things out. But the challenge is now, and it would not be fair to run down the Tourist Board or anybody else, unless now that there is a challenge they refuse to look at it seriously and devise new means of dealing with the problem. That is really the point, Sir. If now faced with the challenge they do nothing, we can talk about them, but unless that is so, I do not think it would be fair to run the Tourist Board down.

I am not making that point specifically in reference to Senator Reece's point, because it is a point that has come up generally in contributions here. There have been comments about the way in which the Tourist Board is doing its promotion.

I do not believe, in spite of the fact that it came from an esteemed person as the Deputy Chairman of the Sanitation Services, that they really intend to get into the business of illegal dumping — I think they intend to deal with the business of illegal dumping. I think the Senator would do well not to let Senator Greaves get him into these little traps.

Some comments were made by Senator Jones, and there are one or two things with which, unfortunately, I must take issue. I think it would be true to say that the Senator's contribution reflected, perhaps, a briefing by somebody with a grouse.

As I understand it, the CTRC Manual — Senator Jones did call specifically for doing something about awareness of tourism in the schools — that is what the CTRC Manual is about, and therefore it would do no good to send it abroad to people who are in the promotion business. It is a manual, as I understand it, designed for teaching in the schools throughout the Caribbean.

We have to be wary, because when things start to go bad, a lot of employees of organisations do not take the point which I have just made, which is, "okay you have had a good track record so far, you now have a challenge, you now have to adjust and try to meet it." Some of them will start belly aching, so we hear that perhaps the Board should listen more attentively to its overseas people.

I cannot believe that the Board has been running all this time without listening to its overseas people. I cannot believe that everything its overseas people tell it to do it will do either, and I think it would be stupid to commit itself to that, but I believe that we have to be a little careful.

For example, Sir, if I examine comments made by the Senator, he has been informed that Jamaican hoteliers have slashed their rates. But I can assure you, Sir, that Jamaican hoteliers have not now slashed their rates. I do not believe I was in Jamaica last year, but certainly I was in Jamaica the year before, perhaps two or three times, and the rates have been down to rock bottom for quite some time.

The business of the occupancy presently being 75 to 80 percent; first of all I do not believe that, but there is something else you have to understand, Sir.

When you talk of occupancy rates in Jamaica being 75 to 80 per cent, you also have to recognise that the address of the Ministry of Foreign Affairs in Kingston, Jamaica, is the Skyline Hotel. In other words, we have to recognise that a lot of the tourist plant — I do not define

tourist plant like Senator Greaves, according to him tourist plant is the whole of Barbados, but I define tourist plant in the way that I think most people understand tourist plant, which is the buildings related directly to the tourism industry, the ancillary services and that kind of thing — but a lot of hotels have in fact ceased permanently to operate as hotels.

So the first thing you do is to dwarf your capacity, then you cut your rates, then you embark on this vigorous advertising campaign, and in that context you say that you have 75 to 80 per cent occupancy. That is a different kind of boast than if we could say that in Barbados today.

Secondly, I want to say it is still not a boast that I accept. Again, I hardly agree with Canon Jones in his stricture on the use of obscene language; not that I believe however that that has any impact on tourism.

I just feel that this frequent widespread use of obscenities is allied to the dumping of snow cone containers and so on, is all a means of fouling the environment (and Senator Rouse is not concerned with that aspect).

I believe that there is a lot of truth in the old story that when people are having a good cussing match and people are using obscenities, tourist pass and respond in a particular way because they do not understand that the words being used are obscene words. But be that as it may, I have certainly, Sir, seen it done, so I do not believe that it has any impact on tourists.

On the point of the airport, I am wondering how correct we are when we keep knocking either the Immigration or Customs Services in the airport, and I am speaking as one who once had a kind of experience in Customs which reflected very bad manners on the part of the particular officer.

I believe that it was rooted in political partisanship; (people who are in politics know how to behave to one another, but they are some people who do not know that because they support a particular political party that they should not be obnoxious to other people) I believe that the foolish boy who was a Customs Officer did not understand that after he had voted that at least he should have turned around now and be polite and face the fact that the party he supported had lost. I do not think it was due to anything more.

But generally speaking, when people come in I think, from what I have observed, that Immigration Officers treat them courteously and try to get them through quickly.

I know that sometimes they are not quite as courteously treated in Customs. And while I do not wish

to give comfort to those who would be rude to other people, I wish to say, Sir, that from time to time as we travel we have to go through places like Miami Airport and stand up in a line for two hours before you get through Immigration — and then when you come to Customs, if they are ready for you, you get all the harassment.

I just want to make the point that Immigration Services and Customs, as they go, generally are much worse than what you face in Barbados. I just want to make that point, Sir.

I am not saying that we must not aim to be the best, and where we are failing we should not tighten up. But I want to say, quite definitely, that we are far from being the worst as chalk is from cheese. So I think in that we have to be very careful about running ourselves down.

Senator Clarke made some references. In one case she was referring to what she would regard as inadequacies in the legislation and the two points within her focus concerned condominiums and time sharing.

In relation to time sharing she drew attention to the fact that no legislation is as yet in existence to protect the buying public. She said that, "urgent action is needed to avert the potential loss of employment and the potential loss of investment."

Government is well aware that if there are advantages to having time sharing, then it is doubtful what they are. And, already, the Ministry charged with the responsibility for Tourism is working on legislation for the control of time sharing. I believe, Sir, that the only decision Cabinet will have to make is whether the legislation should control time sharing or prohibit time sharing.

With regards to condominiums, the Senator is calling for the Act to be tightened to give greater protection to the rights of would be investors.

I believe, Sir, that I know what has motivated the Senator's interest in condominiums because it has been recognised that in Barbados one or two operations may, with justification, be called erratic. (*Asides*). What you say about Miramar? The Senator says that Miramar is on the verge of collapse with \$5 million in debt. (*Laughter*). I believe, Sir, that that is one of those things that has excited Senator Clarke.

I believe that if we go south, instead of just going to Miramar, we will find a condominium exercise that has been touted as being highly successful in its early days. A lot of people seem to have made money on their units and things have now suddenly become very "Rockly", rocky.

It seems as though the people who operate that particular one.....I understand that the senior partner in the firm of auditors for this particular enterprise is the Chairman of the Board of Directors of the same enterprise. I understand that the capital used for the promotion of Rockley is the capital of a client of the firm Pannell. Things, Sir, that when you really get down to it, if we operated a code of ethics within the profession, like the one they operate within the U.K., would have resulted in those people losing their franchise to practice as accountants. Let us face it.

And what is worse in this particular one, is that the owners were given no share in the food and beverage, although the owners had to help bear the cost of serving the Manager whom they employed before the present Manager/Director. In fact he was brought in when BS and T was terminating his contract. But he was one of the original directors. It is things like that.

The point is that if you really look at it, the story smells, it reaches to high heaven, and it is not essentially a tourism industry problem. That is the point I want to make. It is not essentially a tourism industry problem, but because they are operating in a hotel it becomes a matter which is a spin-off.

What I would like to say is that, not because one or two lawyers and the odd Accountant might have got taken in that same investment, it is time that when people are going to make that kind of investment to go and get proper legal advice before they make it.

I do not believe — even the lawyer — it is bad to be your own lawyer — that if people, in investing in that sort of thing, were careful to seek legal advice, that the owners in these particular places would not find themselves in this trouble.

I do not suppose one has any right to try to stop people from throwing away their money, but it is a little sad. I do not know, I have not looked at the loopholes. I have not considered, or been advised, that the matters which Senator Clarke raised are essentially the result of loopholes in the law. I do not know that anybody has misled people with literature in promoting the investment. I do not know this.

I know, Sir, that as it had operated, a man who bought a condominium did not insist on a share in the food and beverage as a term on which he would buy — and things like that. And then there are a number of other little mechanisms which they could have used to protect themselves. I happen to have asked too many questions about one particular thing, and I do not think they all have to be operated quite as crookedly as some of those we are talking about.

But, then again, I must take Senator Clarke's point, because, the fact that the same people may suffer in the way that some have suffered in these enterprises really means that perhaps they do need lawyers taking a proper look at them to see if the law needs tightening up. Or perhaps the Ministry — whatever the appropriate Ministry is — might just run an information campaign which warns people that it would be wise to be properly advised before embarking on any kind of significant investment, because that is a general thing.

But I believe that most people when they go into an investment look at it as if they were about to buy a piece of land to build a house. Any solicitor can do that for you. You do not really need anybody to advise you on investment as an investment, and to look for certain loopholes. The man is necessarily looking to see if you have good title and so on, and even if he may make a mistake sometimes and show you the landmarks wrong, or had no right showing you the landmarks, generally, Sir, that sort of investment does not fail.

Then, Sir, there was the contribution of Senator Greaves which I rather liked, in that the Senator was looking for a case. First of all, he chose the thesis that the tourism plant is all Barbadian — which I reject.

Let me say why I reject it. I do not think it is fair just to say I reject it. I believe if we are going to talk in any meaningful way about anything, that we have to determine what the parameters are, and that as far as possible we should use the parameters which are generally accepted by the public, or at least by the community, in which you are currently speaking.

I believe, Sir, that if we took any subject, if we took education, we would say that the education plant is all Barbados and in a sense that is right, but it does make discussion a little difficult to conduct in any orderly way because then, where do the limits come down?

If we talk about hotels, guest houses, apartments and ancillary services, I think that we all understand what we are talking about.

There is no point telling me about the state of the roads in this context, when in Jamaica — if you want to say that in Jamaica they are on the up now — outside the hotel all roads are bad. So what does this say? That tourism in Jamaica will not pick back up? This is why I really cannot accept this.

If one talked about the general environment, the general appearance of the country — and in this context he mentioned one or two things — if we want to become a slovenly, lazy set of people and make it the norm for snowcone cups and refuse to be on the streets, when

people come in, the impression they get of the country will be that; in the same way that the impression which one gets on entering Bermuda is one of order and cleanliness. I can understand that kind of point, but I do not think we should try to push the point beyond that.

Generally, Sir, when Senator Greaves says, if he said that Barbados has become dirtier, it is either a statement of fact or it is not a statement of fact. But I think that that is a point that is of importance to a discussion on tourism, and it does not matter to me whether it is objectively a fact. What I do know is that we need to do a lot more to clean up the country. We need to keep the country much cleaner than we are keeping it. So I am not going to deny him that point.

The business of crime. I do not really know what Senator Greaves wishes us to do; if he wishes us to set up little vigilante forces or what he wants. A great deal has been done in terms of strengthening the capability of the Police Force. The numbers have absolutely been increased. There has been a great deal of emphasis on training and equipment.

Really, I believe that he thought that in order to make any comment he had to find somewhere to appear to criticise the Government. If he felt so, Sir, I cannot really do anything about that, but that led him into the statement, which is really reprehensible, about crime in Barbados has been on the increase in spite of Government's attempts to fool people that this is not so.

I do not know that responsible Senators make statements which are as sweeping as that without being prepared to produce evidence to back up the statements. All I know is that the Senator did not produce any evidence. And in keeping with that brand of argument, he asserted that the last published statistics indicate that there has been a four per cent increase in world tourism, and therefore he did not want to hear anything about recession.

Now again just look at the crime figures. We have the last published statistics on tourism. I believe, Sir, that the source of his figures in the former case is page 31 of the Manifesto of the Democratic Labour Party for the General Election in 1981 — not the second page 31, the first page 31. I believe that this is where he found his evidence of an increase in crime.

I believe that the Commissioner of Police has no reason to lie to the public and when he publishes his crime statistics, I believe that I can take them as an authentic publication of facts. He says, as I seem to recall, that although there was, I think, an actual decrease in the number of criminal incidents, he did point out that in certain areas, there was, however, an increase — things like larceny from the person and so on — which he regarded, as far as I know, as an unhealthy sign.

I do not believe, Sir, that in the light of that anybody can truthfully talk about Government attempting to fool people that something is not so. That is really what I regard as a reprehensible statement.

The fact of the matter is that my friend Senator Greaves belongs to a party that has perhaps made too much of this business of crime, and what they make of crime, particularly drugs, on the platform.

The person who has been pushing that line on the platform took his son from the school, of which his brother is headmaster, and sent him off to school in England.

Some stories suggest that it is an explicit act of dissatisfaction with his brother's ability to run anything. That may be true. A lot of people believe his brother cannot run anything. Other stories suggest that the boy, instead of going to school, was playing truant and that he was involved in drugs. I do not know if this is true.

But what I am saying, Sir, is that the person who has been pushing this thing on the platform is the person who really ought to look very carefully to himself, and inside his house, and think of whether he has contributed if there is a problem with delinquency, and how he could have contributed, and what therefore needs to be done in the best interest of his son — not try to externalise your own problem and put it on the whole country. That is a serious point. (Asides) And you can call whatever name you want. I am not aware that anybody else in Barbados behaves like that, including you — I am sorry, Sir — including the Honourable Senator here, Senator Greaves. I have never heard him behave like that myself. I am not aware that anybody else in Barbados behaves like that.

There is another point I want to deal with, and I really want to finish with it, Sir, but accuracy is very important. Senator Greaves is talking about "last published statistics." Again, no source. Again, I believe, Sir, that I know what is the source of his information. (Aside) It is not page 31 or anything like that.

I have recently read something, Sir, and I believe that Senator Greaves might have read the same document, — I cannot remember where it was but I read the publication — in which the point was made that there are certain African countries, Kenya was one specifically named, which were showing an increase in tourism arrivals and the figure which was used was a figure of some four per cent.

But that overall on the international scene there was a decline in the tourist trade. And the information which I have, indicates that the level of the decline in international trade was roughly the level of decline in Barbados.

Now, I am not one to be complacent, Sir, and say because other people are suffering a decline that we should not try to do something about our own situation. But I do think we need to be accurate.

We need too to understand what the real position is. I mean there are other objective facts that we can look at. Braniff Airline has folded. Laker has collapsed. Pan Am is in a lot of trouble. A number of airlines in the United States are in trouble. If there is no contraction in the tourism industry, why are airlines going out of business? You know there are certain things that fall fairly closely, like night and day and so on. (Aside)

The facts of the matter, Sir, is that if Senator Greaves were to argue that recession has nothing to do with it, then he must argue, as he does, that the collapse of an airline has nothing to do with the tourism industry. We can understand his argument, if only for that reason.

In order to make a swipe at a comment which was reported in today's papers, to make a swipe at the Prime Minister, he decided that prices have gone wild in this country and that that was a factor in the tourism industry. He was at that point taking a reply to a question posed by fourth formers at Harrison College — "How can wage restraint work without price controls?" — where the Prime Minister was explaining that in an important economy, it is impossible to control prices.

I believe that Senator Greaves knows what we mean by that. I believe he knows what we mean by that, Sir, because when I used to teach him at the University down here by the wharf, (Laughter) he used to know what is meant by that, Sir. I believe he still knows. The fact that I did not teach him that, Sir, is probably why he still remembers it.

All the manufacturing and all the pricing is going on at the other end and therefore when it gets in here, any controls you want to put on that price, there is so much that is already given, it is not going to have a great deal of impact in terms of the capacity of persons here to pay for it. I mean, it is obvious.

The point that was being made is that when wages go up, it would have an impact on your balance of payments because there is the stimulation then to consumption of consumer durables and so on. Again, Senator Greaves understands that, Sir. So, I do not know why he chose to bring in this particular example and make a swipe.

The Senator was making a point in which he said that it was ambivalence on the part of Government concerning gambling and nudity. He said that somebody

promised legislation in relation to these public exhibitions on the beaches. I could not help thinking, Sir, that he did not mind the private exhibitions on the beaches, or else that he had seen another word and mistaken it, in reading, for public.

As to the Police Band going to Orlando, he came very, very close to saying that all these people from other places coming to Orlando because it is a tourist destination would see the Police Band, hear the Police Band and know it was from Barbados, and that this was one effective way of getting promotion for Barbados by way of the Police Band going abroad. And again, Sir, even if he did not want to say that, again, I know he knows that.

I believe, Sir, that — was it the Edinburgh Festival that the Police Band used to go when Senator Greaves was enjoying a seat in the other place when the Party he represents was the Party in the Government?

Senator Greaves at that time saw the advantage of letting the Police Band go abroad to a place where people from many other countries would be. And I believe he still sees it Sir, but I think he forgot.

Now regarding the point of beach erosion, there is a study that was done — in fact, I said "was because there is a report by Dr. Julian Campers, and this is the report as a result of part of the study of soil erosion, where she has done a study of beach erosion. She is for example doing a separate study of the Rockley Beach. Parts of that study have already been implemented in that groynes have been built at various places.

There is the Senator's reference to a Parliamentary debate in which he makes reference to Mr. Sisnett's words about visitors. He reminded me, Sir, of a comment made by the Leader of his party on one occasion — that the gentleman from the Statistical Services had gone around and counted all the tourists in order to arrive at the figures they ended with, and that he counted all the tourists and called them Barbadians. I remembered that because what Senator Greaves did was just to say that all visitors are tourists.

I believe that in the perceptions of a lot of people, if you are not Barbadian, or if you are not really living here, you are still a visitor — irregardless of whether you are coming here to do work for a short period or so on. I don't believe that the Minister of Immigration treats you as a visitor if you are not a tourist, but it is the general perceptions.

The point which I really want to make is that there are people who enjoy the hospitality in this country, and I am not here talking about tourists, who, evidently, do not treat the country with the same love and devotion

that those of us who genuinely belong here treat it with. I suspect that is what Mr. Sisnett was really talking about.

Sir, I believe I have taken care of the many points which seems to me to have been raised. I hope that nobody who has raised a point feels that I have not tried to deal with it.

I did not deal with any of the points raised by Senator Lynch because Senator Lynch initially took the theme that we must make Barbados enjoyable for Barbadians first, which was the point which Senator Greaves ended with, although he would have done well to have made it relative to his general presentation. But the fact is that he ended with it. Yes, Sir, he says it is like declaring interest at the end. Anyway, I agreed with the sentiments expressed by Senator Lynch.

One final point, Sir. I do not think that it is necessarily accurate to go on making this point about hoteliers pricing themselves out of the market. The hoteliers might have at one point been doing that or something close to it. But then, for the last couple of years, I think they have held the prices stable.

When you have to travel abroad, from time to time, you become aware, Sir, if people are talking about hotel rates, that it is now difficult to find where hotel rates are not high. I do not believe that anybody who has passed near London — I believe Senator Simmons was in London last week or so — really stops to think whether it is cheaper to spend a night in London or to buy an additional plane ticket and get out fast.

Hotel rates are high the world over. The same publication I referred to earlier indicated that hotel rates were still fairly low in the African countries that they named, but the trend really in hotel rates have been up.

I think we must also remember that this thing about Barbadian hotel rates being so high was due to some rather unfair publicity in that the article that appeared in the Financial Times was an article in which the example used was Sandy Lane. If you go to the top of the line luxury hotels Sir, I think we have to be careful about making this kind of comment.

Generally Sir, we have to be very careful that we do not, just because we are feeling a little bit of depression, and perhaps some of us are beginning to panic, run the country down.

I am thinking specifically of this business of crime statistics, because there is no doubt whatever in my mind that the zeal with which the local newspapers rush to put every death on the front page to suggest, first of all, that

there was foul play, and then perhaps withdraw quietly later if they find there was no foul play. Every hand bag snatched, every loss of a wallet, whatever it is, you put it on the front page and suggest that it is criminal. And if you can find any genuine criminal activity then that is headlines for days and days and days. That can only run the country down.

If people who want to come here pick up the newspapers and this is what they see, then it is we ourselves who are telling them not to come.

It is true, Sir, that perhaps none of us in here reads Spanish; but I am fairly sure we would not pick up a Colombian newspaper and read that Bogota is an unsafe city and that you do not walk the streets at night. But we know that it is true. We know that it is true, but you don't do it.

You do not read anywhere in the newspapers in Barbados that a Minister of Government in Barbados walked into the London Hilton, put his brief case on the counter where he was registering, with his money and what not, and then had to borrow some "bread" quickly in order to get through — because briefcase, money, passport and everything was gone. (Aside) Well, Senator Simmons said that it happened to him just three weeks ago.

These things are happening to us all the time when we travel abroad, but the people, in their newspapers, do not project their own cities as cities of crime. Barbadians leave here and go to Colombia and get mugged; go to New York and get mugged. But we won't publish that Barbadians suffer anything abroad.

People, in some cases, are simply what we call "hard-ears". Hoteliers tell them, "don't walk out and leave your door open," and they leave the door open, and people go in and steal. Now you know you have contributed to that yourself; you brought it partly on yourself.

I think we just have to look at these things more reasonably. Stop thinking that everything that runs the country down is good to publish, because it is exciting or something. I do not find it exciting, personally. But we have to be very careful about the image of ourselves which we project.

I believe that those Senators who this afternoon reflected for a while on the way in which people running hotels sometimes lose sight of the fact — and Senator Hall was very strong on this — that it is a human thing, it is a human contact; Senator Reece, talking about those who for no good reason might just stop the cocktail party, the entertainment that the guests look forward

to so much — I think that those Senators who were talking about that were on, to a significant degree, to an aspect of what we can do for ourselves.

But we certainly can do nothing, in my view, more effective than to stop running the country down in the pages of the daily Press. I think it is unfair for me to stop it there, because, to tell the truth, it is explicitly and specifically the Nation that is the offender. The Advocate does have something, but nothing like as much.

The question that the Bill be read a second time was put to the Senate and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. President, I move the Senate do now resolve itself into Committee on this Bill.

The question was put to the Senate and agreed to. Mr. DEPUTY PRESIDENT left the Chair and the Senate went into Committee on the Bill, Senator H. R. LINTON in the Chair.

Clauses 1 to 5 inclusive were called and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I beg to move the Senate do now resume and the Bill be reported.

The question was put to the Senate and agreed to. Mr. DEPUTY PRESIDENT resumed the Chair.

On the separate motions of Senator the Hon. N. A. BARROW, the Bill was read a third time forthwith and passed.

THE CUSTOMS (AMENDMENT) ACT, 1982

Order No. 6 was called — To move the Second Reading of a Bill to amend the Customs Act, Cap. 66.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, this is a simple and rather straightforward matter. What is at stake here, Sir, is that there are persons who enjoy an exemption from Customs duty, and if they transfer ownership of the duty free goods within three years of acquisition, they are liable to pay the duty and the goods may be seized. If the owner immediately after purchasing the goods should lose duty free status, or if he loses it somewhere within three years, the Act is silent as to how Government can then get its revenues.

There have been instances where duty free goods, including vehicles, some motor cars, were acquired by persons in the employ of privileged organisations just before they are ready to leave the organisation. Let me

put it this way. They are ready to leave, they buy the motor car and then they leave, and having left within a very short time, they of course do not repay the duty.

We know that some people have to enjoy duty free status, we do not have to go into the details as to the reasons, because I think we all appreciate that particularly where so many people want to move their headquarters into Barbados, we come more and more into contact with this class of privileged person.

But, generally speaking, it is not the Government's wish that there should be a class of privileged persons in the country and we feel that if by virtue of your status you are entitled to a duty free vehicle, when that status changes within the time in which duty would normally have to be paid if you were somebody else, that you too should have to pay it.

I think we all understand what happens, and I think some people have an idea as to where the abuse may lie more often than not.

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

The question was put to the Senate and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, I move the Senate do now resolve itself into Committee on this Bill.

The question was put to the Senate and agreed to. Mr. DEPUTY PRESIDENT left the Chair and the Senate went into Committee on the Bill, Senator H. R. LINTON in the Chair.

Clauses 1 and 2 were called and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I beg to move the Senate do now resume and the Bill be reported.

The question was put to the Senate and agreed to.

On separate motions of Senator the Hon. N. A. BARROW, the Bill was read a third time and passed.

STATUTORY BOARDS (EXEMPTION) ACT, 1982

Order No. 7 was called — To move the Second Reading of a Bill to amend certain enactments.

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, when the Statutory Boards Revocation of Duty and Tax Concession Act 1981 — 22 was passed, it removed the exemption from the payment of Corporation Tax which the Insurance Corporation of Barbados had been granted, and the exemption from

the payment of Income Tax, and in some cases Stamp Duty, which the Central Bank of Barbados had been granted.

Section 11(4) of the Insurance Corporation of Barbados Act, Chapter 311 makes provision for the distribution of profits and provides for the net profits after allocations to be paid into the Consolidated Fund. Sections 8 and 9 of the Central Bank of Barbados Act Chapter 323(c) similarly provides that in respect of the Central Bank.

The intention was not to affect those two institutions in that way. When this legislation is passed, the effect will be that the application of the Statutory Boards Revocation of Duty and Tax Concession Act will still make the Central Bank, for example, pay Stamp Duty on internal dealings; and where it owns property will make that property liable to tax, which two things would not have been the case prior to the passing of the Exemption Bill, the Statutory Boards Revocation of Duty and Tax Concession Act.

In respect of its dealings with international transactions, it would be both burdensome and expensive and really of no point for the Central Bank to continue to pay Stamp Duty. And it was never intended that either of these two institutions should be subjected to Corporation Tax. There is specific provision concerning the distribution of the profits in the Act setting up those institutions.

The effect therefore, Sir, is to restore their status in relation to the Corporation Tax, and, also, to restore the state of the Central Bank in relation to the Stamp Duty in-so-far as it relates to international transactions.

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

SENATOR D. A. C. SIMMONS: Sir, I do not think that the Bill interferes with the Stamp Duty requirement that is imposed on the Central Bank. There was a bit of legislation last year 1981 — 22 it was? That is what changed it? I was not sure. I was just guessing, I did not have time to check it.

What I am concerned about is page 2 of the Bill. As I understand it, the intention of this piece of legislation is to make the Central Bank and the Insurance Corporation of Barbados exempt from tax and there is a difference in the wording of the proposed amendment.

It says:—

“Exemption. 56. The Bank is exempt from

(a) the payment of income tax and any other tax imposed on the income or profits of persons,

(b) the payment of stamp duty and so on.”

Now I am not comparing (b) and (c), but compare exemption at the bottom of the page. “29. ‘The Corporation’” meaning the Insurance Corporation “is exempt from the payment of Corporation Tax on its income.”

Are we exempting the Central Bank from the payment of tax on its income, as well as the Insurance Corporation of Barbados? If we are doing that, then this is in order.

But are we exempting persons who work within the Central Bank from liability to tax? It says: “The Bank is exempt from the payment of income tax or any other tax imposed on the income or profits of persons.”

What exactly is meant? That the Bank does not have to pay Income Tax or any other tax, Corporation Tax, let us say, which is imposed on the income of persons or any or in case of profits imposed on the profits of persons?

There is a neat distinction in the two clauses, Sir, which I am not sure that I quite grasp at this stage and I would be grateful for some elucidation by the Minister in his reply. I have a certain hesitancy about just voting for this as it is. (Aside).

This is nothing to do with the Stamp Duty. The Stamp Duty is separate. I am not bothered about that. That is clear. The requirements of the Banking Act, those are clear.

What I am concerned about is “exempting from the payment of Income Tax and any other tax;” exempting the Bank from the payment of taxes imposed on the income or profits of persons — which may be human or corporate, I do not know.

I do not know what it means, Sir. This is why I would like some explanation of this. There is a dichotomous form of drafting with the two clauses relating to the exemptions that bother me.

The Insurance Corporation of Barbados situation is clear. They do not pay Corporation Tax on their income. They are in business for the purpose of making a profit.

I do not know what it means, Sir. You see a problem? I see a problem. There may be a very simple answer, but I think there must be an explanation.

And I think we must be careful. I cannot come in here — and this is why I do it all the time — and just vote. Because I am today making the Law of Barbados and next week, when the Courts have to interpret it, the first thing a Judge will do is to hide behind the judicial canons of interpretations and say we have to give effect to the intention of Parliament.

We who create the laws must be certain in our own minds as to what we are doing. If we are not, I do not see how you can ask a Judge to be certain. We are making them; he has to interpret them.

Just by way of, as it were, a side-wind, when I was at CBC we had a great difficulty there as to whether CBC was liable to the payment of taxes or not. I do not know if it has been resolved, but it certainly is an area where the Government could consider exempting CBC. They were not making much by way of profits — \$300 000 to \$400 000 a year at one stage — under the other lot, nothing — but the thing was that we started to make a profit. (Asides) (He said they were rolling the wicket for us to come and score runs.) I wonder if there is still that doubt in the legislation, and among Government circles and so on, as to whether CBC was liable to tax, bearing in mind it received no subvention from Government.

It is in a difficult position where it has to perform a public service and render a lot of public services — certainly in my time free — give GIS a lot of free time which was not charged and paid for — and they have to walk a tight rope. The Leader of the Senate would know, in terms of their financial management, that it would be ideal to exempt them.

There are certain other Statutory Corporations which should probably come within the ambit and umbrella of this Bill, and perhaps it may have been a neater job for Government to have looked at one or two of the others and come with a composite piece of legislation and exempt them at one time.

This is not much that is going to be lost to the revenue and it certainly will clarify the position and put it beyond doubt in a number of cases. So I would be grateful if we can get some assistance on the points I have raised if they are worthy of reply, Sir.

SENATOR A. P. L. REECE: Mr. President, I rise to speak on this Bill and I support Senator Simmons' observation, especially since the proposed exemption does not say "on the income or profits of persons employed by the Bank."

I am wondering whether it is intended to lift them into the echelons of the CDB and such organisations. I think we should look at clarifying this particular provision in its entirety, because we can have a very mis-

leading approach to it by people who have to deal with that interpretation.

I also support Senator Simmons' views with regard to autonomous corporations in the island. For example, the National Petroleum Corporation, of which I happen to be a director, is one that could benefit from the all-embracing legislation which Senator Simmons is proposing.

I would certainly like some clarification on this particular exemption that is being proposed as well as a look at the local corporations with a view to having them enjoy more exemptions.

SENATOR THE HON. N. A. BARROW: Mr. President, Section 11(4) of the Insurance Corporation of Barbados Act, which the Statutory Boards Allocation of Duty and Tax Concessions) Act, 1981-22 removed, reads as follows:

"The balance of the net profits for the financial year remaining after allocations have been made in accordance with this section shall, as soon as practicable after the end of each financial year, be paid into the Consolidated Fund."

That is replaced by the simple and direct clause which says:

"The Corporation is exempt from the payment of corporation tax on its income."

because the effect of the 1981-22, being a later Act, would have been to repeal that provision. So, in other words, that is now restored.

Section 8 of the Central Bank Act says:

"The net profits of the Bank for each financial year shall be determined after meeting all current expenditures for that year and after providing (a) for bad and doubtful debts, depreciation in assets, and contributions to staff and pension funds and such other contingencies and accounting provisions as are usually made by banks: (b) with the approval of the Minister, for such other purposes as the Board considers necessary."

It goes on to say in section 9

"The Bank shall establish a General Reserve to which shall be allocated at the end of each financial year of the Bank (a) fifty per cent of the net profits of the Bank"

and so on and so on. Those are the two sections which the 1981 Act had the effect of repealing and they are now restored by this section.

Now if I go on to read this it says:

"After appropriate allocations have been made to the General Reserve under subsection (1) —

- (a) fifty per cent of the remainder of the net profits for the financial year shall be applied to the redemption on behalf of the Government of any securities held by the Bank which have been issued in accordance with section 7(4) or section 30(2); and
- (b) out of the remaining balance of net profits for the year, suitable amounts to be determined by the Bank in consultation with the Minister may be transferred to special funds established under section 40 and the Special Credit Trust established under section 41."

Now I cannot tell you what is the reason that one of them reads:

"The Corporation is exempt from the payment of corporation tax on its income",

and the other one says

"The Bank is exempt from the payment of income tax and any other tax imposed on the income or profits of persons."

What I can say, Sir, is that as I read that, "persons" could never refer to employees of the Bank, therefore, since persons could not refer in any way to employees of the Bank, it can only read to mean that the Bank is exempt from the payment of income tax within that context and any other form of tax levied on personal income.

I read that as a general, very wide exemption. It may be bad drafting, but it seems to me quite clear. So I do not have a quarrel with it.

But as Senator Simmons is saying, unless something is intended which is different in the one from the other, it is difficult to understand why the draughtsman could not use the same form of words. But I cannot see anything else that is intended.

It is being pointed out to me that there may be different provisions relating to the insurance companies from the provisions which relate to banks. If that is so, then I suppose that is the point; but I do not know. I believe that since the intention was to restore the two institutions to their former position, that a form of words applying to both, a single form of words, could have been found.

In regard to the other point, Sir, Government's policy in relation to these corporations is reflected in

the 1981 law, the Revocation of Duty and Tax Concessions.

It is considered that where a corporation is operating in competition with other institutions that there is indeed a way of hiding the costs of its operation, when, in fact, you exempt that corporation from Income Tax, or from Customs Duties and what have you.

And unless there seems to be good reason, such as the particular role that is to be performed by the financial institutions, then it is not thought that we should continue a system in which some people enjoy these tax concessions and with others, it is doubtful whether they enjoy them or not. So there has been a general revocation.

The other reason for that revocation, Sir, is that it has been found in the past that some persons have exploited the duty free concessions of corporations.

I do not know if Senator Simmons was Chairman of CBC when one particular individual was in fact running a business out of the duty free status of the corporation. I might even have been Chairman at the time, Sir. But, the fact is that there have been examples of abuse. I mean, the fellow was only caught and found out when he thought he could get a duty free motor car. That was moving a little too far up the line.

We thought that it would be wiser to put an end to these abuses and that if a corporation needed to have a specific exemption for a specific purpose, then it should apply; and as long as it was reasonable the corporation could then get the exemption. But we felt that we should not leave the door open any longer for people to exploit the duty free status of these corporations. So the move is away from it.

But if you notice, the move now is that where a corporation is given tax exemption because of its role as a financial institution, then that corporation has in the Act, its governing Act, a section which says what must happen to its profits. So it is tax by another name really.

I think, Sir, that those are the points raised.

The question that the Bill be read a second time was put to the Senate and agreed to.

On the motion of Senator the Hon. N. A. BARROW, the Senate resolved itself into a Committee on the Bill, Senator H. R. LINTON in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses one and two inclusive were called and passed.

The Schedule was called and passed.

On the motion of Senator the Hon. N. A. BARROW, the Senate was resumed and the passing of the Bill in Committee was reported to the Senate and Mr. DEPUTY PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of Senator the Hon. N. A. BARROW, the Bill was read a third time and passed.

ADJOURNMENT

SENATOR THE HON. N. A. BARROW: Mr. Deputy President, I beg to move that the Senate do now adjourn *sine die*.

The question was put to the Senate and agreed to and Mr. DEPUTY PRESIDENT adjourned the Senate accordingly at 6.30 p.m.
6.30 p.m.