

THE SENATE DEBATES

(OFFICIAL REPORT)

SECOND SESSION 1981 – 86

THE SENATE

Wednesday May 23, 1984.

The Senate met in the Senate Chamber, Public Buildings on Wednesday, May 23, 1984, at 11.15 a.m.

PRESENT

His Honour Senator the Honourable Sir Arnott Cato, K.C.M.G., (President);

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 Health);

Senator the Hon. C. A. Griffith, (Minister of State, Prime Minister's Office);

Senator StC. E. Howell (Parliamentary Secretary to the Minister of Finance and Planning);

Senator J. E. D. Williams, (Parliamentary Secretary of the Prime Minister);

Senator H. R. Linton;

Senator Mrs. E. M. Lynch, G.C.M.;

Senator D. A. C. Simmons;

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 the Rev. Canon I. McK. Jones;

Senator L. A. Ward, G.C.M.;

Senator C. Jemmott, B.S.S., J.P., and

Senator O. S. Arthur.

Prayers were led by Rev. Dr. L. A. Crawford.

PRESENTATION OF PAPERS

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

Statement of Account of the Transactions in Rum in the Several Districts of the Island for the period January – March, 1984.

Financial Statement showing Net Customs Receipts for 12 months ended 31st March, 1984.

The Annual Report of the Department of Labour for the year 1981.

The Annual Report of the Child Care Board for the period April 1982 – March 1983.

The Annual Report of the Barbados Industrial Development Corporation for the year 1982/83.

The 1st Annual Report and Financial Statements of the Transport Levy Board for the period 5th October 1981 to 31st March, 1983.

The Annual Report and Financial Statements of the Central Bank of Barbados for the year 1983.

Reply to Parliamentary Question No. 1 asked by Senator H. R. Linton.

Mr. PRESIDENT: In relation to the Reply to Parliamentary Question No. 1, asked by Senator Linton, Senator Linton is not here, and I would suggest that that reply be held over for the next meeting. If it becomes necessary and Senator Linton attends, we will get back to that item.

MOTIONS RELATING TO BUSINESS OF SENATE

SENATOR THE HON. N. A. BARROW: Mr. President, you will notice that on the Order Paper today there are five items, all of which are down for First Reading. Unless we suspend Standing Order 45(2), it will be impossible to proceed with any of them, and there are three which it is my present intention to have the

Senate deal with. One of them has been much ventilated and, the other two are certainly matters which I believe you will feel comfortable dealing with, and I am referring to Orders 1, 3, and 4.

Order No. 5 is not a difficult matter, but it relates to a rather technical subject matter, and I have elected to proceed with that on the next occasion. Order No. 2 is not ready for us to deal with.

Accordingly, I move that Standing Order 45 (2) be suspended.

The question was put to the Senate and agreed to.
11.25 a.m.

Mr. PRESIDENT: I regret the loss of power to these microphones, so I will have to ask that when honourable members are making their contributions they speak with a little more strength, so that not only other members but the Press can hear what they are saying.

Let it be recorded in the Minutes that the Bills appearing on the Order Paper have been read a first time.

I think that if when we have concluded the more formal part and members are a little disturbed about the loss of power, we could possibly have a short suspension until the power comes back. I will take the feeling of the House on that.

There seems to have been a little hiatus in the introduction of the Bills. We will go back to that.

INTRODUCTION OF BILLS

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to introduce the following:

A Bill to amend the National Petroleum Corporation Act, 1979-35.

Mr. PRESIDENT: Let it be recorded in the Minutes that this Bill has been read a first time.

PUBLIC BUSINESS

SENATOR THE HON. N. A. BARROW: Mr. President, I trust you do not mind me reflecting on the item which we just introduced. I would just like to point out for the benefit of the Clerk that this item will automatically stand in the name of the Minister responsible for Energy. Usually they come back out under my name.

The order which we propose today is Order No. 3, followed by Order No. 4, followed by Order No. 1. Order No. 3 will be dealt with by Senator Trotman.

THE ROAD TRAFFIC (AMENDMENT) ACT, 1984

Order No. 3 was called — To move the Second Reading of a Bill to amend the Road Traffic Act, 1981-40

SENATOR THE HON. O'B. TROTMAN: Mr. President, the Road Traffic Act, 1981-40, Section 28, regulates the weight levels which various vehicles can carry on the roads. This is necessary for safety and, secondly, for the preservation of our roads.

That section of the Act as it stands, however, relates to weights on trucks and other vehicles in terms of how many tyres the vehicle has. There are three categories of vehicles, according to the section. Weights of 6 100 kilograms in the case of small vehicles, 11 200 kilograms in the case of four-wheeled vehicles with two axles equipped for the purpose of propulsion with dual pneumatic tyres, and then a section dealing with six-wheeled vehicles with three tyres.

In the first place, if you look at the original Bill, in section (c), there are hardly any vehicles in Barbados with three axles and six wheels. That creature of transport does not exist, so the Bill as it stands has some anomaly.

The amending Bill before the Chamber considers not the number of tyres and wheels on vehicles, but the number of axles which the vehicle has. The reason is that it has been determined that the pressure on the roads is spread over axles and not over wheels. What we have been trying to do is to create a situation in Barbados where there will not be more than eight tonnes of load on any one axle on a vehicle at any one time. Therefore, the amendment as it is now, if you go through the three sections, seeks to put that straight once and for all.

The vehicles which are not accounted for in Section 28(1) as amended today are taken care of in the following section of the Act as it is, with special licences which will deal with the container trucks and long haul vehicles. In any case, the same rules will apply to them. The weight the vehicle is carrying will be directly related to the number of axles the vehicle has, and whether or not that load is more than eight tonnes per axle.

That is necessary because some of our roads are not as sound as they should be, because they were not built for motor vehicles in the first place; even some of the better roads will be affected by more than eight tonnes of weight on the axles. Most of our water lines are just about six inches under the road surface, and if we put more than the eight tonnes on the road surface we do have the often recurring nuisance of potholes because the trucks burst the water mains and then the water destroys the sides of the streets.

We are hoping that with this amendment we will preserve the roads and also at the same time continue to have a proper safety limit on trucks on our streets.

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

SENATOR A. W. A. McCLEAN: Mr. President, in relation to the wording under Section 3, the 28(1) (c), where the reference is to any other vehicle or trailer other than those specified under (a) and (b), it would seem to me that the intention here is to relate to trailers with three or more axles rather than trailers that would have a different configuration of tyres or axles, perhaps a different type of tyre, a pneumatic tyre. Perhaps it might have been preferable if the subsection here had made specific reference to vehicles with three or more axles rather than to any other vehicle, meaning a vehicle which was different from the ones specified under (a) and (b), because there are possibilities of deviations from (a) and (b) in a situation where you might still not have three axles.

Aside.

SENATOR A. W. A. McCLEAN: The essential point is that the type of vehicle identified under (a) is quite specific, four wheels and two axles. Under (b) it says two axles with dual tyres at each end of the rear axle, and then it says "any other vehicle."

11.35 a.m.

I am suggesting, not that we have such axles in existence at the moment, but if perchance somebody felt he should put twin tyres on the front of the vehicle, let us say, it would be different from anything specified under (a) and (b). That, in accordance with the wording in this Act, would qualify as a vehicle other than the ones under (a) and (b) but it would still not be the vehicle which (c) was intended to cover. That is illustrative of the possibility of deviating from the provisions under (a) and (b) which does not accord with what (c) was intended to cover, that is, vehicles with three axles or more.

Instead of saying "any other vehicle" other than those represented by (a) and (b), one should be more specific and indicate that (c) should relate to vehicles with three or more axles or vehicles with three axles.

Mr. PRESIDENT: It seems to me that this is a matter that could very well be sorted out at the Committee stage rather than now.

SENATOR THE HON. O'B. TROTMAN: Mr. President, I will raise the point taken by Senator McClean in Committee. I am not too sure I understand the vehicle

angle he is talking about yet, but I will discuss it with him in Committee.

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

On motion of Senator the Hon. O'B. TROTMAN, Mr. PRESIDENT left the Chair and the Senate resolved itself into a Committee on the Bill, Senator J. C. W. WICKHAM took the Chair.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

SENATOR A. W. A. McCLEAN: In relation to Clause 3, we have under 28(1) (a) and (b) two clearly specified types of vehicles, two axle vehicles with four tyres and two axle vehicles with six tyres or at least four in the back. Indeed, it is specified in greater detail than that. The tyres are pneumatic tyres.

When you get down to (c), you indicate it means all other vehicles except those indicated under (a) and (b). I do not know what would happen if you had tyres other than pneumatic tyres at some other stage of the game.

You could also vary it by having a different configuration of tyres and two axles apart from four in the back and two in the front. These deviations may be in ways which at the moment are not normal, or may not be deemed as even workable, but to the extent that one can conceive of possible deviations from (a) and (b) which does not involve three axles, and to the extent that (c) really was intended to speak to vehicles with three axles, I am suggesting that instead of the general wording "all other vehicles", (c) should be amended to speak specifically to vehicles with three or more axles.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I get the general drift of what Senator McClean is saying, but the only trouble is that this categorization has been put down here to reflect what are the desirable qualifications and to deal with certain other kinds of problems, for example, a single axle vehicle which has been damaging the roads in this country and which can be bought in this country comparatively easy because they cannot qualify for entry any longer into the United States.

Other people have had to deal with them to protect their own roads, and this formulation is carefully designed to deal with that kind of problem. There is a particular vehicle — I think it is a single axle — which is no longer allowed into the United States, for example,

and that is not the only country, because people have decided that they are too destructive of the roads.

You and I are not scientific, Sir, but the fact is that it has to do with the spread of the weight and what the effect of a bad weight spread is on the road. Because such vehicles cannot get into the markets that they are normally designed for, they would then be offered to markets like ours. They would dump them on countries like ours, people here would buy them because the prices look good, and then the taxpayer would eternally have to pay the bill. So we, ourselves, have to deal with the problem, and these categories, as I understand them, are very carefully and deliberately set out to deal with that.

The question that Clause 3 stand part was put to the Senate and agreed to.

Clause 4 was called and passed.

On motion of Senator the Hon. O'B. TROTMAN, the Senate was resumed and the Bill was reported as having passed without amendment; Mr. PRESIDENT in the Chair.

On separate motions of Senator the Hon. O'B. TROTMAN, the Bill was read a third time and passed. 11.45 a.m.

THE PROVISIONAL COLLECTION OF TAXES (AMENDMENT) ACT, 1984

Order No. 4 was called – to move the Second Reading of a Bill to amend the Provisional Collection of Taxes Act.

SENATOR THE HON. N. A. BARROW: Mr. President, I believe that honourable members will greet this bit of legislation with some relief. It was not a long time ago, in fact I believe it was in the month of January, when in introducing legislation here which arose out of the Budget of 1983, I was once again apologising for the fact that we had brought legislation out of time. The legislation I was referring to on that occasion was the Travel Ticket Tax Act.

The position is, as I intimated then, that we recognise that there was such a volume of legislation coming out of the Budgets, and there was also the problem of the length which consultations on some matters took after the Budget, that the limit imposed by the law of four months for legislation to be brought into effect as a result of the Budgetary Proposals was proving inadequate. What was therefore facing us was that we had budgetary proposals, collection of taxes might start, and after four months and not being able to come to Parliament, we are always exposed to a challenge as to the legality of continued collection.

We undertook to do something about it, and so this legislation is now before us. The effect of passing this legislation will be to ensure that the lawful collection of taxes as a result of budgetary proposals will not be jeopardized, but that at the same time such substantive legislation as is necessary will have to be prepared within that financial year.

When we looked at this matter we thought that perhaps we needed to extend the four month period to six months, and then we had staring us in the face the very item which I referred to just now, the Travel Ticket Tax Act, which did not get to Parliament until January, which I believe to be nine months rather than four months. All of the time intervening between the Budget and the passing of the substantive legislation was taken up in consultations between parties with an interest and Government Departments which also had a direct interest, and that made it very clear that if we went for a period of six months we would simply be coming back with legislation within eight and nine months in some cases, and again apologising and facing the fact that we might still be putting ourselves in a situation for legal challenge.

Accordingly, we decided that the best thing to do would be to have the legislation amended to permit the collection of taxes for a period not exceeding the current financial year. If a Minister of Finance chose to bring this Budget too late in the year, then he must get his legislation through before the 31st March notwithstanding. If he brought the Budget in April, as has now become the practice, then he would have approximately eleven months within which to get all the legislation through. While we would wish to see that the substantive legislation is enacted as early as possible, it seems to us that this has now become a realistic period of time in which one would expect to have to get the legislation through.

There are matters, for example, dealing with arrangements for Property Tax which often will have consultations involving the professional body of lawyers. There are matters involving the airport which will have consultations with airlines, and if you have legislation like the Travel Ticket Tax Act, you will have not only the airlines, but all the travel agents and a whole lot of other people, including the Commissioner of Inland Revenue. Because one of the things involved in that particular tax is that you are asking people to collect Government monies on behalf of Government, and you have to have not only foolproof arrangements, but also mutually acceptable arrangements for the collection and paying over of tax in these cases.

This Act was first put on the Statute Book on the 30th June, 1967, at a time when the number of legislative amendments consequent upon the presentation of the Financial Statement and Budgetary Proposals to

the House of Assembly were relatively small, and a period of four months was perhaps quite a long time in which to get the necessary legislative amendments approved by Parliament. Accordingly, Section 3(2) of the Act reads:

"Any tax or increase in the rate of an existing tax which becomes payable pursuant to subsection (1) shall cease to be so payable if the Bill is not passed by the House of Assembly within the four months of the date on which it is introduced therein."

Now what we are saying is, 'if it is not made or passed by the end of the financial year' and so on.

The substantial increase in legislation arising out of Budgets can be easily pointed out when you look at what happened in 1983, which is the year from which we have had the problems which have led to this legislation. These were the Acts that had to be amended: The Income Tax Act, the Consumption Tax Act, the Stamp Duty Act, the Airport Service Charge Act, the Land Tax Act, the Companies Act, the Exchange Control Act, the Health Service Act, the Severance Payments Act, and then also there was the new piece of legislation, the Travel Ticket Tax Act. There were also changes in the following Statutory Instruments: the Profession, Trade and Business Registration Order, Wireless Telegraphy (Video Tape Machines) Regulations, Wireless Telegraphy (Video Tape Rentals Service) Regulations, Wireless Telegraphy (Satellite Television Receiver Antenna) Regulations, Wireless Telegraphy (Amendment) Regulations, Exchange Control Fees (Amendment) Order, Consumption Tax Order, 1983.

In this coming year, consequent upon the Budgetary Proposals for 1984, there will be need to change the Income Tax Act, the Consumption Tax Act, the Stamp Duty Act, the Land Tax Act, Property Transfer Tax Act, the Road Traffic Act, the National Insurance Act, the Betting and Gaming Duties Act, the Entertainment Act, the Airport Service Charge Act.

The point I am making is that while in some of these instances the changes may be comparatively small, in some of them there will be substantial changes, and over our period in office it has now become quite clear that the delays are not due to people just being delinquent, but they are due to the fact that some of the consultations which have to take place, and they have to take place after the Budget because of considerations of secrecy, take a long time.

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

SENATOR E. E. GREAVES: Mr. President, I have listened very carefully to the statements made by Senator Barrow as to the reasons surrounding the Provisional Collection of Taxes Act. I am not convinced that his

arguments are sound and worthy of consideration. We are dealing with a very serious matter, which relates to the collection of taxes which are imposed through a Budget, and we are also looking at the whole question of the role of Parliament in our system of Government, and it would seem to me that this amendment eats away at the role and function of Parliament.

Indeed, I would describe this bit of legislation as dangerous, and as an indication of the growing dictatorship which seems to be overtaking this country. We are making it possible for the Prime Minister or the Minister of Finance to get up and make a Budgetary Statement, — Parliament is not involved in that, it is merely a presentation of a statement — and the Government is allowed one year down to the end of the financial year within which to bring the enabling legislation.

We of the Democratic Labour Party cannot accept that arrangement. Indeed, when the original Act was passed in 1967, it was thought that the four month period was adequate. The Government has a responsibility, and there is no reason why we should now be discussing this amendment and seeking to extend this period from four months to one year. I am not convinced of the arguments which the Minister has indicated.

From what the present Attorney General said in the debate, he seemed to have expressed some disquiet about it, and he indicated that he had suggested that a way around this would have been for the Attorney General's Chambers to be involved in the early drafting and preparation of legislation which would result from the Budgetary Proposals. So it would seem that even within the ranks of the Barbados Labour Party there is some disquiet about this. People realise that this is putting a lot of power for a long time period into the hands of the Minister of Finance. I am not satisfied about the argument about the period of time that consultations take.

We have a bounding duty to make sure that the legislation is in place a long time before a year. We are very concerned about this. The Members of the Lower House on the side of the Democratic Labour Party expressed their deep concern about this. I believe that the Leader of the Opposition described it as "taxation without legislation." I think that is the most apt description of this attempt by the Government to extract money from people without bringing the appropriate legislation in a proper time. Indeed, this has been the pattern of this Government. If it is a problem of staffing in the Legal Department, of providing the necessary personnel to deal with this matter, then deal with that. But do not come and try to use whatever shortages might exist in that department, do not come and use the argument about consultation, to try to force through this dangerous and wicked, and vicious amendment. This is how I describe it. This is what it is.

We are very concerned about this and there is no way that I can support this amendment. I want to make that point very, very clear. All of the Senators can support it if they want, but I cannot support this, because I recognise that this is eating away at the role and function of Parliament which, after all, must have some say, and at a very early stage, in the whole question of the collection of taxes and legislation governing that — not almost a year later, or eight months, or nine months as the case might be.

The Budget sometimes is presented at the end of March or early April, and what is happening and we are now seeing is that the Prime Minister or Government can collect taxes from then until the end of the financial year without bringing legislation. This is conceivable, they can bring it on the 31st March, which is the end of the financial year. As a matter of fact, it is quite possible for a Budget to be presented immediately after the Estimates, which would still be within the month of March, and you can have a new Budget with no legislation, additional taxes, and Parliament has no say at all in what is going on with the taxes which are collected in this country.

I am warning this Honourable Chamber. I think we ought to sit down and take stock of what we are doing. The government is really demonstrating very clearly that it has utter contempt for the taxpayers and utter contempt for Parliament. This is what this is tantamount to. I am saying that Parliament should not sit down and allow ourselves to be taken for a ride in the manner which this legislation would seek to take us for a ride. We in the Democratic Labour Party are concerned about this and, as I have indicated, there is no way that the government can get our support on this particular legislation.

Thank you, Sir.

SENATOR A. W. A. McCLEAN: Mr. President, I too am slightly concerned about this particular Bill. I am not particularly convinced that it is necessary for a year or even nine months to elapse before the most difficult piece of financial legislation can be dealt with, having regard for the need of consultation. Often these things are matters of priority. If you place a very low priority in completing a particular draft bill, that will be reflected in the time that it will reach this particular Chamber.

12.05 p.m.

There is nothing which would suggest that — let us take the example we had about the Travel Tax — the consultations involved there should be such as to be protracted for a year if it is clearly indicated to the people involved that they must respond by a certain deadline and arrive at whatever compromise you can arrive at, or discover that you cannot arrive at any understanding. All of these things can be tightly timetabled so that one can

relate to a more reasonable time span for bringing legislation of this order to Parliament.

It may be that four months may be a bit tight, but shifting from four to 11 or 12 months I think is a bit on the excessive side. The points made by Senator Greaves in that regard, taking out the emotional and superlative aspects of the points, are essentially correct. Parliament ought to be concerned about the fact that taxation can proceed for a year on the basis of a statement from the Minister of Finance.

As far as the Senate is concerned, we should have an additional level of interest in the matter. Remember, we do not get a chance to comment on, or to discuss or to debate the Budgetary Proposals, and our turn comes when the legislation is presented before Parliament. It would mean, therefore, that a whole year can elapse before members of this Chamber can express a view as to the basis of any particular budgetary proposal with regard to the Government's view as to what is required at the level of managing the economy during the particular year, and we would be doing all that *ex post facto*, so to speak, if the legislation comes in March.

I am almost certain that if you have it as a matter of law that you can bring this legislation in March, it will all come between January and March. Maybe it will not happen in the first year, but after a while the civil servants and the Ministers will adapt themselves to giving this the priority which is indicated by the law, that you can do it just before the end of the financial year, and you can rest assured that tax legislation will not reach here until between the months of January and February, and I think that would be decidedly undesirable.

I would rather urge Government to take a second look at this piece of legislation with a view of doing one of two things, reducing the period from the end of the financial year to some period which would not be in excess of nine months from the beginning of the financial year, or alternatively introducing another section which would require some type of Resolution in Parliament which would facilitate bringing it at the end of the financial year. In other words, let us say after four, five or six months and the legislation is not here, one would require a Resolution in Parliament to bring it by the end of the financial year. That way Parliament would be afforded a chance to comment on certain aspects of the legislation, and in particular the Senate would be afforded that chance. You can say the Other Place has some type of chance, albeit at short notice, and they might utilise the time speaking on other things rather than really speaking to the specifics of the proposals, but I think the Senate should be given a chance perhaps earlier than we get now to comment on budgetary proposals.

Apart from the point of view of Government availing itself of whatever insights the Senate might have into these things, I think the need for this legislation is particularly doubtful in terms of the time span involved and the manner in which it would de-emphasise the whole legislative process as a pre-condition for Government proceeding in certain ways would be something that we should be deeply concerned with. Parliament essentially would be reduced as far as financial legislation is concerned to a rubber stamp many months after the event, and that is not good enough.

I thank you, Mr. President.

SENATOR J. C. W. WICKHAM: Mr. President, I am afraid that this piece of legislation makes me very uneasy. I think the situation can be expressed in more basic and more philosophical way than it has so far been, notwithstanding that the comments of the previous two speakers on this side of the table are accurate.

It seems to me that administrative convenience should never supersede the paramountcy of Parliament. If we believe in democracy, if we believe that Parliament is an important part of our system of arranging our business, if we believe that when people vote they are voting for their representatives to carry out the business in what we understand is the democratically arranged manner in which Parliament takes precedence over every other organ, then I cannot see why a year should pass during which Parliament has no say whatever in the arrangements.

Even if when Parliament meets it reduces its approval to a formality, then that is Parliament's business, but it cannot be that on that basis, the presumption that parliamentary approval is formal, that Parliament should be ignored.

Thank you, Mr. President.

SENATOR L. A. WARD: Mr. President, I am very concerned about this. I think to move the length of time from four months to perhaps nine or ten months is unduly extending the time. I agree with Senator Wickham that this is something that tends to give us the impression that we are eroding the democratic system, where the Prime Minister can in his Budget Speech pass an Order or whatever to increase the taxation in the country, and then Parliament does not have an opportunity to debate it until another eight or nine months. For that reason, I am very concerned about this, and like Senator McClean I cannot vote for it.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, while I respect the views of the honourable Senators and their sentiments about what has happened, I believe it is very important that we throw some light

on the budgetary process. In effect, what legislation is passed after the Budget is presented means that you are really legalising the process of the collection of taxes after the fact, which is established. It is not something the Government is doing for the first time, this action has been there for some years now.

If one wants to be realistic, one has to look at what surrounds the budgetary process. The preparation of the Budget is essentially a matter of secrecy. It is not possible, therefore, for legislation to be prepared beforehand to be presented to Parliament. Indeed, if one wants to get input on what legislation should be presented before the Budget is prepared, and the preparation of the budget is a relatively long process, the Prime Minister will find himself extending the circle of people who are involved in the budgetary preparations. Because of the nature of the Budget itself he has to limit the access to a certain number of people — the Chief Parliamentary Counsel, the Chief in Finance, the Director of Finance and Planning and so on, the people who have the inputs to make.

12.15 p.m.

It is very easy to just sit down and say you are going to have legislation prepared beforehand or immediately after, but it is not a very simple process. The Government has had distinct problems in trying to get simple pieces of legislation sent to Parliament because of the lack of staffing in the Ministry of the Attorney General. We have had a dearth of good draughtsmen, and we have seen, in many instances, the difficulties with having legislation properly drafted and sent on. It has happened in Parliament that legislation has been sent back because of drafting problems.

The Opposition is now complaining about this, when they were also the culprits. I do not believe that it was a wanton act on the part of the former Prime Minister when the legislation was introduced back in 1967 to have a four months period before legislation was presented. That was facing the reality that if you are going to have certain legal aspects of the budgetary process brought before Parliament, you needed time to prepare the legislation, and you needed time to prepare it properly.

I do not believe that any Prime Minister in this country could assume unto himself the powers to do what he wants to, and I think it is unfair to even make that suggestion in this case. The point is that this Bill only reflects the reality of the situation, that you need time to prepare the legislation, you need time to prepare it properly, and you need to ensure that the consultation process is followed.

There are certain items in the Budget which essentially must remain secret up to the time of

presentation, and I believe it is in common knowledge that even the Prime Minister's colleagues in the Cabinet are not even aware of some of these things. So I do not think it is fair for people to think that this is an attempt to provide one man rule or to give somebody some dictatorial powers. It is ridiculous to say that.

This Government, since 1976, has been in the forefront of doing significant tax reforms through the Budgetary Proposals for the benefit of the country. It is fair to say that in those years we have been moving away from a regime of direct tax collection to indirect tax collection, and since we are moving into indirect tax collection, there is a lot more work to be done. We are putting more pressure on our tax collection system, not the direct system, which is just a simple PAYE, but on those systems which are important to revenue generation in the country, such as Customs, because of the emphasis on an indirect regime. I think that this point must be borne out, and I think that if you look at the figures over the years, one can see that the Government strategy in this regard has been working.

In 1972/73, 30 per cent of Government's revenue came from direct taxation. I have the figures here. In 1979/80 it was 23.5 per cent, in spite of the fact that there were increased salaries to civil servants and that the Budget was bigger. The Government's collection from direct taxation dropped significantly by 7 per cent from 1972/73 to 1979/80, and in 1982/83 it was 22.9 per cent. So we have been moving from a simple PAYE tax collection to indirect tax collection, which has a lot of problems in it.

You have to try to make sure that you are not putting too much weight on the existing structure, the staff you have to deal with. You are talking about a system in which, because Barbados' importation has been expanding significantly, we are talking about dealing more and more with imports and trying to deal with all related situations.

I think it is unfair and ridiculous for people to suggest for one minute that the whole intention is to put more power in the hands of the Prime Minister. All we are doing by asking for an extension is to reflect the realities of the present situation where you are talking about the shortage of staff in the office of the Chief Parliamentary Counsel where you really cannot get proper draughtsmen.

It is common knowledge, and we are trying to do something about it, that is hard to find good draughtsmen. I do not want to reflect on what you have to draw from in James Street, but I am sure that some of my colleagues will tell you that there is not much to draw from out there either. That is a fact of life.

You are talking about secrecy surrounding the budgetary process, which is very important, and as the Budgets get more complex, you are going to have more difficulty in dealing with these things. All we are doing is reflecting the reality of the situation, and I hope that honourable members would appreciate that this is not some scheme to give the Prime Minister more power. It was not intended at all. It is just trying to deal with the reality of a situation in which we all have a stake.

Thank you.

SENATOR THE REV. CAN. I. McK. JONES: I have been listening to comments on both sides, and I must say that my own personal view is that there should be some kind of compromise in this instance. It seems to me that the Government would have to try to limit the time that they are now asking for. However much the reality of the situation may demand a longer time, as Senator Griffith just said, you cannot forget the point made by Senator McClean, that is, human nature being what it is, if people in Government know that they do not have to get things done until February every year, they will not be done until February of that year. These are hard, solid facts.

It seems to me that the length of time that is being asked for by Government is calculated to raise some suspicion in the minds of people. If they do not have adequate staff in the Attorney General's Office or wherever, get them. You have to try and get them even if you have to pay them a little more money than you are paying them now, but the Government's work must be done.

I do not think that it is fair to have a whole year pass before Parliament has a chance to comment on any kind of taxation that the Government in power would pass, so I would ask for a compromise, I would suggest that instead of asking for all this length of time, almost a year, they try and reduce it by three or four months. I think that would not be difficult.

SENATOR MRS. E. M. LYNCH: Mr. President, I would like to join with the other Senators in the remarks just made. I think we are moving in a direction that is not safe. At no time should Parliament legislate with the idea that we legislate for an ideal Government. We have to pass legislation which would make it difficult for even a bad Government to do something which is not in the best interest of the continuance of our particular form of democracy.

I agree with what the Minister who introduced the Bill has said, that sometimes legislation is rather complex, but what seems to be emerging is that there is a prolonged weakness in the office of the Attorney

General. It seems to me that the Minister should address himself to that problem and strive for a stronger team of workers in the Attorney General's Chambers, because we will get steady deterioration if something is not done.
12.25 p.m.

I feel that the right way is to try to solve the problem by strengthening that department, training some draughtsmen. There seems to be a multiplicity of lawyers around, and some must be good, so we should tackle that problem.

I must say that I am uneasy about the fact that we will put this power into the hands of any Government, not just this Government, but any Government. A bad Government will have this power, and I think we owe it to the future generations to take a stand and to ask that the amount of time which the Government is seeking be reduced. We may need more than four months, but some effort should be made to make it less than a year.

Thank you.

SENATOR MRS. G. G. READER: Sir, I rise to say that in no way could I ever vote for this Bill. I feel that the time has come for us to look at what has been said on both sides and reach a reasonable compromise. The Bill as it stands appears to put too much power into the hands of someone who may at some time misuse it.

I feel that if a budgetary proposal is made and the four months to bring the Bill before Parliament are not long enough, some avenue could be found so that a temporary measure could be approved to collect the relevant tax until such legislation is brought.

I do not think it is fair to expect people who are looking at the good of Barbados to pass this type of legislation, which is putting too much power into the hands of people who may in the future misuse it.

Thank you, Mr. President.

SENATOR D. A. C. SIMMONS: Mr. President, there are a number of reservations expressed by previous speakers about this particular piece of legislation. I have not had a chance to find the original debates on the Bill in 1967, but, first of all, let me just say that I am from Lucas Street, not James Street, so that the strictures levelled by the Minister responsible for Energy, I hope, circumvent me as unattached to others.

I am not going to characterise this in the dramatic or emotional language used by Senator Greaves. The problem is that there is the possibility with legislation that the country can have as its Minister of Finance at some date in the future any of those prospective persons in the

open society now who are awaiting a chance to organise the financial management of Government, but persons who may in themselves be ruthless and autocratic, so that when one is legislating, one legislates with a view not only to the present but also to the future. I think it behoves all of us to be careful that we do not pass legislation which, if placed in wrong hands in the future, could ultimately backfire on the whole population. Then, the person would have every justification for saying that his autocratic ways have been sanctioned in legislation in 1984. So we have to be very circumspect about the extent to which we go.

I understand the Government's problem. The Government's problem, as enunciated by Senator Griffith, and I think well accepted by all of us, is that there is a shortage of draughtsmen in the Attorney General's Chambers, and the type of legislation which is coming down more and more frequently now is complex legislation which requires an expertise in certain areas that might be fundamentally lacking within the department of the Attorney General. That is only symptomatic of a different problem, that the Government has not been able to attract into its professional legal ranks, without reflecting on any present holders of office in the Attorney General's Chambers, the very best talents and brains, for the very good reason that Government and the union will not get together and agree that if you want to attract the type of person who can do the job efficiently in Government as a lawyer, you have to pay them properly. The unions must agree with Government to have a special scale to cater to professional people, be they doctors, lawyers, engineers or architects at MTW. I fought it when I was in the Housing Corporation and indeed at CBC. I have no sympathy with the views of Permanent Secretaries that a specialist professional in the department must not get more money than they. You are not going to attract the best people unless you have specialist scales.

One of the greatest weaknesses of Government is in the area of accounting. You have in any Government Department people who know a procedure called the vote book procedure, and they are shown in the schedule of Personal Emoluments of these things as accountants. What accountants! They never passed an exam, but they have a big title. They are financial controllers that worked for years with the vote book system. I do not believe some of them can read balance sheets. I say I do not believe; I am not asserting that as a fact, it is a question of belief.

Some accommodation has to be made, if one is going to professionalise the Civil Service and introduce the best possible talents in the respective spheres of activity, to have a special scale so that people will not feel, first of all, that only second-raters accept Government positions and, secondly, that there would be

an inducement and an incentive for persons to leave probably the private sector and private practice and want to work in Government. That is the first thing that they have to decide, and that requires some concurrence between the unions — N.U.P.W., B.W.U. — and Government.

12.35 p.m.

In relation to this particular piece of legislation, I too have my reservations about the time limit. It is not that the Prime Minister or Minister of Finance will be able to have a bit longer, but I think the end of the financial year is perhaps too long. I wonder if Government will not accept an amendment to Section 3 of the present Act — delete the words, four months and substitute therefor six months. That will give an additional two months.

Asides.

SENATOR D. A. C. SIMMONS: I want to be practical. I am not making generalisations. I want to give them something they can hold onto. We have talked around and nobody has suggested anything positive.

If the root of the problem is that the Chief Parliamentary Counsel does not have enough time in the present structure within which to do the drafting, then, very simply, can we not have an arrangement, as I am informed by Senator Greaves, where the Chief Parliamentary Counsel may be party to the budgetary discussions and preliminaries before the Budget is finally written up? Can we not have a situation where the Chief Parliamentary Counsel is given special leave of whatever time he thinks is necessary within which exclusively to work on the legislation that is needed as a consequence of the Budgetary Proposals? Give him special leave. Say, 'Go home and just work on these six Bills. You have two months, three months.' Or, in addition to it, pay him a special responsibility allowance for the period of time so that he can get on with the work of getting the legislation that is necessary. If it is one or two people, have an arrangement.

I think those are practical suggestions. First, reduce the period from a year or whatever it is to six months, so we will give you an extra two months. I do not believe that anybody would find, and I think we are all very reasonable people in here, it difficult to swallow an extension of the present time from four to six months. Secondly, give the people responsible for the drafting of the necessary legislation special leave. Thirdly, give them a special incentive responsibility allowance, or whatever you call it. If the problem is dollars, give them more dollars. Quite frankly, to have the whole thing span out to March 31st the following year is really too long.

I must say that I find a lot of sympathy with Senator McClean's point, that as far as the Senate is concerned, it is again reducing the effectiveness of the Senate insofar as it is delaying further the ability of the Senate probably to debate the Budgetary Proposals. Presently, we do not have the opportunity to debate the Budget, but at least we have the chance of commenting when the consequential Bills are brought. I think to span it out down to the end of the financial year again derogates from the effectiveness of the Senate.

I do not know what the Leader of the Senate can do, but the mood of the Senate today suggests that this matter requires further consideration and a possible postponement from decision. I have made some suggestions, and I trust they will be accepted in the spirit in which I have offered them.

Mr. PRESIDENT: I have listened to the tenor of the speeches and I think that I owe it to the Senate to draw to your attention that this Bill that came from the Other Place has been certified as a Money Bill. I asked the Clerk to produce the Bill for me, which he did, and it is certified by the Speaker as a Money Bill in accordance with what is in the Constitution. Members may very well remember what is in the Constitution and it is up to members.....

Asides.

Mr. PRESIDENT: The Bill which passed in the Other Place on the 15th May has the signature of the Deputy Speaker and a notation to the effect — "I certify that this Bill is a Money Bill". I think it is my duty to draw that to the attention of honourable members in view of the tenor of the debate. But honourable members, knowing their constitutional position, are entirely at liberty to use their own definitive judgment when it comes to voting on the Bill. It has been worrying me from the time I have noticed the tenor of the debate, and I felt it was my duty to draw it to the attention of members.....

Asides.

SENATOR E. E. GREAVES: Mr. President, I am seeking your guidance. There is no need to get on like that, Sir. Just let me at least say something. I think that I am entitled to say something. You have made a statement and I want to get some guidance from you, Sir. I do not understand that kind of attitude of a Chairman. I am getting disturbed at that.

Mr. PRESIDENT: Senator Greaves, you have made a Second Reading speech. You can make another speech afterwards.

SENATOR E. E. GREAVES: I am not making a speech, Sir. I am asking a question. Give me a chance.

Mr. PRESIDENT: Well, kindly do not raise your voice to me. What is the question you would like to ask me?

SENATOR E. E. GREAVES: Forget it!

Mr. PRESIDENT: I think that is very impertinent.

SENATOR E. E. GREAVES: I am so sorry, Sir. I want to apologise to you. But you must understand that if you react to me, I will react to you.

Mr. PRESIDENT: What is it you are trying to say? I will not tolerate any impertinence to the Chair. I told you that you would not be able to make another Second Reading speech. There are other stages in which you can make a speech. Kindly do not adopt that attitude. This is not the first time you adopted an attitude and it is reprehensible.
12.45 p.m.

SENATOR THE HON. N. A. BARROW: Mr. President, first of all let me thank you for having drawn to the attention of the Honourable Senate something which I frankly thought was obvious, because just as the Appropriation Bill is by definition a money Bill, a Bill which is only legal authority for the collection of taxes as a result of a budget has to be a money Bill.

I have listened to a great deal of comment this morning in relation to this piece of legislation, and I want to state before I get any further into this speech that it is not my intention to offer any amendment whatever to the legislation. As I speak a little longer it will become quite clear why I am not going to offer any amendment and why on this side we are not going to accept an amendment.

There have been a number of fears expressed, and I have listened and I understand exactly what honourable Senators are saying, but this is not legislation that we have brought to Parliament without ourselves having gone very carefully through it in order to establish what was going to be workable. The only reason for bringing legislation of this sort is to have in place an arrangement that is workable. There is little point in our bringing an amendment to Parliament if we know that that amendment is not going to achieve the results which we seek to achieve. In other words, the situation will continue unremedied.

Mr. President, I would like to ask honourable Senators this. Is it not a fact that most of the legislation relating to Budgetary Proposals arise in this Senate, not

just in the Other Place, but actually completes the legislative process, within the four month period? Is there any reason for anybody to believe, although I have heard it advanced in here, that if people have a maximum of 11 months it will mean that they will leave everything for the 11 months? It is not practical. The fact of the matter is that no Government can work that way. It is not possible for it all to come here one day. I think we must stop reacting to fear and look at reality.

How, in the name of heavens, Mr. President, are we going to come in here one day and deal with the ten or twenty pieces of legislation that arise in the Budget? This is what honourable Senators are actually telling me, and a man like Senator McClean, who has to know better, even if some honourable Senators might not have remembered

SENATOR A. W. A. McCLEAN: On a point of clarification, Mr. President. I did not indicate that it would come here one day. I said sometime between January and February. The point is that we know that people relate to deadlines, and the reason why we get some before the four month period is because that is now the legal deadline. If the legal deadline is pushed back, my submission is that people will relate to that deadline and bring the legislation rather later. Not on one day, not on 31st March, but some time in January or February.

SENATOR THE HON. N. A. BARROW: Mr. President, obviously my experience is different. I cannot see how you can be operating a system with reasonable people and that anybody is going to sit down and allow people in his Ministry to just allow everything to go up to the deadline and then come down to Parliament with everything coming down five or six or nine or ten months later. They are asking me to believe that a single piece of legislation is going to fundamentally change all the established procedures of Government.

Look at legislation like the Travel Tax Act. I use this as an example because it is a good example. It is not only the one that really made us change our intention, because the intention of Cabinet was to go for a six month extension period instead of the four months, but having looked at that legislation we recognised that the consultations which had taken place, without any time wasting at any time, had resulted in that Bill getting here in the month of January. This is the basis for this. We are not talking about having a situation where any piece of legislation is going to be brought here at the end of the financial year.

In any event, it is impractical to bring legislation down here in March, if you remember what happens in March. In March what else can you do beside the

Estimates? The whole of the Ministry of Finance is geared, when it comes to the end of the calendar year, to working on the Estimates of Expenditure and Revenue for the next year. That is not a time when they are going to be dealing with legislation. That is why with regards to the piece of legislation I mentioned that came here nine months late, you find that by the end of November all the institutions relating to the Ministry of Finance had finished with it, the lawyers cleaned it up and it came down to Parliament in January. I think we have to understand what it is we are talking about. The Ministry of Finance is not capable of dealing with legislation after the end of November. It just is not.

What we are doing is trying to get in place legislation which in those extraordinary circumstances where consultations on a particular piece of legislation, with the best will in the world, cannot be completed within six, eight or nine months, the fact that you have not been able to get the legislation down by then will not result in the complex, perhaps impossible - in some circumstances certainly impossible - business of having to refund the taxpayers because we did not get legislation through in time. There are very, very few examples of the taxation in a Budget that are ever affected by this change which we are seeking to make, and will never be affected.

A lot of time has been spent talking about shortages of staff. The need for trained draftsmen is a factor, and people are being trained. Draftsmen are being put through the ILM course on legal drafting at Cave Hill.

I think we would be unrealistic if we sought in here this afternoon to reduce what is in the Bill because we feel that it should not take more than six months. What are we relating the six months to? We have to be realistic. The six months must be related to the time that we know it takes in a complex matter to finish the negotiations and get the legislation before parliament. If we are not going to relate it to that, in my humble submission, then have no change in the law. There is no point in saying, 'Yes, you need more time, so we give you six months.' It is not a gaol sentence. If you need more time, then you have to relate the time you need to the practical existing circumstance.

12.55 p.m.

Senator Greaves, of course says he will not accept my evidence, but Senator Greaves has never accepted the truth from anybody. But it has become quite clear that some of the complex legislation which springs out of the Budget, because of the needed consultation and legal work, may not be finished with the four month period. That is why we were forced to look at the provisions of the Act. In looking at the provisions of the Act, we came to the conclusion that we could try for six or eight months, and the evidence just came pouring in and there

• was no point in trying for six or eight months, so we then had to go for a longer period. Those are the facts, and you have to trust somebody.

There is no point actually suggesting that we should not go for the only solution that is realistic, because if we do not do that, what happens next time the legislation comes down here out of time? Are we going to tell you that we are going to seek to throw it out as a matter of principle?

I have stood up in here and read legislation in this House and apologized to this Senate for it coming down of time and searched the files and given honourable Senators the information which was there to show why it was late. The pattern is developing which made it absolutely clear that the provisions of the Act were now too restrictive and we could no longer get along without a change in the legislation. We then went and looked to see how we would change the legislation. The attitude of Government was to go for the shorter possible period, and we actually arrived at a decision in favour — I cannot remember whether it was six or eight months — and then the rest of the evidence was staring us in the face and that is why we came with this formula. It is not because we want to have a situation in which people would not be able to debate the Budget.

Let us look again at what the facts are, Mr. President. The constitution clearly and fairly places financial responsibility with the Lower House. This is so when you have an elected House and a nominated Lower Chamber, and, in my view, it is rightly so. As a result, if you look at Section .55 of our Constitution in relation to money Bills, we are given a delaying power only. We do not have to vote for it, we can turn it down. Voting against it means that it goes back to the House and unless the House decides otherwise, then in a month it will become law, as the Governor-General is invited to give his assent.

I am not relating this because I am saying, 'If you do not want to vote against it you can do what you want'. I am saying that in money matters that is really how the responsibility is spelt out in the Constitution. That is why once the Minister of Finance has made his Budgetary Proposals in the Other Place, debate on those proposals takes place in that other place and not in this Chamber. I, therefore, must reject the notion that this legislation means that you might have to wait a whole year before you debate the Budget because the whole point of having the fullscale Budget debate is that all of this kind of legislation is debated in the course of that Budget debate which takes place in the Other Place for the full two days or whatever time it is that debate takes. I am not suggesting that anybody is trying to mislead the Senate, but it is not accurate really to claim that the effect of this

legislation will be that Parliament will have to wait perhaps a year to debate matters.

Asides.

SENATOR THE HON. N. A. BARROW: Apparently Senator McClean thinks that the statements I just made amount to twisting things out of context, if I understood what he said. But I was following the debate very closely and I have a note which says that Senator Jones said in the course of his comments that Parliament should not have to wait a year before it can have a chance to comment, and I was making reference to that. Senator Jones does not seem to be unhappy with it, so I do not know on what Senator McClean wishes to base his comment about my twisting things out of context.

I know that Senator McClean in the course of his comments said that this Bill reduces Parliament to a rubber stamp. Perhaps he would wish to tell me that he did not say that. If so, there is either a mistake in his speech or in my handwriting. I think to say that this Bill reduces Parliament to a rubber stamp is one of the finest exhibitions of arrant nonsense that I have heard spoken in this Chamber for a long time. You have to be careful how you accuse people of twisting things. University professionals do not have any monopoly on that.

Senator McClean rose.

Mr. PRESIDENT: It is a point of order?

SENATOR THE HON. N. A. BARROW: I will give way.

SENATOR A. W. A. McCLEAN: Mr. President, again I would have to rise on a point of elucidation in relation to the interpretation of the Leader of the Senate with respect to certain remarks which I made.

The point about reducing Parliament to a rubber stamp was qualified with respect to legislation in the particular year, where we would be validating the Acts taken on the basis of ministerial statements by the Minister of Finance as much as a year after the fact. I am saying that Parliament would have been denied, and the Senate is a part of Parliament, the right to comment in detail on and indeed to determine whether they should accept or reject the particular legislation which would form the basis of the collection during the year.

The essential point is that if Parliament wants to make amendments of a limited order. I do not want to resume a speech, Sir. Sorry about that.

Mr. PRESIDENT: Do not develop a new point.

SENATOR THE HON. N. A. BARROW: Nothing that Senator McClean said in the course of his former presentation got me annoyed. What I believe I heard him say was that I was twisting things out of context, and if that is what I heard him say, that is what has me annoyed, because to suggest that somebody is twisting something is suggesting that the person is not behaving honestly. Anyhow, I will leave Senator McClean on that point. He must know what he is talking about twisting.

The point which I am making is that this legislation is legislation which alone gives authority for collection of taxes without enactment of the former legislation, and it is this Act which says how long you can have to collect the taxes. The reason this Act exists on the Statute Books is that it is not possible to operate the system which we operate unless there is provision for this kind of collection of taxes, and, as I was saying earlier, before I allowed myself to be misled by a particular statement, there would be absolutely no point in Government coming to Parliament at any time with an amendment to this Act unless we are going to bring an amendment which would affect the present legislation in the way in which the current problems can be tackled.

1.05 p.m.

This is where Senator Greaves talks about disquiet. He used words like dictatorship, dangerous, wicked and vicious. The vocabulary of Senator Greaves has only such words in it. But if he understood what Attorney General Tull was saying, he would have understood that before coming with this piece of amending legislation, Government examined the entire matter very carefully to see to what extent change was required, and therefore what were the facts that must be considered before any legislation could be brought to Parliament. It is not the kind of legislation which we easily bring to Parliament, but you hear foolishness about taxation without legislation and all this emotive language.

I just want to assure honourable Senators who have spoken that what I have just said in fact represents the background to this entire amendment, that we cannot accept that it will make any sense to change the law unless we change the law in such a way as to tackle the problem which we are facing. For that reason, we are strongly urging that members understand why it is that unless the law is amended to ensure that there is adequate time for consultations, there is really little point in amending it at all.

The other point which I want to focus on is this. The provisions of the Act at Section 5 say:

"If pursuant to subsection (2) of section 3 or subsection (2) of section 4 any tax or any increase in the rate of an existing tax ceases to be payable, then any sums paid by any person by way of such tax or

increase in the rate of an existing tax shall be refunded to that person."

What you are dealing with is that if you do not have adequate time, that is the sanction.

Asides.

SENATOR THE HON. N. A. BARROW: I suppose the Senator must alternate between abusing the Chair and abusing somebody else. Anything coming from you is abuse; you cannot help it.

The sanction in law is that the sums paid by any person by way of such tax or increase must be refunded to that person. If we understand what it is that that says, then we understand that there is really no point in making up their minds, will obviously bear that in mind. must be brought unless the change which we bring relates to the existing circumstance which is what makes the change necessary in the first place.

I do not believe we should get carried away by playing some kind of numbers game, and say if you move from four you have to move to six, or if you move from four you have to move to eight. When we do this, all we are doing is perhaps imposing unrealistic limits. If we go back to the amount of legislation which was required from 1983, we are going to find, as I said before, that most of it was passed within the four month period, I mean the overwhelming majority, and it is not possible in any Government for it to leave all the legislation and bring it down one time. That is the hard practical reality which we have to face.

Mr. President, I cannot at this stage therefore offer any amendment or withdraw this Bill.

Mr. PRESIDENT: Before I put the question for the second reading, I just wish to repeat what I had said before, that after listening to the tenor of the debate and speech after speech suggesting that there was some room for an amendment to this piece of legislation, I felt it my duty to draw to the attention of the Senate that the Bill had been certified as a money Bill, and members, in making up their minds, will obviously bear that in mind.

It is also interesting to me that a lot of the disquiet which has been expressed about not having the chance to look at financial matters is something year after year after year I myself have been asking members to look at in this Chamber, and nobody has done anything about it, apart from the representation that I made to the Constitution Committee. That, of course, is a different matter. This is a matter affecting taxation. The matter that I raised was a matter of supplementary appropriations passing in the Other Place and arriving up here possibly a year or two after the money had already been

spent. These are considerations members have to bear in mind.

I assume that members all know the constitutional position with regard to rejection or amendment of financial legislation in this Chamber.

The question that the Bill be read a second time was put to the Senate and agreed to, the Senate dividing as follows—

AYES: Senator the Hon. N. A. BARROW; Senator the Hon. O'B. TROTMAN; Senator C. A. GRIFFITH; Senator St.C. E. HOWELL; Senator J. E. D. WILLIAMS; Senator H. R. LINTON; Senator Miss M. O. REECE; Senator C. E. JEMMOTT; Senator O. S. ARTHUR — 9.

NOES: Senator J. C. W. WICKHAM; Senator Mrs. G. G. READER; Senator Mrs. E. M. LYNCH; Senator A. W. A. McCLEAN; Senator the Rev. Canon I. McK. JONES; Senator L. A. WARD; Senator E. E. GREAVES and Senator W. W. HALL — 8.

ABSTENTION: Senator D. A. C. SIMMONS. — 1.
1.15 p.m.

SENATOR THE HON. N. A. BARROW: Mr. President, I move that this Bill be not committed.

The question that the Bill be not committed was put to the Senate and resolved in the affirmative, the Senate dividing as follows.-

AYES: Senator the Hon. N. A. BARROW, Senator the Hon. O'B. TROTMAN, Senator St.C. E. HOWELL, Senator J. E. D. WILLIAMS, Senator O. S. ARTHUR, Senator the Hon. C. A. GRIFFITH, Senator H. R. LINTON, Senator Mrs. M. O. REECE, Senator C. E. JEMMOTT, Senator D. A. C. SIMMONS, Senator J. C. W. WICKHAM. — 11.

NOES: Senator A. W. A. McCLEAN, Senator L. A. WARD, Senator E. E. GREAVES, Senator W. W. HALL. — 4.

ABSTENTIONS: Senator Mrs. G. G. READER, Senator Mrs. E. M. LYNCH, Senator the Rev. Canon I. McK. JONES. — 3.

SENATOR THE HON. N. A. BARROW: I beg to move that the Bill be read a third time.

The question that the Bill be read a third time was put to the Senate and resolved in the affirmative, the Senate dividing as follows.-

AYES: Senator the Hon. N. A. BARROW, Senator the Hon. O'B. TROTMAN, Senator St.C. E. HOWELL, Senator J. E. D. WILLIAMS, Senator O. S. ARTHUR, Senator the Hon. C. A. GRIFFITH, Senator H. R. LINTON, Senator Mrs. M. O. REECE, Senator C. JEMMOTT, Senator The Rev. Canon I. McK. JONES. — 10.

NOES: Senator D. A. C. SIMMONS, Senator J. C. W. WICKHAM, Senator Mrs. G. G. READER, Senator Mrs. E. M. LYNCH, Senator A. W. A. McCLEAN, Senator L. A. WARD, Senator E. E. GREAVES, and Senator W. W. HALL. — 8.

SUSPENSION

Mr. PRESIDENT: I think this is a convenient time to have a suspension.

The sitting will be suspended until 2.15 p.m.
1.25 p.m.

ON RESUMPTION

Mr. PRESIDENT: The sitting is resumed.

I think that arising out of the very interesting debate we had today, and just in case other members may leave, it occurs to me that it may be a good thing if the presiding officer announces it to members whenever any Bill has been certified as a money Bill. I think it would probably save a lot of problems, so I propose to do that in future and to ask any presiding officer who is standing in for me to do the same.

THE MISCELLANEOUS PROVISIONS ACT, 1984

Order No. 1 was called. To move the Second Reading of a Bill to amend certain enactments relating to the payment of housing allowance.

SENATOR THE HON. N. A. BARROW: Mr. President, Government has taken a policy decision, which has been put in force for public officers and certain staff of the Statutory Corporations, to abolish the payment of housing allowances as separate payments, and to incorporate these allowances where they existed with salary, in full recognition of the fact that what housing allowance really amounted to was salary by another name. As a result of this, Government has looked at the position in order to see what anomalies might have been created, and having analysed the situation came to the decision that the Prime Minister, the Puisne Judges and any such other persons who were not taken care of by the policy decision should be treated in the same way.

This Bill before us, therefore, deals specifically with this amalgamation of housing allowance with salary into a single salary emolument. Where the Governor-General is concerned, the Bill reflects an increase in salary with effect from 1st April, 1982. It also, where the Chief Justice and the judges are concerned, involves an increase in salaries payable to the Chief Justice and the judges.

The Bill then goes on to deal with the occupation by the Prime Minister, the Chief Justice, the Governor of the Central Bank official residences provided for them free of rent, and to bring the private sector in line with the public sector on this point, it allows for the payment of Income Tax through the Pay As You Earn system in respect of persons in the private sector to whom housing allowances are payable. Instead of having these treated as a separate item when annual tax returns are being made, they are treated as salary right from the outset and subject to PAYE.

The non-payment of Income Tax and entitlement of pension benefits to the officials already mentioned — the Prime Minister, the Chief Justice, the Governor of the Central Bank and the Governor-General — are also effected in this Bill.

There is also a consequential restructuring of emoluments to the Prime Minister and the Deputy Prime Minister to take account of the proposed cessation of the payment of a housing allowance to the Prime Minister, and the substitution of an official car for a car allowance in respect of the Deputy Prime Minister.

What I propose to do is to point out what the present provisions are and how they are affected by the new provisions, because I think it is essential that honourable Senators see this measure in its correct light. At present, the Governor-General receives a salary of \$67 536 per annum plus a two and a half per cent interim pay, rent free occupation of an official residence which is not assessable for Income Tax purposes, but which has an imputed valuation of two-thirds of the highest annual valuation of the residence for pension benefits, and this present valuation is \$15 000. This valuation is more or less added to the existing salary, and he receives a \$90 000 per annum salary as a result of this Bill, and the rent free occupation of an official residence which will not be a assessable for Income Tax purposes nor for pension benefits. So there is no need at the end of service for anybody to go and add a valuation of the residence to his salary in order to arrive at what the pension benefit should be.

The Chief Justice's present salary of \$51 000 per annum has added to it a furnished rent free house or a non-taxable housing allowance of \$14 400. You will see

here that there is some element of salary increase, because when you add the two of them together you will not get as high a figure as the \$72 000, which is the figure after grossing up both the salary and housing allowance. The new provision would be \$72 000 per annum and a furnished rent free house which is not subject to income tax and not pensionable.

A Puisne Judge's salary is \$36 756, and there is a non-taxable housing allowance of \$12 000. Again, the housing allowance is grossed up with the salary, and then there is an increase, so that he gets \$62 400 and no housing allowance. The increase in the Puisne Judge's salary includes an element of the former housing allowance grossed up to take account of the non-taxable nature of that allowance.

The Prime Minister's salary is \$63 036 plus two and a half per cent interim pay, and a non-taxable housing allowance of \$15 300, or a rent free occupation of an official residence which is assessable for pension benefits at \$15 600. In other words, he can either draw the housing allowance and not live in an official residence, or he can live in the official residence but have the value of the housing allowance taken into consideration and added to his salary for the purpose of pension. This is being replaced by a salary of \$85 200 per annum and a rent free occupation of an official residence, which will not be assessable for Income Tax purposes nor pension benefits.

2.30 p.m.

The Governor of the Central Bank gets \$60 000 per annum, with a rent free house which is not assessable for Income Tax purposes. He is now to continue to get \$60 000 per annum and a rent free house which is not assessable for Income Tax purposes.

Mr. President, the reason why I dealt with those provisions in detail is this. Where the housing allowance is non-taxable, as it is, for example, in the case of the Prime Minister, then if you gross up his salary and it is just simply added to the salary, you are, in fact, adding a much smaller sum in real value than in his taxable allowance.

We have taken the position as a Government that if because of the office you hold you are required to live in an official residence, then if you do not live in that official residence you are not to receive an allowance in lieu of living there. The Prime Minister has a decision to make — go and live at Ilaro Court or finance his own living accommodation; and if the Governor of the Central Bank decides that he does not want to live in New lands, then he will finance his own living accommodation.

There has been much said about this bit of legislation. One of the comments has to do with this concept — there is nothing wrong with it but why do it now. My answer to that is that there is never a right time for doing things to which people are going to object, and as long as there is any element of emoluments concerning politicians, there are going to be persons who are going to object.

So true is this that in one edition of the local Press, ministers receiving \$49 000 a year were represented as receiving an increase to \$49 000 a year. As long as we can find a means of whipping up feeling on it, there are those who will do it, and I anticipate that when I sit down there will be much sound and fury. But it is also expected that those from whom there will be sound and fury have never been so blinkered when the party in office recognizes that they themselves had from time to time to do with money matters affecting politicians.

I am also encouraged by the fact that whatever the party in power, there has not yet turned out to be an example that where emoluments have been voted for parliamentarians, those who have shouted loudest against it are the first to refuse it. As a matter of fact, they have never been the first or the last to refuse it. But I know that when I sit down there will be a great deal of comment coming from certain sources. I anticipate that others may have comments to make which may or may not be critical, I do not know, but at least in one quarter we can anticipate quite clearly what is going to be said.

We have to decide, as a matter of policy, that we will stop concealing income under the heading of housing allowance and therefore decide that public officers, elected officials and everybody else will draw their salary as salary. After all, as long as you impute a pensionable element into it, I really do not know how you can treat it as salary. If you decide that somebody is going to draw a taxable \$5 and a non-taxable \$1 and it is neither to count for tax nor to count for pension, I can understand that, but if you are going to have a taxable \$5 and then another \$2 and \$1 which would be either also taxed and count for pension or not taxed but also count for pension, what it really amounts to is calling a salary by another name.

We are quite aware that whenever this measure was brought to the House and the Senate, there would be adverse comment. However, we have to ask ourselves, is it fair and reasonable for some public officers to be told, what you have is clearly salary and therefore stop calling part of it housing allowance, while other persons can continue to have the benefit of a salary, and a very serious benefit, in addition, which is to have a special arrangement for increasing the pension at the end of the day? I do not myself believe that it is correct. I think that

if you enjoy office and that office has housing attached, you use the housing that is attached to it. If you do not wish to do so, then you should not be compensated for not using it.

The second thing is that if you have lived in the official house as the former Prime Minister did, you should not at the end of the day then have a housing allowance imputed so that you are pensioned not only on your salary, but on a housing allowance that you never received. I believe that the removal of these anomalies is the fairest and healthiest way to treat the basis, not only for remuneration, but also for giving pensionable benefits at the end of the day for those who hold those offices.

I believe that it is also easily defensible that some officers of the land will have to have an element of housing, because the demands of the particular offices are clear for all to see, and that is why there is official housing which has been provided for some persons. In Barbados, indeed, we have managed to get away with a level of public housing for officials which is much lower than that normally provided in a lot of countries, so we have been fortunate. But there are some offices in the land that clearly we are not in a position to take the attitude that they are not to be provided with housing.

Mr. President, the merits of this Bill, I believe, are very clear. If, however, there are those who would wish to look at the Bill and decide that the time has come to make the usual political points, which at some time in the future, when the business of increases in emoluments will become a matter for consideration by the Chamber, then they can do that. If they wish to have two bites of the cherry, they are entitled to have their two bites, but we will listen with interest to the remarks more routed in political expediency than in conviction.

I move that this Bill be now read a second time.
2.40 p.m.

SENATOR E. E. GREAVES: Mr. President, I believe that the presentation which I will make on this very interesting piece of legislation will be a rather short one. It was very interesting to hear the rationale from the Leader of the Senate for the amendments which are contained in this bit of legislation. There are amendments dealing with the salaries and allowances for the Prime Minister, the Deputy Prime Minister, the Chief Justice, the Puisne Judges and the Governor of the Central Bank, and this also relates to the question of taxation of allowances paid to persons in the private sector.

The brunt of my approach will, obviously, be at the political level. I do not want to get into any debate, as tradition demands, on the salaries of the judges, their

allowances or anything like that, except to say that we in the Democratic Labour Party believe firmly that our judiciary is of extreme importance to our country, and that we ought to do everything possible to ensure that the integrity of the judiciary is maintained. It therefore means that arrangements for their salaries, allowances and retirement benefits ought to be properly worked out so that they can exercise their judicial mind free of the kinds of concerns which would normally apply in the situation where a person has got to be on a regular basis looking over his shoulder for increases and trying to influence decisions relative to his salary and conditions of employment.

As far as the Governor of the Central Bank is concerned, again I would not want to say anything on that, firstly because I have not, in keeping with the Rules of this Honourable Chamber, given any indication to you that I would have wanted to say anything about the holder of that particular office. I will just dismiss him by saying that, as far as I am concerned, he is a creature of the Prime Minister, if I may use his words. Those are his words, not mine. So we are not going to get into that.

I want to look at the other areas which have been touched by this bit of legislation, the area relating to the Prime Minister and the area relating to the Deputy Prime Minister. The Leader of the House has indicated that whenever we debate the salaries for parliamentarians, there is always a lot of controversy. This is quite true, because particularly within the last five or six years there has been controversy. The controversy, to my mind, has stemmed largely from (a) the method in which the increases were organised, (b) the amounts which were granted, and (c) the entire economic climate and background against which these increases have been granted, and I will look at that very shortly.

I had the privilege of listening to the Prime Minister in an interview on CBC-TV with Mr. David Ellis of VOB on Friday, 5th May, 1984. In the course of that interview the Prime Minister used the following words: "Both Mr. St. John and myself have agreed to take a cut in salary". It is against this background that I would like to look at these proposals to increase the emoluments of the Prime Minister and the Deputy Prime Minister.

I am not fooled by the amount of whitewashing which was done by the Leader of the Senate in his attempt to defend the indefensible. That is what he was trying to do, to defend the indefensible. Let us move straight to figures. Statutory Instrument No. 230 of 1982 deals with Ministers and Parliamentary Secretaries (Remuneration and Allowances) Act, 1979, and there is a schedule there relating to the salaries of the Prime Minister, Deputy Prime Minister, other Ministers and

Parliamentary Secretaries. The Prime Minister's salary in 1982 was set at \$63 036 per annum, an entertainment allowance of \$22 320 and a housing allowance of \$15 600, making total emoluments of \$100 956 per annum, plus an official car. The Deputy Prime Minister's salary in 1982 was set at \$54 216, entertainment was \$12 960 and travelling allowance was \$12 264, making a total of \$79 440. You will notice that there was no car or housing allowance attached to the emoluments of the Deputy Prime Minister.

We have in 1984 a Bill before us which will move the Prime Minister's salary from \$63 036 to \$85 200. Now I am assuming that built into that \$85 200 would be \$15 600 for housing, but if you were to add the \$15 600 to the \$63 036, you will get a total of \$78 636. You therefore still have to look for an additional \$6 564 per annum or \$547 per month. Where has this \$547 per month come from, because that is the difference?

I asked my colleague to make a quick calculation, because there was mention of an interim payment of two and a half per cent, but from our rough calculation the two and a half per cent interim pay could not realise \$6 564. As a matter of fact, I think that our rough calculation suggests that that is less than about \$2 000. But let us assume that it was \$2 000. It still leaves us with having to account for over \$4 000 additional per annum which has been added to the Prime Minister's salary, and I think this Honourable Chamber ought to get an explanation for that.
2.50 p.m.

With the Deputy Prime Minister, there is a similar situation. If we add the traveling allowance to the salary of the Deputy Prime Minister, that is add the \$54 000 and the \$12 000, you would get a salary of \$66 480 per annum. But then he is being provided under this Bill with a salary of \$72 000, so that we are looking for an additional amount of money which is somewhere in the vicinity of \$5 000 per annum. In short, what I am saying is that I do not think we have been given the full truth in this matter. I would sincerely hope that one of the Honourable Senators who will be speaking in an attempt to defend this particular situation will be able to explain to this Chamber the differences which seem to have resulted from this particular bit of legislation.

Let us now move to the whole question of morality. The Leader of the Senate asked the question that what we ought to consider is if it is fair and just for a Prime Minister or a Minister to be paid a proper salary. I want to state very clearly that I am not against the Prime Minister or a Minister or anybody for that matter who is working, being paid properly for the job which he or she does.

Certain remarks made at this point by Senator E. E. GREAVES were ordered to be expunged from the Record by Mr. PRESIDENT.

SENATOR E. E. GREAVES: The point is that, as I said, I am not really against people being paid properly for the work which they do. But one has to look at the situation in which we find ourselves, and there must be certain realities of the situation which must be accepted. There is no point in the Prime Minister, the Deputy Prime Minister or any Minister using any argument to the effect that they must be the most highly paid people in Barbados or in the Public Service. I disagree completely with that.

Just before lunch Senator Simmons made a very interesting observation about salaries in the Public Service. He said that it appears as if there are Permanent Secretaries who feel that no technical officer should be working for more money than Permanent Secretaries, and if you are going to expect to attract people of a certain calibre or certain technical competence to the Public Service, then you must recognise that there are certain provisions which will have to be made for people with those skills. In the same way, that argument can be used to indicate that there could conceivably be a situation in the Public Service where you could have a Permanent Secretary or Permanent Secretaries working for more money than Ministers.

If you were to check the salaries in the British civil service, I am sure you would find that there are Permanent Secretaries and top-level civil servants in that country who are earning salaries above some Ministers. To say, as one Minister was recorded as having said, that you are more important than a judge and no judge should be working for more money, is utter trite and nonsense. It is totally unacceptable.

We really have to try to put this matter of salaries in a proper perspective, and it is clear to me that the Government has gone overboard in this matter in their naked determination to ensure that the Prime Minister and the Ministers are the highest paid people in the Government. I am not saying the Public Service, because I want to make a distinction between the politician and the Permanent Secretaries and the other people in the public service. You have to realise a number of things. When you go for public office, and this is what it is coming down to, you are telling the public that because you are serving the public and you are in politics, then you have to get more out of politics and by virtue of your being in politics than a person who makes a career out of his particular job.

We know that there are certain problems associated with being involved in politics, but that is the nature of the game. There is no point in anybody using the argument, as I understand the Prime Minister has used the argument, about Castro being a spiteful man. What has that got to do with the salary of a Prime Minister in Barbados or any other country? We know that when you go for political office, you run the risk of being eliminated in many forms. I am not only talking about people holding positions of Ministers and Parliamentary Secretaries, but anybody who is in politics. You become marked and the possibility exists, but that is a chance which one has to take and live with. Do not use that as an argument to say that because those risks are attendant on the job of being Prime Minister or Minister, it is a good enough reason for a fat increase.

3.00 p.m.

You will understand by the tenor of my contribution that I cannot support this.

Aside.

SENATOR E. E. GREAVES: I am not fulminating, I am going to try to be as cool and as reasonable as possible. I am reasonable to the point where I have accepted that people have got to be properly paid.

Mr. PRESIDENT: You are treating it very jovially. I am not sure you are serious.

SENATOR E. E. GREAVES: The record will not show any joviality, the record will show what I said.

Mr. PRESIDENT: It will also show my comment.

SENATOR E. E. GREAVES: Do not mistake my manner, Sir.

Mr. PRESIDENT: I like to see you in good humour sometimes.

SENATOR E. E. GREAVES: We are talking about this so-called cut in salary. How could the Prime Minister, in the face of this evidence, even think of going before this nation and misrepresenting the position? I did not say he lied. I know I am scouting the parliamentary privileges, but he was misrepresenting what appears to be the truth.

Mr. PRESIDENT: You must not accuse a parliamentarian of misrepresentation. Must you?

SENATOR E. E. GREAVES: Well, Sir.....

Mr. PRESIDENT: Find some other language.

SENATOR E. E. GREAVES: I know it is very difficult, but you know, Sir, in my other moods I would just say lied, but I recognise I cannot say that. Anyhow, where you have a situation where the total emoluments of the Prime Minister will move from \$100 956 to \$107 520, how could he be getting less?

At a public meeting which was held by the Democratic Labour Party in Brittons Hill, on the 6th May, the Leader of the Opposition made a statement, half of which I will quote; "If more is less, and less is more...." Senator Griffith, who was at the meeting, can fill in the balance.

The Prime Minister of this country has told us that he has taken a cut in salary. I want to see the evidence. I do not see any evidence of a cut in salary on his part, I see an increase. Even when you add the housing allowance to his present salary, his salary as proposed in this amendment is more than those two figures added together. So not only would he be having the advantage of the housing added, but there is something extra added on.

Aside.

SENATOR E. E. GREAVES: I am not talking about housing allowance yet and living in a house, we will deal with that just now, because he is having the best of three worlds.

I want an explanation as to how the Prime Minister could go on national television and tell the people of this country, the taxpayers, that the Deputy Prime Minister has decided to take a cut in his salary. Do you know what is his cut in salary? A salary which moves from \$79 440 per annum to \$84 960 per annum plus an official car! They both have taken cuts in salary!

I think that we ought to be honest in this. The Prime Minister could have been a little more honest in dealing with this matter. He gets up and behaves in that manner, and even accused the *Nation* newspaper of misrepresenting the facts — they might have misrepresented one to the benefit of the Minister, because they did not carry the real salary of a Minister, but that was beside the point — where he indicated that they had misled the readers into believing that he and the Deputy Prime Minister were going to get an increase in salary. I am saying that the *Nation* was correct, and everybody who has seen this, and who has been able to calculate this, would know that they both have got an increase.

One does not like to listen to rumours, but it has been said that when the adjustments were made to the salary of the Puisne Judges, that this pushed them above the salary of the Deputy Prime Minister and as a result

an adjustment upward had to be made to the salary of the Deputy Prime Minister, which apparently pushed it a little too close to the Prime Minister, who therefore had to make an adjustment to his salary to maintain what they call the parity.

Again, in principle we are not particularly bothered about maintaining parities, but do not come and tell us, we who have to pay taxes, that you are taking a cut in your salary. I know that I am not the only person paying taxes, but I pay taxes and I must be concerned. If you are not concerned, I am. I am concerned when a leader of this country could tell all the taxpayers in Barbados he is taking a cut in salary, when the evidence reveals very clearly that that is not so. Far from taking a cut in salary, he is giving himself and the Deputy Prime Minister an increase, and all of this is before the normal revision of salary. So one could expect that on top of this \$107 000 for the Prime Minister and \$84 960 for the Deputy Prime Minister, there will be a 15 per cent increase in 1984 and a 5 per cent increase cumulative in 1985. Do you understand what I am talking about, Sir? This is the nature of the problem we are talking about, so the Prime Minister and the Deputy Prime Minister will be getting two increases in 1984.

Let us look at the principle of this housing allowance and incorporating the housing allowance in the salary. Senator Barrow, in introducing this Bill, indicated — he did not exactly say it, but I suppose this is how I interpreted it — that the former Prime Minister lived in Culloden Farm and therefore did not draw his housing allowance, but when it came for a calculation to be made of his pension, the housing allowance was taken into consideration, so that his pension then was pitched at a higher level than it normally would have been if it had only been taken at the level of his salary.

3.10 p.m.

Under the Democratic Labour Party, it was stated very clearly that you either occupy the official residence, in which case you would not get a housing allowance, or you could live at your private home and get a housing allowance. As I said, the former Prime Minister lived at Culloden Farm.

In 1976, when the Barbados Labour Party won the Government, the present Prime Minister opted to remain at his house in St. George. Why he did it does not concern me, that is entirely his private arrangement. I am not interested in the argument which has been advanced in some quarters that he had just bought a house and he wanted to pay off the mortgage and was using the housing allowance for that. The point is that the option was there and he exercised his option. But here it is, having exercised that option since 1976 of living at his own house and receiving a housing allowance, he comes now in 1984, almost eight years

later, and says Ilaro Court is almost ready, except for a marble bath, so he is about to move into Ilaro Court.

Look what he is doing. He is moving into Ilaro Court, but he is not giving up the housing allowance. What does he do? He is going to move into Ilaro Court and he is going to incorporate the \$5 600 a year into his salary, so he is having the best of both worlds. He is getting the Government house and he is getting the housing allowance also.

In my view, Sir, this is immoral and, furthermore, it is what I would describe as a colossal ripoff of the taxpayers of this country, for a man to get a Government house rent free and add the housing allowance which he was getting previously to his salary. I think that the Government's principles, sense of direction and values seem to have gone through the window. There is no sense of proportion, and all of this is coming at a time when the Governor of the Central Bank and the Prime Minister are telling the workers of this country to tighten their belts, we are in for hard times.

I know some person would advance the argument that the Prime Minister is only one man and the Deputy Prime Minister is only one man and therefore what they get would not have any effect on the economy. In monetary terms that is true, but when you get into a position of leadership you have to be concerned about setting an example, and if you are calling upon people to tighten their belts, to recognize that we are into very straightened economic circumstances, then I am submitting that you ought to set the lead. You have to be an example. You ought to be a shining light for people to follow. But we are not getting this from the Government; we are getting the kind of avarice, the likes of which we have not seen in this country for a long time. This is plain and unadulterated avarice.

This hurts me, especially when I know that we have to go out there negotiating increases for people who are getting maybe \$100 or \$125 a week. Do you know that in the garment industry there are between 5 000 and 7 000 who are not working for any large amounts of money? There are people working for \$100 and \$125 a week and that kind of thing, and they are being asked to hold strain. The garment manufacturers would like the union to extend the life of the agreement for another year or two because they are claiming that they cannot pay it. In the hotel industry, we are being asked to hold strain, take it easy, try not to send up any proposals for an agreement because the winter season is coming up. These are two sectors of the economy where people are asking you to hold strain.

How can you, in the light of this kind of behaviour on the part of a political directorate, how can you expect people who, in spite of the fact that we have been

negotiating and getting increases for them, trying to pull them up, to say that it is all right, we are going to hold strain? I think that this has been a complete betrayal of the trust which has been placed in the hands of the Barbados Labour Party, and I do not know how people can sit down and support this kind of contemptuous behaviour.

I will just give you a little comparison in terms of pension and gratuity for the Prime Minister. My calculation indicates to me that the Prime Minister would be entitled after this — this has nothing to do with the 15 per cent and 5 per cent coming up soon, in another couple of weeks time, as I understand from Senator Barrow — to a gratuity of over \$184 000 and a pension of about \$4 000 per month. The Prime Minister's pension in less than ten years, listen to this, carefully, will be more than the salary of the former Prime Minister when he left office. The present Prime Minister's pension, if he were to vacate office now, or when the people throw him out of the Barbados Labour Party, will be more than \$4 000 per month, which would be more than the salary of the former Prime Minister when the people threw out the Democratic Labour Party. I am being fair.

3.20 p.m.

I believe that this is a very serious situation that we are in, and I really do not see how we can be sitting down here at this time discussing these kinds of increases in the face of the very serious difficulties which are confronting this country, the kind of problems which are being experienced in negotiating salaries. How can you get the Prime Minister and the Cabinet sitting down and agreeing to this kind of thing for themselves? I think this does not demonstrate leadership. This is very selfish behaviour on the part of the Government, and I am very concerned. I am saying that this act on the part of the Government will have very serious repercussions throughout this country. Mark my words.

Thank you.

SENATOR THE REV. CANON I. McK. JONES:
Mr. President, the Leader of the Senate began by saying that he knows that by the time he sits down there will be perhaps many adverse comments coming from other speakers in the Senate. I hope what I have to say will not be considered adverse comment, but fair comment.

Over the years I have read a lot about the age of democracy, the age of liberation, the age of enlightenment, but it would appear to me that in this time in our nation's history we are about to usher in the age of insensitivity, for I am not at all happy over this Act to amend certain enactments relating to the payment of housing allowances and so on at this time. Economic burdens are becoming intolerable to all of us. Day after

day we are hearing that parents have been losing their jobs, breadwinners have been out of work, anxiety, frustration and despair are the continuing factors in the rising incidence of thefts, armed burglaries and crimes of all descriptions, and the current economic crisis which the world is facing at the moment cries out for containment in our personal lifestyle and also demands sacrifices from all of us, whether we be rich or poor. I cannot understand how any Government, as Senator Greaves has just said, could be asking the average person to tighten their belts when, to all intents and purposes, the belts of the leaders in the Government seem to be lavishly extended. It is far more effective in my view to lead from example than from precept and whatever merits this Act that we are called upon to debate today may have, the timing of its introduction is most inopportune — this is my considered opinion — having regard to the state of the economy.

Mr. President, I would be most happy to see the Prime Minister of our country, whoever he may happen to be, having regard to the nature of the pressure on that person mentally, physically and spiritually as far as his nervous system is concerned, in receipt of far more than \$100 000 a year in salary if we could afford it. I do not challenge the suggestion that lawyers and judges and all the legal luminaries should be well paid, but in my view, we have to be reasonable, fair, sympathetic and understanding. Justice must not only be done, but must be seen to be done, and when we reflect further that these increases in emoluments are to be retroactive from the 1st April, 1982, we have to wonder whether that precise date does not give added significance.

It is true that Puisne Judges are to be moved from \$36 000 to \$62 000. But the fact that some of our financiers have worked out that the Prime Minister would be getting \$587 a month less and the Deputy Prime Minister will be getting \$409 a month less, what value does that have to a man or woman who is out of a job? You do not speak to them at all with that kind of argument. It may be a very economically sound argument, but it is woefully deficient as far as moral and ethical appreciation is concerned.

What point is there in telling me that somebody is getting \$587 less a month when I have just lost my job? I feel in the circumstances that are now confronting us that our leaders should be the first people to say: 'Even if I am entitled to a raise, I do not want it now because we have got to bear some sacrifice. I do not see how I can be asking my people to sacrifice if I myself am not making some kind of sacrifice as well.'

I would respectfully submit to the powers that be that this Bill to amend certain enactments relating to the payment of housing allowances be looked at again, and that we give some serious consideration to some of its

provisions before seeking its implementation. That is my stance on this. I cannot in conscience support this in the economic crisis that we are facing and the times we are now living in, and I feel that if sacrifices are to be made, all of us should be part of that sacrifice.

I thank you.

SENATOR D. A. C. SIMMONS: Mr. President, it is not usual that I find myself disagreeing with the learned Canon, Senator Jones, but I have to disagree today. It is true that some time ago I shared a view with Canon Jones that the timing of certain legislation was inappropriate. I want to refer to the Senate Debates.

Asides.

SENATOR D. A. C. SIMMONS: I do not speak for the Press. They always misquote me, so I do not mind if they do not hear me. If they do not carry me and if they misquote me, it does not matter. I speak for the records in here.

Sir, in 1982 there was a similar debate. Canon Jones at page 815 of the debate then said he was in support of the then increases. He was against, as I can understand his speech, the timing. He said that we were living in these days of recession.

3.30 p.m.

I do not think that any parliamentarian would really miss the \$108. Even if he got the \$108, as we heard already, out of that he cannot take home more than \$40 or \$45. So that really does not make much difference, and Government would have done much better by refusing to accept that increase.

His arguments then were not as strident as today. To some extent, there has been some consistency in his approach. He was more concerned with the morality of increases for Parliamentarians than the economic question. He said in 1982:

"I do not see how parliamentarians, who are considered to be servants of the people, should be asking people to hold strain and then when they look and see how they are living and what their lifestyle is like, it looks like they are not holding too much strain."

I think the point that both he and Senator Greaves have missed in 1984 surely is that I have not heard about all of this belt tightening within the last few weeks. I am aware of civil service salaries having been settled in terms of an increase for them at some 20 per cent. I have not heard anything about all of this holding down and holding tight. Further than that, if one is a careful

observer of all that Mr. Blackman at the Central Bank has said, only two weeks ago he indicated that the economy of Barbados had shown some signs of recovery in the first quarter of 1984, consistent with what is happening with the economy in the United States of America. It is therefore entirely possible that Barbados is at this stage riding out of the worst effects of the recession, and the country can therefore afford some reasonable increase in salaries and wages for the whole of the work force, public and private sector. The levels are a matter of negotiation, but at least some increase is affordable.

The premise upon which both Senator Greaves and Senator Jones have structured their cases seems to be a premise that ignores the reality of a recovery in the economic situation of Barbados today, as distinct from 1978. I know that the Government has shown itself in some matters to be insensitive to public opinion, to be a little bull-headed at times, but I want to contrast what happened in 1978 and what is happening now. In 1978, the Government then refused to accept increases of salaries. There was a holding down then. I wish to quote from a speech which I made in here in 1982 at Page 815 of the debates. I then quoted from the Prime Minister himself on December 6, 1978. His words can be found at page 1592 of the debates for 1978. This is what the Prime Minister said then:

"Mr. Speaker, we have to make a sacrifice. It is a fact that the Government has invited workers in Barbados to accept a policy of wage restraint, and I am going to announce here and now that the salaries of Parliamentarians will not rise during the immediate period of wage restraint, as an example to the country and as an example to the public. As Minister of Finance I am stating that I am not prepared to make more money available at this time despite the incontestable case which Ministers have for a wage increase. I believe it is a sacrifice we must and will make to show to the public that we are politically serious in these matters."

Clearly, the Prime Minister as Minister of Finance has not been insensitive to this question of increases for parliamentarians. But he has been able to deal with the matter in light of the country's ability at a particular point in time to afford the salary increases. Far from not setting an example, in 1978 he spoke by way of example, and acted upon his words, in that parliamentarians had to hold down the need for a period of two years.

These things do not mean a lot to me, because I have never been particularly interested in salaries for parliamentarians and what they get. I do not know how much we get in the Senate, it goes straight to a bank. I suppose it is \$200 or \$300, but it is neither here nor

there. I seriously do not know. I used to know what an MPs salary was, because the Clerk once told me it was \$708.67. That is what I used to get in the House, certainly up to that time in 1978.

But in 1978 the country could not afford wage increases of any significant proportion. The whole country, both public and private sector, was asked to hold down wage increases, and the Government itself set an example by not accepting. In 1982, things had changed somewhat and there was a slight increase then, and now that we are riding out of the economic recession, the Government feels that it is able to make similar increases for parliamentarians as those which are going to be granted or have been granted to the general service workers.

The Democratic Labour Party's position on salary increases has to be made perfectly clear. On Sunday at a convention of the Democratic Labour Party in the north, Mr. Erskine Sandiford was quoted at 5.30 p.m. on the Voice of Barbados by a reporter of VOB who was present in St. James as saying that he is the Deputy Leader of the Democratic Labour Party, the most experienced after Mr. Barrow, and the most knowledgeable after Mr. Barrow and, therefore, the others who were then in-fighting to become leader of the party had to recognise his priorities and wait their turn. I do not think that report was carried after 5.30 p.m., and what appeared on Monday morning in the Press was a heavily doctored version of what I heard. I think the reporter might have been Stetson Babb.

The most knowledgeable and the most experienced member of the Democratic Labour Party presently sitting in the House after Mr. Barrow said, expounding the position of the Democratic Labour Party in 1978, in the debates at page 1563:

"Let me make my position clear....." This is 1978, when the Prime Minister was saying we parliamentarians will hold up, Mr. Sandiford was saying this:

"Let me make my position clear..... I am in favour of an increase for Parliamentarians. The *Advocate News* reported me quite accurately on that. I do not see why this particular debate should be transformed into a tongue lashing and a battering of the Press."
3.40 p.m.

Further, on page 1582, this is what he said:

"I am saying first of all that there should be an immediate acceptance of the principle that Members of Parliament as workers in public affairs should automatically get an increase when other

members of the Public Service get an increase. That is the first recommendation I am making."

Further still he said:

"I am advancing the view that the salaries of Members of Parliament form but an infinitesimal amount....."

so invisible, like somebody said, you cannot see it.

"..... of the total wages and salaries in the public service, and that to say that members of Parliament's refusal to take an increase will contribute significantly to improvement in the economy is farcical, but politics being what it is you will always get politics played on this particular matter."

None of what I just said will be quoted tomorrow.

Mr. Sandiford in 1978 was making out a case for paying the parliamentarians an additional sum when the Prime Minister was saying he could not afford to give any, and we are going to hold down, and the Democratic Labour Party will come in here and adopt a stance - I cannot say dishonest, he said dishonest; I will find a nice, little word like deceitful or something so. I categorised the DLP stand in 1982 in fairly strong language. I used a word like "hypocritical". I find in 1984 no compelling reason to change the nomenclature then used in reference to the Democratic Labour Party on the question of salaries. They are still hypocritical.

They are talking about \$100 000 or some such figure. I have not added up the figure, because I am not interested in how much they are getting. How can I be interested when in 1977 the high priest of sleight-of-hand, Mr. Cameron Tudor, writing every Tuesday or Wednesday and pouring licks in the Government, wrote to Nicholls Commission - it is out here in the memorandum that Cammie Tudor wrote to the Nicholls Commission - and recommended seven years ago that the Prime Minister of this country should get \$50 000 a year. I would like Mr. Cameron Tudor to come and explain to the public of Barbados now, having regard to the rate of inflation, what would be an appropriate salary for the Prime Minister, having regard to the wicket he rolled and batted on for the Nicholls Commission in 1977.

We have to research these matters carefully, because you will always catch them giving you two sides to a story. If the most knowledgeable, as he described himself, and he is, and the most reasonable - I would describe him so - Mr. Sandiford, said that the Democratic Labour Party accepted the principle that Members of Parliament as workers in public affairs should automatically get an increase when other members of the public service get an increase, there.....

Aside

SENATOR D. A. C. SIMMONS: I want it clearly recorded. I am being told to read the other speeches, because the honourable Senator Greaves now seems to be disowning the most knowledgeable and experienced Deputy Leader of his party.

SENATOR E. E. GREAVES: On a point of order, Sir.

Mr. PRESIDENT: Senator Simmons has drawn attention.....

SENATOR E. E. GREAVES: He has given way.

Mr. PRESIDENT: Just a minute! You would not let me speak! If you do not wish to give way to Senator Greaves, unless the honourable member is rising on a point of order, do not give way.

SENATOR D. A. C. SIMMONS: I was giving way to you, Sir.

Mr. PRESIDENT: No, I am speaking of giving way to Senator Greaves.

SENATOR D. A. C. SIMMONS: No, Sir, he must get up on a point of order.

SENATOR E. E. GREAVES: On a point of order, Sir.

Mr. PRESIDENT: What is the point of order?

SENATOR E. E. GREAVES: Sir, would Senator Simmons indicate whether or not Mr. Sandiford was the only person from the Democratic Labour Party who spoke on that occasion?

Mr. PRESIDENT: No, he cannot tell you. If it was what?

SENATOR E. E. GREAVES: If Mr. Sandiford was the only member of the Democratic Labour Party who spoke in that debate. I am sure there were other members.

Mr. PRESIDENT: I do not accept that as a point of order. Senator Greaves knows that that is not a point of order. Proceed.

SENATOR D. A. C. SIMMONS: Senator Hall is there, Sir. He can go for the debate. I am not answering that. I am not doing their homework for them.

The public must be told that the position of the Democratic Labour Party has been one where they have accepted the principle of relativity in terms of parliamentarians' salaries and general public service salaries. I just want to emphasise the point for Senator Jones that if you accept that principle and the public service workers have got an increase, then it follows that the parliamentarians must get an increase.

As to the housing allowances, I do not understand how those work and I am not going to confuse my head with them.

I want to deal with the judges' salaries, because it seems to me that in his speech Senator Jones was less than careful in saying that he was going to vote against this whole Bill. I am not accepting that he is also denying the judges an increase, and that he is going to vote against the increases that are proposed for the judges, because as a gentleman of the cloth I would find it less than compassionate if he considers that the judges have not had an increase for four years, and does not think that after four years any worker, be he judge or domestic, ought and deserves an increase.

Where are they coming from? They are coming from a level which I drew to the attention of this House last year in the Estimates Debate, at page 1098. Apart from the Chief Justice, what was called Puisne Judges were then getting less than the Chief Parliamentary Counsel and Solicitor General and persons of that level. The judges of this country, the three apart from the Chief Justice, were getting less.

If one has any idea of what judges have to do in a small society, and understand how they are expected to function, then I do not think that one can quarrel in any way with the level of salary that is now being offered. The judges, as recently exemplified in the two judgments involving the Ministry of Education, clearly perform the very important function of standing as a bulwark between tyranny or oppressive behaviour as between citizen and citizen, and even the State and citizen.
3.50 p.m.

In a small society such as ours these responsibilities are compounded because of family ties and the fact that we know everybody. Somebody might have a judge who is a friend and be tempted to talk to a judge about a case and things like that. They are operating in a milieu of great social pressure. They have to withdraw very often from the mainstream of social inter-action to ensure the purity of their position and their independence as judges.

In particular, they have to labour under some of the worst possible conditions that people like them who have positions recognized by the Constitution have to work

under. If you see the judges' chambers, if you see the courts in which they have to function, if you are aware that they do not have, for example, shorthand writers — a judge has to go home and write out a judgment in longhand; he cannot dictate a first draft to a confidential secretary because they do not have them — then you would understand. They have to do all the donkey work, writing down all of the evidence that people say, then go home, read up all the cases and then write out the judgments in longhand. And you are only offering them as of now less than a Chief Parliamentary Counsel and Solicitor General, and you expect them to dispense justice without fear or favour — and they are only human!

They have an idea of what some people in private practice are awarded as to costs. Some costs, in one case alone, could be more than a judge's salary for a whole year, and they have to give the decision for a lawyer to go and get \$50 000 and \$60 000 in costs. They are only human. They do not complain. They take this financial beating sturdily and they have always — we have been lucky in Barbados — discharged their duties fearlessly and with that degree of independence that we wish them to have. It is about time after four years that they be given proper remuneration commensurate with the duties that you expect them to perform.

Indeed, judges in other Caribbean states are better off in so far as a lot of them get tax free salaries and in some places allowances additional to the types which our judges get, a free car, orderly — in Jamaica it is a policeman — and so on. A couple of the judges here have police chauffeurs, others drive themselves, but I do not think that any one of us will deny the judges an increase, and I hope Senator Jones will revise his earlier decision to vote against the legislation, when he thinks that he really will be voting against the judges getting an increase in salary which they have deserved since 1980.

In terms of the politicians, Senator Jones is free to his opinion on that, but, as I said, I think he will now have seen that the Government is not so insensitive to this matter as would appear. What has happened, and it keeps happening to the Government, is that something which, let us agree, was settled with the Deputy Leader of the Opposition way back in 1978, has surfaced again as some kind of issue.

I heard Senator Greaves talking about a political meeting on the 6 May or whenever at Brittons Hill, when they were parading about all of this. They had a lot of people so they went to town. They forgot all that was said by the most experienced and the most knowledgeable member in 1978. They went into his constituency and turned turtle on him. You see how convenient their memories are?

It is unfortunate that we do not have in Barbados political analysts who would really do some of the research that I did today.

Asides

SENATOR D. A. C. SIMMONS: You have some too? Thank you. My friend Senator Williams has some. He will come after me and put the case and show the intellectual dishonesty and hypocrisy, and what is now pure humbug, in the arguments of the Democratic Labour Party on this question of salaries. It is really tiresome every two or three years to come in here with the same old arguments, made purely for the sake of short term political expediency on the part of the Democratic Labour Party. It is not based on any principle. The principle was established by Mr. Sandiford in 1978.

Dr. Haynes said that he was not going to take his increases, he would give them to charities. I have not seen them registered in the Registry with his contributions. He must publish them. He takes them!

The most significant thing about this whole question of parliamentary salaries, however, is that — I would not call names — when I was still in the House and prior to 1982, two long-serving members of the Democratic Labour Party, so long serving that truly they could be called yard-fowls, came to me pleading for a case to be made with the Prime Minister for proper increases of salaries and pensions.

Do you know why? Because when Mr. Barrow was Prime Minister he never took them on, never did anything for them, so that after 27 years service to the people of Barbados, Reynold Weekes went home in 1981 to draw \$600 a month as pension, and the two who came to me were saying what a shame it was, having regard to all that politicians have to go through, and there are very few people who understand what they have to go through unless they are in it. The Nicholls Commission did not understand, they did not have a clue. After that, those two members of the DLP were still, perhaps for the sake of expediency criticizing increases in 1984, but they wanted a case made in 1978.

When I was in the House I used to see members of the DLP 'whissy whissing' to the Prime Minister, begging for a little increase, but saying, "Do not say anything." They are some that are going to give you blows. When you are getting the blows, do not mind. Bear me in mind.

If I really thought the debate would have gone like this, I would have brought a letter that was copied to me from a DLP politician begging the Prime Minister to

help him beef up the salary for his pension. I am not calling any names. My friend knows that that is so.

The more arguments persist about whether politicians should be properly paid, the more politicians in Barbados will be disrespected. Let us face it. When you are in the House, and to a lesser extent up here, the public is very respectful to you, except at times of election when they do not know what is happening and everybody will get treated badly. When you lose your seat or retire, the public is only waiting for the first opportunity to kick you and tell you how bad you were and you did this or you did that or you did not do.

4.00 p.m.

I genuinely felt sorry when in 1976 Mr. Barrow lost the elections. Whatever the political arguments, struggles and quarrels as politicians we all will have with each other, it cannot be denied the contribution that Mr. Barrow then made from 1961 to 1976 for Barbados. He made a contribution which has been recorded and will be recorded and history must not obliterate for the advancement and progress of this country. Let us give Jack his jacket:

Of course, he was then able to make the contribution. He was able, physically. In 1984, he has no further contribution to make, and in 1986 less. So he is the leader of the party; that is the best thing that can happen. Keep him as leader. That will be an issue, as Sandiford said on Sunday, and that will ensure once again the return of the Barbados Labour Party.

He is not physically able. You saw him in the Budget Debate. I am talking about parliamentarians and salaries, and he is a parliamentarian, a former Prime Minister, to whom pension must relate. In the Budget Debate he was playful in the reply, talking about soap operas. He was starring, almost like Sanford, playing around making fun.

But I was sorry in 1976 after he lost when people spat at him and tried to be nasty to him and to rough him up. That is what you get in Barbados when you have lost political power. They have no respect for you, because we as a people are still very immature and are willing to pull down the next fellow too quickly. It does not happen like that in other and different countries with a greater sense of maturity, but in Barbados they make sport at you, in public, not in debate. They reduce you, but when you are in office you are expected to let the public run through your house.

Have you ever heard Mr. Barrow tell the story of Christmas Eve in his house? His ham for Christmas had been cooked and his wife came down to meet a man moving out of the fridge with the ham to share it among

the boys. That is what the former Prime Minister had to go through. We will laugh, but to pay him a decent rate comparable, let us say, to the big director of Barclays Bank International in Barbados is something that we will get in here and poohpooh and go to the public and encourage them to do wail against. What were the last words of the honourable Member? Mark my word that would be a serious day for Barbados or something like that, or that serious repercussions will follow.

If we do not show any respect for our parliamentarians, the institution will collapse and the respect, if there is a modicum left for parliamentarians, which ought to be recorded, will evaporate. I cannot implore the Opposition to vote for the Bill, but they know as well as I do the pressures that politicians undergo. They know of the requests to back notes. Members of the Democratic Labour Party know that immediately after the 1976 elections Mr. F. G. "Sleepy" Smith brought a number of writs on behalf of clients, one was the Canadian Imperial Bank, against Mr. Cameron Tudor. Sleepy Smith sued Cameron Tudor on a guarantee of a note that he had backed for a man. The man absconded, did not pay a cent, and Sleepy sued Cammie for the money. That is the kind of thing that happens. When they come and lean on you with the water bills and the light bills and the notices, whether they are true or not, you have to go in your pocket and make a contribution; if you do not give all, you give some. I used to have a rule of thumb; if you wanted \$40 I would give you \$20, not lend you. Senator Greaves knows you do not lend to a constituent or a yardfowl in the party who is in trouble. You will never get it back. You give him the money and say goodbye to it, because you will never see that back again.

These realities mean that if a parliamentarian is not properly paid to put him outside the lure of corruption and graft and taking back-handers, the weak ones among us, and we are only a microcosm of the larger society, may well be tempted by somebody who offers money for a particular favour. We have as far as possible to try and insulate the parliamentarian from the temptations that will be placed in his way as a person holding a public office.

The Democratic Labour Party know of persons within their own ranks who succumbed to graft.

(A VOICE: I have a list.)

I am not here to do that to anybody. What I know I am not going to say. I know they were realities and, therefore, it behoves us all to recognise the temptations and all that subsumes the fact of being a parliamentarian, and ensure that as far as possible people are paid a decent wage for the work done.

I am not going to be hypocritical about this. There is nothing in it for the Senate, nor does it matter too much. As a matter of principle I am supporting this Bill both for the politicians and, more especially, for the judges, who have suffered so long.

I am obliged to Your Honour.

SENATOR W. W. HALL: Mr. President, I am much obliged that you have given me the opportunity to speak now so that Senator Williams may complete his research, something that Senator Griffith accused me of earlier today, but for this Bill I do not think that one has to be accused of doing research now, because it has been talked about so often and so widely in the last few weeks that I think everyone in Barbados would have heard something about it, and perhaps might be very concerned.

Senator Simmons made a great case for politicians getting a lot of money, and indeed judges. I tend to concur. I do not think there is anything really wrong about that. What is very clear to me, however, is that anyone with a modicum of commonsense knows that, and I do not know if to say lawyers since Senator Simmons is a lawyer, but indeed politicians or lawyers/politicians know their business, because they know inside here who sued whom and that kind of thing. Of course, even though Senator Simmons did say he was not going to succumb to the idea of bringing a list in here of the defaulters in the Democratic Labour Party, which Senator Griffith says he has, I know fully well I am not on that list. I am clean.
4.10 p.m.

My contribution today is one of a concerned citizen. I am not going in for the political expediency as expounded by the Leader of the Senate, and indeed Senator Simmons. I am going to let my conscience be my guide. I know that the Leader said that we would be getting people speaking for political expediency rather than from conviction. I believe that the Leader must have looked a bit to his right today earlier on when we were looking at the previous Bill to see those who were voting on political expediency rather than conviction, and perhaps he did not wish to see any emulation of that sort of thing coming from this side.

SENATOR THE HON N. A. BARROW: On a point of order, Sir.

Mr. PRESIDENT: Just let me handle it. I think that probably by this time Senator Hall realises that he cannot reflect on the decision that was taken before on the previous Bill. You should keep off that.

SENATOR THE HON. N. A. BARROW: On a further point of order, Sir.

SENATOR W. W. HALL: Do I have to give way, Sir?

Mr. PRESIDENT: Yes, on a point of order.

SENATOR THE HON. N. A. BARROW: Sir, implicit in Senator Hall's statement is a reflection on my attitude to speakers in the previous debate which is not borne out by the record in this debate. I certainly did not suggest that any speaker in the previous debate had been operating from a position of expediency. I certainly did not and, to that extent, I must object.

SENATOR W. W. HALL: Sir, I merely said that perhaps that when he said that he wanted people to speak not from political expediency, but from the point of view of conscience, that perhaps he had looked right. What is wrong with that, Sir? I am not aware that that is unparliamentary, Sir.

Mr. PRESIDENT: I think you know very well. Do not draw the implication in respect to the previous debate.

SENATOR W. W. HALL: I did not not think that would upset the honourable Leader. Senator Jones said that he hoped that anything he said would not be considered adverse. I am not particularly of that vein. I do not particularly care whether what I say is considered adverse, because I know it is not. I know that I am looking at it from the point of view of a concerned Barbadian, and anything I say will have to be taken in that light.

A lot of talk today has been centered around salaries and allowances for the judges, Chief Justice, Governor-General and the Prime Minister. I want to make it unequivocally clear that I am not one of those people who would look at it from a position that a, b, or c should or should not get more money. I feel that especially in cases of the jobs that were described today, these people are all people who are deserving of high salaries. This is done everywhere in the world, but I feel that in looking at people's salaries, one must look at job content; that the job having been evaluated, you can look and say that there is justification in giving this money.

Whether the Prime Minister gets \$107 000 a year or whether he gets \$150 000 a year can only be looked at in terms of if it can be justified. If when you are across the bargaining table — and some of the speakers from the Government side would have had this experience — you are negotiating a salary of \$150 000 a year or \$100 000 a year, or indeed \$90 a week, one looks at it from the point of view that the proposal of such should be justified. That is the important thing. Once you can justify it, it is okay with me.

My position in this is that the job is the thing that should be evaluated; not the man. I am not interested in who the Prime Minister is. I am interested in that the job is there to be evaluated, and having evaluated that job and you have justified the case for an increase in salary, you are quite in order. That is the way I feel, because whether you are a good Prime Minister or a bad Prime Minister, you get the same money, although the profits derived from having a good Prime Minister are such that the entire country will benefit. There will be economic growth and prosperity, and decisions made because a good man is at the helm and is able to marshal his forces and thereby let the country get the benefit of his and his lieutenant's wisdom.

However, if you are going to increase the Prime Minister's salary — well, increase it fair and simple, just increase it and justify it. But if you are going to increase the Prime Minister's salary by incorporating a housing allowance, I do not particularly buy that.

I will tell you why. In the private sector you find that some things are very clear and, as a consequence, simple. You find, Sir, and Senator Williams will know the company for which he had.....

Asides

SENATOR W. W. HALL: Senator Trotman is saying that I have not said anything yet. Of course, he does not understand what I am saying. He does not understand that job evaluation is a matter of evaluating the job and not the man. He does not know anything about weighing a job, because he has been brought up in the Civil Service where you do not go about weighing a job and finding out about it. You just look around your shoulders and see that X is worried about your job and you have to up it up, just like my illustrious colleague was saying. It is so cumbersome. The whole system is so bad, that you find that you always have to be worrying about the anomalies that you are creating, and that is why we have the problem today.

Asides

SENATOR W. W. HALL: He is a pusillanimous humbug. I am tired with him now. He has a system

where as soon as I get up talking he says I do not say anything, and yet he is always interfering with me. I know you are going to tell me do not let him worry me, but it is like a recurring decimal with his ignorance.

4.20 p.m.

I was trying to point out that I see no need, like in the private sector, where, as in the case of Senator Williams' company, you would find that you would take the housing allowance.....

Aside

SENATOR W. W. HALL: Do you not have a company? Cable and Wireless would not like to hear you saying you do not have a company.

Mr. PRESIDENT: Honourable members must really obey the Rules. Do not interrupt the speaker. It is against the Rules.

SENATOR W. W. HALL: I would just like to say that at Senator Williams' former company the housing allowances were incorporated in the salaries, so that at the end of your working life you obviously received a greater pension. That is plain and simple. That is why it is done, so that you would get a better pension.

If I were across the bargaining table, I would not agree to paying anybody a housing allowance if they were living in their house, no more than I see the Government here is not paying the Deputy Prime Minister a travelling allowance, simply because he gets an official car. That is the point I am making, and it is pertinent, but if it seems not to be taken as something of substance by other members, then that is their predicament, not mine. In the same way you would find it not right to give.....

Aside

SENATOR W. W. HALL: I think Senator Arthur just wants me to know that he is very impressed with the fact that I know a lot about job evaluation and that his colleagues do not know. I am very sorry that he has now found that out. I thought he would have learnt that long ago.

I am saying that inasmuch as you recognise the fact that if you are giving the Deputy Prime Minister an official car you would not give him a travelling allowance, it is on that basis that I will be diametrically opposed to sit around a table and give a man a house and a housing allowance. I am nothing to do with what anybody else thinks or says on that matter.

Aside.

SENATOR W. W. HALL: I know more than selling out civil servants, you too? Move!

The honourable Leader said that if one is in office one should enjoy the office, and if housing is attached to it, use it. That is his view, but I know that the Prime Minister of England gets a salary of about Bds. \$80 000 to \$90 000. I know that she can occupy No. 10 Downing Street and Chequers, a country house, and an official car, but there is no housing allowance, to the best of my knowledge. I am not saying that because that is good for England it is good for Barbados, but if I did say that, I would be following a pattern that I have seen exhibited here all over this place.

This is a small country, a developing country, and I would have thought that we would think in terms of doing the right thing. If I am in disagreement with it, I will say that I am in disagreement. I am not interested in what people talk about political expediency, because the day will never rise where because of political expediency I would stifle my conscience and say something contrary to what I have a gut feeling about, and that is John 3:16. I just feel that the methodology is all wrong.

If there is a clear case for an increase in salary for the Prime Minister, the Deputy Prime Minister, the judges and the Governor of the Central Bank, give it to them, once we can justify it. There is absolutely nothing wrong with that position. But when you go on television or say loud and clear that there was a cut in salary and all of that sort of talk, I would only say that people sometimes listen to what they want to hear. If people want to hear that there is a cut in salary, rather than say justify the increase, that is a matter of concern to me, that people would be told just what they want to hear. It is just like a woman going to a palm reader.

Asides.

SENATOR W. W. HALL: Do you really believe that people can look at your palms and tell you everything about your life? He would just psyche her out and say there is a problem in her home. There are problems in most homes. There is no doubt about that, so he is on a good wicket. Then he would probably say to her there is another woman. There is no woman alive, there is no woman dead, there is no woman unborn that hearing that there is another woman, who would not flutter her eyelids and believe it hook, line and sinker. From there he would be psyching her out and she would be telling the story he should be telling her, but can never tell. So this is the case, that people sometimes want to hear something and you tell them.

There is no cut in salary? It would be obvious that people would like to hear that there is no cut in salary. I am sure Senator Simmons alluded to at least one member, but

he could no doubt have alluded to the Leader of Parliamentary Affairs who said loud and clear in the Lower Place that amidst the hullabaloo he was not prepared to let anybody even think that he is interested in anything but a good increase, because he feels he deserves it. I think he said something to the extent that he has to pay something like \$200 or \$210 a week to protect himself.

Asides.

SENATOR W. W. HALL: Senator Jemmott is absolutely right on this. I am not against him on this. He has come around to my view.

The Deputy Leader of the Opposition said that he was interested in an increase in 1978. But if we are going to talk about increases, if one has a passing knowledge of the cost of living index in this country in the last ten years, they would not talk like that. In 1978, we had come out of a period of galloping cost of living, but today the cost of living is as stable as anything else. I can tell you that up to March it was 140.2. Check what it would have been two years back. Senator Seale's horse bill.

4.30 p.m.

Mr. PRESIDENT: Just address the Chair.

SENATOR W. W. HALL: They interfere with me. You know that. Talk to them.

Mr. PRESIDENT: I am doing my best to stop that. You can proceed. Keep an eye on the time. You have until 4.42 p.m.

SENATOR W. W. HALL: Sir, I just thought that it was common decency that if you began to speak, I should sit. Does not that happen in here? Don't they do it? They should, you know. I am a product of the proletariat, but certainly I have been endowed with the type of manners which should obtain in this Chamber. You started to talk, so I sat down.

Mr. PRESIDENT: So you should be.

SENATOR W. W. HALL: Not like Senator Griffith.

I was making the point about the cost of living index. If I know it and other people are not aware of it, that is not my fault.

We over here recognize the need for us to show not only some respect to our parliamentarians, but to understand that they should be well paid. But there should be no method used in getting around the situation.

My illustrious colleague alluded to the fact that the Puisne Judges were up the scale and their salaries came pretty close to the Deputy Prime Minister, so his also had to go up. I do not believe in that. I believe that if a man's salary, because of his job description, is such that he is deserving of a particular sum of money, I believe that all things being equal, you should try and pay him. The ability to pay, though, is an important element which we must look at.

I think it was Senator Canon Jones who said that he believed that in these times the timing was wrong. He did not believe that at this time of economic stress — I think those are the words he used or words to that effect — we could afford the type of increase, bearing in mind, as Senator Greaves said, that in a very short time you will find that the normal increases of 15 per cent in 1984 and 5 per cent in 1985 compounded, will be added to these salaries. We feel that this is not the way to go about it. In other words, Sir, I am attacking the methodology of the whole thing.

Every time one has to say anything in this Chamber or indeed in the other place, the Government gets up and say the Opposition used to do it too. I do not believe in that. I believe that the people of this country put a Government in power, and from the day they get in power, I think that they should be examined on their record, and be accountable to the people on that. They cannot be measured on the grounds that the others did it, so you can do it too. The fact is that the former Prime Minister did not get a housing allowance living in Culloden Farm and it is now alleged that his pension has a built-in element in it, which suggest that the housing allowance is incorporated in his pension.

I really do feel that we on this side are quite fair in attacking, not the fact that the Prime Minister or the Deputy Prime Minister and the Chief Justice and the others have got an increase, but we feel that if you have an increase, say so. They should be no case of more becoming less and less becoming more.

SENATOR J. E. D. WILLIAMS: Mr. President, I will probably start with the last comments of Senator Hall. He was suggesting that parliamentarians should be paid a proper salary, and having said so, he was trying to be less than consistent. I consider both the contributions of Senator Greaves and Senator Hall as being one of total ambivalence on the matter.

Already, we have benefitted from the comments of Mr. Sandiford at one point in time where reference was made by the Prime Minister to the fact that the Government had decided that parliamentarians at least would hold strain in respect of salary increases. At that time, Mr. Sandiford said that as far as he was concerned,

the parliamentarians ought to be paid the same increase as other workers in the public sector.

This whole debate on salaries for parliamentarians has taken the same image, time and time again, and when I talk about ambivalence, I want not only for us to understand the import of what Mr. Sandiford was saying, but I want to tie that with the contributions in 1973 by Mr. F. G. Smith and Mr. Frank Walcott, a man for whom I have the greatest respect.

The contributions of Mr. Smith were particularly interesting. In the debates of Tuesday, 17 April, 1973, at page 2241, the Hon. F. G. Smith said:

"Mr. Speaker, as I say again on a matter of this nature we can make a lot of political capital. I am justifying the salaries for Ministers not on constituents, not on what your political obligations call for, I am justifying the salaries of Ministers on the basis that the Ministers are worth for the jobs they perform the amount of salary they get. I am not putting in any element of having to do this for a constituency or having to back notes at the bank. I am saying that when a Minister is paid this amount of money he deserves every penny of it, and I am not arguing any sort of half-baked socialist theories. Millionaires have been friends of the working class and people who have professions and who can earn money have a right to what they are entitled to. Must you work then and live in poverty to prove that you represent the poor?"

He went on

"The only justification is that the Ministers deserve every penny. If they are doing the job properly, let us make the people understand what politics is all about. The members of the Opposition come in here every Tuesday and when the cost of living goes up, the member for Christ Church says that the Government is causing inflation"

and he went on and on. He was saying in no uncertain terms that Ministers should be paid proper salaries.

When he sat down, Comrade Frank Walcott got up, and this is what he had to say:—

"Mr. Speaker, I cannot speak like the hon. member because I am not a Minister and therefore I can be more objective. I do not think you look at salaries from what you do. I am going to say that even if a Minister does not work, that is a matter for the Prime Minister, and if a Minister does not work he should get rid of the Minister. Now a Minister is not an ordinary employee that you pay as a servant working for you in an ordinary manner. I do not subscribe to the conception of ministerial salaries based on the man you personally employ. I agree that a Minister's salary or salaries should be in consonance with the community in which you live,

so that when you look at ministerial salaries they should bear relationship to the community and the economy."

4.40 p.m.

He went on:

"Mr. Speaker, how a Minister works is purely a matter for the Prime Minister. I do not consider \$2 000 for a Minister as princely because there are people in Barbados who are performing tasks which are infinitely not as responsible as a Minister's job who are earning more than \$2 000 a month, but maybe the Ministers will grow accustomed to some of those people earning such salaries and feel it is all right. In Broad Street there are people not doing ministerial jobs who are earning \$2 000 a month, and nobody questions their earning it."

He went on and on and spoke about himself. It is interesting what he said about himself. He said:

".....I am not a bush man, but it is a matter of taste. I am sure that when my successor comes to the Barbados Workers' Union I would have set standards for him to live up to which were not set by my predecessor, but that is because I am a different man, and I do not feel that if a man is holding a job of responsibility he should not be paid a salary that is in consonance with the work he has to do. If he is not doing the job properly get rid of him, but I do not consider these salaries too high, but there is too much comparison going on. Ministers compare themselves with Permanent Secretaries, and I hope after today they will stop this kind of comparison. Ministers must have the courage to say this is what a Minister's salary should be."

That was 1973, Mr. President. Then they come in here in 1984 and you try to grandstand.

There are times when I really try to understand on whose behalf Senator Greaves is speaking. Certainly what he was saying was not in consonance with what the Deputy Leader of the Opposition was saying. If I can accept what Comrade Walcott was saying, he spoke about his predecessor and his successor and the standards that he had set, and all this lead me to believe that at least he was not speaking as far as the union was concern.

I am particularly distressed at the way Senator Jones has seen this issue. For too long in Barbados the view is held that, as soon as you have difficulties, the thing to do is to stop the wages of the people at the top and increase the wages of people at the bottom; and then when times get better, then everybody continues to get an increase. But the problem is that if things even get better

and you say you are going to give the man at the top 20 per cent this time and the man at the bottom 15 per cent to make up for the years where he had foregone that amount of money, it never is that way. The gulf between the top and the bottom is getting narrower and narrower. You will probably find that there are people who are senior people in any Government Department and in many companies that refuse to accept higher positions of responsibility because the differential is too small for the amount of responsibility that you are going to get.

I know that it is always a very easy thing when you are negotiating to come and say, in the interest of compromise and as a way of trying to reach an agreement, that you are going to give 15 per cent to those at the bottom and 10 per cent to those at the top, and if it so happens that the economy or the economics within the companies do not change over a protracted period, then you embark on a similar programme time and time again. When it comes to Ministers' salaries, you have the same thing. It is always that the Ministers can forego their salaries while other people continue to get theirs.

I am not saying that sometimes we do not have to demonstrate a certain degree of sensitivity in certain areas, but I ask the question, how long can you go on and do it? It happened, I think, in 1978. Now we come to 1984, the suggestion is that again Ministers should hold strain, and that they should not get salary increases. And when you combine this over the years, you will find that, in terms of the number 10 being the range between the top and the bottom, it would have halved by now, and sooner or later the top and the bottom will merge together.

I tend to think that, to reduce a lot of acrimony which goes on when people come to discuss an increase of salary for parliamentarians, there should be some linkage, some adding of the increase to parliamentarians to the rest of the Civil Service, if not it is going to go on time and time again, and all you are going to get is a whole set of grandstanding where at one point in time somebody says something and then he contradicts himself somewhere down the road, and you try to make, like Frederick Smith referred to it, political capital out of the whole thing, and you look for headlines the next day in the Press. I do not look for any, but if people take the time to sit down and read Hansard and debates, they would be most revealing and interesting in finding out what people say at one point in time and what they said at another.

I thank you.

SENATOR A. W. A. McCLEAN: Mr. President, I think a number of the contributions have been at some distance from really what is the essence of the Bill before

us as it relates to the Prime Minister's salary in particular.

Mr. PRESIDENT: That possibly can be attributed to me, but I could not see how you could quite divorce the question of parliamentarians' salaries from the main subject of increasing the salary of the Prime Minister or changing the conditions of the Prime Minister or Deputy Prime Minister. That is why I allowed a lot of latitude on that. I will allow you the same latitude.

SENATOR A. W. A. McCLEAN: Thank you, Mr. President.

I would like to spend a few minutes directing attention to what would be the specific content of the Bill as it relates to any changes in the conditions of service of the Prime Minister. There are two situations under which the Prime Minister can operate: one where he occupies the official residence and the other where he does not choose to occupy the official residence. One of the consequences of this Bill is that the Prime Minister occupying the official residence now is placed at a substantial advantage vis-a-vis a Prime Minister who for some reason finds it is inappropriate for him to occupy that residence at any given point in time, that is, that relates to the abolition of the housing allowance to the person not so occupying the residence. It means, therefore, that in relating to the situation on the ground, one or two things has to happen. To create this new differential between the Prime Minister living in the official residence and the one who is not living in such a residence, either the emoluments of the Prime Minister in the official residence will have to go up, or the one not living in the official residence would have to go down, or there has to be some combination of the two things.

It is correct that the present Prime Minister in the present circumstances is going to get a lower take home pay after tax on salary. This is because the addition to his basic salary is less than the housing allowance grossed up to take into consideration Income Tax at the rate of about 6.0 per cent. What you will have to add to his salary would be twice and a half the housing allowance which he up to now enjoys, \$15 600, and the amount which has been added is less than that, and as a consequence, when he is taxed the calculation will show that he will really be enjoying a lower take home pay than he had in the past. But vis-a-vis a Prime Minister who is going to occupy the official residence, the proposals in this Bill will represent a fairly handsome enhancement to his conditions of service to the tune of maybe some \$22 000 per annum. In relation to the Prime Minister not in the official residence, although his take home pay is going to be reduced, his pensionable income would have been enhanced.

So it depends on the period to which the salary will relate vis-a-vis the period to which the pension will relate

to determine whether a Prime Minister not in the official residence would be worse off or better off by these particular changes. I think, however, that if we want to make some type of evaluative comment of these proposals, the appropriate frame of reference would be the emoluments in relation to the Prime Minister in residence, and we would note here that there is a specific increase in his emoluments, which would be in addition to any increases which will come in the course of salary revisions during this year.

4.50 p.m.

We should also, in my view, look at the emoluments of the Prime Minister vis-a-vis the emoluments of other Ministers and to consider the differentials. Without indicating whether one salary is too high or the other is too low, it is my view that the differentials are too wide between the salary of a Minister and the salary of the Prime Minister on the one hand and the Deputy Prime Minister on the other. I will be inclined to suggest that the salaries of the Ministers are low in the context of 1984. But, of course, these are due for revision. I do not know what the revisions will be, so I cannot make a final statement as to the eventual situation.

(Asides)

SENATOR A. W. A. McCLEAN: I am saying that if this \$49 812 is the salary for a Minister for 1984 which would persist into the future, that would be low. But we know that they are expecting an increase retroactive to the 1st April, so we do not know what the salary of the Minister really is now. This is last year's salary, so I am not really in a position to comment on the salary of a Minister in 1984, because that is not yet known to us.

That is the reason why one cannot really make a statement to say that they feel one salary is too high or that one is too low. But the differential, in my view, is a bit on the wide side, and it might have certain implications of political behaviour in terms of the attractiveness of trying to out-manoeuvre your fellowman to become Prime Minister. It might also have implications for how people are regarded, if you are really *primus inter pares*, or if you are something more than that, and so on.

In relation to the Deputy Prime Minister, again there have been ré-adjustments. His take-home pay has probably gone down to the same point, his grossing up is less than would be indicated, but his pensionable income would also have been increased. It depends on how long he remains a Deputy Prime Minister vis-a-vis someone eligible for pension as he retires from Parliament, whether he is ahead of the ball game or behind it. That is the further complication of the value of the official car vis-a-vis the housing allowance which he once enjoyed.

I think some people seem to be speaking as though this Bill had implications for salary increases for Ministers and Parliamentary Secretaries, which, I understand, is not the case. It is just the question of the principle behind it, whether we agree that a Prime Minister not occupying the official residence should not enjoy a housing allowance, or whether we agree that the abolition of the housing allowances should be affected in the way that they have been affected here today.

I have no strong views on the matter; not sufficient to indicate what it should be. It is all within the area of judgment so to speak as to whether that figure is acceptable or not, or within the range of acceptability. I do not have any criticisms beyond the relativities of the Prime Minister and the Deputy Prime Minister, vis-a-vis ordinary Ministers.

I thank you, Sir.

SENATOR C. A. GRIFFITH: Mr. President, as has been clearly pointed out by the Leader of the Senate, this is to do with housing allowance. But as he anticipated, we have got involved in a lot of shenanigans because it has a lot to do with pay vis-a-vis politicians. Of course, people will be carried away, because we have people who come in here always to denigrate the profession they find themselves in.

I noticed that when Senator Hall came in here, it was the first time he was looking at the Order Paper. He was trying to build a debate on the basis of seeing something for the first time on what is essentially a serious matter in this country, legislation as it affects the people. You have people in this Chamber and the Other Place who are ill-prepared to deal with the serious matters affecting the country. It is not surprising when you get that kind of thing, that lack of preparation, that you can get a speech from Senator Hall which is characteristic in its emptiness. It is not surprising when you get a speech from Senator Greaves in which he professes not to understand what the Bill is about. He does not understand the calculations because he does not do his homework. They see all of these things in pure political terms.

It is not surprising when Senator Hall reacts to what he believes is a list of people who are corrupt in the Democratic Labour Party by saying, "I am clean." It reminds me of the statement made by Frank Walcott in 1976 when, in his white suit, he said, "They cannot touch me. I am clean." Do you know what he was talking about? He was talking about the fact that the then Leader of the Opposition, the present Prime Minister, had exposed the checks. Senator Hall says the same thing today, implying that there are some of his colleagues who are not clean.

There is not much you can comment on about what Senator Hall said. But I took some notes on what the Leader of the Opposition business in this Chamber had to say, and it disturbs me greatly when I can hear a man who is supposed to be erudite and a leader in this community get up and try to defend the fact that we cannot attack the judges — the judiciary must have an integrity which must be maintained; the judges must be free to exercise their judicial minds so that they can do their jobs effectively — but they treat politicians as though they are alien creatures. They act as though we are being transported from some foreign land and brought into the real world, and we must always seem to be superhuman.

I agree that politicians must maintain a certain level of integrity in the community. There must be leadership, but politicians are important also.
5.00 p.m.

Without the political directorate how are we going to function in a country? This is where politicians sell themselves short all the time, because we get up in these Chambers and on political platforms time after time and try to suggest that they are less than human and that they must come and do these jobs, be part of the political directorate, be superhuman, be super clean, but when it comes to being considered for their services far and beyond the call of the people in any other field, they must always be called to the carpet, they must always be blackened, and that disturbs me.

I believe very strongly that it is our business to try to clean up the image of politicians. It is not easy being a representative in this country. It is not easy being an aspirant. I know of one man who aspired to elective office in this country. Within a few weeks he said he was finished with it, because people came to him and asked him to back notes, and he said he could not do it. Senator McClean would know that man. He is now a doctor of Philosophy at the University.

I experience the same thing in my office. Almost every day people come to me for financial help, or they ask me to back notes for them and so on. People will ask why we choose politics, but somebody must choose politics, and it is left to us as politicians or aspiring politicians, to try to ensure that we gain the respect of the people we hope to represent, or the people we represent, and stop this nonsense of pulling down the Prime Minister, the Leader of the Opposition, and so on.

As Senator Greaves was speaking, I started thinking about all the things he could have said, and I

wondered if this was the same Senator Greaves who is associated with a party that has been saying and doing the things that we know they have been saying and doing. I do not want to really launch into an attack. I would prefer to make the kind of speech that was made by Senator Simmons today, a measured, intelligent, telling speech, but I guess I cannot restrain myself, because there is too much that the Democratic Labour Party has against it in the years it governed this country.

I do not believe in this nonsense about not looking back, because I learnt very early that the way of the past shows the way of the future, and his word "hypocrisy" keeps coming back. You can go in Hansard and find all the hypocritical acts of the Democratic Labour Party people like Sleepy Smith, Cameron Tudor and Erskine Sandiford. I have sat in that dining room and seen the Democratic Labour Party Opposition members refusing to go in to vote against the increase in salaries, saying they could not in good conscience vote against it because they feel they should have more money. I have sat down and talked with them while the vote was going on.

Mr. PRESIDENT: I think you have to be very careful about calling the names of parliamentarians who are at present Members of Parliament.

SENATOR THE HON. C. A. GRIFFITH: I am sorry about that, Sir.

It bothers me, because the public outside does not get to know these facts. I have known of an Opposition politician who got up and said he was against parliamentary salaries and then walked out of the Chamber and said he could not go and justify to his constituents that he had voted for it, but he wanted the money. That happens in this Parliament, and then we go out there and tell the people we really want to represent them and we really want them to vote for us. I think it is about time that all this nonsense stops.

I have known of one person who has now retired, who used to be high up in the Democratic Labour Party, who went into New York and tried to borrow money from people in the street, because he said he could not pay his mortgage of \$250 a month. This is a man who gave distinguished service to this country, and that is what we are reducing ourselves to.

When you come to talk about morality in Government, I will forgive Senator Greaves, because as far as the Government is concerned, he never had anything to do with what went on in the Government of the Democratic Labour Party — he was just a back bencher. But let me give you an example of morality in Government. One High Commissioner under the Democratic Labour Party Government was overpaid

because the civil servants in the Ministry of Foreign Affairs made a mistake. They paid him his salary in London and paid him his salary in the bank here in Barbados. When it was discovered by the auditors that he was overpaid and he was asked to pay in the money, he said he was not paying it back, the civil servants had made a mistake. The then Foreign Minister supported him on that. He never paid the money back, and he was a High Commissioner under the Democratic Labour Party Government.

I know of another High Commissioner who had a gun put to his head in his office in London because of his association with a known gangster. I will call names on the political platform, because I have the evidence. It distresses me, and this is what happened under the Democratic Labour Party regime, and then they will get in here and talk about corruption and immorality. I cannot continue talking about all the things I know. I can talk, because I have the evidence — and I am going to say for the first time that I have the documents in a safety deposit box and I will reveal them at the appropriate time — some higher-ups in the Democratic Labour Party when they were buying property in Miami. It is not difficult to find out who they are, because the law in Miami requires that you spend a certain amount of time living in that State in order to qualify to buy property. Check that out, the time is three months. I have the documents locked up and I will expose them at the appropriate time.

If you want to hear about morality and corruption, check and find out all about all the dummy corporations in this country that own plantations around here. Why did they do it? Check and find out about one higher-up in the Democratic Labour Party who has not worked since 1976, but lives better than me or anybody else in this Chamber. So do not worry to bring morality and corruption into it. I think it is disgusting, because you have a lot of skeletons in your closet.

We could talk about the Hospital Sweepstake business. Do not talk about going back into the past, these are things that must indicate how people will behave in the future. Why did they do it? That is the question you must ask yourself. Some might have done it because they could not live on what they were being paid, some of them might have done it because they wanted to get rich quickly, and I have no doubt that some of them who walked about boasting about how rich they got in that short space of time did that because they are worthless, but some of them probably did it because they genuinely were worried about their future.

You must not try to discourage people from getting into public life. That is the point I want to make. There is no point getting in here every time talking about what politicians must get and whether or not they deserve it. I

believe that I deserve every penny I get, and more. Let me tell you that honestly.

What is disgusting about this, Mr. President, is that in relation to other people in public life, the higher-ups, you never know what their salaries and allowances are. We heard some remark about the Government having access. The same trade unions in this country are affiliated to trade unions in North America, for instance, the AFLCIO, everybody knows what the President of AFLCIO gets. Everybody knows what all the higher-ups in the unions get, and they expose it themselves. Everybody knows what top level corporation people in the United States of America and in Britain get, and they release the figures themselves. Here in Barbados you have to guess at what the General Secretary of the union gets, the Assistant Secretary and the Principal of the Labour College, and the Deputy General Secretary. You have to guess at what Senator Hall gets at Banks Breweries, but I happen to know what Senator Hall gets, because....

Aside.

SENATOR THE HON C. A. GRIFFITH: I am very close to the Manager.

Mr. PRESIDENT: All right. I think this is getting a little far afield. Do you not think we could come back a little bit?

SENATOR THE HON. C. A. GRIFFITH: I want to come back. The point is that we have to put this nonsense that politicians do not deserve to be paid properly to rest once and for all. Every time there is something to do with ministerial salaries or allowances, you get this nonsense about somebody being against it because they tend to play to the Gallery and outside. Do not bring the corruption talk, because I have documents, and I am going to let them go too. Wait until I get on the platform — and I coming soon.
5.10 p.m.

We have to really put these things into perspective. If Senator Greaves had time to study this, he would not be asking the silly questions that he asked about calculations. It is very simple, but I will leave that to the Leader of the Senate.

If Senator Hall had done his homework and did not wait until he came in here just to open his papers and scribble a few notes to talk, then he would not come in and make the empty speech — well, it is not a speech — like the wind, full of sound and fury signifying nothing. It was sound, but there was no fury in it.

I have always maintain that, and I think that it is time in this country, if you really want to get serious about political representation and how people must behave in public life, then it is about time in this country that we have a lot of investigative reporters about the

place. Then you would really see who would want to be in public life, because if we had investigative reporters in this country, we would have known about the time when the Barbados Workers' Union paid \$89 000 more for the land up there than they had to, through a middle man. Nobody knows why the workers of this country had to pay \$89 000 more for land they should have got for \$154 000, but they paid some \$233 000 for it, and nobody dared ask a question of the union. There are people in here who sit on the executive of the union and they could not even ask questions about that!

We get all kinds of foolishness about what happened in this country to something else, for instance, the Central Bank Building. We hear how Canon Sehon Goodridge could get up and attack the building of a Central Bank for \$60 million. I call the establishment of the Central Bank building a visionary piece of building. But why was he doing it? It was on an expensive piece of real estate paid for by the workers of this country, without their consultation, a place called Harmony Hall, that up to now the workers of this country who are members of the Barbados Workers' Union do not even know the cost of it. But he was criticizing the establishment of a \$60 million facility which has generated employment and which will generate revenue for the country! He was talking to people who, having had their money put into that expensive piece of real estate, had to pay to go in to hear him on their own property on May Day!

The Prime Minister had to take pains to explain that the money that was made available for the Central Bank could not be made available for anything else. I do not believe that Canon Goodridge is a stupid man. He taught me at school, when I was a little fellow. I remember Polly very well teaching me at the Modern, so I believe that he understands, and I believe that Frank Walcott understands. I have an inkling that Senator Greaves understands, but it is just the wickedness that you get when it comes to looking at what Government does.

I am not saying that we must not be criticized. I am not saying that at all, because anytime you are in a Government and you are making decisions, you are going to make some mistakes. Let us face that. Everybody makes mistakes. When the Government makes them, they are there to be seen. If the doctors make them, you have to bury them. But I am looking at people who have the intelligence to sit down and analyse something critically and then make their points, not grandstand and ripoff.

The ripoff was when the union workers with their contributions paid \$89 000 more for that piece of land than it was worth. A middle man got that without having title to the land. That was a ripoff!

Asides

SENATOR THE HON. C. A. GRIFFITH: I do not know who got it, but that was a ripoff. Those are the kinds of things that we should look at in this country.

Nobody in the country questioned the executive of the Barbados Workers' Union for that. We all walk around and say that Frank Walcott is an honourable man. We walk around and praise the union all the time, and say it is a good union. I agree that Frank Walcott is an honourable man. He is a patriot. His name should be written in gold in this country, but when we hear these kinds of things we have to uncover them, expose them.

Do not tell me that we will never have to go back in the past. Are they ashamed of the past? Yes, I say you have to be ashamed of the past. Do not tell me that we cannot talk about what went on in 1973 when these same fellows, like Sleepy Smith were arguing for increased salaries, and in 1978 when Erskine Sandiford insisted that he must have more money.

Mr. President, I feel very strongly about this. I am in public life as a politician. I chose this over many other things and I do not believe that I should sit down and let anybody continue to blacken the image of politicians when I know and I am satisfied that the majority of people who choose to enter public life are doing it because they want to make a contribution to the improvement of life in their country. I believe that as politicians we should be proud of that profession.

Thank you.

SENATOR St. C. E. HOWELL: Sir, the discussion on this measure, as far as I can remember, shows the ability of the members of this Chamber to do their research, but what has taken place during this debate is really a rehash, even though a good one, of what, in fact, took place in 1982.

First of all, Sir, in relation to the speeches, I am heartened that all the speakers in the debate thought that the judges were justified in getting a raise. We in this country follow the Westminster model of democracy, and in England, as well as in this country, judges are paid out of the Consolidated Fund and any constitutional lawyer will tell you that in your first year you are told this and the next time you are told that salaries are never discussed, and I am very proud to see that in this country we have followed this very good practice.

It cannot be easy in a society such as ours for judges to carry out their tasks and perform their jobs fearlessly without being properly paid. What I would hope would never happen again, with all respect to them, is that officials in the Legal Department would be again paid higher salaries than judges. I know about judges and how they work. I know what demands are made upon

them, and I think they should be paid properly for the jobs they are doing.

The type of debate that took place today typify the debates in relation to payments and conditions for politicians each time it arises, and the sad thing about it is that the next time such a debate emerges, the same thing is going to happen; there will be a lot of research, arguments and counter arguments as to who said what for and against these increases.

5.20 p.m.

I first realised this I think in 1966 in England, and it is amazing how we follow this pattern. When the British Labour Party took the Government after thirteen successive years of Conservative rule, one of the first major things that was done by the then Prime Minister Harold Wilson, now Lord Wilson, was to increase substantially the payment to parliamentarians. There was a lot of criticism then, and what happened today was typical. You can really predict what is going to happen. It is a question of who is sitting where, and it is a bad practice in this country that we should follow that example of Westminster government. It is very typical that if you are in the Opposition you criticise it, and yet, as soon as the increases come along you take every penny; and when you are on the Government side, you advance all sorts of discussions in support of it. That happens in Barbados as well. I do not think it is really necessary.

Politicians in this country under successive Governments, I would say certainly for the last thirty years, spend their lives trying to improve the lot of everyone in this country. Why is it that when it comes to pay increases for politicians, the politicians themselves are the first to kick them down. It is foolishness, it is hypocritical, and it does not do politicians themselves any good, and as long as they continue to behave like this, we are never ever going to be respected in this country. You cannot expect to say such bad things about yourselves when it comes to paying yourself a proper salary for doing a job and then expect the people in the street not to follow suit.

Politicians in Barbados, on both sides of the House, are on call perhaps more so than doctors today, virtually twenty-four hours a day, and they get all sorts of threats if they do not come out. I do not think there is any other profession in this country that is comparable to the position of a politician, and therefore I am saying plainly that politicians should be paid, and paid well, for the job they are doing. They deserve it.

I think I said during the Medical School debate that if we continue to knock ourselves down on each and every occasion, we are doing no more than deterring decent people with the ability from coming forward to

serve this country. As politicians we must start to respect ourselves first, and it is about time that we start. We cannot start too soon, and until we do that, the public outside, whom we spend our entire lives trying to represent, will not respect us.

Thank you, Mr. President.

SENATOR THE HON. N. A. BARROW: Mr. President, it has been a long, hot afternoon. I have heard a number of things in the course of this debate and I have heard some telling rejoinders, but one of the points which I feel in all conscience I must make at the outset is that on this occasion I have been relieved particularly by Senator Simmons, Senator Griffith and, in terms of calculations, Senator McClean of having the unenviable — I almost said unpleasant — task of responding to Senator Greaves' comments. The comments he made, as far as I can gather — thankfully, I had to have a meeting with somebody and therefore I missed them — were as I anticipated. They were without substance, the calculations were wrong and I understand they were characterised as a farrago of nonsense.

I am not on this occasion going to follow most of the contributions because the Bill really was not about increases for politicians. Insofar as there was an element of increase for politicians in this Bill, Senator McClean really has made the point that, on the one hand, a Prime Minister living in the official residence would be in a slightly better position under this Bill than previously, whereas a Prime Minister who did not live in the official residence would be in a much worse position, so that is where the political aspect of it is concerned.

Let me repeat that what this Bill is about is removing anomalies in terms of housing allowances. It is about nothing more. When the anomalies at official level had been removed and all Permanent Secretaries and other public officers with housing allowance had their amounts put together, there was no outcry about it. When you do it in relation to the highest offices in the land where they are not held by politicians, there is no outcry about it. When in the same Bill there is a substantial salary increase for the judiciary, there is no outcry about it. We agree that all of these things are fair, but as soon as you include in it the persons holding the two most senior political offices in the land, there is an outcry.

This comes as a result of the nonsense that some people are always prepared to pedal. Although in this case the increases for the political office holders actually work out at decreases in take home pay, and substantial decreases, still we are prepared to keep pedalling this nonsense that other people are to be treated fairly, but if you are a political office holder, you are to forego

whatever it is that is going, it does not matter what it is. Apparently some politicians can forego their salaries, but the banks are not to forego the payments on the mortgage loans, the supermarkets are not supposed to forego the monies for the food you buy; the service stations are not to forego the monies for the gasoline you buy to put in your car. The whole point is that as long as people are prepared to be irresponsible, there is going to be debate on this kind of Bill.

Senator McClean made it very clear that if you are going to pay the Prime Minister the same amount of money which he currently gets then the housing allowance would have had to be grossed up two and a half times and then added to the salary, and that is the complete answer to Senator Greaves' point. I see no reason, therefore, to dwell on that.

In all this there was a very interesting side show going on. When Senator Griffith talked about having a list, I could not believe my ears. Senator Hall said: "I am not on that list. I am clean". Sir, what does that remind you of? Does that not remind you of the cheques in 1976 and Sleepy Smith's "I know you do not have my name on that list." But the real question there is, what is Senator Hall saying about his colleagues? I would like to believe that the situation is not as bad as that.

These are days when we have the Deputy Leader of the Opposition making it clear what the party ought to do, it ought to deal with the problem of division within the party, as he makes it clear that there really should not be dissention over matters of whether a politician deserves to be paid for the work he does. I must say, if only for those two reasons, that the Deputy Leader of the Opposition really stands out head and shoulders above his colleagues in the Democratic Labour Party. At least he has the courage of his convictions on those two matters. Let me repeat what is obviously by now, I think, coming home even to anybody who has not thought about it. This Bill is not about increased salaries for politicians. This Bill is about the thinking on housing allowances, whether that should continue to exist, or whether they should be faced squarely for what they are, in that they are salaries. As Senator McClean says, you can argue about whether this is the correct approach to take, or whether you should go for a grossing up that is higher, or whether you should go for less of a grossing up, or whatever it is you want to do, but, as he says, the result is clearly within a very tolerable area. I believe that we can certainly take Senator McClean's advice on that point.

5.30 p.m.

Earlier today Senator McClean was making his points in a manner in which he disagreed with the Government. On this, he is making a point again which represents exactly his position. But as he sees it, if you

decide that you will do something about it, then what you have done is in the area of tolerance.

I would like in closing to add one thing, since we have got so far into this business of pay for politicians. I wonder how many politicians on the other side are prepared to disagree with the statement that there is no higher risk employment than being a politician. If you enter the Public Service, as long as you do not do anything dishonest, or you do and be not caught doing it, you have an expectation of continuing until you reach 60, going on to 65 years now and you have security of tenure. If you are at the top in the Civil Service, you are in fact better off than a Minister. If you are a judge, look at the Constitution and see how almost impossible it is for a judge to be removed from office. If you are a Minister of Government, it does not matter that you are doing a first class job, it does not matter how conscientious you are about the people's business, if the political mood changes tomorrow morning you are out there reconstructing an entire future, because for the time that you have served as a Minister, you have given up whatever career you have had, and you now have to start all over again. If you are a lawyer, you have got to go back out there and hang up your shingle again. If you were in academics, you are going to find that a whole lot of people have moved right pass you. Hopefully, there is an opening for you, because if there is no opening for you, you better learn to do something else.

Asides.

SENATOR THE HON. N. A. BARROW: If Senator Hall wishes to aspire to being a carpenter, I will wish him luck, because that requires a lot more skill that I am sure the Senator now has. The fact is that if you have certain kinds of skills, you may be able to get back into groove fairly easily. But, generally speaking, persons who have broken their careers to take political office will have a very serious period of readjustment when they lose office. I believe that Senator Hall would agree that up to now I do not believe that Mr. Taitt has found a job. Is that correct, or is it that he does not need one?

In closing just let me repeat that the legislation which we have before us is really not legislation of complexity, and really it is not legislation which I would have thought in any other circumstances would be contentious. If for public offices the decision is that salaries and housing allowances will all be treated as salaries and lumped together, then the same applies for the other offices of the land, whether elective or not. If we decide on that as a matter of policy, and if in deciding on that the impact on the pay packets of the Prime Minister and Deputy Prime Minister is a consequential reduction in take home pay, that in fact is the application of the policy,

The question that the Bill be now read a second time was put to the Senate and agreed to. Senators W. W. HALL and E. E. GREAVES dissenting.

On the motion of Senator the Hon. N. A. BARROW, Mr. PRESIDENT left the Chair and the Senate went into Committee on the Bill: Senator J. C. W. WICKHAM in the Chair.

Clauses 1 and 2 were called and passed. Senator W. W. HALL and Senator E. E. GREAVES dissenting.

The Schedule was called and passed. Senator W. W. HALL and Senator E. E. GREAVES dissenting. 5.40 p.m.

On the motion of Senator the Hon. N. A. BARROW, the Senate was resumed and the Bill reported as having been passed in Committee without amendment. Mr. PRESIDENT in the Chair.

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

QUESTIONS TO MINISTERS

Mr. PRESIDENT: Earlier on when it came to Question Time I understood there was a Reply to a Question by Senator Linton, but he was not present at that time. Therefore I deferred that Item. I think we can go back to that Item now. Senator Linton will just ask the Question standing in his name.

QUESTION RE NON-PAYMENT OF WORKERS AT THE MINISTRY OF HEALTH FOR WEEK ENDING FEBRUARY 17, 1984

SENATOR H. R. LINTON: Mr. President, the Question standing in my name reads as follows:

To ask the Minister of Health:

1. Is the Minister aware that certain employees of the Ministry of Health did not receive their wages for the week ending Friday 17th February 1984 on Friday 17th February, 1984?
2. If the answer to the above is in the affirmative, will the Minister state why these employees did not receive their wages?

SENATOR THE HON. O'B. TROTMAN: Mr. President, the answer is:

1. Yes, Sir.

2. The provision originally made in the 1983—84 Estimates under the relevant Subhead was inadequate to pay the number of General Workers employed at that time and a supplementary vote was being sought. On the advice of the Ministry of Finance arrangements were made to pay the workers during the following week from another source.

Mr. PRESIDENT: Do you have any supplementary questions?

SENATOR H. R. LINTON: No supplementary questions, Sir.

ADJOURNMENT

SENATOR THE HON. N. A. BARROW: Mr. President, I would like to alert members to the fact

that it is likely that the next meeting will be June 20, since both you and the Deputy President have commitments out of the country. In the event that we have a meeting before, then we will, but unless there is some unusual circumstance, I think members can look forward to coming on the 20th.

I do not, however, propose to move the adjournment to a specific date, but merely to leave it to the Clerks if they hear nothing more from us to automatically send out notices for the 20th.

Accordingly, Sir, I move that the Senate do now adjourn sine die.

The question was put to the Senate and agreed to, and Mr. PRESIDENT adjourned the Senate accordingly.

5.45 p.m.

CONTENTS

PRESENTATION OF PAPERS

Senator the Hon. N. A. BARROW 350

Statement of Account of the Transactions in Rum in the Several Districts of the Island for the period January — March, 1984.

Financial Statement showing Net Customs Receipts for 12 months ended 31st March, 1984.

The Annual Report of the Department of Labour for the year 1981.

The Annual Report of the Child Care Board for the period April 1982 — March 1983.

The Annual Report of the Barbados Industrial Development Corporation for the year 1982/83.

The 1st Annual Report and Financial Statements of the Transport Levy Board for the period 5th October 1981 to 31st March, 1983.

The Annual Report and Financial Statements of the Central Bank of Barbados for the year 1983.

QUESTIONS TO MINISTERS

REPLY TO PARLIAMENTARY QUESTION NO.1 ASKED BY SENATOR LINTON OF MINISTER OF HEALTH (SENATOR THE HON. O'B TROTMAN) RE CERTAIN HEALTH EMPLOYEES AND MONIES 350,387

MOTIONS RELATING TO BUSINESS

SUSPENSION OF STANDING ORDER 45(2) 350

INTRODUCTION OF BILLS

Senator the Hon. N. A. BARROW 351

A Bill to amend the National Petroleum Corporation Act, 1979—35.

FIRST READINGS

Senator the Hon. N. A. BARROW 351

A Bill to amend certain enactments relating to the payment of housing allowance.

A Bill to amend the Land Development Duty Act, 1984.

A Bill to amend the Road Traffic Act, 1981—40.

A Bill to amend the Provisional Collection of Taxes Act.

A Bill to amend the statute law in respect of technical deficiencies in certain intellectual property Acts of Barbados.

A Bill to amend the National Petroleum Corporation Act, 1979—35.

PUBLIC BUSINESS

ROAD TRAFFIC (AMENDMENT) ACT, 1984 351

Senator Trotman, 351, 352; Senator McClean, 352; Senator Barrow, 352.

PROVISIONAL COLLECTION OF TAXES (AMENDMENT) ACT, 1984 353

Senator Barrow, 353, 360; Senator Greaves, 354, 359, 360; Senator McClean, 355, 360, 362; Senator Wickham, 356; Senator Ward, 356; Senator Griffith, 356; Senator Jones, 357; Senator Lynch, 357; Senator Mrs. Reader, 358; Senator Simmons, 358; Mr. President, 359, 360, 363.

MISCELLANEOUS PROVISIONS ACT, 1984 364

Senator Barrow, 364, 386; Senator Greaves, 366; Senator Jones, 370; Senator Simmons, 371; Senator Hall, 376; Senator Williams, 379; Senator McClean, 380; Senator Griffith, 382; Senator Howell, 385.

SUSPENSION 364

ADJOURNMENT 388

SPEAKERS IN THIS ISSUE

BARROW, Hon. N. A.
CATO, His Honour Sir Arnott
GREAVES, E. E.
GRIFFITH, Hon. C. A.
HALL, W. W.
HOWELL, St.C. E.
JONES, CAN. I. McK.
LYNCH, Mrs. E. M.
McCLEAN, A. W. A.
READER, Mrs. G. G.
SIMMONS, D. A. C.
WARD, L. A.
WICKHAM, J. C. W.
WILLIAMS, J. E. D.