THE

SENATE DEBATES

(OFFICIAL REPORT)

SECOND SESSION OF 1981 – 86

THE SENATE

Wednesday, September 12, 1984

The Senate met in the Senate Chamber, Public Buildings at 11:10 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 Honourable O'Brien Trotman, (Minister of Health);
Senator the Honourable C. A. Griffth, (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 Miss J. Clarke;
Senator E. E. Greaves;
Senator W. W. Hall;
Senator A. W. A. McClean;
Senator Mrs. G. G. Reader, M.B.E.;
Senator C. D. Seale;
Senator the Rev. Canon I. McK. Jones; and
Senator L. A. Ward, G.C.M.

Prayers were led by Senator the Honourable Sir ARNOTT CATO — President.

PRESENTATION OF PAPERS

SENATOR THE HON. O'B. TROTMAN: Mr. President, I am commanded to lay the following:-

The Spirits Regulations, 1984.

The Spirits (Amendment) Regulations, 1984.

The Education (Amendment) Regulations, 1984.

Annual Report and Statement of Accounts of the Barbados Port Authority for the year 1983.

Report on the Registration Office and the Supreme Court Registry for the year 1982.

Report of the Auditor and the Financial Statement of Accounts of the Natio'.al Training Fund for the period 18th May 1982 to 31st March 1983.

Report of the Accountant General for the year 1983—84.

The Annual Report on the Immigration and Passport Department for the year ended 31st December 1983.

Statement of Account of the Transactions in Rum in the Several Districts of the Island for the period April — June 1984.

Statement showing Net Customs and Excise Receipts for three months ended 30th June 1984.

The Land Development Duty (Rate of Duty) Order 1984.

The Civil Establishment (General) (Amendment) Order 1984.

INTRODUCTION OF BILLS

SENATOR THE HON. O'B. TROTMAN: Mr. President, I beg to give notice of the items listed in the printed Order Paper for today, as well as the several

items listed in the two Supplementary Papers, one circulated earlier and the other circulated today.

Mr. PRESIDENT: It is my understanding that the Bills have been circulated to honourable members on two Supplementary Papers as well as on the Order Paper.

Let it be recorded in the Minutes that these Bills have been read a first time.
11:20 a.m.

SENATOR E. E. GREAVES: Sir, I just want to make a small point, small in terms of the length of my contribution, but big in terms of a procedural matter. I, and I believe other honourable Senators, have received a whole set of Bills. I got the last set only this morning — I received the bulk of them yesterday and the other set I received on Monday — and it puts me in a very difficult position if we are going to be expected to deal with these Bills today. As a matter of fact, I have not even had the chance to look at most of them.

Mr. PRESIDENT: I think you are just anticipating. We have to hear from the Minister first what he is proposing to do, and if it meets with the approval of the Senate, then we will do them. Just wait a little.

SENATOR THE HON. O'B. TROTMAN: Mr. President, some of the papers came out earlier, and I am not too sure which ones the Senator got this morning and which he got yesterday, but I will indicate to the Senate which ones I propose calling today, and if there is any difficulty, we would have no hesitation in postponing the debate on any particular item.

Mr. President, I propose to take from the printed Order Paper the following items in this order: items 1, 3, 4, 5, 6 and 2, all standing in my name. Then, Sir, items 7, 8, 9 and 11, in the name of Senator Howell. Senator Griffith will do item 10 later on, we hope, so I am holding item 10. Then I propose to take from the first Supplementary Order Paper Item 11, which is a Bill to amend the Immigration Act, which is now No. 3; then the Education Act, which is on the second page, as Item 12; and as Item 13 I propose to take the Resolution to approve the Education (Amendment) Regulations, and then from the second page a Bill to amend the Student Revolving Loan Fund Act. These will be in the name of Senator Williams.

What was No. 10 on the Order Paper as circulated will be Item 15, and then on page 1 of the supplementary Order Paper Item 16 will be the Resolution to approve the borrowing of an amount in various currencies equivalent to US$11 million from the World Bank. Item 17, a Resolution to approve the Land Development Duty (Rate of Duty) Order, will be in the name of Senator Griffith. Item 18 is the Spirits Regulations, Item 19, the Appropriation Bill; Item 20, Treasury Bills; Item 21, the Special Development Area (St. Barnabas Road) Order; Item 22, a Bill to amend the Shipping (Incentives) Act; Item 23 would be the Property Transfer Tax Act on page 2 and then back to page 1, again, Item 24 is the Sanitation Service Authority; Item 25, a Resolution to approve the borrowing of $3.5 million from the Royal Bank of Canada (London); Item 26, a Resolution to borrow $1.7 million from the Barbados National Bank (London) and Item 27 the Bill relating to Gaming and Betting, all in my name.

I will seek leave to take those items which were properly circulated today, and I will take the others on the adjournment.
11.30 a.m.

Mr. PRESIDENT: As I understand it, the Minister is proposing to do the items he has called out in the order named, or as many of these items as honourable members will agree to do.

If any of these items have been circulated too late for honourable members to have studied them, my understanding is that the Minister will not try to proceed with them.

It will be left to honourable members to indicate if they have had late circulation of any of these or....

Senator Seale.

SENATOR C. D. SEALE: Thank you, Sir. I have had late circulation in that I got most of mine, I think, on Saturday, and they came up on Monday. I have found that there are too many items to adequately prepare for in so short a period. I do not mind co-operating and doing as many items as possible, but I think that we are trying to crowd too many in one day. I am with the Minister, but I think we are going to have to come back another time.

Mr. PRESIDENT: Senator Greaves, did you have a comment to make?

SENATOR E. E. GREAVES: As I indicated, I received most of these Papers yesterday, and I found some again this morning. I have not studied a number of them.

The ones relating to salaries and the Gambling Bill came out before, so there is no particular problem with them, but I only saw the ones relating to education last night for the first time. I was preparing other things and I really did not get to them. That is my problem. But if

these had been circulated earlier, one would have been in a position to have done some preparation and be able to make a worthwhile contribution today.

Mr. PRESIDENT: I think it would save time, if we just went through the items one by one as they have been called. If there are obvious strong objections to doing one, we will agree on that.

SENATOR E. E. GREAVES: Am I to understand, Sir, that we will be having another meeting next week or week after next?

Mr. PRESIDENT: When it comes to the Adjournment, the Senate will decide when it wants to meet again.

SENATOR E. E. GREAVES: I know that we have to meet again.

PUBLIC BUSINESS

CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) ORDER, 1984

Order No. 1 was called — To move the passing of the Resolution to approve the Civil Establishment (General) (Amendment) Order, 1984.

SENATOR THE HON. O'B. TROTMAN: Mr. President, from time to time it is necessary for workers and employers to have negotiations and consultations on salaries in order to ensure that either the workers improve the quality of their lives or, in some cases, depending upon the economic situation at the time, maintain their present standard of living.

The last time the workers in the Public Service got an increase was in 1982. The Government has now received some submissions from the unions involved. The National Union of Public Workers, which asked for increases of 26 per cent at the bottom and 16 per cent at the top, the Barbados Union of Teachers, which asked for 35 per cent at the bottom and 17.9 per cent at the top and the Barbados Secondary Teachers' Union, which asked for increases ranging from 34.4 per cent to 18.2 per cent. The Prison Officers asked for an increase of 25 per cent over two years, the Fire Service asked for an increase of 24 per cent at the bottom and 20 per cent at the top, the Barbados Association of Medical Practitioners did not make a proposal nor did the Police Association, the Barbados Workers' Union asked for increases in salaries of 22 1/2 per cent for salaries under $1 100 per month, 15 per cent on salaries between $1 100 and $2 000 per month and 12 1/2 percent on salaries of $2 000 per month and over.

After negotiations with the representative bodies which made submissions to the Government, agreement was reached with the National Union of Public Workers, but with no other trade union. The Government proposed to the NUPW that the increase should be 15 per cent across the board. In light of the fact that between 1982-84, the cost of living in Barbados rose by approximately 15 per cent, and whereas in the past the Barbados Labour Party Government had been persistently giving increases which would more than match the rise in the cost of living, on this occasion, because of the present financial position of the Government, the Government could not afford to allow the public workers to improve their position in relation to the cost of living. However, we agreed that at least they would be able to maintain their standard of living by giving them an increase to match the rise in index of retail prices.

Contrary to general opinion, between 1976 and 1982, that is between 1976 when the present Government came into office and 1982 when the last revision of salaries was negotiated, according to the Central Bank the cost of living went up by 73.9 per cent during the period March, 1976 to April, 1984. But during that time, Permanent Secretaries' salaries went from approximately $19 000 to $44 000 in that period. In other words, they had an increase of 128 per cent on their 1976 salaries to accommodate a rise in the cost of living of 73.9 per cent. At the other end of the scale, the maids, whose salary was approximately $2 400 in 1976, were by 1984 getting approximately $5 600, or approximately 234 per cent increase in their wages to cover an increase of 73.9 per cent.

11.40 a.m.

I give this information to point out that whereas there has been no agreement before now with any of the unions, the workers have not been disadvantaged in terms of the accommodation which the Government gave to match the rise in the cost of living.

There is a general belief among Opposition members that we should not have salary increases unless there is total agreement with all the unions. Experience has shown that this is a very, very difficult exercise, and, in fact, the nearest way we have come to reaching some agreement was this year when the National Union of Public Workers agreed to accept the proposed increases offered by Government. I believe that some accommodation is still being made in respect of some areas represented by the Barbados Workers Union. They have not agreed with the increases offered by the Government, but have proposed that there be some regrading of the key scales. Some of their problems will be taken care of during the regrading exercise, and we will have to come back to Parliament when that is agreed to.

I said that Government could not offer more at this time. We have to understand why that is so. In 1983, we had the complete failure in sugar, because in 1983 our

sugar production fell to a level which could only be compared to the 1948 failure of the sugar crop. We have never had a worse crop since 1948 and, therefore, there was some negative effect on government's revenue. We have also noticed the constant complaints of hoteliers that the hotel rooms are bare, and added to this, manufacturing has not been going anywhere in 1983 and early 1984, even though there has been some growth in the CARICOM trade manufacturing in general. None of the three major sectors of the economy were doing well in 1983, so the Government could not see its way in making a more generous offer. The Government under these circumstances is being quite reasonable in its offer.

The Government has been trying to ensure that all workers enjoy a better quality of life, although not in dollars and cents. We have to add the improvement of vacation leave to workers where there is some cost to the employer even though the worker does not benefit in his pay packet. The workers have been, in fact, enjoying an improvement in their standard of living over the last eight years, and even though we ask them in 1984 to accept the 15 per cent which just matches the rise in the cost of living, when we put the package together, the workers are better off than they were before.

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

SENATOR E. E. GREAVES: Mr. President, speaking on this Civil Establishment (General) (Amendment) Order which has to do with the increases for workers in the public sector, and which will accommodate some of the other Civil (Amendment) Orders that we have, I want to say at the outset that Senator Trotman seems to be going down a wrong road in that he is suggesting that the cost of living is the only criterion which is used to give workers an increase in wages and further improvement in their working conditions. Indeed it is the only criterion that he used. He went so far as to suggest that, in the past, workers were able to get increases in excess of the cost of living increases, but on this occasion what has happened is that the cost of living has not risen between 1982 and 1984 by more than 15 per cent and, therefore, the 15 per cent increase which has been offered across-the-board is in line with the cost of living increase and the workers would be in no worse position in 1984 than they were in 1982.

This is a false concept, and one would have expected that Senator Trotman, who at one time was the General Secretary of the National Union of Public Workers, would be aware of the fact that the cost of living is not the only criterion which is used as a basis for determining increases in wages in any category of workers. If that is the way how he used to negotiate, one is left to wonder. I want to make it very, very clear that I do not buy that argument which he has advanced about the cost of living.

The second point I would want to make at the very outset is that the Government, in terms of the kind of society in which we live, is usually regarded as the model employer. The Government, after all, is in control of the country, and is usually looked upon to set standards. Indeed, Government passes laws relating to working conditions and the kind of facilities the workers ought to be able to enjoy in certain working environments. These conditions apply to people in the Public Service and, therefore, when it comes to negotiations, one would expect that the Government would play a model role. If the Government does not play a model role, what will happen is that people in the private sector will tend to adopt the same kind of attitude and approach which the Government uses.

This brings me on to the third point. Senator Trotman indicated that the Government had a number of meetings with the unions on this round of negotiations. As a matter of fact, he said, "After negotiations with representative bodies, agreement was reached with the N.U.P.W. for 15 per cent across-the-board." Let us examine that statement.

I know that there are a number of unions and organizations which made submissions to the Government for the workers who are members of the representative organizations. Incidentally, we must remember that the Prison Officers Association is not a union, the Fire Association is not a union, neither is the Police Association, which apparently did not make representation, a union. I think a distinction ought to be made between the unions and the associations. Under the law these three groups are prevented from forming themselves into trade unions. They can form associations but they do not have the same status, indeed the same power; they do not have the same flexibility, indeed they cannot function as a trade union under the Trade Union Act we have.

11.50 a.m.

I am aware that the Barbados Workers' Union represents a significant number of categories of workers in the public sector. I do not think that we would ever claim to represent all the workers in the public sector, or that we would claim to represent the majority of the workers in the public sector, but we represent a significant number of workers in the public sector.

Senator Trotman talks about negotiations, but can you tell me that negotiations have taken place between Government and the Barbados Workers' Union when

only one meeting was held between the Chief Personnel Officer and the Barbados Workers Union on the proposals which were sent in by the Barbados Workers Union? Can you tell me that is negotiation? With one meeting? We went through making an argument for the proposals which we sent in. The Chief Personnel Officer indicated the difficulties and what have you, and then the Chief Establishments Officer. That was the end of the negotiations. As a matter of fact, they were not negotiations. We were not even treated with the courtesy of a counter offer or anything like that. The next communication which we received was an indication that an agreement was reached between the NUPW and the Government for an across-the-board settlement, an increase of 15 per cent.

That kind of attitude is typical of this Government. I cannot enumerate the number of meetings which were held with the other unions, but I am reliably informed that both the BSTU and the BUT have not had meetings of any numbers to even suggest that negotiations have taken place. I am told that there were about five meetings with the NUPW. I do not know, but the point is that if you have a situation where you have these unions which are involved representing significant numbers in the Public Service — the BSTU represents the teachers in our secondary schools, the BUT represents the teachers in our primary and newer secondary schools, and the Barbados Workers' Union represents workers in the postal services, the Sanitation Service, the key scale, the Community College, the School Meals Service, the Child Care Board, the National Conservation Commission, the National Housing Corporation, the Queen Elizabeth Hospital — how can you treat them so? — A whole range of workers are represented by the Barbados Workers' Union, and you are going to tell me that the Government is going to have one meeting with the Barbados Workers' Union, say that is negotiations and expect that that would be satisfactory?

This is really an injustice to the workers. I think it shows the kind of attitude which this Government has displayed towards the whole question of collective bargaining ever since it came into power in 1976. Yet, there are some very nice words written in the 1976 manifesto about how committed the Barbados Labour Party is to collective bargaining, and how they would never impose salaries, never legislate salaries or anything like that. And before we get into a side track, because I know that one of the other members on the other side will get up and say how would you expect the civil servants to get paid if you do not legislate the salaries, when we talk about legislating salaries in the context of collective bargaining, we are talking about where a Government does not negotiate and reach an agreement with the union or unions involved and takes the route of Parliament to impose a settlement on the parties concerned. We recognise and we know, and I do not think we have to be told, that there must be some legislation to give effect to whatever the money offered, so I do not not want to get into that kind of ignorant argument, because I heard it in here in 1982. Let us cut out that ignorance.

It is a matter of very serious concern to those of us who are involved in collective bargaining to see the attitude which has been displayed by the Barbados Labour Party Administration to the whole process of collective bargaining. I recall that in 1976, in negotiations with the former Administration, an agreement was not reached either, and the position of the Barbados Workers Union was very clear. Certainly when the Resolution came up for voting in Parliament the General Secretary of the Barbados Workers' Union, Frank Walcott, and myself, who were then members of the Other Place, voted against that decision to legislate salaries. Our consciences are very, very clear on that and we have no problems as far as this particular principle is concerned, because it is a principle which we hold dearly.

When the Barbados Labour Party was in Opposition, they were all in support of the principled stand which was taken by the Barbados Workers' Union in this matter. In those days the NUPW, headed by Senator Trotman, was asking for an increase of 85 or 90 per cent, I think it was.

(SENATOR THE HON. O'B. TROTMAN: Ninety five per cent)

SENATOR E. E. GREAVES: It is a wonder it was not 105 per cent. They were asking for a 95 per cent increase. They had, I believe, more than 20 meetings.....

Aside.

SENATOR E. E. GREAVES: There were over 20 meetings. Do not worry with that, the records will show that very clearly.

I am not making out any case for the Democratic Labour Party, because the Democratic Labour Party was wrong to do it, and we said that very clearly. In the same way, we are also saying that it is wrong for the Barbados Labour Party, this Government, to adopt that kind of attitude, and I say that the history of negotiations in the Public Service since the Barbados Labour Party came into power has been a very sad one. It has deteriorated to a point where the Government feels that it is elected by the people and whatever it says has to go. The Government is not prepared to sit down and negotiate, the Government is not prepared to sit down and listen to arguments, to listen to anybody. They have set themselves on a course of action and nobody will deter them from that course of action.

That is the attitude which has been adopted by the Barbados Labour Party administration since 1976. It first showed its head in December 1976 when we were negotiating for the staff of Parliament. The Government took a decision to put an end to that and they gave the staff of Parliament what they felt was necessary, and that was the end of that, in spite of the protests which the Barbados Workers Union made in this particular matter. In 1978, you have a similar problem. In 1980 you had a similar problem.
12.00 noon

What was the story in 1982? It is very interesting to see the way in which the Government attempts to manipulate the trade union situation in Barbados. In 1982, as we did in 1984, we put a very reasonable position to the Government. We said that over and above what the Government said it would legislate, we would be quite happy with an additional $5 million distributed in the sectors for which we were negotiating. The Government came up with the $5 million, it worked out to about 2½ per cent, and it was distributed, I believe, throughout the Service. But the point I want to make is that on that occasion, and if you were to read the debate you would remember, the Prime Minister was full of praise of the maturity and the sense of national commitment of the Barbados Workers' Union and he abused the National Union of Public Workers.

It is not that one is looking for praise. I want to get that straight. In this day of politics and trade unionism, nobody is looking for praise because we have a job to do and we have to recognise that some feelings are going to get hurt when a job has to be done.

We come now to 1984. If you were to look at the submission of the unions and the associations which made submissions to Government, a very interesting picture emerges – The NUPW, 26 per cent at the bottom and 16 per cent at the top; BUT 39 per cent at the bottom and 17.9 per cent at the top; BSTU: 34.4 per cent at the bottom and 18.2 per cent at the top; Prison Officers: 27 per cent across the board; Fire Service: 25 per cent at the bottom and 20 per cent at the top. But there is a point to be made about the differential between the bottom and top. The bottom of the lower scales of the BUT, the BSTU and the Prison Officers, would be way above the bottom, for example, of the key scales. Even the lowest paid teacher who is represented by the BSTU would not be earning what a maid in the key scale would be earning, so if you now translate these percentages into money terms, you will see what the proposals would be.

Look at the reasonable submissions of the Barbados Workers' Union. We submitted a three-tiered arrangement, ranging from 22½ per cent at the bottom, between $1 000 and $2 000 a month, 15 per cent and over $2 000 a month, 12½ per cent. What we were seeking to do was to make sure that there was some balance in the negotiations and the increases, with a sizeable portion of the percentage increase going to the people who occupy the lower rungs of the economic ladder in the Public Service. This is the philosophy which we in the Barbados Workers' Union hold dear to us because we are in to upgrading the persons who are in the lower rung of the ladder.

Therefore, when the Government comes and gives a 15 percent increase across the board, do you know what that means? It means that the workers at the bottom of the ladder will continue to be in a worse position, and the higher up you go in the salary scale, others would continue to be in a much better position, because if you take 15 per cent of $4 000 a month and 15 per cent of $150 a week, you see the disparities that we are talking about? But the Government has given a person who is working for $4 000 a month 15 per cent and a person who is working for $150 a week 15 per cent – and you say that that can be considered to be equality?

That is a shameless act on the part of the Government to be doing that kind of thing. They are saying that the man at the bottom who has to be bearing the brunt of the sufferation in this country, and there is a lot of suffering among people in this country, particularly amongst people who are low paid, is entitled to the same percentage increase as the man who is getting a much higher salary. This is something which I could not stomach, and which I, from a philosophical point of view, could not support. I am at odds with this and there is no way that I could support this kind of irregularity, and it is one which the Government seems to be prone to pursuing. There can be no logic and no reason in a situation where you are giving people who are at the bottom of the scale the same percentage increase, and in the context of our economic situation, the 15 per cent is certainly inadequate for the people at the bottom.

Senator Trotman made a big thing of the fact that an agreement was reached with the National Union of Public Workers, and in the Other Place, I think it was the Prime Minister who was making the point that the NUPW represented the majority of people working in the Public Service, and once they had reached an agreement with the union representing the majority of the people in the Public Service, then, as far as they were concerned, the Government had an agreement. They did not have to care or bother about the other unions which, in their minds, were small unions and of no particular significance.

Let us just look at that principle a little more closely and look at another example to show how the Government is hypocritical in that stance. The Government sends a delegation to the International Labour Organisation in June every year. Under the constitution of the International Labour Organisation, it says very clearly that the delegate and advisers for the employers should be selected

from the most representative employers' organisation in the country, so that if, for example, the Government went and selected a delegate from the Sugar Producers' Federations or the Barbados Sugar Industries Limited, BSIL, to be a delegate or indeed to be an adviser to the employers delegation, then that would be contrary to the ILO constitution. I do not think the Government would do that because they only represent the sugar interests, whereas the Barbados Employers' Confederation is more representative of the employers in Barbados.
12.10 p.m.

It also says that the delegate and the adviser for the workers' group should come from the most representative organisation of workers in the country. The National Union of Public Workers represents workers in the public sector only. The Sugar Industry Supervisors Associations represents the supervisors in the sugar industry only. The BUT represents teachers in the primary schools and in the newer secondary schools. The Barbados Workers' Union represents workers in the public sector, in the telecommunications field, in the Post Office, in the commercial sector, in agriculture, in industry – you name it, the Barbados Workers' Union represents workers in that area – so the Barbados Workers' Union, therefore, by any reason or logic, is the most representative organisation of workers in Barbados.

In selecting a team to go to the ILO to represent the workers, do you know what Government did? And this is why I say that the Government is hypocritical when they talk about the NUPW being the most representative organisation. If you are going to use that kind of argument, be consistent with your argument and recognise what is in the constitution of the ILO and do what is right. But you see, the Government wants to eat its cake and have it too. They want to be playing ball, and it is very clear that the Government is playing ball with the NUPW or that the NUPW is playing ball with the Government, and any union that gets involved in this ball playing will eventually find itself in trouble. There are certain principles which we cannot deny, and they are very clear, and I think it is scandalous for the Government to just adopt the attitude it has adopted, that once they have gotten an agreement with the NUPW, that is the end of the matter.

Senator Trotman made the point that he expects an agreement or an agreement has been reached on some submissions which were made by the Barbados Workers' Union concerning the regrading of some sectors of the key scale, and that that might solve the problem which we have. We have received some communication from the Chief Establishments Officer relative to regrading. As a matter of fact, I think that the results of the regrading, if Senator Trotman does not know, are contained in one of the Resolutions which we are going to be discussing here today, the one affecting key scales. But do you know what this regrading is all about? It is really insulting. You regrade people in Category X and the result of that regrading exercise is that they will get an increase of six cents. In Category V, they will get an increase in the regrading exercise of $9 per week, and Category II people who have been regraded will get $34 per week. I am not giving you the whole thing, but when you look at it there are very few people in Category II. Category II are section leaders, which would be foremen heavy equipment operator, of which there are very few, maybe one or two, and fitter/welder at the QEH. There are not many people in this particular area, so to give the impression that there is this big regrading exercise going on and that this will be satisfactory to the Barbados Workers' Union certainly is not satisfactory, because it has brought or it will bring little or no benefit to the people for whom we are seeking a regrading, and for whom a very reasonable proposition has been put up by the Barbados Workers' Union.

I want to go back to negotiations and attitudes in the Public Service. I said in the debate on the Estimates earlier this year when I was very critical of the Establishments Department and the way in which it has been functioning or indeed the way in which it has not been allowed to function, that I am of the view that the Chief Establishments Division is not allowed to function really as the real negotiating section or arm of the Government, and it does not seem as if any leeway is given to that department – and I am not individualising, I am dealing with the department – with the result that you are getting undue delays in submissions from unions and undue delays in resolution of problems which are up for discussion. It is very difficult to get meetings organised. Indeed, the Barbados Workers' Union has found it extremely difficult to meet with the Chief Establishments Officer.

I think this is cause for very serious concern. We have written numerous letters and reminders urging meetings to discuss a number of things which we have submitted – to no avail. We do not seem to be able to get a response out of the Chief Personnel Officer. It is almost as if the Government – and this is nothing to do with the department, it is something to do with the policy directions which are coming from the Prime Minister – is saying that if you do not like it, you can go on strike. It is almost like begging you to take industrial action. That is what the Government's attitude seems to be, and one day coming soon – that calypso was banned but the thoughts are still there – people will rise up, because you cannot have a situation where we are living in a democracy, we recognise trade unions, and the Government, which is supposed to set the pattern, ignores reasonable requests for meetings to discuss matters relating to workers who are its members, and they expect things to go smoothly.
12.30 p.m.

The Government must change its attitude. The Government must give more freedom and flexibility to the Establishments Division, have the Establishments Division properly staffed and have people trained to deal with issues which come to the fore, so that there could be real and true negotiations and not just dictates or directives from the Government, because that is what it has boiled down to. I am submitting that there are no negotiations which take place on any matter in the Public Service today. The Government rules. It makes decisions, gives dictates and directives and unions are expected to follow. That is the end of that.

We are reaching a very serious stage in this country which could lead to a lot of industrial unrest in this country, which would not be good for the country, either from the point of view of our social, political or economic stability. I am urging the Government to pay a little more respect to the concept of negotiations and the concept of collective bargaining which the Barbados Labour Party says that it holds so dearly; indeed, which we have subscribed to through the Conventions of the International Labour Organization; Conventions Nos. 87 and 98, and which are inscribed in our Constitution in terms of recognizing unions, and, therefore, the other things which follow.

The Government is not doing this. They want to do it their way. That cannot take place. Do you think that it is fair for any group of workers for which a union has submitted proposals for five years not to get past just an acknowledgement? You write, you are being reasonable, you try to be as appreciative of the situation as possible, but yet you cannot get past an acknowledgement or one meeting.

There are problems throughout the Service. With respect to the Child Care Board – I had to speak on this in here already – we have made proposals and nothing has materialized. We have submitted proposals for the School Meals Department, the Maintenance Section of the Queen Elizabeth Hospital, Customs Guards and proposals for salary regradings at the Community College and also relating to general conditions of service. We made proposals for workers who were working with asphalt at MTW and proposals concerning conditions of work for workers in the MTW workshop and in the Sanitation Services, and we made a number of proposals concerning the re-organizing and regrading of people in the postal services. There was no attempt to discuss that.

The workers are really getting to a point where I think their patience seems to be running out. Certainly, I think that the Government has tested the patience of the Barbados Workers' Union for too long. Sir I do not think that any person in their right mind could say that the Barbados Workers' Union adopts an unreasonable position in anything that it does in terms of negotiations. If we were to be as usual as some other unions, we would submit what the workers ask us to submit but we have a different process. Senator Williams would know this very well, because he was President of the Cable and Wireless group. He would know of the fights which we had when he was president for the hugh increases that they wanted us to send to the employer. We had to sit down and reason with them and indicate to them that there are a whole set of factors that one has to take into consideration.

We adopt a very reasonable position. We usually take the cost of living into consideration, the ability of the employer to pay and a whole set of other factors which go into making a proposal. After having done that, our proposals are submitted on that basis; I do not think that if you look at any proposals which the Barbados Workers' Union has submitted for any category of worker in the Public Service, or indeed for any category in the private sector, one could say, in any honesty that they are unreasonable proposals. When we find a union which is so reasonable and then you get this sort of attitude coming through then maybe, the time has come for that group to become unreasonable. But when you do that, you hear all sorts of arguments and things about people wanting to bring down the country – all kind of nonsense.

I should like to think that we would reach a point where a proper system could be set up to deal with negotiations and that we would not get into this position where we have to be constantly in a situation where Government feels that it has to impose, regardless of whatever sound arguments have been advanced by the unions concerned. I certainly cannot agree with a situation where the Government, rather than negotiating these increases, is coming to legislate them, having not reached an agreement, by using their strength in Parliament to force these increases down the throats of the workers in the public sector, particularly the workers at the bottom of the scale. I think this is totally unacceptable. I am going to have a lot more to say when the other group comes down, but that will be another time and I will not get into that now.

I am convinced in my mind that, from a philosophical point of view, I certainly cannot support this Resolution or any of the Resolutions relating to the Civil Establishment and dealing with the increases in the Public Service. They run counter to all the tenets of collective bargaining, they run counter to reason, particularly if you are going to impose a 15 per cent across-the-board increase where people at the top are going to be getting the same percentage increase as the people at the bottom. In truth and in fact what you are doing is pushing the people at the top even further away from the people at the bottom, and this puts undue pressure on the people at the bottom. This situation should be a reversed one, where people at the bottom would get a bigger percentage increase than the people at the top, because there are certain privileges

which they have which people who are working in the lower rungs of the ladder do not get, and I am sure that you are aware of all of these things.

It is really very sad that we have still to come here in 1984 to be making these points which we have been making over the years. By now the Government ought to have taken stock of this and set up a proper system of negotiations and settlement in these matters. But, as I said, the Government wants to have its cake and eat it too, and the Government wants to be in a position to be always dictating what should happen and what should not happen. This is bad for collective bargaining and industrial relations. The Government has set a very bad example. The only way that this course can be changed is by a completely new approach to collective bargaining in the public sector. I think this is very much needed.
12.30 p.m.

I will not be able to support any of these Civil Establishment Resolutions.

SENATOR A. W. A. McCLEAN: Mr. President, this Resolution relates to an Order which is seeking to provide for a reclassification of certain posts in the key scales. I think it is appropriate at this stage to point out that it should be quite evident by now that the system of key scales is antiquated and present certain difficulties to the labour relations process or process of wage negotiations. You will find that the requirements for a successful negotiation between a number of unions representing different categories of workers cannot be achieved in the context of what effectively reduces to negotiations over key scales. The particular situation confronting us at the moment fairly well illustrates the point. We have a situation where there are at least four unions, NUPW, BWU, BUT and BSTU, seeking to enter into any negotiations with Government on salaries presumably for the people they represent, but all these salaries fit into these key scales.

We are told that Government reached agreement with the NUPW. Then we have heard from Senator Greaves that, far from reaching agreement with the others, they have hardly had any meaningful negotiations with them. There is a particular difficulty here in terms of the consequences of reaching agreement with one union in advance of the others. I would anticipate that if Government, having announced that they have reached agreement with the NUPW, which is the union, we are told representing most of the public workers, had then proceeded in spite of that agreement to grant high wages all across the board because of the views of the BUT or BSTU or BWU, down the line they can expect that never again will they probably get an agreement with any union. Each union will then be afraid to come to an agreement with the Government which is then going to turn around and give all the workers more money than the union agreed to. So Government can anticipate that their business of agreeing with unions will be decidedly problematic.

But we have the additional problem of the recognition of unions. I do not think it is reasonable to recognize more than one union as a bargaining body for the same situation. If you conceive of the Public Service as one monolythic type of body, with a set of salary scales going from the lowest worker right up to the top, and you have to be slotted into Z this and Z that, it is difficult to have four unions negotiating on these key scales. If you are going to recognize unions as representing different categories of workers, to give meaning to this you have to abandon the key scale concept and have salary scales for teachers, salary scales for the ranks in the Civil Service represented by the NUPW and recognize the National Union of Public Workers as the bargaining agent, let us say, for the higher ranks in the Civil Service if they have the highest membership in those categories, and also salary scales for the workers among whom the Barbados Workers Union will have the highest number of members, and so on. On that basis agreement with NUPW would not create a situation where it becomes virtually impossible, from a practical point of view, to proceed with negotiations with other people.

In respect of teachers, you have the secondary problem that here you have two sets of teachers unions, both purporting to represent the same person. The BSTU presumably represents the secondary teachers, but their concept of " secondary teachers" seem to relate to ten schools which existed many years ago. You also have the BUT which sees itself as representing teachers at the secondary and primary level, but apparently does not want to tread on the toes of the BSTU and trap membership from certain schools. I think that that is especially unsatisfactory, because even if Government should adopt the practice of identifying particular bargaining groups within the Public Service, at the very least secondary school teachers will have to be regarded as a group. You cannot have two groups for secondary teachers. So at a very early stage Government should call upon those two teacher unions to sort out their business and decide on whether they are going to have one union representing all teachers or whether you want two unions, one representing the secondary teachers and the other one representing primary school teachers.

Essentially, to tidy up the situation throughout the public system, I think the key thing can be abandoned. Perhaps it can be kept in the background in the Establishments Department to inform what they would concede to, but it should not come out front as the basis of negotiations, and what should come before Parliament is a document with specific salary scales for the categories of officers. Then, you would have the possibility of infinite radiation of change. You would not have to jump from

Z9 to Z10 if you want to give the fellow anything above Z9; there can be all sorts of intermediate situations. This would allow for greater flexibility in terms of changing relative scales without having to reclassify every five minutes – and often when you do this reclassification you alway discover anomalies; reclassifications are never really generally satisfactory – and it would allow for what you can call the general sense of the community to express itself in terms of what is the appropriate pay for maids without having to tie that in with what you are going to give Permanent Secretaries on the same occasion. The arguments about who is getting 15 per cent and who is getting more or less than 15 per cent would not arise in that form. You would pose the question – "What is the appropriate salary for a maid at this point?" and the union would negotiate with Government about that. You pose the same question with regard to Permanent Secretaries and you would not be talking about who is getting a high percentage or a low percentage.

In relation to the actual increases which will be proposed, the idea is that you have a 15 per cent across-the-board increase. The first point made by Senator Trotman in relation to that is that it corresponds with the 15 per cent increase in the cost of living over a two-year period and, therefore, you are allowing workers to recover what would have eroded because of the increases in the cost of living. I want to suggest that it would not do exactly that. The reason is that we have a progressive tax structure and most of these people here are paying Income Tax, as they get 15 per cent more in actual pre-tax pay, their take-home pay will not increase by 15 per cent, because they are going to go up into a higher average tax bracket. The reason why they are going to go into a higher average tax bracket is because the incremental tax bracket is higher than the average – whenever they get an additional increment, that is going to pull up the average tax bracket – so the take-home pay is going to increase by less than 15 per cent, and it is out of your take-home pay that you have to buy the goods that increase by 15 per cent in price. These people will be put in a position of being able to buy less than two years ago, except they are in a situation of paying no taxes.

Senator Greaves' first point was that the cost of living is not the only indicator that should be used. He did not go on to address the other indicators, but I will agree with this. The other indicators would be general increases in productivity in the country, or, more specifically, increases in real per capita incomes in the country, or, in the converse, decreases, if you had decreases. So you have to look to see whether on average the country can afford to give civil servants the same real income as before or less, and this will depend on the real performance of the economy apart from the question of prices.

12.40 p.m.

I do not think that the point now about 15 per cent being unfair to the people at the bottom can be made in those terms. Whether or not the people at the bottom should get a higher percentage increase than the people at the top would have to relate to a prior notion as to whether the distribution of income two years ago was appropriate, or indeed whether it is appropriate now. If you feel that maids are rather far behind people in higher brackets and there needs to be a situation of catching up in real terms, that would be a case for giving them more than the 15 per cent. But it is a fact that in terms of the impact of taxation on your take home pay, if you give people across-the-board increases of 15 per cent, the take home pay of the people at the bottom would rise by a higher percentage than the take home pay of the people at the top. So even an across-the-board 15 per cent would narrow the range of take home pay you have between the top and bottom in relative terms, not in absolute terms.

If that adjustment upwards in relative terms merely covers the price increases, it would mean that the real position of the people at the bottom would not improve *vis-a-vis* those at the top. But that is not the critical question, as I said earlier, for fixing wages at the bottom or at the top. The critical question is what is appropriate in the overall circumstances of the people at the bottom, having regard to the total economy and their particular circumstances, and not focussing on what other people are getting as such in that narrow context.

I am persuaded that there is still room and still a dire need for improving the conditions of life for people at the bottom of the scale. I think that the framework that we now have for negotiation does not lend itself to taking all these points fully into consideration in the way that they should be taken, and to accommodate this we should move towards a system of separate negotiations with separate scales.

Also, having regard to what I said about the impact of taxation on take home pay, Government would have to take one additional step to bring about what they deem to be appropriate adjustments in take home pay to accommodate changes in the cost of living, and this would have to relate to changes in the Income Tax structure. Indeed, that is the reason why in a place like Barbados there is scope, and indeed a need, for continuous changes in Income Tax allowances, tax bands and things like that. That activity is something which can and should go forward from year to year, and indeed in recent years it has been going forward on a yearly basis. We have been getting those changes, but they need to be continued.

SENATOR THE HON. O'B. TROTMAN: Mr. President, I just want to reply to a few points raised by Senator Greaves in his submission. First of all, he said

that I was making the point that the cost of living was the only index which could be used for an increase in wages for workers. In fact I did no such thing. I raised the question, even though indirectly, of the ability or inability of Government to pay, because that is a factor which has to be taken into consideration. Whether in fact the employer is capable of passing on any prosperity which he has at the time to the workers or whether the workers have to endure some of the strain which the employer is suffering, is a matter for consideration. So it is not very accurate to say that the only point to be taken is the rise in the cost of living.

I also threw in for his benefit the fact that vacation pay is a cost factor to it. Even though I know people of his profession do not like to concede that, it does cost employers money when people go on vacation. If a man works for 48 weeks and gets paid for 52 weeks, it does make a difference on the pay sheet whether he works for 48 weeks or whether he works for 50 weeks of the year.

Senator Greaves said that Government should be a model employer. In my short submission, I took time out to point out that really in drawing attention to the cost of living index, the Government was seeking to do exactly that, the Government was seeking to concede that wherever possible and the employer was capable of paying generous increases in pay, that he would do that, and I made reference to the fact that maids during the period under review, that is the period of our Administration, got an increase in pay amounting to some 234 per cent. That is not to mention the fact that the bottom rungs of the Income Tax scales have been removed, not to mention the fact that there are now tax credits, so there is an even further real increase in take home pay for the people at the bottom.

I will tell you something, Sir, about his non-point about always continuing the system of paying the people at the bottom more than the people at the top. You can have a system where you can have a salary increase and give the people at the bottom more than you pay the people at the top. What has happened in the past eight years alone is that in 1976 where a Permanent Secretary earned $19 000 and a maid earned $2 000, or about eight times as much approximately, by 1984 the Permanent Secretary was earning $44 000 and the maid $8 000, or five times as much. So there has been a catching up between maid and Permanent Secretary at the two ends of the system. If that trend continues too far, what will happen is that one of these good days the maids will then overtake the Permanent Secretaries, and then there will be no drive in the Civil Service and you will hear that they are lazy and do not work. The Permanent Secretary will not work if he gets the same pay as a maid. It is as simple as that. People must have a reason for working. It depends on the increase you put at the bottom and the one you put at the top.

He made a firm point about the one meeting between the Government and the BWU, which I am conceding. He tried to draw a reference between the one meeting with the BWU this year and the two meetings, and I insist there were two, because at that time I used to be the General Secretary of another organisation, and I know that there were two meetings with Government in 1976, notwithstanding anything the Leader of the Government said. He just got his twos mixed up and he said 22. We had one meeting with the Chief Establishments Officer in which we outlined our proposals and we heard nothing from Government. Then we were summoned to the room which is used by the Cabinet to be told exactly what Government was going to do, and that was the end of the business. I am not saying that two wrongs make a right, but the difference is that in 1976 there was no agreement with any of the organisations, in 1984 there is agreement with the largest body of representatives. That is the difference, so the two things are not on all fours.

Senator Greaves got quite excited about somebody getting regraded and getting six cents more, but he knows from his training in trade unionism that regrading does not necessarily mean an increase in pay, that because of the passage of time some jobs in fact lose their value *vis-a-vis* other jobs. So whereas the people who hold particular posts are always protected, the post can in fact be downgraded because it can lose its significance in the system, so there is no great political point to be made by a trade unionist of his training in saying that a man gets regraded and he only got six cents a week. The regrading could be downward. He knows that as a person trained in the business. There could be no increase when you are regraded – there could be a downward movement or there could be an upward movement. There is no magic in saying that if there is going to be a reclassification in any post that there is going to be an increase; otherwise we would simply have all salary increases. What you are looking at is the relative value of one job *vis-a-vis* the other. Some jobs go up in value and some go down. I am not too sure about the significance of the six cents.
12.50 p.m.

He would have us believe that the Establishments Division is a shadow of the Ministry of Finance and the Minister of Finance and that there are no free negotiations. I can only say, from checking the information available to me, that if the Ministry of Finance had had its way, there would have been a five per cent increase, and that it is to the credit of the strength of the Establishments Division that they have managed to get the Ministry of Finance to up it to 15 per cent. That should discredit the point that he was trying to make that the Establishments Division is so weak and that they just carry out instructions. I must say that the Establishments Division obviously is closer to the work situation than the Ministry of Finance, and it is a credit to that Division that

they were able to get some 10 per cent more for their workers than the Ministry of Finance was willing to concede – and that does give some indication as to whether or not the Establishments Division is free or not.

Senator McClean made one point about different Unions for different groups. I am not too sure how it would work in a single Service, because even though I understand what he is trying to promote, I am not sure that his methods would achieve exactly that. In fact, his methods might cause further confusion, because you would still have the situation where one group would be negotiating for the Nurses, one group for the doctors, one group for maids – in the same hospital, and eventually it will be the same confusion or further confusion.

It is unfortunate that in Barbados we have, I believe, five unions dealing in the Public Service, because BAMP is a recognized trade union and in addition, there are accredited associations, even though they do not have trade union status, like the Fire, the Police and Prison Officers. There are seven or eight organisations dealing with one Establishments Division. It is a very, very unsatisfactory state of affairs, but I am not too sure that we can do anything with that, because those rights are firmly entrenched under "Freedom of Associations". I do not think we can do anything about that. We just have to try and do as best we can and wherever possible make sure that the workers in the Public Service are not disadvantaged because of the mutiplicity of unions that represent them.

The question that the Civil Establishment (General) (Amendment) Order, 1984 be approved was put to the Senate and agreed to, Senator GREAVES dissenting.

CIVIL ESTABLISHMENT (PART-TIME OFFICERS) (AMENDMENT) ORDER, 1984

Order No. 3 was called – To move the passing of the Resolution to approve the Civil Establishment (Part-Time Officers) (Amendment) Order, 1984.

SENATOR THE HON. O'B. TROTMAN: Sir, the reason why this is separate is because the part-time officers have a separate arrangement as far as pensions are concerned, but in fact the rates of pay calculated on the part-time officers' Order will coincide identically with those for the General Civil Service.

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

The question was put to the Senate and agreed to, SENATOR GREAVES dissenting.

CIVIL ESTABLISHMENT (TEACHERS) (AMENDMENT) ORDER, 1984

Order No. 4 was called – To move the passing of the Resolution to approve the Civil Establishment (Teachers) (Amendment) Order, 1984.

SENATOR THE HON. O'B. TROTMAN: Mr. President, there was a time when the teachers were under the same Establishment Order as the general Public Service; now, they have their own Establishment Order. They have argued successfully for the independence of their profession and it has been partly recognised in the creation of a separate Order to provide for their wages.

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

SENATOR A. W. A. McCLEAN: Mr. President, I just want to indicate that, next time around, I hope that Government would pay a little more attention to the salaries of teachers, in particular teachers with the types of qualifications that can give them employment in other places, graduates and others, *vis-a-vis* salaries elsewhere in the public sector. I think that graduate teachers' salaries are particularly out of line with salaries that are paid for lower qualified people in the public and private sectors doing jobs that some of the teachers have the skills to do. As a result, teachers are now being attracted away at a fairly substantial rate, and if we are to maintain a high quality teaching service, you are going to have to make sure that the teachers are generally satisfied with their rates of pay. I do not think they are satisfied at the moment.

SENATOR Mrs. E. M. LYNCH: Mr. President, I should like to continue somewhat in the strain of the remarks of the last speaker. It seems to me that the responsibilities and the kinds of qualities which are now required of people in the leadership positions, especially in the secondary schools, demands a closer look at their salaries, particularly the salaries of the heads.

The kind of person required for headship of a secondary school must have not only academic qualifications, but a very sound understanding of the society, wisdom in dealing with all kinds of social problems that are arising; must be innovative, because, for the first time, you are trying to cater to all levels of intelligence adequately; must be somebody skilled in organisation and must possess something which is very difficult to pay for, and that is a commitment to children. Someone at the top of the school must put the welfare of the children first. It is the children who are at the centre of everything, and no matter how discontented a head may be a good head always protects the children committed to his or her charge.

I think that the salary of a head now should be nearer to that of a university lecturer. I do not know the exact figure. I am not good on money and what people get because I always got so little money that I did not have time to count it.
1.00 p.m.

I think that the head really has a tremendous task, and it is a new kind of task, one that calls for qualities that are not as plentiful as we would like, and therefore I should like to see heads and perhaps deputies and heads of departments drawing nearer in pay to university personnel. I am certain that a successful head of one of these schools is doing a much more exacting job than a university lecturer. Just as a university lecturer needs to be a person who is going to add something to the particular subject with which he is dealing, he is supposed to be an innovator, a person who expands the bounds of knowledge, I think that heads of these secondary schools are doing that kind of thing in a different area. I am not saying exactly what the figure is to be, but I think he needs to draw nearer to that type of personnel in terms of emoluments.

I think that everything should be done to encourage a unified system. We need to have not only a single secondary teachers association, but we need teachers to see all teachers as playing a valuable role. The teachers who teach the youngest children in fact do the most important job, because a child is most helpless at that stage and the damage done is almost irreparable; therefore, a graduate teacher should look with respect at a nursery school teacher or a primary school teacher. Their services are all overlapping and interlocking. You will get trouble at secondary stage if the child has been badly handled at the nursery stage and at the primary stage, so we want that feeling of a single profession in which each section values and understands the contribution made by the other. We want much greater unification than we have at the moment.

To deal with the question of pounds, shillings and pence, I am very concerned about teachers, and this may apply to other parts of the Government service, people who retired perhaps in the Fifties and Sixties whose salaries were very small at the time. They might not have been too uncomfortable with them, but we know teachers have never really been very well paid, and these people, with the inflation and the changes in standards of living now, are finding that they are unable to maintain themselves at a time when they are old, and when they have frequent illnesses. And these people did not contribute to the National Insurance Scheme; while people like myself would get a little help by having the additional pension from the National Insurance, these people have only the pension on the very meagre salaries which they drew in those days. I do not think it should be beyond our very able Minister of Finance to take a special look at this group to see whether it will not be possible to do something for them. I do not know how this can be done, but they do need special help because they cannot maintain themselves in illness.

I have found a number of cases of these people having to go into nursing homes or places where the elderly will be taken care of, and they do not have enough money to pay their way. It is really a group of people who gave outstanding service to this country. It is amazing that their old scholars associations do not think about these groups of people who are suffering, although their contribution to the society was quite outstanding. I would be glad if the Minister who introduced the Resolution could convey to the Minister of Finance the concern of many persons in the society for these people. They cannot maintain themselves on the pensions they are getting, they have not contributed to National Insurance, and they cannot really adequately take care of themselves at a time of life when they are very vulnerable.

SENATOR D. A. C. SIMMONS: Mr. President, I want to endorse the last point made by Senator Lynch about teachers of my time, the Fifties and Sixties. I do not know what we have today, but the attributes that the teachers of my time had do not exist anymore; teachers of the quality of Mr. Arthur Newsam, Mr. Percy Critchlow, speaking about people at Lodge School, Mr. Watts Gooding and Mr. Fab Hoyos and that lot who were dedicated, who were interested in teaching and got satisfaction. Even Mr. Earle Glasgow up to the second form, an excellent teacher of Latin and English, at the level of his best competence. Teachers of that ilk had the interest of the students at heart and gloried in the fact that they could have students prepare for "O" level and get a class, for example, like the class at Lodge School in 1955, the best ever, where 35 students went forward for the "O" level, one got five, one got six, and the others got from eight to ten. Ten was common and nine was equally common. You do not get that kind of thing nowadays. Those teachers were dedicated, and the end product that they were looking at was the achievement of the students...

In those days there was no question of a teacher stopping at 3 o'clock to get to the staff room to play a six of dominoes or to drink liquor, having torn off the label. No, Sir! There is now push penny. I did not know of games, cards games, dominoes, any of that going on in the staff room at Lodge School. It never happened during the time I was there up to the Sixties, but it is commonplace nowadays. Things have changed, and things have changed in a way that the emphasis today is on materialism to a larger extent than it was in the past. I know that both at Harrison College, especially under Mr. H. W. St. John when he was responsible for the Classics, and at Lodge School those teachers

found it no problem to have students preparing for scholarship level or advanced level going to the school on Saturday mornings or to their own homes and putting them through their paces in Latin or Greek Unseens or prose or whatever it might have been. That does not happen today; they are not interested.

I want to speak specifically on the situation at the Government Industrial School. In 1980 I was asked to chair a committee to investigate the causes for breakdown in discipline at Dodds. The committee worked very hard and speedily, and produced a report in about five months. 1.10 p.m.

Some time ago, the Minister responsible for the school made a statement, which was carried in the Press, that they have gradually implemented a substantial number of the recommendations of my committee. There has been no trouble at Dodds since that committee has reported, and I feel very proud about that, but there is one problem. We recommended that there should be, among the level of instructors, a senior instructor. They have expanded the number of instructors, but still they will not create the position of senior instructor when they are persons competent, both in terms of experience and of the actual institution, to hold the position of Senior Instructor.

My best information is that it has been bogged down in the Ministry of Education because there is a particular person in the Ministry of Education who is resistant to the idea of a senior instructor, for reasons which I will not disclose around this table today. I think it is a little bit scandalous that you could have an increase in the number of instructors, but you do not have a career path within the category of instructor, and I am calling on the Minister personally to intervene and see that the Establishments Division creates the position of Senior Instructor, not only to create the career path but also to prevent the resentment that is gradually building up at Dodds again. You can say that I warned them in 1984. All is not sweetness at Dodds, but it has come a long way and people are trying, and I think it will go a long way to satisfying the desires and ambitions of the instructing staff, if they could be seen to have a career structure worked out for them.

I learnt in passing that, fortuitously, there was a report in 1947 done by the then Mr. Grantley Adams on Dodds. As far back as 1947, Mr. Adams, later Sir Grantley, recommended the same thing. So Dodds has a long history on recommendation, but an equally long history of being ignored by people in Government.

Mr. G. H. Adams happened to share the same birth date as I. I really did not know at the time I was appointed that I was following in the footsteps of one so great. I am very happy to have been put in that same class and for the Government to have reposed the confidence in me that it did, to put me to head the Committee. I think the Committee's deliberations have been seen over the last four years by the general public.

SENATOR E. E. GREAVES: I agree to a large extent with the comments which were made by Senator McClean and Senator Lynch on the question of the demands which are made on teachers in today's world and the fact that it is an almost completely different situation from the one which existed fifteen or twenty years ago. The kinds of problems which teachers have to deal with in the schools today are new and require approaches which demand quite a bit from the teachers. Even the kind of exams which people have to do today, for example, the CXC Syllabus, are much wider and demands more input from the teachers. There is a need for much more creativity, a point which was made by Senator Lynch.

I believe – and I am not speaking for any teachers' organizations, I do not presume to speak for them – the time has come when a complete review ought to be taken of conditions of employment in the teaching service and the salaries of teachers, to relate these to modern times and to the new situation which they have to deal with. I think that the salaries in the teaching service still relate too much to salaries in the Public Service, and this could very well be one of the difficulties which have been alluded to here in the course of this debate, that in looking at salaries increases, you want to make sure that if the person is a graduate in the teaching service and a graduate in the Public Service, the graduate in the teaching service does not get too far ahead of the graduate in the Public Service and that kind of thing. There ought to be a review of this particular situation as far as teaching is concerned.

In line with this, I should just like to raise a point which I alluded to just briefly in my first intervention on the Civil Establishments Order. I know that it does not relate directly to this, but in as much as we are talking about teaching, I think I could raise once more, for the specific attention of the Minister, the question relating to the teachers at the Community College. Representations were made a long time now for regradings, not downwards but upwards, in light of certain responsibilities which they have and arguments which we have advanced in the past; and for other adjustments to salaries and conditions, generally speaking, of the workers who work at the Community College.

I should like to ask the Minister to take note and to draw to the attention of the Establishments Division that this is a matter which has been outstanding for a long time. We would really like to get some discussion

going on it and get some settlement. I think it has been going for too long.

SENATOR THE HON. O'B. TROTMAN: I rise to help Senator McClean a little bit, because one would draw the conclusion that a graduate, having to choose between the Public Service and the teaching service, would automatically go towards the Public Service because of better emoluments. That is not accurate. In fact, the teachers are the best paid graduates in the island. Whether they need to be further compensated for their teaching skills is another question, but to suggest that there is any sort of comparison in salaries would be incorrect.

A graduate teacher – I am not using the proposed salaries, I will use the old salary scale – starts at what is known as Z14 and he goes to Z3. Until last month, he was starting at $17 796 per year and a possible maximum of $24 757 per year. The general recruiting grade for graduates in the Public Service is the grade of Z16(11) and they start at $16 680, which is $1 000 per year less, and they only go to $19 594, which is $5 000 a year less. So there is some gap between the recruiting grade in the Civil Service for graduates and the teachers. I just wanted to make it clear; there really is no competition. Furthermore, in one department, Senator Williams' department, graduates are recruited at salaries with a maximum of $16 140 or two-thirds of what the graduate teacher would get for the same qualifications. So there is really no comparison between them.

It is possible that when you look at the heads of the secondary schools that there might be some case for upgrading. I am not sure, I do not want to speak for Establishments in here, but I am not sure that we are fair in saying that the young graduate would choose the Public Service instead of teaching because he has more dollars to get than in the teaching service.
1.20 p.m.

SENATOR A. W. A. MCCLEAN: On a point of elucidation, Mr. President. I was not only making reference to the question of the young graduates, I was taking the entire set of scales for graduate teachers. We were going to the maximum. The comparison was not only with the public sector, but also the private sector. The member is not correct to say that the highest paid graduate in the general Civil Service gets $90 000. The highest paying graduate in the general Civil Service is a Permanent Secretary. You must also take in account the business of promotion and career part in the Public Service *vis-a-vis* the teaching service.

The question that the Senate concur in the Resolution was put to the Senate and agreed to, SENATOR E. E. GREAVES dissenting.

SUSPENSION

Mr. PRESIDENT: I think it is an appropriate time to suspend the sitting.

The sitting will be suspended until 2 p.m.

ON RESUMPTION

Mr. PRESIDENT: This sitting is resumed.

RESOLUTION TO FIX WAGES FOR PUBLIC AND CASUAL EMPLOYEES

Order No. 5 was called – To move the passing of the Resolution to fix the rate of wages of public and casual employees.

SENATOR THE HON. O'B. TROTMAN: Mr. President, just for the record let me say that the weekly paid and daily paid staff of the Public Service are not covered by the Civil Establishment Act. These are in the main, as I understand it, represented by the Barbados Workers Union, and their rates of pay, whether they are hourly, daily, or weekly, are fixed by resolution of Parliament.

This package is part of the salaries which we are discussing this morning, and the Resolution is going to give effect to the proposed rates of the persons who are either public employees, as covered by the Public Employees Pension Act, or the casual workers who mainly work on a casual basis.

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

SENATOR E. E. GREAVES: Sir, I dealt substantially in this matter in my first intervention before the luncheon period. The points which I made then apply substantially, if not entirely, to this particular Resolution and I would not want to reiterate those points, because if one examines the reply which the Minister made to the points I raised, I do not think that he has been able to reply in any substance to the points which were made.

I talked about the position of the Government being a model employer, not only in terms of the kind of increases which the Government grants to employees, but a model employer from the point of view of the kind of example the Government sets in its attitude to collective bargaining. That is the point Senator Trotman has not answered. I do not believe that he can answer it.

The fact remains that the history of the Barbados Labour Party since it came into power in 1976 would indicate very clearly that it pays scant respect to

the whole process of collective bargaining. The fact that it has not been able to get agreement with unions around the negotiating table, or otherwise, is an indication that their whole attitude is something which leaves a lot to be desired.

I just reiterate that as far as these categories are concerned, the Barbados Workers Union represents a large number of these, but more throughout the Public Service. I do not think that having one meeting with a union representing a substantial number of workers in the Public Service and say that you are negotiating, or that this is acceptable, could hold any water.

There is no way I can support this Resolution, and please record my dissent when the voting for this comes.

SENATOR THE HON. O'B. TROTMAN: Mr. President, we have gone on and on about Government's attitude towards workers' organizations and the failure to get settlements in the public sector. I want to outline briefly how salaries have been done in the public sector for sometime. Prior to Independence, of course, there was no question of negotiating salaries with trade unions. Before Independence, the Colonial Secretary would merely inform the Secretary of State of the Colonies that he thought it was appropriate that there should be a revision of salaries and the Secretary of State of the Colonies would send a Commissioner down, who would meet with people both in private and public sectors, and decide what to recommend to the Imperial Government what to award to the civil servants in Barbados.

Even after Independence that system went on, in 1966, and 1969. Indeed, the first across the table negotiation we would have had with unions was in 1973, and there was no agreement with the then Democratic Labour Party Government and the workers organizations. There should have been a revision in 1972. There was no revision. Government said that it was not in a position to make a revision and an interim payment, which was not negotiated, was made. In 1973 there was disagreement again.
2.15 p.m.

All of us know the great abuse which was hurled mainly at me in 1976, and there was no agreement in 1976. I stood home one night and heard some things being said by the leader of that party and I could not recognise O'Brien Trotman. There has never been any agreement since Independence between the unions and the Government until we had some partial agreement this time with the NUPW. In fact, rather than continually saying that we are imposing settlements, we have to admit the fact that we have made some progress in at least getting one of the workers' organisations to come to some agreement with the Government. So we are making progress, not going backward. They never had any agreements. I am not thinking of Senator Greaves now as a BWU man, I am thinking of him as part of the DLP Administration. They never had any agreement with the workers, so I do not understand why every time he says we failed to reach agreement. We failed to reach agreement three times and made it on the fourth. They never reached agreement at all.

The question that this Resolution be approved was put to the Senate and agreed to, Senator Greaves dissenting.

ORDER NO. 6 – RESOLUTION TO APPROVE THE RATE OF SALARY AND ALLOWANCES OF THE PRIME MINISTER'S PERSONAL STAFF

SENATOR THE HON. O'B. TROTMAN: Mr. President, the salaries of the personal staff of the Prime Minister – his Executive Secretary, Personal Aide, Press Secretary – are fixed in straight relation to posts in the Public Service. The practice has been, in the main, to give them the same increases which are given to public officers in their grades, and that is what the Resolution seeks to do.

You will wish to note, Sir, that there is no change in the allowances. Some of the officers are granted allowances and those allowances have not been changed on this occasion, because those allowances can only be changed when the allowances for the public officers in those grades have been changed.

I beg to move that the Resolution do now pass.

The question was put to the Senate and agreed to, SENATOR GREAVES dissenting.

ORDER NO. 2 – RESOLUTION TO APPROVE THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (NO. 2) ORDER, 1984

SENATOR THE HON. O'B. TROTMAN: Mr. President, this Resolution is to strengthen the Ministry of Housing, National Insurance Department, School Meals Department, Queen Elizabeth Hospital, Information and Culture and the Customs Department.

We are taking some action to strengthen the Customs Department at the top. For some time there have been various criticisms by the private sector about the weakness of Customs at the top. It is intended that in future there will be one Comptroller, two Deputy Comptrollers and three Assistant Comptrollers, one at the airport, one at headquarters and one at the Port, in order to ensure that persons doing business in those places will always have available to them an officer of a level who can make proper decisions without having to refer everything to headquarters. This should go a far way in

facilitating the private sector in getting their business through the two ports.

I beg to move that the Resolution do now pass.

SENATOR C. D. SEALE: Mr. President, I welcome the decision of Government to upgrade the Customs with the hope that it would speed up their work and therefore assist business. However, I think it is time that the Government took a good look at Customs altogether and decided maybe that that is an area where salaries ought to be a lot better. I think that in that department you are paying too small a pay for what those people are charged with doing.

I think it is a very big revenue earning department of Government, it carries great responsibility, and I think it is time that it be looked at outside of the whole Civil Service salary range and looked at separately. In this day and age, with the rising duties collected on the various items, it is great temptation to Customs Officers to accept bribes, and I think we want to bring that out of that area; therefore, we have to pay commensurate salaries to those workers down there.

I have never found anything wrong with them. They are sometimes a law unto themselves, but on the whole they are competent officers, and very pleasant officers to do business with too. Occasionally they show their authority a little strongly, but on appeal they listen to reason. I think they are definitely under-paid, and I would hope that when the regrading exercise, which we heard about this morning, takes place, they will be looked at in very favourable light.

SENATOR D. A. C. SIMMONS: I wish to draw attention to what I consider is an anomaly and something that probably can encourage a person to use surreptitious means of avoiding Customs Duty and the various duties. There are so many of them now I cannot keep track of them. I will give you a practical example that caused me some pain, both in mind and pocket two weeks ago.
2.25 p.m.

When I was in London in July, I went to the only firm in London that makes gowns and sleeve vests for Q.Cs and made some purchases in wind collars and a couple of shirts for Court. I also bought a junior barrister's gown for a friend of mine who is qualifying in September. I paid for these things in London and left Ede & Ravenscroft, after I had gone through the measurements and other details to ship them to me in Barbados surface mail. They arrived two weeks ago. I got a letter from the Parcel Post saying I should collect them. When I sent down I was told that I had to pay some $702 for these clothes. Well, I had no choice, so I paid it, the same day.

If I had known that that would have happened, I could have easily got measured here, sent up the measurements to London in June, and when I was in London in July, I would have gone and had the final fitting and stuffed these things in my suitcase and bring them in without paying any duty. I think there has to be a limit to what Government is making dutiable. The package was properly labelled; it was a big box stamped "gowns" and "shirts" on the outside. There was no doubt about what it was. They opened it and told me that I had to pay duty on it, having regard to the cost because the invoice was there.

I do not think that is a satisfactory state of affairs. I am going to make it known publicly that next time I have anything to buy in the line of clothes in Britain or anywhere, I am going to buy them and bring them in my suitcase.

Asides

SENATOR D. A. C. SIMMONS: Will they still be dutiable, even if I wear them before I get back home? They cannot be dutiable then.

I think this is an area to which the Minister should give some consideration. I think it can either work hardship or encourage and engender devious means in persons who purchase clothes. I am not talking about fridges, stoves and that sort of thing; this relates to clothes.

SENATOR W. W. HALL: Sir, I, unlike Senator Seale, know very little about the mannerisms of Customs people, especially the hierarchy, and unlike Senator Simmons, I have little difficulty with buying local in terms of clothing; therefore, I will never encounter those problems.

Since I was not here earlier today to give my feelings on the matters that have been discussed, all in relation to salaries, I feel I am honour bound not to repeat what I said but to let people know that I am of the same view as I was in 1976, and indeed in 1982. In 1976, in relation to the legislating of salaries, I, as an independent Senator, I said it in here before I was critical of that. I felt that it was in violation of the ILO Convention, I think No. 87 or No. 98, and I said so, despite the arguments of the day that it was a 50 per cent raise in salaries and there were 21 meetings, as I alluded to in the 1982 debate. I felt that one must exhaust the principle of collective bargaining before one takes the final step to legislate salaries, especially in terms of what the eventual outcome is.

I am diametrically opposed to the principle and will always be, except and unless, in my view, there has been, as I said, the exhaustion of the principle of meeting around the bargaining table. Ideally, I feel that

if you are fostering collective bargaining and fostering industrial relations, as indeed this principle is enunciated in the manifesto of the Barbados Labour Party, you have to be very careful in legislating salaries, because people sometimes think in terms of job security, and if you legislate salaries, they are going to feel that you will legislate jobs. All these things can happen. What does not happen in a day or month can happen in ten years, one never knows, so I feel that one has to look at it very carefully.

I have not had any discussions with the unions to find out what is their position, but I do not believe, and this is based on my own experience, that 15 per cent in the first year and 5 per cent in the second year is contentious. I believe it is the spread. I believe that because you are giving a maid the same 15 per cent as the Prime Minister, or as a Minister or as a Permanent Secretary, there are some pockets of discontent. When you look at it, if you get 15 per cent of $3 000, that is $450; if you give 15 per cent of $600, that is only $90; and that is the bone of contention. Therefore, I feel that you have to look at it where you cannot legislate just like that.

If the National Union of Public Workers had agreed to 15 per cent in the first year and 5 per cent in the second, and then the other unions, subsequent to that agreement are told that they would like to meet you and they know for sure that 15 per cent and 5 per cent is the situation, then it is only of academic interest. There is no dialogue, there is no negotiation, there is no hassle of give and take, as the Oxford Concise Dictionary describes negotiation, and, indeed, the whole thing is in a mess.

When one goes to negotiate, one has to think in terms of looking at it in various stages. You have to collect your information for the case, you have to prepare the case ensuring that those facts are relevant to the case, then you have to have some sort of planning and strategy. If you cannot do these things, and most people fall down in those three things, then you are in trouble. But if you go to negotiate and you know fully well that that is not how it will evolve, it defeats the purpose.

I know that the spokesmen on the other side will say that one cannot go on forever and ever negotiating willy-nilly, that where there is no movement, where there is an impasse, then Government of necessity must move speedily to make sure that the country is run. That is all right if every position has been explored. If you have looked at all the processes, if you have done the right thing right down the line, then there is a case. I do not think that every two years one can go on with this never ending series of legislating salaries, but I feel that in negotiating around a table we have to make sure that everyone gets a fair deal. I do feel that the situation, as far as the unions are concerned, is that the people at the bottom would not necessarily get a fair deal.
2.35 p.m.

One would say that the Government has to look at the rudiments, you have to look at your ability to pay, I know you have to look at the cost of living index, and surely when you are looking at these things you will tell me that you have a clear case, but you have a clear case to negotiate; you do not have a clear case to legislate. That is my position. I just thought I would make my position abundantly clear again so that when people look back they would see that that is my position, as it has always been.

My position in 1976 is here for everybody to read. I was a lot younger then and probably a little bit more erudite, and I was able to get into the teeth of it. I feel that the first two paragraphs are relevant, and I will quote from it on page 1161:

> "Mr. President "...it was not you I regret to say, but I now address you. " I am sorry I was not in here at the beginning because I would have liked to hear the Minister's remarks on this issue."

Sir, I was working at the same place and the same thing happened. I could not come at the beginning because I had to work this morning, and I had to work in 1976. So when they laugh because I was not in here this morning, it was just simply because of pressure of work while it lasts.

> "I believe that in a case like this one has got to speak as a matter of principle, because if you do not do this you will find that if it comes to a political issue, you will have some people defending the Government because of their affiliation to it and others defending the Opposition because of their affiliation to the Opposition."

That was an independent speaker putting the facts as they were.

> "My views on this are based on one principle because in industrial relations one finds that the right of collective bargaining is a right which is governed by an ILO convention which the Government has ratified. As a person who is constantly involved in negotiations with the Barbados Workers' Union, I find the situation very difficult to follow, because here we have a situation where in the private sector you have a contract with the union and you are expected to negotiate; and if there is a deadlock you can refer the matter to the Labour Commissioner. If not, you can agree to go before an arbitration tribunal or the Minister of Labour who can make a decision, and that is the way you get an agreement."

That process is applicable to the private sector. There are many cases where the union and people in the private sector are deadlocked and they all have to go to the Labour Office. There were many times I think in 1978 when we were actually told to hold strain because the Government was negotiating and we could not afford to settle at a high price and embarrass the Government, and lo and behold the Government came down and legislated and left you in hot water.

Employers sometimes feel that it is necessary to hold down too, and then you, the negotiator, must hold the strain. What I am saying, as I said in 1976, is that you have to be very careful that you do not have a recurring decimal every time, that people get conditioned to industrial failure where they feel that you must legislate, and that is the easy way out, so therefore there is no reason to have personnel managers, no reason to have people like Senator Trotman in his former capacity and Senator Williams. All you have to do is to go and legislate. I do not believe that is right. Then there would be no reason to have unions, and that would be a sad day.

I merely seek to reiterate, without being too critical because that is not my want today, that I as a citizen of this country feel that we have to be very careful as far as industrial relations are concerned, and indeed industrial harmony, to make sure that we have done everything in our power to reach an amicable agreement. I think if we do this we will not only be doing the right thing, but we will be getting the confidence of the workers, so that they know in another two years when times might have changed, when the recession might have passed, when there is less unemployment, when there are more jobs then, when things are a lot better and there is a real hope on the horizon for all of them, they can now, since times are better, have a chance to look at the negotiation process as one which is fair and one which is not legislated. That is my situation whether my party is in Government or in the Opposition or if I was an independent Senator. Nobody can change me from that; perhaps God, but nobody else.

The private sector must negotiate day in and day out every two years and they must go through this as a ritual. There is room for negotiating. If it means that you legislated in 1976, 1982 and 1984, "where will it end" will be the cry. Will it go into the 21st century? I sincerely hope that this is the last time we will see this industrial foolishness. We need to have dialogue, we need to have competent people sitting at both sides of the table who can argue a case through to the bitter end.

The question that the Resolution do now pass was put to the Senate and agreed to, Senators HALL and GREAVES dissenting.

THE CONTROL OF OFFENSIVE WEAPONS ACT, 1984

Order No. 7 was called – To move the Second Reading of a Bill to control the carrying of offensive weapons in public places.

SENATOR St. C. E. HOWELL: Mr. President, the purpose of this Bill is to make new provision to control the carrying of offensive weapons in public places. It is a relatively short one, consisting of six clauses, three of them consisting of the citation, the definition and the commencement clauses.

The Crime Prevention Panel and the Barbados Chamber of Commerce, in 1979 and 1981 respectively, expressed much concern at the widespread use of knives and other dangerous and offensive weapons in public places. Individual high ranking law enforcement officers have also been known to have done this from time to time over the last four years and the statistics from the Police Department do indicate a rise in criminal attack involving the use of knives. In 1982, there were some 236 offences involving grievous bodily harm. Again in 1982, there were 196 offences involving robbery, as compared with 54 in 1977.

2.45 p.m.

The Bill as it stands follows rather closely to the existing common law definition of offensive weapons in the United Kingdom, in Barbados and indeed throughout the Commonwealth, in that in Section 2 it is explained what is meant by offensive weapons, things like rachet knives and flick knives.

The second aspect, which is the area which pose the most problems in court, are those types of weapons which can be adapted to be used as dangerous weapons. Sometime articles, which were not intended for that purpose at all, can be adapted to do grave danger to the human body. On conviction in the Magistrate's Court, the maximum fine is $1 000 and the alternative is six months in prison. On indictment it is $2 500 or two years imprisonment.

I think it is true to say that within recent years the average person has become somewhat concerned about the increase in the use of these weapons. Years ago, there were not so many of these weapons; and what little there were were usually used for the purpose for which they were intended to be used. But today, the use of knives in rape, robberies and grievous bodily harm is on the increase. It is felt that there is deep-seated anxiety among the public that Parliament must do something to stop the increase in the use of offensive weapons in public places. This Bill seeks to do just that.

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

SENATOR C. D. SEALE: I support this Bill. I think it is going to be all well in spirit but I wonder how you are going to be able to implement it seriously, because we know that fish vendors, for instance, who need to bone flying fish have to take a knife along. There are also cane cutters and other people who use knives or offensive weapons in their employment. Are they now going to have to get a licence for the use of these weapons? They must take them along. I believe that we cannot really stop them.

It is a welcome Bill, but it is a bit of legislation that is going to be extremely difficult to implement. I should like to ask the Minister how they plan to get around that problem.

SENATOR MRS. G. G. READER: I should like to ask the Minister if he could tell me what is meant when it says in the Bill:

"any person who .....sells or offers for sale"

Does that mean that you cannot buy kitchen knives in a supermarket? It is a little bit difficult because knives can be offensive weapons whether they are meant for kitchen use or not. I always buy my knives in the supermarket and I should like to know if this is going to be difficult from now on.

SENATOR J. C. W. WICKHAM: Mr. President, the questions raised by Senator Seale and Senator Reader are properly answered by Clauses 2 and 3 on page 2 of the Bill. In Clause 2 an offensive weapon includes various things:

> "adapted for use to cause injury to a person, or intended by the person having possession or control thereof"

In Clause 3:

> "Any person who without lawful authority or reasonable excuse, the proof of which lies on him, has in his possession or under his control in a public place any offensive weapon is guilty of an offence"

Therefore, the intention is part of the diagnosis of the purpose. It would be up to the man or woman because most of the fish people are willing to declare his or her good intention. That is how I see the interpretations there.

SENATOR D. A. C. SIMMONS: I think Senator Wickham is right on that. Both Clauses 3 and 4 have this phrase, "without lawful authority". Clause 3 says, "or reasonable excuse". Obviously, if you are a hardware store which is allowed to import kitchen knives and you have them displayed in your widow, you would have had an implied authority to do that as part of your trade or business. All you would have to do is satisfy the investigating officer that you are not using or displaying the knives for any ulterior purpose, but as part of your general line of business.

I think somebody asked about the scouts and the guides who have to wear knives as part of their uniform. They have a reasonable excuse. They are covered in Clause 3. But there will be no problems.

Aside

SENATOR D. A. C. SIMMONS: A lady down in the Cheapside Market cleaning fish has a reasonable excuse – she needs it to gut the fish.

The efficacy of this Act will be tested over time. The only difficulty I would have with this is how it is going to be supervised by the police, because they are the ones who will have to do the arresting. A lot will depend on the reasonable exercise of discretion, as against pure exercise of power, on the part of the police.

There is a trend that is noticeable, that the police have certain powers within which they can exercise discretion. But they have not been behaving in the best possible manner as of late. I know of a situation – it has not reached the courts yet, and therefore I am going to speak about it. Some youngsters in a particular parish were making what they call go-carts, not the real go-carts, just some little boxes with wheels on them to go riding about in them. They are boys of about fourteen or fifteen. They were doing this for want of something better to do. Four policemen went last week, stopped the kids on the road, threatened with the worst possible language – I cannot say it in here, Sir – to do injury to one of the youngsters, and then proceeded to take away, in the presence of witnesses, the little box carts. They loaded them up in a police vehicle and took them away and were gone with them for many hours. I saw them yesterday morning in the backyard at Boarded Hall Police Station.

2.55 p.m.

These youngsters have not been charged with any offense. Their parents were not contacted and warned or scolded for allowing the children to have these things about the road. Nothing like that was done. The police, all plainclothes officers, just turned up, spoke roughly to the boys, and proceeded to take their property away from them, which they now have stored at Boarded Hall. I intend, in due course, to prosecute all four policemen for larceny. That will teach them a lesson. It was such a simple matter to get hold of the boys and tell them they should not be doing what they were doing, because they have not charged them for any offense. But the police are now beginning to tell lies and are saying that the boys left the things and ran. It is not true. I have eight statements showing that that is not true.

So this relates to the whole question of the exercise of power, and how some people use it, and I hope that we will not see a situation where the police in this country will become like the police in London were a few years ago – the law has been amended since – they gave themselves the right to challenge you about the streets and come and search you on suspicion of having drugs. I trust that the police of Barbados will not accost citizens without good grounds for believing that they are carrying knives. That is where the danger of this legislation lies, the way in which it is going to be handled by the police, and it is up to them.

SENATOR W. W. HALL: I wish to voice my concern in respect of this Bill. It is not that I do not support it. I certainly do, because I realize that the increase in crime in Barbados is something that all authorities must pay attention to.

I was rather alarmed by an incident I witnessed a week or two ago as I was driving across Jemmotts Lane. As I came to the traffic light, I saw a young man with his right arm locking the neck of a young nurse who had just come off duty from the Queen Elizabeth Hospital. Subsequent to that, she told me that he was demanding with a little alcohol on his breath and a little bit of perspiration, money. He wanted her bag. When my car came through and the lights shone on him, he released her and ran off. When I asked her what happened, she said, "He was trying to get my bag, and when I put my hand in my pocket to get my switch, I recognized that it was not there today." That is a serious thing in relation to this Bill.

Can you visualize a young, strong man attacking an innocent lady coming off duty after a hard day's work looking after hundreds of patients at the Queen Elizabeth Hospital, no doubt weary and ready to go home, she is in no mood to fight off a vagrant, and she wanting to just pull out her switch because she knows walking home is a dangerous thing and these layabouts are around the place. Pray tell me, suppose that knife was there and he ended up with a punctured lung or something like that. I just wonder what would be the case. In relation to this Bill, this lady could have been apprehended, put in jail, anything.

She was not a girl guide that can carry a knife hanging from her belt, although nurses do have belts. I wonder, like Senator Seale, what will happen to these people who are easy prey for these people who sit about idly all day, drink rum, and wait and pounce on the unsuspecting. I wonder why is it that people in this category cannot for protective purposes carry something to protect them. Everyone does not have the facility of a car and everyone cannot pay a taxi to go straight from their place of work to their home. Some people have to walk to the bus stop, and this lady was just walking from the entrance of the Queen Elizabeth Hospital to the bus stop on the highway outside of Enmore. As you know, there is a bus stop there where many people wait every day to be carried home by buses and mini buses. This worries me a little bit, because as I scrutinize the Bill, I notice that there is no facility whatsoever for people who are as unfortunate as these.

I also have to say that, unlike Senator Simmons, who is an eminent Q.C., I have no knowledge of what the police can or cannot do. But it seems to me that you could arrest without a warrant, and I would not say that it is dangerous, but I am thinking in terms of people who have to protect themselves, cannot protect themselves and at the end of it all can be arrested without a warrant. I wonder if the Minister in all of his wisdom, could elucidate this to me so that my fears will be allayed.

We as responsible citizens must be aware of what can happen today to ladies, the young and old, the sick and the indigent, who have to walk these streets and who must try their best to get to bus stops when you find that people can come up, lock their necks and put knives to their throats – and these people are not strong enough to resist these vagrants. So I just wonder under what category the people of whom I have spoken will come, and if there is anything that the Minister can do to allay the fears of these people. As they see this Bill pass today in this Honourable Chamber, they must worry very much about their welfare.

SENATOR St. C. E. HOWELL: First of all, I want to thank Senators Wickham and Simmons for virtually answering the queries of Senators Seale and Reader as to the carrying and the sale of knives. I want to thank my colleague and friend, Senator Simmons. In matters of this nature I would be slow to disagree with him because of his eloquence as one of the country's leading counsel and for the training that he himself offered me some seven years ago when I first returned to Barbados.

3.05 p.m.

As regards the carrying of knives by a fish seller, or a fishwife as they are called in England, or people engaged in similar employment, as Senator Simmons rightly pointed out the little difficulty here lies in Clause 3 of the Bill in so far as the onus is on that person to explain the reason as to why he or she, as the case may be, is carrying the knife. This is a slight departure from the established common law principle in the leading case of Woolmington v. Director of Public Prosecutions, established in the House of Lords in 1935,

and followed throughout the Commonwealth ever since. What is heartening is that in such cases, whereas in the case of the Prosecution the burden of proof it will have to put up to the satisfaction of the court would be beyond reasonable doubt, in the case of an ordinary person trying to explain away the reason for the knife, the burden is a much lesser burden. He has to prove on the balance of probability only. I think that would answer Senator Seale's question.

As to Senator Reader's question on knives in the showcases of shops and so forth, I think, as Senator Wickham and Senator Simmons rightly pointed out, it all goes back to the definition section in Section 2, where the Act speaks specifically of ratchet knives, switch blade knives and other weapons, I think there would be little difficulty in a shopkeeper explaining to law enforcement officers that he is selling traditional knives. These things happen from time to time in other countries and no great problems arise. As Senator Simmons has said it is a question of how those persons who will be enforcing the law when it is on the Statute Book use their discretion. No doubt the courts, as is often the case, will be vigilant and see that there is no abuse in their exuberance to enforce the law.

My understanding of the law in the sort of situation that Senator Hall explained is that if anyone is attacked and that person considers his life to be in danger, he can use reasonable force to repel it. Indeed, it can go as far as to actually taking a life, because it has long been established that in such circumstances the Queensbury rules do not apply. Self-defence, I would have thought, would be a reasonable defence to raise in such cases. It may well fall foul of the section of having this weapon and not being able to explain it, but that would be a different matter. It is just like shooting someone with an unlicensed gun. These are not novel points.

There is nothing really new about this piece of legislation. It is simply regularising what has been a long series of precedents over the years in the Commonwealth.

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

On the motion of SENATOR St. C. E. HOWELL, Mr. PRESIDENT left the Chair and the Senate resolved itself into a Committee on the Bill, SENATOR J. C. W. WICKHAM in the Chair.

Clause 1 was called and passed.

Clause 2 was called.

SENATOR St. C. E. HOWELL: Mr. Chairman, it has just been brought to my attention that in Clause 2, there was an amendment made in the Other Place. In the second line after the word "alley", the word "beach" should be included.

I beg to move that Clause 2, as amended, stand part.

The question was put to the Senate and agreed to.

Clause 3 was called.

SENATOR St. C. E. HOWELL: Mr. Chairman, I beg to move that clause 3 stand part.

SENATOR D. A. C. SIMMONS: Sir, Senator Hall raised a point on the second reading in relation to this clause about the nurse who was attacked and found that her knife was not in her bag. Senator Hall expressed a human plea for persons like the nurse getting off work late at night, old persons and indigent persons and such, but I think one must not be carried away by emotion in these instances.

The law is there to legislate for the total community for a purpose. Just as one has the Firearms Act, the aim of which is to disallow the use or the carrying of firearms unless licensed, so that one would not have at large in the society a vast proportion of firearms which could be used for illegal, or legal in the sense of self-defence, purposes, the aim of this legislation surely is to, as far as possible, minimise the use of knives for illegal purposes.

3.15 p.m.

In framing legislation one cannot make so many exemptions for every little class or interest that may be effected; otherwise, we would make a nonsense of the legislation. But, surely, if a person could show by evidence that it was not the first time she had been attacked, or another colleague had been attacked, or that there was a spate of robberies in the area or something like that, and she had a little penknife in her bag, I am sure that a court would look with great kindness on a defence of that nature. Probably that, in itself, would constitute a defence under the section of reasonable excuse. I am not saying that it must be fanciful, but it must be a defence that is grounded in some substrata of fact. I think that is the only answer I can give to Senator Hall. But one has to legislate generally and you cannot make exceptions to encompass every little group which may have a case of special pleading.

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

Clauses 4 to 6 inclusive were called and passed.

On motion of SENATOR St.C. E. HOWELL, the Senate was resumed and the passing of one

Bill in Committee, with amendments, was reported, Mr. PRESIDENT in the Chair.

Mr. PRESIDENT: My understanding is that that amendment occurred in the Other Place as well, so this would not have to go back to the House of Assembly.

On motion of SENATOR St. C. E. HOWELL, the Bill was read a third time forthwith and passed.

MAGISTRATES JURISDICTION AND PROCEDURE (AMENDMENT) ACT, 1984

Order No. 8 was called – To move the First Reading of a Bill to amend the Magistrates Jurisdiction and Procedure Act, Cap. 116.

SENATOR St.C. E. HOWELL: Mr. President, this measure is again short and relatively simple, and deals with certain procedures in the Magistrates Court. The explanatory Memorandum and the Objects and Reasons are before honourable Senators, and I can hardly improve on them.

The new procedure is an adoption of the existing procedure in the United Kingdom out of the Criminal Justice Act of 1967, and the aim is to speed up proceedings in the Magistrates Court before the Examining Magistrates on indictable offences. Where, as the law stands, a lot of time is taken up in going to court on various occasions and getting a lot of adjournments, and more importantly, when the case actually comes on, taking days and days of oral evidence and making transcripts, this new procedure will enable the Examining Magistrate, provided certain conditions are satisfied, to take written depositions and commit the accused person to the Assizes without actually hearing the evidence, as would be the case in normal practice.

The built-in safeguards are where, for example, the counsel for the accused intimates to the court that there may not be evidence which ought to have gone up to the High Court without, and therefore exposing to trial by jury, in other words, there is a case that there is a submission of no case to answer. In these circumstances the presiding magistrate would listen to the argument and, provided all of the evidence is written down and there is no objection by counsel, the evidence goes.
3.25 p.m.

This will help to save time and speed up proceedings, and I do not know, but it may very well be less costly to litigants or to the accused person, because so much time is taken up in the Magistrates Court that counsel must obviously charge for this. Once the case gets on stream in the Assizes, it is a matter of two to three days, sometimes one day, whereas in the Lower Court it can take weeks and months. There are cases sometimes of a trivial nature which can take more than a year, and the essence of this legislation is to speed up the process in the Magistrates Court provided these safeguards are fulfilled.

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

SENATOR H. R. LINTON: I want to congratulate this Government for bringing this Bill before the Chamber at this time. I remember calling for a Bill such as this since 1976 when I first came here, because this type of Bill represents the law that I studied in England when I studied criminal law. When I came home to Barbados I had to then learn the system that was in operation here, and having thus had an opportunity to compare the two systems, I found, as Senator Howell has just suggested, that the system is not only less time consuming but it should in fact be cheaper.

If one looks at the procedure, one can see immediately why it should be cheaper for litigants and could cost the country a lot less to operate the Magistrates Courts, because where there is an indictable offence, that is, an offence tried by judge and jury, the magistrates have to sit as enquiring magistrates to see if there is a case on which the accused can be committed, and the magistrates, as such, have to take evidence from each witness and then each witness is cross-examined by counsel if the accused has counsel, or by the accused himself if he has no counsel who wish to cross-examine.

There is one which has been going on at District "C" for some time. Already seventeen witnesses have given evidence, but the magistrate who had been assigned there has left, so a new magistrate has to start over. It has already taken about 30 days, so this means another 30 days, plus another, I understand, ten witnesses to come. This gives an idea with regard to the time that could be saved with this new type of procedure which, as Senator Howell quite rightly said, emulates the procedure which has been in existence in England for the last fifteen years or so. That is the system that Senator Howell and myself would have studied.

In terms of cost, I want the lawyers out there to know how I feel about this. It should save litigants a lot because at the moment the accused persons who are charged with indictable offences very often have to pay two sets of fees – one for the lawyer to appear in the Magistrates Court and the second for the lawyer to appear at the High Court. It can be subject to negotiation. Sometimes a lawyer may charge one fee. He may say he wants one fee and if he get the person acquitted in the Lower Court that is that; if he does not get the person acquitted in the Lower Court, then he does not

pay more for going to the High Court. Another lawyer may ask for a fee for the Lower Court and see what happens there, and if the person is committed to trial at the Assizes he will charge another fee in the High Court.

It is a question of negotiation, although most lawyers have built into their fees a charge for appearing at the Magistrates Court level. Where evidence is now given in writing and the lawyer's job is done in cases where he is not making a no case submission, there are still cases where the lawyer may have to go to the court at the Magistrates Court under this Bill. But in cases where he does not have so to go to court, then he could not charge the same fees as he used to charge litigants where he had to go in the Magistrates Court, listen to evidence, cross-examine witness and sometimes make a submission that it was not a case to answer.

I want the litigants out there to take cognizance of that fact, and where they make use of this Bill and their work is easier, shorter and less time-consuming, this should be reflected in the fees they charge. I am not going to point the finger at any one lawyer, because I am a lawyer too, but I want my colleagues to know that part of the policy of this Government, starting with legal aid and all that, is to reduce the cost of litigation. It is generally speaking the poorer sections of this community who fall foul of the criminal law, and we as lawyers out there must know that it is part of the policy of the Barbados Labour Party Government to reduce the cost of litigation to the poor people.

SENATOR J. C. WICKHAM: Mr. President, in view of Senator Linton's comments, perhaps Senator Howell in his reply might wish to confirm or otherwise that the Bar Association approves and gives its support to this Bill.

SENATOR St.C. E. HOWELL: My experience in matters of this nature which do have far reaching effects in procedure is that the Bar Council always do make their input. Before I joined the Government I had been a member of that body for about two and a half years.

Mr. PRESIDENT: I think what the Senator wanted to find out was whether the Bar Association has given its blessing to this Bill.

SENATOR St.C. E. HOWELL: There is nothing expressed on this brief for me to say, but what I would say is that it has been my experience that in matters like this it perhaps has become axiomatic because inevitably it is. Thank you, Mr. President.

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

On motion of SENATOR St.C. E. HOWELL, the Senate resolved itself into Committee on the Bill, SENATOR J. C. WICKHAM in the Chair.

Clauses 1 to 4 inclusive were called and passed.

On motion of SENATOR St.C. E. HOWELL, the Senate was resumed and the Bill was reported as having been passed in Committee without amendment, Mr. PRESIDENT in the Chair.

On separate motions of SENATOR St.C. E. HOWELL, the Bill was read a third time forthwith and passed.

3.35 p.m.

EVIDENCE (AMENDMENT) ACT, 1984

Order No. 9 was called – To move the Second Reading of a Bill to amend the Evidence Act, Cap. 121.

SENATOR St. C. E. HOWELL: Sir, like the two other matters that I have dealt with this Bill also does have a very good explanatory Memorandum and Objects and Reasons clause. Again, there is little that can be said to improve what has been said in those two areas.

In practice, the accused person can make a statement from the dock, and by not going on the witness stand, he does not run the risk of being cross-examined. But more important, as a tactical manoeuvre, his counsel maintains the right to address the court last. This is something that all defence lawyers do their best to maintain, to have the last word in indictable cases. It is a concept that is really the bane of the life of every defence lawyer, because sometimes he has to weight up most carefully calling evidence, and thereby introducing what the law refers to as alibi evidence, which may very well give his client a better chance of success, against not calling the witness at all under our existing system in order to maintain that last word. For seven years I have had to make that choice on a number of occasions. Whatever the pros and cons of it, distinguished jurists have always maintained that a jury tends to remember more of what is said to it last, hence the hesitancy of defence lawyers throughout the world to give up that cherished right to address the court last.

This piece of legislation would introduce changes to the existing law and the procedure in the court in indictable offences, which, as Senator Linton said earlier, is trial by judge and jury. In all criminal cases, certainly those in the Supreme Court, this is bringing the introduction of alibi evidence, which would give the accused person a fairer chance. He will have a chance to exonerate himself without running the risk of his representative losing the right to the last word. Basically, that is the aim of this piece of legislation.

Senator Linton said during the passage of the last measure that it reflects the thinking of the Government in this area of the law where Government is trying to reduce costs, and it is also trying to harmonize the procedure in this area of the law and bring it into line with England and other leading Commonwealth countries. Now that the Government has embarked upon this trail, I would urge them to go on, because I think that, small as it is, this is a revolutionary piece of legislation, and in the soonest possible time introduce a Bail Bill in this country.

A Bail Bill, to my mind, cannot come too soon. I do not think that in the 20th century in a developing country such as Barbados whether or not a person gets bail, the same as whether or not he can call a witness, but he has to toss up whether he does that and lose the last word, his right to address the jury last, should be at the whims and fancies of individuals in different places at different times.

The feeling of counsel is that bail is a right and not a privilege. I would therefore urge Government that just as it has done in introducing this revolutionary piece of legislation, as to the last word for accused persons, it should hasten to introduce into this country a Bail Bill so that accused persons and the lawyers who are advising them can know exactly where they stand and the bail would not, in this day and age, vary with the length of the Chancellor's foot, as it did in England in the thirteenth and fourteenth centuries.

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

SENATOR H. R. LINTON: Mr. President, I think that there are two other rather subtle points which have been introduced by this Act which perhaps need enlightening. They are in addition to the main purpose of the Act which was highlighted by Senator Howell, that the accused in criminal trials on indictment will now be given the right of last reply.

That point is not as farfetched or innovative as it seems, because, as a matter of fact, in about 95 per cent of the cases in Barbados, as indeed in England, the accused now seeks to reserve for himself the right of last reply. Indeed, there was only one instance in which the Crown made use of the right of last reply, and that was where the accused himself called witnesses.

The argument has been for some time that there ought to be no difference in the situation where the accused has called a witness, or several witnesses, from a situation where he has not called any, and consequently, he should not jeopardise himself in any way by having called a witness. In consequence of that rule, accused persons who very often had good and reliable witnesses refused to call them because, as Senator Howell said, attorneys cherished that right of last reply. Not I think one hundred per cent because the jurors in Barbados or elsewhere tend to remember the last word, but more because lawyers tend to think that they can cut down each other – you have an opportunity to answer the other man if you are speaking last. It is not a question so much of remembering what was said last, because if you speak last and you fail to answer the points raised by the prosecution, your client is still going to be convicted, which, in fact, happens every time there is conviction. So it is not just a question of speaking last because the jurors will remember it, although that is a valid point, but it is because you have the opportunity to respond to any points raised by the prosecution. Senator Howell dealt quite competently with that point.

My first relates to Section 20C(b) which says:

"A statement in writing to the effect that an amount has been paid to a person during any period in respect of his employment, purporting to be signed by or on behalf of his employer, shall be evidence of the facts therein stated in any proceedings taken before a court

(b) on any application made by or against that person for the making of a maintenance order or an order enforceable as a maintenance order, or for the variatio ., revocation, discharge or revival of such an order."

3.45 p.m.

I just want to take the opportunity to warn the men that when we are working for the ladies, we can now ask the employers to submit a written statement to show what their earnings are and they can no longer hide it. It has been suddenly introduced in this Bill, which will seem on the face of it to be dealing essentially with the question of the accused person in a criminal trial of having the last reply. That is a subtle interjection relating to evidence of a person's earnings, which should, in my view, most properly dealt with in the Family Law Act of Barbados. I believe that by some act of omission or commission it was probably inadvertently left out and now the draftsmen have taken the opportunity to deal with it in the Evidence Act. But it ought to be highlighted, because particularly small employers are very reluctant to write to say how much people are working for. This will apply to female employees too, because where you have a woman working for more than a man, now under the Family Law Act she can be asked to support the husband or contribute towards the support of the children.

Small employers who do not read these things ought to be told that they can be subpoenaed to give this

information and any statement they write will be put in court, so they are now on their duty to be careful and accurate in what they write. When you ring some of them or write them and ask them for information regarding the earnings of a person, they just write down that he is earning $500 a week. Sometimes the man is a casual employee and working on a commission basis, but they give that information as used against some person in court. They will have to be careful about that.

The second point that ought to be highlighted relates to Section 20D(1), which states:

> "If any person in a written statement tendered in evidence in criminal proceedings under Section 25B of the *Magistrates Jurisdiction and Procedure Act*, or under Section 20B willfully makes a statement material in those proceedings which he knows to be false or does not believe to be true, he is liable on conviction on indictment to imprisonment for a term of two years or a fine or both."

The reason it is important to highlight that section – and this Bill ties in with the one that we have just passed – is that where evidence used to be taken on depositions in preliminary inquiries and a witness gave evidence in the Magistrates Court and signed it and went to the High Court and contradicted himself, and was asked by a lawyer why he said one thing in the Magistrates Court and is now saying something different, the usual answer was that he misunderstood the question in the Magistrates Court, or in some way he misconstrued. This was only evidence being written by the magistrate and very often they would deny that that was not what they told the magistrate. Even when you ask them, "Was it not read back to you? Were you not asked to alter, add, or correct anything you wish? " They would answer, "Yes sir, but you know that you are in court and you do not hear too good, and I missed that one." They normally got away with it.

It is therefore, worthwhile to emphasize that here in this section persons giving evidence will be either writing statements themselves or having them written for them. Most likely I suspect in most cases where statements are written for or on behalf of the witness, such statements will be written by police officers. Therefore, it is incumbent upon those people who give those statements, on which the courts will then rely, to make sure that what is stated therein represents their version of the facts. Because under this section if such a person makes a statement which he knows to be false or does not believe to be true, and where the statement is being written by somebody else, he could easily be persuaded to make a statement which he believes not to be true but which he thinks the person wants him to make. He has to be very careful about what he writes down and what he gives as evidence, because you will not now have any chance to alter this at any High Court and say that somebody else wrote it, or that you did not understand.

Those are two subtle points that have been introduced by this Bill, which once again, represents another attempt in a different way to reduce the cost of justice in this country to the poor man.

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

On the motion of SENATOR St.C. E. HOWELL, the Senate resolved itself into Committee on this Bill, SENATOR J. C. W. WICKHAM in the Chair.

Clauses 1 to 4 inclusive were called and passed.

On the motion of SENATOR St.C. E. HOWELL, the Senate resumed and the Bill was reported as having passed in Committee without amendment, Mr. PRESIDENT in the Chair.

On the motion of SENATOR St.C. E. HOWELL, the Bill was read a third time forthwith and passed.

CRIMINAL PROCEDURE (AMENDMENT) ACT

Order No. 11 was called – To move the Second Reading of a Bill to amend the Criminal Procedure Act, Cap. 127.

SENATOR St.C. E. HOWELL: Mr. President, this is the final Bill in this series of reformatory legislation. It has four short clauses, including the Title and Commencement, Sir. There is hardly anything to say on this one, because in view of the new drafting technique, all this amendment does for the principal Act is to give effect to the principal changes introduced in the Magistrates Jurisdiction and Procedure Act as amended in the earlier Bill and in the Evidence Act.

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

The question was put to the Senate and agreed to.

3.55 p.m.

On the motion of SENATOR St. C. E. HOWELL, Mr. PRESIDENT left the Chair and the Senate resolved itself into a Committee on the Bill, SENATOR J. C. W. WICKHAM in the Chair.

Clauses 1 to 4 inclusive were called and passed.

On the motion of SENATOR St. C. E. HOWELL, the Senate was resumed, and the Bill was reported as having passed the Committee without amendment, Mr. PRESIDENT in the Chair.

On separate motions of SENATOR St. C. E. HOWELL, the Bill was read a third time forthwith and passed.

ORDER NO. 12 – A BILL TO AMEND THE EDUCATION ACT, 1981

SENATOR E. E. GREAVES: Mr. President, earlier you indicated that if there were some of these Bills which Senators had some problems with, some consideration would be given to their postponement. I have not had an opportunity to look at this and I am wondering if a request for a postponement of this would be in order.

Mr. PRESIDENT: My understanding is, as the Senator has just said, that some of these Bills were circulated a little bit late. In any case there was a large volume of Bills received, and I certainly would not expect that a Senator who had not had time to prepare the work could take part in a debate.

The request is for the Minister to postpone consideration of that particular item. That item will not be dealt with at this sitting.

Order No. 13 was called.

Mr. PRESIDENT: My understanding is that that would fall under the same heading. We will not be dealing with anything related to Education. We will not deal with 12, 13 or 14 which is the Students' Revolving Loan Fund. I am afraid that those Education matters will have to await another sitting.

CUSTOMS (AMENDMENT) ACT, 1984

SENATOR THE HON. C. A. GRIFFITH: Mr. President, this Bill seeks to permit the Minister to delegate the function of the issuing of licences for transit goods of a prescribed description. The amendment is required because it has become necessary to monitor more closely the passage of sensitive materials through Barbados, especially following the Falklands crisis in 1982.

In 1978 there was a shipment of arms and ammunition intransit to Guatemala that was seized at the Adams airport, and as a result there was a law suit which ended in the restoration of those goods. Consequent on the seizure of those goods, regulations were made under Section 98 of the Customs Act requiring that arms and ammunition intransit or in transhipment through Barbados should not be imported without a licence issued by the Minister responsible for Finance.

The Defence and Security Division has the manpower and the facilities to carry out the function of monitoring, and the Minister responsible for Defence and Security is invested with the authority for issuing the import licences for the types of goods mentioned.

The records of the Government show that between January and May this year 22 licences were issued to steamship agents and companies for shipments of arms and ammunition passing through Barbados.

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

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON C. A. GRIFFITH, Mr. PRESIDENT left the Chair and the Senate resolved itself into a Committee on the Bill, SENATOR J. C. W. WICKHAM in the Chair.
4.05 p.m.

Clauses 1 and 2 were called and passed.

On motion of SENATOR THE HON. C. A. GRIFFITH, the Senate was resumed and the Bill reported as having been passed in Committee without amendment, Mr. PRESIDENT in the Chair.

On separate motions of Hon. C. A. GRIFFITH the Bill was read a third time and passed.

Order No. 18 was called – To move the passing of the Resolution to approve the Spirits Regulations, 1984 and the Spirits (Amendment) Regulations, 1984.

Mr. PRESIDENT: The order in which I was given these items earlier, the next one has to do with getting some money from the World Bank.

SENATOR THE HON. O'B. TROTMAN: If I can assist, Sir, I was just speaking to the representative of the Opposition and he has reservations on some of the items.

Mr. PRESIDENT: Let us speak on the Government side.

SENATOR THE HON. O'B. TROTMAN: I was saying that because of an earlier commitment that we would not proceed with the items which were circulated late, I have agreed to hold back a few items until Friday at 11.00 a.m., if the Senate so agrees.

There is no objection to our doing Nos. 18 – The Spirits Regulations, 19 – The Appropriation Bill, 21 – The Special Development St. Barnabas Road Order, 22 – The Shipping Incentive Bill and 24 – The Sanitation Service Authority, so if you can take those ones, we will try to get the others done on Friday morning.

Mr. PRESIDENT: Call them by name.

RESOLUTION TO APPROVE THE SPIRITS REGULATIONS, 1984 AND THE SPIRITS (AMENDMENT) REGULATIONS, 1984

Order No. 18 was called – To move the passing of the Resolution to approve the Spirits Regulations, 1984 and the Spirits (Amendment) Regulations, 1984.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, the Spirits Act, 1982, came into effect July 1, 1984, and the Spirits Regulations 1984. After the Regulations were published, some errors were discovered in the Schedule. For instance, Form 3 in the Second Schedule contained a typographical error by use of the word "remitted" instead of "permitted". Form 4 in the Second Schedule contained a typographical error in respect of the regulations to which it was relevant and the omission of some words indicating receipt at the bottom of the Form. The rate of duty set out in the Third Schedule was understated as a result of miscalculation in converting from the imperial unit to the metric unit.

It is a simple Resolution which has two aspects, to amend the Regulations for 1984 and to give effect to the Spirits Regulations 1984 Act.

I beg to move that the Senate do now concur in this Resolution.

The question was put to the Senate and agreed to.

FINAL APPROPRIATION (1983–84) ACT, 1984

Order No. 19 was called – To move the Second Reading of a Bill to grant an additional sum of money out of the Consolidated Fund and appropriate the same for the service of the Island for the financial year ended 31st March, 1984.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, as is usual during the financial year of the Government, there are supplementaries which are brought to Parliament which are not initially included in the Appropriation Bill, so it is necessary after the financial year has passed to move in a certain sum of money to be considered as part of the previous year's appropriation, hence the Final Appropriation Bill.

In this case, for the Financial Year 1983–84, it was necessary to supplement the original grant by some $57 826 613. Essentially, what this Bill hopes to do is to provide support for the movement of this money as part of the Final Appropriation Bill for the financial year 1983–84.

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

SENATOR A. W. A. McCLEAN: Mr. President, it would have been appropriate if a Bill such as this was merely a matter of formality, that is that we reflect Resolutions which would have been adopted in the Senate during the course of the year. For the House of Assembly it is such a formality. For us, it is a farce. That is the extent of my contribution to this particular Bill.

Mr. PRESIDENT: Before the Minister replies, I hardly think I need say anything, because I have been on this subject year in and year out. Until some honourable member takes it upon himself to take my advice to move something in this Chamber to get some sort of response from the Government, we will continue to deal with money that has been spent months and months ago.

4.15 p.m.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, I believe that while the honourable Senator has a point, we have to remember that we debate the Estimates in this Chamber. It is a fact of life; and I guess that is the only rationale for bringing this type of legislation to this place. However, Sir, since it is a money Bill I do not think we should have the Senate go into Committee.

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

SENATOR THE HON. C. A. GRIFFITH: Mr. President, I beg to move that the Bill be not committed since it is a money Bill.

The question was put to the Senate and agreed to.

On separate motions of SENATOR THE HON. C. A. GRIFFITH, the Bill was read a third time and passed.

SPECIAL DEVELOPMENT AREA (ST. BARNABAS ROAD) ORDER, 1984

Order No. 21 was called – To move the passing of a Resolution to approve the Special Development Area (St. Barnabas Road) Order, 1984.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, Section 3(1) of the Land Development Duty Act, Cap. 78 provides that whenever the Government undertakes or proposes to undertake in any area expenditure financed from public funds which, in the opinion of the Minister responsible for Finance, is substantial, it shall be lawful for the Minister by Order –

(a) to declare any such area to be a special development area under this Act and this Act shall apply in relation to land in that area; and

(b) to specify the specified base date which shall not be more than one year before the publication in the Official Gazette of the Order; and

(c) to specify the development date which shall not be more than ten years after the specified base date.

The Minister considers that the St. Barnabas Road area should be declared a special development area.

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

The question was put to the Senate and agreed to.

THE SHIPPING (INCENTIVES) (AMENDMENT) ACT, 1984

Order No. 22 was called – To move the Second Reading of a Bill to amend the Shipping (Incentives) Act, 1982.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, the Government has made an effort to try to encourage offshore financial activity and some legislation has been passed supporting this type of activity in the form of offshore banking, exempt insurance, Shipping and the Business Companies Act.

The Shipping (Incentives) Act was enacted in 1982 primarily to encourage the registration of shipping companies in Barbados. It has been found, however, that Section 13 of the Act is at variance with the purpose of the Act. Section 13 reads as follows:

"(1) A minority shareholder in an approved shipping company who wishes to dispose of his minority shareholding shall first offer that shareholding for sale to the Crown.

(2) Where the Crown does not acquire a minority shareholding offered for sale under subsection (1), the minority shareholder, may, with the approval of the Minister given in writing, offer the shareholding for sale to any person.

(3) Where the Crown disposes of its majority shareholding in an approved shipping company, all concessions enjoyed by the company cease as from such date as the Minister by notice specifies."

As the section stands at present, no provision is made for a shipping company to have private majority shareholding. Section 13 therefore is likely to discourage potential investors as they would be reluctant to set up shipping companies in Barbados if they were required to give the Crown a controlling interest. It is therefore considered that to properly fulfil the objectives of the shipping incentives legislation, a company engaged in shipping activities should become approved even though the Crown owns no part of it. The Government has therefore considered that Section 13 of the Act should be deleted and this Bill seeks to give effect to the deletion of Section 13.

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

SENATOR E. E. GREAVES: Mr. President, as you are aware, the whole area of offshore financial activities is one of the big planks which the Barbados Labour Party brought as their manifesto commitment, as Senator Griffith has pointed out, in shipping, the banking and insurance, as a means of providing employment in this country. I can well recall that it was claimed that when this legislation was passed that there were companies just, as somebody indicated, out there in the sea waiting to come into Barbados, but we had no climate, no legal framework to encourage them. It was claimed that these companies would create 3600 jobs in Barbados. That was in 1976. It is almost ten years now since we have had a lot of discussion and promises in this particular area, and in as much as we are now looking at the aspect of this offshore operation relating to shipping, I really want to find out what kind of progress has been made in this area. I understand, and I may be wrong, that the Caricom Clipper is the only ship that is registered under the Shipping Act. That is the ship that plies in the Caricom area.

This concept of offshore financial institutions seems to have fallen really flat on its face, and I think that those of us who had taken a decision particularly in relation to shipping know the kinds of activities which are involved in this flags of convenience type of operation, which in truth and in fact is what this legislation is all about – allowing ships to come and register in this country from other countries, like how they register in Libya, Panama, the Bahamas and Bermuda and in the areas where the law is not as stringent particularly as it relates to the recruitment of people who are working on these ships.

There is a very serious problem in this particular area. It seems as if the Government, after having passed the legislation which they would have wanted to get into the act in terms of being a shareholder in some of these companies when the opportunity arose, now finds that they have to back off from this. I really want to find out if this particular section, Section 13(1), is a disincentive, and whether in truth and in fact there are possibilities for the registration of a number of shipping companies, if this were removed.

4.25 p.m.

The promise which was made to the effect that when these operations got going there would be thousands of jobs available to Barbadians has not been proven to be true. I am reminded of a statement which was made by the Prime Minister when a certain organization objected to this move in this particular area when he said:

> "I hope that when these over three thousand jobs are created in these areas, the Barbados Workers' Union would not seek to organize them because these are potential members of the Union."

Where are these jobs? Where are these companies which are coming? Is it that these offshore companies do not have faith in Barbados and in the general economic stability of the country to come and invest? Or, are our laws too stringent and, therefore, we are not going to get any of them to come here? I really do not know what is the reason for it.

I am sorry the "Deputy Minister of Finance" is not handling this. I am not too sure who is the "Deputy Minister of Finance" since both Senator Griffith and Senator Howell are in the Ministry of Finance. Senator Griffith seems to have more authority in these matters than Senator Howell, although I know that Senator Howell indicates very clearly that he is the Deputy Minister of Finance. Whoever is in charge, I believe that we ought to get some clear indication as to what is the Government's position and track record in this particular area. I think that the Government owes it to the country.

(SENATOR E. E. GREAVES: Three thousand, six hundred jobs!)

(SENATOR THE HON. C. A. GRIFFITH: Who said that?)

(SENATOR E. E. GREAVES: Tom. Ezra Alleyne. Read the Manifesto.)

Mr. PRESIDENT: Order, order, please. We are getting a little bit disorderly.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, thanks for giving me the opportunity to reply to the comments made by my dear friend from the Barbados Workers' Union. At first I thought that we would have heard some treatise as to why people who are involved in providing labour in Barbados for ships are having difficulty in placing people on ships now. I had a ready answer for that.

There is no doubt that the whole offshore fiscal services was designed to generate employment and revenue, but if one looks very carefully at offshore regimes which have been successful, one would find that there is more emphasis on revenue generation than on employment generation. We have gone through the Exempt Insurance and Offshore Banking Acts and we have found, on reflection, that the legislation on the books in Barbados has been too restrictive. For instance, we have prided ourselves on the fact that we were going to introduce low tax regimes in some cases, while other countries that were in competition with us were introducing no tax regimes. Clearly, if people have money to put into an offshore institution, they would prefer to put it in a country where they do not have to pay tax, and this is what has happened, in the Bahamas, Bermuda and other places.

We were very mindful of the fact that there could be some kind of unsavoury elements involved in the movement of monies through some of these offshore banking institutions. As a matter of fact, under the CBI, the US Government has been at pains to try to put some pressure on countries in the Caribbean area to come to some agreement in identifying people who they suspect of criminal activity and laundering monies through the banking institutions and having as a *quid pro quo* some kind of allowance for people to have conventions down here. This has been debated time and time again by the Barbados Government. I have sat on delegations with US Government representatives debating these points. Suffice it to say that we have found in these cases that we have to look at the input of people who are in the business.

It is generally known that Liberia is one of the countries where there is a substantial number of ships flying the Liberian flag of convenience. Some years ago, when there was a coup in Liberia – I do not remember the exact date – the people in the shipping industry in Liberia were concerned about the instability of the Government and they were looking for some other place to register ships. You are talking about owners who want to be sure that they are not going to register their ships in a country like Barbados where there is that kind of control as provided in Section 13. As a result of the kind of representation made by people who are in the different fields, we have had to make amendments to the legislation from time to time, I do not suppose that this is the last time we are going to see amending legislation on either the Shipping Act or the Offshore Banking Act.

Only recently in the news, there was a case where the Minister of Finance sought to revoke a licence. That matter is now in the court. We have sought to ensure that we get the best. We have to remember that if we are trying to get the best that there are other people out there who are trying to get the best.

I know that the Government is mindful, for instance, of the situation in Hong Kong where the businessmen in Hong Kong are concerned about the proposed takeover of Hong Kong by the Chinese Government. Everyone

knows that Hong Kong is one of the biggest places for this type of offshore activity. What it means is that there may be a movement of business from Hong Kong. There has been some activity. My information is that one of the biggest companies in Hong Kong has set up an office, I think it is either in Bermuda or the Bahamas, because the legislation there makes it more attractive for them to move there than to a place like Barbados. As I said before, it is because of the no tax situation, whereas they would have to pay tax here.

My own view – and I have done a lot of work in this area; we made provisions for these offshore financial services in the five-year Development plan – is that we must take care of the marketing that is involved. My major quarrel with the people who are involved is that no marketing strategy has been developed for trying to encourage the movement of business here. A marketing strategy must involve dialogue with the people who are in the business. There is a need to look at marketing and take into consideration, on a comprehensive basis, the views of all the people involved in the different areas that we are talking about before we can really see some dramatic movement as far as offshore financial activity is concerned.

We all agree, and I tend to take Senator Greaves' point, that our laws are too stringent. The Opposition made the point that we have to be careful. I remember the Shadow Minister of Finance in the Lower House talking about the need to be wary about Mafia money and so on. We are mindful of that, and that is why we try to make sure that we were able only to bring in what we consider creditable institutions. Perhaps, we have to pay the penalty of having only a small number.
4.35 p.m.

We are trying to make sure that the small number that we have are of quality. That is what we are looking for and perhaps that is why we have not been able to be as successful as we would want to be. Even then with quality sometimes you find that somebody may still slip through. So you cannot be ever too vigilant. I think the fact that we are constantly bringing amendment to the legislation shows that we are sensitive to the inputs which are made by the people who are out there in the business and who have been successful.

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

On the motion of SENATOR THE HON. C. A. GRIFFITH, Mr. PRESIDENT left the Chair and the Senate resolved itself into Committee on the Bill; Senator J. C. W. WICKHAM in the Chair.

Clauses 1 to 3 inclusive were called and passed.

On the motion of SENATOR THE HON. C. A. GRIFFITH, the Senate was resumed and the Bill reported as having been passed in Committee without amendment, Mr. PRESIDENT in the Chair.

On separate motions of SENATOR THE HON. C. A. GRIFFITH, the Bill was read a third time, forthwith and passed.

SANITATION SERVICE AUTHORITY (AMENDMENT) ACT

Order No. 24 was called – To move the Second Reading of a Bill to amend the Sanitation Service Authority Act, Cap. 382.

SENATOR THE HON. O'B. TROTMAN: Mr. President, before the coming into office of the Democratic Labour Party, the Sanitation Department and the Public Health Inspectorate Service used to operate out of the Local Government system. Then came the centralizing of all services under the Democratic Labour Party. One of the services that suffered because of the centralizing was the Sanitation Service. We have slowly watched what used to be a very beautiful country-side become almost a jungle, and nothing more than garbage all over the streets of Bridgetown. One of the problems with Bridgetown is that successive Boards have not addressed to the fact that Bridgetown is becoming dirtier, and in fact, the present Board becomes offended, and I am sorry the Chairman is not here, when one says that Bridgetown is dirtier than ever.

I therefore propose to have some community involvement in the sanitation services by expanding the Board to 12 people which will give some opportunity of representation on the board of persons from across Barbados, rather than having a small board of five or seven people, as the case may be, under the present Act, and then find that large areas of Barbados is not represented in terms of community involvement. The twelve were picked on the basis that I hope to be able to have the eleven parishes of Barbados as well as the City of Bridgetown, making twelve, properly represented on the Board. I hope that this will go some way in making us become conscious of the fact that we have got to move garbage off the streets in Bridgetown and around Barbados.

This morning I was taking a tour of Christ Church on Highway 7, and in the middle of our tourist belt there is nothing short of a jungle with shrubbery all over the place. Nobody pays attention to it, so we get robberies because the overgrown shrubbery provides more than adequate hiding for would-be attackers especially on visitors to Barbados. Everytime we get an attack on a visitor to Barbados, it makes headlines in Barbados and it is reported in the overseas Press, and it does us no good.

We must not only keep Barbados clean for them, because they only spend short times here, but we have got to do it for ourselves.

When we removed the overgrown shrubbery next to the old Caribbean Pepperpot to provide an open area, the first thing the residents did is to turn it into a dumping ground and two days after we have to start moving garbage. We have got to get back into people's houses so that they understand that they must control their garbage properly, and we have got to improve our sanitation service so that the collection is improved.

I beg that this Bill be read a second time.

SENATOR E. E. GREAVES: I really do not know what this Bill has to do with the Democratic Labour Party. I was listening intently for Senator Trotman to indicate the real reason for this amendment where he is seeking to extend the size of the Sanitation Service Authority Board from seven to 12 members.

I do not know how increasing the size of a board is really going to make a difference. To say that if you increase the size of the Board you will bring about an improvement in the sanitation services is a false argument, and it has no relevance whatsoever.
4.45 p.m.

Some time ago I alluded to the dirty surroundings in Bridgetown and the general low state of sanitation in Barbados, and I stressed that we ought to do some improvements in this particular area. I was mindful, and I made the point very clearly, that we not only had to do it for the tourists but for the people who live here this ought to be our prime objective. I tend to recall that Senator Lynch made an intervention in that debate along that same point, emphasising the need to improve our sanitation services.

I believe that we in this country have undergone a tremendous amount of change. The whole area of sanitation has undergone a whole series of changes. In the 1950s and sixties, very few things used to be dumped. Canned stuff was not as prevalent then as it is now. Plastic bags – not the calypsonian – were not as prevalent as they are now.

I remember living in St. Lucy in the fifties and the sixties when there was really no need for a garbage truck to come around to collect garbage, because garbage was not left by the side of the road. People did not have that amount of garbage to dispose of, and what they had, they were able to dispose of in a proper manner. But things have changed considerably and people's habits have changed. It would seem that their habits have got worse, so that widening the representation on the Board, in my view, is not going to bring about any improvement.

We ought to be concerned not so much with extending the size of the Board, but with embarking on the kind of programme which would bring to the attention of people at all levels the need for proper handling of garbage and disposal of waste that they have to dispose of. This is something which has to be done on a continuous basis. Right through the schools, proper habits have got to be encouraged in the homes, and we have to really embark on a massive programme which will bring this to the attention of people in the community. I do not think we can really afford to have our country spoilt in the way that we see it being spoilt.

You still find a lot of dead animals on the road not being taken up. There must be some system for doing that. Having 12 members on the Board will not make the collection of dead animals any more efficient. You need to have a properly organised service with the trucks which will really answer this particular need. I believe that the people who work in the sanitation services try their best with the limited resources they have at their disposal, but the Government ought to take a more serious view of this and try to improve the equipment and improve the various methods of collection which they have.

I am very disturbed to find that you still have a lot of these open dumps around the country, smelling as bad as ever, and it just seems to be something which people accept as the normal thing. I do not know if you have gone into Black Bess, St. Peter recently. What strikes one when one goes into Black Bess is one of the largest and stinkest dumps there is in Barbados. This is the first thing you encounter at the entrance to Black Bess. I do not know how people could stand for that kind of treatment. I think that it is an insult to the people who live in that area to take that kind of "development" there. A large, stinking garbage dump, the biggest garbage dump in Barbados greets you at the entrance to Black Bess in St. Peter. The stench is really killing. I hope that the Government will do something to improve these dumps.

There is one just to the back of Mount Gay in St. Lucy, which again needs some proper attention. The stench and the stuff which is scattered all over the place in that particular area leaves a lot to be desired, and I think it makes people very uncomfortable. At times when these dumps start to burn it is really uncomfortable, and sometimes they smoke for six months and nobody seems to care about the inconvenience which is caused to the people who live in these areas.

All of these are things which I would like to hear the Minister addressing his mind and attention to and not just coming and telling us that they are going to increase the membership of the Sanitation Service Authority. You can increase the membership of the Sanitation Service Authority but the quality of the

people who you put on the Sanitation Service Authority is also very important from the point of view of the ideas which you can come up with. If you examine the Sanitation Service Authority, you can understand the way Government thinks of the Sanitation Service Authority by the quality of the people who are put on the Board. It is a place for handling garbage and it looks as if the Government puts garbage on the Authority. This is a fact. Just examine the people who are on it.

We have to be serious. We need a bold and imaginative plan to deal with this particular problem, and I would like to hear the Government indicate a very serious policy drive to deal with a problem which is of concern to all of us who live in this country and who have a desire to see that this country regains its image of being one of the cleanest countries in the Caribbean, if not in the world.

SENATOR J. C. W. WICKHAM: Mr. President, I am glad that Senator Greaves has spoken in the way he has, because it gives me the opportunity to say one or two things about not necessarily only the Sanitation Service, although I think this is a good example of what I want to say, but about the responsibility of private citizens to see after their own business.

I cannot agree that the extension of the Sanitation Board from seven to twelve is a waste of time, simply because in his introduction the Leader of the Senate did in fact say that he hoped that the new membership would reflect parochial interest, and it comes to the heart of the problem when Senator Greaves says that the standard of cleanliness in the country has declined since his day, I presume, and I agree with that. But I note also that that decline runs along with the decay and the removal of local authorities. It seems to me that the argument for the abolition of the local authorities was false in the extreme, and the same argument was used in Trinidad, that the place was too small to accommodate a lot of little bodies around.
4.55 p.m.

That argument is extremely false, and it is based on the notion that things can be so small that they need not reflect the interest of everybody. Nothing is so small that it cannot be of value. In the smallest and the most humble peasant home, with a lot of children, each one has responsibility for his corner of the garden, or his corner of the house. The house is never so small that all do not have something to do to contribute to its cleanliness.

I presume that the ideal thing in keeping a parish clean is to have people who live in the parish and whose responsibility it is to seek out the highways and by-ways of that parish and make sure that the dead animals are removed. Concern for your neighbourhood is the beginning of concern for the island. In Cuba, for example, along the road, each householder is responsible for cleaning an area in front and around his house. Multiply that by hundreds of thousands and you will see what happens to a community.

SENATOR A. W. A. McCLEAN: Mr. President, I welcome this Bill as an expression of attempt to come to grips with what is a growing problem in the area of sanitation in Barbados, but I tend to agree with the point of view that this is not good enough.

Perhaps the idea of having the notion of parish representation on the Board is a good one, and maybe that can be enhanced by having community-based advisory committees or councils to the said Board, and those community-based or parish-based advisory groups could be chaired on the Board drawn from the various parishes. But beyond that, I think we have to concentrate on a strategy for formulating some kind of activity which would result in the persons employed by the Sanitation Services Authority succeeding in improving the level of cleanliness in the community.

First, I agree with Senator Wickham that we must ensure that each and every one pulls their weight and contribute less to the littering of the place and more to keeping it clean. Going beyond that, I think there may be some merit in trying to associate some of the workers in the Sanitation Service with particular areas in the country where they can see it as their domain, some area to which they are tied, so that they have some particular love and responsibility in keeping it clean partly in terms of cleaning it, and partly in terms of ensuring that people do not litter.

If we can somehow get the workers to accept a higher level of responsibility for particular areas, in all probability they will take a much better interest in cleaning it. At the moment where you have most of the workers involved in removing the stuff tied to vehicles and sometimes they are not extra careful in the way in which they gather up the material and put it on to a truck, or they might not be too worried if they have to by-pass a particular street on a given day when they should normally have gone there and hence you might get certain problems developing in certain areas where you can have unsightly dumps where the collection is not as frequent as perhaps as even planned – that could be eliminated. These are just some suggestions off the top of my head but, certainly, we should sit down and identify what is necessary to ensure that the level of cleanliness in Barbados returns to what it ought to be.

SENATOR MRS. G. G. READER: I rise to support this Bill. I hope that the having of more parochial people on the Board will help, but I really feel that there are lots of areas in Barbados that are not touched at all, or appear

not to be touched by Sanitation. In the area in which I live, a Sanitation truck comes there on Friday mornings, once a week. This is a big residential area. At St. George's Secondary School, the people who live around the school throw their garbage on to the school's playing field. You get broken bottles on the cricket pitch. It is done all the time. They just fling it over the fence. I was trying to get the groundsman at the school to get this cleaned up and they told me that they cannot work in the middle of the day because they are Government workers – and Government workers do not work so.

The trucks that the Sanitation Service use, a lot of them are garbage spreaders, not collectors. They go around with the backs open and the garbage flowing out each side along the road. I do hope that somebody will put some programmes on television to try and show people the difference between putting your garbage somewhere where it is supposed to be and littering.

You see the children eating these ice lollies in plastic bags and when they finish, they drop them on the ground and they go. They just put it on the ground and wait for somebody else to come and pick it up. Nobody seems to have any pride in their communities anymore. If you have a dead dog on your land, you pick it up with a shovel and you put it on somebody else's land. That is how you dispose of garbage in Barbados today.

Look at the Garrison Savannah after a race day. Look at the bus stand. Drive behind a bus and the children are throwing snocone cups out all the time. They are not supposed to eat them on the buses but they do, because one fell on my car yesterday afternoon. For all of this we need education now, and we are going to have to start and do it now. We cannot wait any longer.

The plastic bags around this country are enough to give you nausea. It really is disgusting to see what we are coming to now. Pass by the Garrison Savannah on a Sunday morning after a race meeting. There is a blossoming of little white cups overnight. They look dreadful. Does nobody realise? Is Barbados as a community so blind that they cannot see what they are doing to their own place?

Nobody wants to clear any land that is overgrown. There is an area behind St. George's Secondary School in which the Rastas go and sell pot to the children from the school. It is so overgrown that you cannot get down in there, and it is full of cow itch as well.

It is really a terrific problem to teach children in a secondary school to keep the place clean. Unless you are standing up watching them all the time you cannot get them to stop dumping garbage. I think we need to look seriously at the whole collection of garbage in this island. We need some expert on garbage collection and disposal to come here and look at the whole problem and lay out how it can be done more effectively, more cheaply and in a more efficient manner. I hope that having parochial people, one from each parish, on the Board will make people more aware of their surroundings, and that they themselves will be able to spead the gospel of cleanliness. There is an old saying, "cleanliness is next to godliness", but to some it is next to impossible.

5.05 p.m.

SENATOR THE HON. C. A. GRIFFITH: I share the sentiments of the last speaker about the way people spread their dirt around in Barbados, but nobody can gainsay the fact that the Government is making a valiant effort to do something about it. I appreciate the fact that there is a need for educating people in what we can consider a dynamic consuming society where there is so much packing nowadays and the need to dispose of packages in a very efficient and effective way. That will take some time, but I believe that one can appreciate that the Government is not lost in ideas on how best to deal with these problems. Indeed we see one which will be very much welcome in Barbados, because it is appropriate to our environment, and that is the use or refuse to be converted into electrical energy.

I think that this is something that should be welcomed in Barbados. As I see it, the need for educating people is appropriate at this time, because with the kind of refuse generation plant that we have in mind, they will need to collect all kinds of garbage as we see fit for use in the type of machinery that we will set up in Barbados. This project, which was first conceived as an energy conservation project, has now taken on the added dimension that this kind of incineration system could be effectively used as the most effective way of disposal of refuse. I think that it would be in the interest of all concerned in Barbados to participate in a programme of trying to get as much refuse as possible for use in the incinerator, since it would have a very positive impact on the environment in Barbados.

People keep talking about the fact that we are running out of spaces for land fill. I believe so, quite frankly. In a small country like Barbados, you just cannot continue having land fill areas forever and ever. We must look at that problem of disposal, and when we look at the programme which relates to the refuse incineration, you will see that there are several beneficial aspects of which Barbados can be proud.

This plan is well on its way. We have had a feasibility study done, financed by the Canadian Government, and it has generated a lot of interest in several capitals. I was just in London and in Italy and I have had some very interesting proposals made on the construction of a plant and even on the type of Government to Government financing which would make this

kind of project a reality. I hope very shortly to discuss these proposals with the Minister of Health and then take them to Cabinet, because there is an interest in supporting this kind of project for a small country like Barbados.

SENATOR THE HON. O'B. TROTMAN: Mr. President, I only rise to say that I encouraged Senator Griffith to speak on his energy project first so that I could reply to Senator Greaves. He said basically that membership alone will not help, but I think Senator Wickham answered him adequately.

Garbage disposal, public health matters, tenantry roads, all things that had to do with the people have been taken away from the people. That is the problem. He asked when he first got to his feet what has it got to do with the Democratic Labour Party. It has to do with them because they are the people who took away government from the people when they got rid of Local Government, and that is why we have these problems. They took away child care from the people, they took away roads from the people, they took away public health from the people and this is where we all are now. What the Bill seeks to do is to give back at least sanitation to the people who live in the area. They live there and they will manage it; they have an interest in keeping it clean.

We have given some thought to Senator McClean's idea, but we are not yet decided how best to handle the question of small committees. It is a matter which is engaging our attention, and I do not want to speak on that, because we are now discussing how best to handle committees, but I believe that if people are involved in things that affect them, they will have an interest, and in this way we can have a more effective form of government in this country.

This morning, as I said earlier, I did a short tour. The Chief Public Health Inspector had complained that he has been handicapped in the past because there are some commercial operations who just dump garbage inconsiderately, and I told him that, as far as I am concerned, he can go ahead and prosecute everybody he finds dumping garbage. If they start getting the message that we are serious about prosecuting people for dumping garbage on the street, I believe that that would be part of the education exercise to which Senator Reader referred earlier.

We have just listed over 100 houses in Barbados which people abandoned. They walked away from the houses. People buy spots in Barbados and believe that if they pay the Land Tax they have no further commitment to the spot; so they go off and live in Brooklyn or in Toronto and leave the spot in Atlantic Shores or some Garden overrun with bush to breed rats and mosquitoes. People think if they pay their taxes they had done their bit. That is not going to continue, and if you observe as you pass along the highway, you might see that the Ministry has been posting extremely large notices on some buildings, because we are quite serious about taking action against people who believe that they can just run this country down and make the whole place a mess.

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

On the motion of SENATOR THE HON. O'B. TROTMAN, Mr. PRESIDENT left the Chair and the Senate resolved itself into Committee on the Bill, SENATOR J. C. WICKHAM in the Chair.

Clauses 1 and 2 were called and passed.

On the motion of SENATOR THE HON. O'B. TROTMAN, the Senate was resumed and the Bill reported as having passed the Committee without amendment.

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

5.15 p.m.

SENATOR THE HON. O'B. TROTMAN: Mr. President, Sir, I do not propose to take any further items of Government Business this afternoon, but I would seek permission to open the item, "Notices".

There is one Resolution which passed the other place on September 4, which was overlooked in an earlier presentation.

Mr. PRESIDENT: Permission is granted to give notice of that.

NOTICES

SENATOR THE HON. O'B. TROTMAN: I beg to give notice of: A Resolution to approve the compulsory acquisition of land at Lydia Hill, Content, St. Thomas, for the provision of recreational facilities and for road development.

Mr. PRESIDENT: Is that going to be put on the Order Paper for the next meeting?

Aside

Mr. PRESIDENT: Do you want to say something, Senator Greaves?

SENATOR E. E. GREAVES: For my own enlightenment and I suppose for the enlightenment of other honourable Members – I know that we are taking

a suspension or adjournment now – I wanted to find out if the items on the official Order Paper which was circulated today dated September 12, are going to be considered when we meet next time, along with those which we have not done.

Mr. PRESIDENT: If I may take the feeling of the Chamber. Would it be convenient for Members to come back for a meeting on Friday morning?

Aside

Mr. PRESIDENT: Not Friday next week. This Friday. It makes a difference between suspending and adjourning. If we adjourn, there is too much involved in getting notices and other papers printed in order to have it by Friday.

I think I get the feeling of the House.

The sitting will be suspended until 11.00 o'clock on Friday, September 14, 1984.
5.20 p.m .

ON RESUMPTION

Mr. DEPUTY PRESIDENT: This sitting is now resumed.

PUBLIC BUSINESS

THE IMMIGRATION (AMENDMENT) ACT, 1983

Order No. 12 was called – To move the Second Reading of a Bill to amend the Immigration Act Cap. 190.

SENATOR J. E. D. WILLIAMS: Mr. Deputy President, the Bill before us among other things seeks to bring under statute a Review Committee which is already in existence. It has been functioning since 1981. That, along with the Advisory Committee was set up by the former Minister of Immigration, and both of these committees have been functioning quite well, but we need to bring the Review Committee within the Immigration Act. The Review Committee deals with those cases where applications for immigration status, citizenship and permanent residence have been refused by the Minister and provides the person making the application with an opportunity, if he or she so desires, to make a request for their case to be heard before the Review Committee.

Unfortunately, the Bill before us omits application for work permits which have been refused. At present the Review Committee does deal with work permits as well, and it is our intention to continue to give people the opportunity to have applications which have been turned down for work permits sent to the Review Committee if they so desire.

Generally speaking, the Review Committee has worked well. I must commend the former Minister for seeing the wisdom in setting up that committee. The granting of work permits, immigration status and in many instances permanent residence all contain discretionary powers, and it is generally felt that if the Minister believes that a person should not be granted a particular status, then at least the person should have some opportunity for his or her case to be looked at a second time. Of course, this is based on the facts that are presented before it.

In the Other Place, the representative for Christ Church West made the point that the only other thing that he would like to see happen as far as the Review Committee is concerned is for there to be some provision where a person could be supported by legal counsel to put their case before the Review Committee. I think that the mere fact that it is a discretionary function means that it would not be in our interest to think in terms of having legal counsel, because the way in which the committee is set up, you already have a Minister of Government who is the chairman, in this case the Honourable Vic Johnson, Minister of Transport and Works, but the committee also consists of an officer from the Attorney General's Chambers, an independent member of the public as well as the Deputy Chief Immigration Officer and a senior officer from the Immigration Department, who performs the function of recording secretary. The person from the Attorney General's Chambers should be able to deal with the legal aspect of any request. I do not think that we ought to change the system that we have at present.

The Bill also makes provision for children who are under the age of 18 years whose parents are immigrants to be granted a similar status. It is true to say that the department has been hard-pressed dealing with a large volume of requests for student visas, and this is because the Ministry of Education is very strict on the fact that any child going into primary school or secondary school, if they are not citizens of Barbados or if they have not been granted some kind of status, they must have student visas, and as the Act stands at present, there is basically no specific provision for making those children of immigrants immigrants as well. It can be granted, it is discretionary, but if a mother and father are prepared to come to Barbados and be classified as immigrants, it is obvious to us that they are going to want to have their children with them, rather than saddle the department

year after year with requests for student visas. The point also has to be made that a student visa can only be made out for a maximum period of a year, so every year you will have to apply for a student visa, and it is very time consuming. We believe that in those cases where there is merit those children should be granted immigration status like their parents.

The Bill seeks to make it mandatory for persons who have been granted immigrant status to seek from the Immigration Department a certificate of absence in those instances where they are going to be out of the country for a period longer than a year. Permanent residents are at present required to do that, and permanent residence is a status higher than immigrant status, and virtually you are saying that those persons who are immigrants are enjoying a privilege that permanent residents do not enjoy. We are now saying that where you are a permanent resident or an immigrant, if you are going to be out of the country for longer than a year you need to seek permission to do so and to get a certificate of absence from the Immigration Department.

The Bill makes provision for the loss of immigrant status in certain circumstances where persons give false information. For instance, you will find that someone might make an application for immigrant status, in the column where you are asked about dependents, he may very well say he has no dependents. If you make a decision to grant a woman immigrant status and she is given permission to reside here and she subsequently comes and tells you she has children from whatever country, it is particularly hard for you to tell her she has to go, or you are not going to allow them to come in. On humanitarian grounds sometimes you try to accommodate her, but people must give correct and full information, and the Act will now give the Minister power to revoke the immigrant status of any person who supplies false information.

People who have been given immigrant status where they have been involved in giving bribes and for that matter interfering with any public officer in the execution of his duty run the risk of having their immigrant status revoked.

11.30 a.m.

One significant thing that the Bill provides is to authorize any Immigration Officer to enter and search any place, only if they are supported by a warrant, and in those cases where there is reasonable ground to believe that a person is at that place, against whom a deportation order is made. Often, a number of people come to Barbados and overstay their time. At present, there is no provision for any Immigration Officer to go and apprehend that person while the deportation order is being made out. This makes the job of the department that much more difficult. In this matter we sought the input from the Commissioner of Police, and the police really support this action. As a matter of fact, they are also of the opinion that it is the sort of power that ought to be given to the police as well.

The Bill also deals with persons who sexually assault minors. That will now become an offence. I am glad to see that we are dealing with this problem. I believe that we can do without persons like those who are involved in prostitution, criminal activities, and assaulting of minors. I believe that such persons should be asked to leave Barbados. At present any person who is an immigrant cannot be removed.

I want to take this opportunity to respond to a few comments, some were more than comments, some were allegations, made by the Right Honourable Member for St. John in the Other Place when he dealt with this same Bill.

Mr. DEPUTY PRESIDENT: It is out of place to refer to a debate which is taking place in the Other Place.

SENATOR J. E. D. WILLIAMS: As a general comment, Mr. Deputy President, there is a feeling that children who are born out of Barbados, for instance, in places like England, have been deprived of coming to Barbados by not being given passports. Let me say to anyone who believes that, that in any instance where a child is entitled to a passport, where the overseas office has clear evidence that the person is indeed entitled to be issued with a passport, it has been issued.

There is a problem where people have children overseas and do not meet the requirement of the Statutory Instrument of 1977 in connection with the births and deaths of persons abroad, that within a period of seven years those births must be registered at the overseas office. You will find that people come subsequently and ask for a passport only to find that you are not in a position to process it there. You have to ask them to send the information to Barbados to be processed, and they subsequently get their passports. But people have got to help themselves.

Mr. Deputy President, I beg to move that this Bill be now read a second time.

SENATOR E. E. GREAVES: Mr. Deputy President, in light of what the Parliamentary Secretary who introduced this Bill just said, I myself was a little concerned about reports coming out of London, particularly where it was indicated that children born of

Barbadian parentage in the United Kingdom had been experiencing some difficulty in getting passports to travel to Barbados. As a matter of fact, there was a case which I was asked to look after. Naturally, the person was born long before 1977, so they could not have been expected to fulfill the stipulations of the 1977 Regulations. But in as much as I have not been informed that such applications for passports would have to be processed at the office here in Bridgetown, that clarifies a particular point which I have in my mind.

The aspect of the Bill which bothers me most is the way in which the committee is being set up is going to function and the kind of authority and powers which this Bill gives to the committee. Senator Williams was very insistent in emphasizing that the committee has discretionary powers. I think he used the word "discretionary" about six times in his introduction. One of the reasons why he said that they would not permit legal counsel to represent individuals before the committee was because the committee has discretionary powers.

When you go further, Section 2C, on page 3, says:

> "No court has jurisdiction to review, quash, reverse, restrain or otherwise interfere with any proceeding or decision of the Committee."

This section bothers me somewhat. I must confess that I do not know very much about how immigration authorities function in other countries, not that we have to take an example from other countries, but it seems to me that this particular provision is somewhat too harsh, particularly when you examine the composition of the committee.

The committee is chaired by a Minister, who is a politician, and who will have his likes and his dislikes like everybody else. A politician very rarely looks at matters in a judicial kind of way. This is a fact. There is always a question of who might be involved, or who might have made the decisions, or who might be making the representation on behalf of the particular individual.
11.40 a.m.

Then, there are two civil servants, the Chief Immigration Officer and the Solicitor-General. Now I do not want to castigate civil servants or any particular division, but, generally speaking, when civil servants sit on a committee which is chaired by a Minister the experience and the evidence would suggest that if a Minister takes a position, the civil servants may not go against that particular position. Therefore, I submit that this committee could very well be a politically motivated committee. I believe that political considerations will be too dominant in the decisions of this committee.
11.40 a.m.

I do not think this is what we want. I do not expect us in this country to open the flood gates and allow whosoever will to come, but at the same time I would want to think that there are certain principles which are followed when these matters have to be decided. Already there are far too many accusations against the immigration policy in this country, accusations about the way in which decisions are made relative to people who are seeking to live in this country, whether as permanent residents or under immigrant status. I think that we ought to try to avoid that kind of thing. Accusations are not only leveled at people in Barbados involved in immigration. Immigration is a very ticklish matter all over the place. Sometime about three years ago a number of accusations were leveled against the Canadian immigration officials and the advantage which they were taking of people from the Caribbean, sexually or otherwise. I think one has to be able to avoid these kinds of things.

In the first instance, one would like to think that we have a clearly defined policy in this particular matter, but more so when it comes to the question of reviewing any cases which may come before the Review Committee. I believe that we ought to provide a step beyond that, so that if people are unhappy with the decisions of the Review Committee, they would have an opportunity to go before the courts to make representations on their behalf. Furthermore, I would like to think that a person who is appealing a decision to the Immigration Review Committee could have legal representation. Senator Williams has indicated that such persons will not be permitted to have legal representation. I think this is a bad decision, and I should like Senator Williams and the Government to take further counsel and advice on this, because it is all in the interest of ensuring that not only justice is done, but that people will feel that they can have justice in this particular matter.

SENATOR A. W. A. McCLEAN: In relation to 2(c) under Section 3, and I believe that Senator Linton might be able to shed some more light on this, this seems to be a type of ouster clause intended to limit the jurisdiction of the courts in this matter, but it does not mean that the court will never have the opportunity to make decisions bearing on decisions of this Review Committee. For instance, if it can be shown that the committee acted in bad faith, or if there are certain errors that stand on the face of the record that I am the Wendell McClean they are talking about and I am an immigrant, and they are holding me and pushing me through the door, on that basis I can show that they have made a genuine error.

Such things will be determined by the court. Where there is quite evidently a miscarriage of justice which is rooted in error which stands on the face of the record, or bad faith, or acting in an ***ultra vires*** manner, I believe one could still seek redress in the courts. In other words, the courts will still have to interpret this Act, and they

probably will do that in accordance with the tradition of Commonwealth justice, using British precedence.

SENATOR H. R. LINTON: Mr. Deputy President, I wish to thank Senator McClean for inviting me to make a contribution on this Bill, because although I was discussing the very points he raised with Senator Clarke, I had no intention of rising myself – I was going to mention it to Senator Williams.

Senator McClean is quite right. As we carry on our life in this Senate he astounds me with his knowledge of the law, even though his own discipline is that of Economics. I am surprised that Senator Greaves is not as seized of these simple matters as Senator McClean, because he should understand that there are certain Orders, to which I have no doubt Senator McClean was referring, called Prerogative Orders. Those are the Orders of *habeas corpus*, *certiorari* and *mandamus*.

This piece of legislation cannot arrogate to itself the right to oust those prerogative orders which are more embedded in the Constitution than some of us would like to think. They are designed for the precise purposes that Senator McClean mentioned. *Habeas corpus* would avail itself, for example, if it sees the wrong Wendell McClean, and *certiorari* and *mandamus* would avail themselves if perhaps in one respect one member or more of the committee had a vested interest or his duty conflicted with his interest. The other Order would avail itself if the committee acted in breach of the rules of natural justice or contrary to stipulated procedure. – So this section, though, as Senator McClean quite rightly observed, seeks to limit the jurisdiction, as it were, of the committee, it does not, in fact, in totality oust the jurisdiction of the court. That itself would be totally unconstitutional.

The other point made by Senator Greaves related to the composition of the committee. I myself do not have any hard feelings about the chairman being a Minister of Government. I can see the policy behind it. The Government wants to make sure that one of its senior members is in charge of this, because whatever matter you are dealing with in relation to immigration, it is going to point down to be a political matter. If you grant immigrant status to an Indian, they are going to say they are doing it to get votes. If you refuse it to someone from the islands, they are going to say you are doing it because that person would have voted for the Democratic Labour Party. Whatever decision is made by this committee, it is going to be regarded as a political decision. Time and time we have these arguments in here that we should not put politicians on these things because politicians should not be allowed to run them. Yet the decisions that are made directly affect the functioning of politicians. I do not see anything against the appointment of a Minister of Government as the chairman of this committee, particularly as he is out-numbered by the other appointees to the committee.

In subsection C of that section you have two other persons appointed by the Minister. Those I have no doubt will be members of the public. They do not have to be civil servants, and I suspect that they will not in fact be civil servants. So the argument that Senator Greaves raised in respect to civil servants not wanting to offend the Minister, who will be the chairman of the committee, will not hold good with regard to them.
11.50 a.m.

As far as the Solicitor General is concerned, or his nominee, I can see the reason for that as well. Obviously that is to make sure that someone with legal training sits on the committee to make sure that even though this committee is only exercising discretionary powers, it acts within the context of the law. Who better to advise the chairman of this committee than a member of the Attorney General's Chambers?

I do not share the misgivings that Senator Greaves has enunciated. I do not think that the Act will operate in the fashion that he envisages. As far as I am concerned, this particular piece of legislation is long overdue. I must congratulate Senator Trotman in his former capacity as Minister for Immigration. I think he should take the credit for this, because the Review Committee which he established has worked wonderfully.

There is only one stumbling block which is reproduced here, that is, that people are asked to appeal but they are never given the grounds for the refusal. I can well appreciate why the department does not want to give grounds for refusal, but it makes it difficult nonetheless for persons who wish to file an appeal to know the grounds on which they should file an appeal, and it is left to a lawyer to do a guessing game. Sometimes he guesses fairly successfully, but sometimes it is extremely difficult. Notwithstanding that stricture I wish to reiterate that the Review Committee has worked extremely well in the past, and I have no doubt that the Committee which this Bill proposes will function equally as efficiently, and I welcome the piece of legislation.

The final point I want to make relates to those people overseas who cannot comply with the 1977 Regulations and who have to send the information down here. I think the time has come when the Parliamentary Secretary must take a trip to England, specifically to look at the problems being experienced, and to institute a public relations system. We now have a good man down there who is responsible for the issuing of passports, and he is doing his best, but we need a public relations programme on an ongoing basis in these countries.

It would do the Government a world of good too, because what happens is that every time there is an innovation, or any time there is a perceived difficulty in these matters, the people in England say "Tom and the BLP get

down there and make it more difficult for us." It is always the Government. They never have a good public relations programme, and it is time that we get these Missions to get up and go out there and explain to the community what is happening. Later on I will have more to say about it when the other Bill for the purchase of the property comes up. I want the Minister to know that the time has come when he will have to go up there and instruct his officers, because his officers they are, what he wants done and how he wants it put across to the Barbadians in the countries.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, the Senator who just sat joined with other who seem to think that we should have legal counsel representing the interest of persons who seek to have decisions reviewed. I wish to point out, first of all, that the committee which is established and is now a body corporate was called a Review Committee deliberately, and not an Appeals Committee to give it the effect of a court setting. I believe Senator Linton would advise that if it were an Appeals Committee it would have certain prescribed procedures which would have to coincide with those of the regular court.

What happens is that a person who seeks any particular kind of immigration status in Barbados, be it Permanent Residence Permission to reside and work, or a work permit, makes an application to the Minister. The decision process in Barbados and in all Commonwealth countries, and even in America, is purely one of discretion. I do not want to go into the whole question of discretion, but the Minister having exercised his discretion, it becomes difficult to think that a committee which is going to review the discretion of a Minister could be headed by a person other than a member of the Cabinet, and therefore there is no question of having an outsider being the chairman. The chairman would simply have to be a person of equal status or senior to the person who made the first decision. The person appealing is seeking to have a review of how the Minister exercised his discretion, whether he exercised his discretion in accordance with the prescribed rules or not.

It is not necessary to have the grounds spelt out. You were refused because you did not have enough points in the points system, of which Senator Greaves has some knowledge. The mere fact that you say you want to have your case reviewed takes it out of the hand of the first Minister and passes it to a second Minister, who is encompassed by an attorney and members of the public. As Senator Linton points out, he is technically outnumbered, so there is no room for indiscretion on the side of the second Minister.

The fact that a second Minister is going to review the work of the first Minister puts pressure on the first Minister to be extremely careful in how he exercises his discretion, because it could be an embarrassing position if the second Minister has to be saying regularly: "Minister, you are wrong, Minister you are wrong, Minister, you are wrong." It is going to eventually reflect on his capacity to do his work properly. So I do not think we have anything to fear, really, from the Bill in Section 2C as it is.

Although passports is not technically an immigration matter, Senator Greaves raised it, and I want to answer him quickly. The issuing of passports in Barbados was a very, very loose arrangement under the police. No proper records were kept of passports that were printed, no proper records were kept of passports that were issued, and no record was ever kept of persons to whom passports were issued. With the establishment of the Immigration Department, we sought to regularise all these things. We found that some people in Britain – not a large number had managed to acquire Barbadian passports but whose citizenship was questionable, and therefore we sought to regularise the matter. Guidelines have been set down. In 1977 it was made clear in law that people who were born of Barbadian parentage overseas could register with the Embassy in the particular country to ensure that their records formed part of our Registry in Barbados.

I will tell you why it went wrong in Britain. The P.R. in Britain is done mainly through the Barbados Association of the U.K. That is an umbrella group which comprised several organisations, some of which are political organisations, including the Democratic Labour Party's U.K. branch. I am just illustrating the point that it is a very strange kind of group. It has politicians in it, it has students in it, all kinds of people formed the group.

Asides

SENATOR THE HON. O'B. TROTMAN: Yes, BOCFA; all kinds of groups.

The whole programme of regularising passports in Britain became a problem because the officers in the Foreign Affairs Mission in London objected to having to send any application to Barbados, and therefore they started a campaign telling people in Britain that the Government was trying to prevent them from getting passports. It is on record that one officer went to a meeting in the Midlands and actually signed a petition to the Government – although he was supposed to represent the Government, he joined in signing a petition to the Government, – to withdraw this system of controlling passports in Britain. So if the people whom the Foreign Service were paying to advise the people in Britain on how to get their passports were telling them it is wrong,

it is little wonder that the people in Britain got the whole thing wrong.

The fact is, a person who is born in Britain of Barbadian parents, provided that person qualifies to be a citizen, is in a slightly better position than any of us born in Barbados, because they actually get a certificate which attests to the fact that they are citizens of Barbados, and none of us in this Chamber, I do not believe, has such a document. If you turn up at the Mission in Caracas, you can scream that you are a citizen of Barbados and have no evidence to show it, but people who are born overseas are actually issued a document saying that they are citizens of Barbados, and it is signed by the Chief Immigration Officer. The documents are issued here in Barbados and sent to them in Britain, so they are, in fact, in a better position.
12.00 noon

I am not too worried about the complaints. It will take a little time to die down because a public outcry has been made about it. The officers who should have been advising people have been misleading them and it will take some time for that to sort itself out.

SENATOR J. E. D. WILLIAMS: Mr. Deputy President, I am very heartened by the reasoned contributions of honourable Senators. Senator Greaves did make a very reasoned presentation. He raised two points which were answered by Senator McClean in conjunction with Senator Linton. Senator McClean, apparently, has a very good grasp of legal matters and indeed Senator Linton only confirmed his interpretation of 2C of the Bill. The problem with passports was dealt with effectively by the acting Leader of the Senate. There is very little more that I can add.

SENATOR THE HON. O'B. TROTMAN: Before the motion for the Second Reading is put, Sir, there is a matter of house-keeping for today. With the absence of the President, I would beg to move that Senator Linton be appointed Chairman of Committees for today's sitting.

The question was put to the Senate and agreed to.

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

On the motion of Senator J. E. D. WILLIAMS, the Senate resolved itself into a Committee on the Bill, SENATOR H. R. LINTON in the Chair.

Clauses 1–12 inclusive were called and passed.

On the motion of Senator J. E. D. WILLIAMS the Senate was resumed and the Bill was reported as having passed Committee without amendment, Mr. DEPUTY PRESIDENT in the Chair.

On separate motions of Senator J. E. D. WILLIAMS the Bill was read a third time forthwith and passed.

NOTIFICATION DECLARING THE ABANDONMENT OF THE COMPULSORY ACQUISITION OF LAND AT TUDOR STREET AND SOBERS LANE

Order No. 33 was called – To move the passing of the Resolution to approve of the publication in the Official Gazette of a notification declaring the abandonment of the compulsory acquisition of land at Tudor Street and Sobers Lane.

SENATOR J. E. D. WILLIAMS: Mr. Deputy President, during October of 1980, parliamentary approval was given for the compulsory acquisition of three properties at Tudor Street and Sobers Lane for the purpose of providing a Youth Centre.

The property known as Youth Town, situated at the corner of Tudor Street and Sobers Lane and consisting of 6 431 sq. ft. of land was owned by the Methodist Church. The property on the south side of Youth Town and Tudor Street consisted of 6 666 sq. ft. and a wall building was situated on it, and was owned by Mr. N. Foster. The property to the east of Youth Town consisted of 1 953 sq. ft. of land that was formerly owned by Mrs. Spencer.

The legal processes of these acquisitions were never completed since action thereon was halted to allow Government to consider alternative sites for the location of the proposed Youth Centre. The first site that was looked at was a site adjacent to Murphy's Pasture. However, it was felt that this site was linked to the Cat's Castle Development and therefore a final decision was never taken on acquiring it. The former Community High School was the next area that was looked at. It seemed to have had adequate indoor and outdoor space and a proposal to use this site for the project was referred to Cabinet for its consideration. However, it was decided that that property which formerly housed the Community High School ought not to be acquired, and the decision was taken that what ought to be done was that Government should provide a larger grant to the YMCA to enable it to improve and expand its existing facilities, as it is generally felt that the YMCA should become a good youth centre for the city area.
12:10 p.m.

A subsequent decision was taken to abandon the acquisition of these three properties and to let them revert to their original owners. The owners have already been informed by Government that it is no longer proceeding with the acquisition of those properties, and therefore, in accordance with the provisions of Section 9(1) of the Land Acquisition Act, Cap. 228, the approval

of both Houses of Parliament must be sought for abandoning the acquisition of the three properties which were referred to earlier.

I beg to move that the Senate Concur in this Resolution.

SENATOR W. W. HALL: Mr. Deputy President, there has been a lot of talk lately in youth circles; there has been a youth congress and even some criticism of Government policy by the ex-President of the Barbados Youth Council. All I have gathered from the relevant Government department is that the gentleman had waited until the Minister was out of the country to criticise the Government's youth policy. I do not know how true that is, because it would stand to reason that when Ministers are going out of the country, all and sundry know. The Leader of the Senate is not here today. I do not know when he left, and I dare say that people would probably not know, but I think the crux of the matter is not the Minister being out of the island or not, although if he were here he would have been able to explain, I suppose, because there are other people in the Ministry who would know exactly what the situation is.

We have to be very careful in dealing with youth. As I have said before, we will never understand the behaviour patterns of young people if we do not know their needs. The needs of the young people in Barbados are somewhat like the needs of youngsters in other countries, developed or undeveloped, and I feel that if the Government now feels that the YMCA is a centre for youngsters, I cannot but say that that is a marvellous idea.

If the Minister searches the files in the National Sports Council, he will see where when I was a member of that body it was my opinion that the YMCA site was a marvellous site, and it is still my opinion, not only for sporting activities, not only for housing the youngsters of the city and giving them recreational facilities, but indeed for an auditorium. In those days, they used to say there were members who came to eat there and play billiards every day, they had a cricket team, and they felt that to stop them from playing there would have been wrong. That was not my idea. I thought it was a magnificent site because of the fact that it was easily accessible to many of the thickly populated areas in Bridgetown and its environs. One only has to see the effect when there is basketball, when you will find 2 000 or 3 000 people going to the games on Tuesdays, Thursdays and Saturdays, and yet they are able to get home because they are well within the bus route. That is not the case with the National Stadium. I think everybody understands that problem. People feel that, all of a sudden Waterford is in the country.

There has been a stigma attached to Youth Town. People believed that when you are born poor and you congregate to play games, that that is a place where you will get the bad Johns and all that. The contrary is true. It is in a situation like that where kids are able to assemble and play games and be taught the rudiments of good living. That is the time you find you get useful citizens coming out of the areas that are considered poor. Most of us in here know that is true because we are from the proletariat. This does not apply to Senator Linton because when one looks at his sartorial splendour today, you must be aware of the fact that this is nothing that has come to him lately, as to some of us – this is something he has had from the time he was born.

I remember with disgust, although it is a number of years now, the times I went to the YMCA. I had just come back from playing cricket overseas, and I thought that cricket had done so much for me, I would do something for the youngsters in this country; and as I looked around, I thought that the YMCA was the best place. There were many boys playing basketball, table tennis, cricket and football and using the facilities, and I went to a gentleman called Mr. Barrow, who was the man in charge of things at that time, and I told him I felt that the time had come when we could encourage some of those youngsters to play the game at a competitive level. It is important that you play at a competitive level. He asked me what I had in mind. I told him I could hardly afford it, but that I would donate a cup for competition among the schools in Barbados, but with the stipulation that the boys from Youth Town be included. I wanted them to rub shoulders with the boys from Harrison College, Combermere and Lodge School. There were no comprehensive schools. It was not like today with Ellerslie, St. George's Secondary and the others. He agreed.

12.20 p.m.

Do you know what happened, Mr. Deputy President? The first year, the competition went off, perhaps with a few snags. But I am sad to relate that somewhere in Bridgetown that cup is lying, unused and unwanted, and my money is gone – just because I was fostering good relationships among the youngsters. That is a burning shame and a disgrace. I really feel that way. It was felt that the boys from Youth Town at that time should not be playing in the competition, and since it was a stipulation from yours truly that they had to play, things fell apart.

When it comes to games like table tennis, everybody knows that the champions that this country has produced have all come out of a situation like Youth Town. It is with that in mind that I speak about the Youth Town problem. We are not going to acquire the land and have it down in the area that was proposed before, and it is now going to the YMCA. I am hoping that in getting these facilities at the YMCA it would encourage everyone to pay special attention to the youth of this country in the pursuits of excellence, whether it is on the cricket field, the football field or in this forum. Let us train them. In

providing these facilities, it means that we would be getting better minds and, as a consequence, better human beings in the future. I think that this is very important. We have to stop the youth from thinking that the politicians want to use them, and as soon as they cannot use them, things like subventions go by the wayside. That is the accusation. We have to put that right. We have got to let the youngsters understand what is required of them. We have to be shining examples so that when they look at us, they can say, "I would like to be like him" or, "I would like to be like her". I feel that if we can do that the youngsters would have a good platform from which they can emerge into useful human beings and proud Barbadians.

I say this not in a political sense, but because I feel that when the youngsters of this country take to dope and crime none of us are safe, whether you are BLP, DLP or ZLP, it does not matter. They do not ask you your political persuasion when they are robbing you. These things concern me greatly and they should concern every Senator in this august Chamber.

I hope that the Government can come up with a youth policy which would give the youngsters of this country some hope. The youngsters of this country want to know what is going to happen to them. They want guidance from us, and they feel that if we cannot give them this guidance, there is no hope. Let us pray then that the proposed National Youth Council will be the answer, or part of the answer, or the beginning of the answer.

We must be aware of the fact that it is not the boy who comes from a small village or a back street who becomes a criminal. Sometimes, one finds that those who come from the best of homes fall foul of the law. The only thing is that if you are able to give them some help, people will not hear of it, whereas in other homes you are bound to hear about it, because there is no help forthcoming.

Mr. DEPUTY PRESIDENT: Senator Hall, I think that you have moved substantially from the subject of the Resolution.

SENATOR W. W. HALL: Substantially, Sir.

Laughter.

SENATOR W. W. HALL: The point I am making is that the past President of the Youth Council has criticized the Government's policies. The Government's officials have replied that he has waited until the Minister is out of the country to make his accusation. All I am saying is that when you get these people who have been affiliated to youth clubs and they make statements like that, people tend to listen. Therefore, Government of necessity, must now come up with a youth policy which would let all of us know what path they are on.

I am sorry if I seemed to have strayed. Perhaps, you misunderstood me. I am so sorry about that. I do not think this is the time or the place to make statements that are considered to be far-flung. I am serious about the youngsters in this country and I know that you are. I am sorry if anyone in this Chamber thinks that I am deviating from the right path. I am not.

I am happy to see that the YMCA was chosen, in view of the fact that, not so long ago, I thought that the YMCA could have been made a lot more use of. I see that they were trying to sell it only last year. That hurts me, because I feel that it could have been used long ago for the betterment of the youth.

SENATOR E. E. GREAVES: I know that when Senator Hall speaks on matters relating to youth, he speaks with feeling. I think this is a matter which is very near and dear to him particularly when one recognizes the tremendous amount of work which he has done among youth not only in this country, but in all areas of the world where he has lived and worked. So I believe that we ought to pay some very special attention to the concerns which he has raised relating to youth in this country.

Senator Williams indicated that in 1980 Parliament gave approval for permission to acquire lands for the purpose of constructing Youth Town. But we are now here being asked to revoke that because the Government no longer wants to proceed with that acquisition, but would want to take the project over to the YMCA. I am concerned that it has taken four years for this decision to be arrived at. This is something which one is seeing too often. I believe this is about the third or fourth time within the last three years that we have had a situation where Government has notified owners of property that they are going to acquire, and then some years subsequently the owners are told that the Government no longer needs the land.
12.30 p.m.

I think this puts owners in a very difficult position. I know of a case in St. Lucy where the manager of Crab Hill Plantation has been told since 1977 that the Government proposes to acquire an area of land at Archers Bay for a community centre and a playing field, and he therefore should not do anything with the land. Quite recently I happened to visit him and he raised the question with me, and I had to let him know that whereas he was raising the question, I could only listen because I had no authority. I promised him that at the first opportunity I got that I would raise it. He has this land which, I suppose, he wants to get rid of, either to make it available to the Government – if the Government

is going to buy it for community development let them make a decision on it – or he could probably seek Town and Country permission to have it sub-divided. But he is being kept in a position where he does not know what is happening with the land.

This is happening too often. I do not know what is the attitude of the people whose lands were acquired in relation to Youth Town, but I imagine that there probably could be a bit of a problem in that whereas they thought they would have disposed of the land, now they have the land back in their possession. I would like to think that firm decisions are made and policies executed in a much quicker manner than we are seeing, because it is four years that these properties have been taken over and been out of the people's hands.

It is good to hear that some effective use is going to be made of the YMCA. Like Senator Hall, I believe that particular property was under-utilized. Now that Youth Town is going there, I hope that it will serve a much more useful purpose and that the injection of money, which presumably the Government would put into the YMCA, would see that particular institution getting out of the financial problems which it faced some years ago, even to the extent where they wanted to put the whole property on the market for sale.

More specifically, I think Senator Hall raised the question of the abandonment of these properties as considered under this Resolution in the overall context of a youth policy, or indeed, as he pointed out, the lack of the youth policy by the Government. There is some disquieting news relative to this question of youth affairs in this country, where accusations are made to the effect that because the Minister responsible for Youth was not able to get his way in a particular matter, the subvention to the Barbados Youth Council was withheld and has not been given for a period of time. Government would have a more positive policy in this particular area. I believe that our young people have a lot to contribute towards the development and stability of this country, and they ought to be given some opportunity to play a meaningful role in the development of Barbados, and not have people use and twist them around at their whims and fancies. That seems to be what is happening in relation to youth policy, as practiced by the Barbados Labour Party Administration. I hope that we see a turn around in this policy and see more integrity in dealing with our young people by the Minister responsible for Youth. I hope that the problems which have arisen between the Ministry and the Youth Council will be set aside.

I noticed that the Ministry seems to be moving. I heard the Minister responsible for Youth Affairs, Senator Barrow, on television the other night at the launching of a seminar of the Barbados Youth Congress making the point that the opportunity was provided for the Barbados Youth Council to function in an effective manner, and since it was not functioning in an effective manner, the Government had to take the lead and come in and set up an institution to get the youth organizations together. If we are talking about the involvement of young people, I believe that Government ought to play a limited role and that the whole profile of the Government in this kind of organization ought to be as low as possible; that is you provide financing, opportunities for training and opportunities for young people to be involved in decision making in the various statutory corporations. In that way, you will provide avenues for young people to become involved and to develop training skills and decision making skills.

As far as Government intervening to the point of saying what should be done or should not be done, I believe is an invasion which should not be tolerated or allowed. There is no wonder, therefore, the Ministry responsible for Youth Affairs is having that kind of trouble with the Youth Council, because it would seem as if you have some strong individuals in the Youth Council who are not prepared to allow the Ministry to push them around. They, I believe, recognize and remember very well the way in which Hitler infiltrated the youth organizations in Germany in 1930, and do not want to see a repetition of that. I think history is replete with these examples, the most prominent one being the infiltration of youth organizations by Hitler, which had very, very serious implications for the entire world. If the Government infiltrates the youth organizations, as advocated by Henry Forde in an address to the youth arm of the Barbados Labour Party, the League of Young Socialists, when he advised them to get out and infiltrate all of the organizations in Barbados, we are at the crossroads as far as a youth policy is concerned.

I should like to see the young people being able to make their decisions without any force on the part of the Government, and that they are given the opportunity to really have a say in their future. I am also disturbed at the way in which the policy for youth, which the Government has, is being implemented. I am not going to say anything more at this point because another opportunity will arise, I am sure, when I will be able to give chapter and verse of a number of things which I have observed, because even at my age I am a member of at least two youth clubs, and I know what I am talking about.

12.40 p.m.

SENATOR MISS J. CLARKE: Mr. Deputy President, while I appreciate the sentiments expressed by Senator Greaves with regard to the inconvenience or embarrassment which property owners may encounter where Government finds it necessary to abandon the intention to acquire property, I think it is better that such abandonment be pursued where it is subsequently found

that alternative sites would be better suited to particular projects. In this particular case I think that the land which is being abandoned is in a good prime area for commercial use, and therefore the owners should not have difficulty in finding alternate buyers.

I feel, too, that the use of the YMCA would be much better for any youth centre for Bridgetown than the location which is to be abandoned. It is common knowledge that the YMCA has rendered very good service to the country throughout the years and has in fact been suffering financial problems for a long time. I think that the proposal as outlined by Senator Williams is a good one which would provide a much needed shot in the arm, and I hope that as the plans develop we will see a very improved situation developing at that particular institution.

Senator Greaves has made the point about Government intervention in areas of youth work, and he seems to be seeing the development or institution of a National Youth Congress as being a political move. I do not view it in that way. In fact, if my memory serves me correctly, I believe it is true to say that the Youth Council, which still exists today, was the result of Government initiative, in that when the Youth Council was formed several years ago, it came into being as a result of the efforts of members of the Social Welfare Department. All you are saying is that the Youth Council has not lived up to expectations and it is believed that another body might better serve the purpose of the youth of the country.

I think it is unfortunate that over the years the Youth Council has become associated with political involvement, and it is unfortunate that the young people have allowed themselves to be used. Really the Youth Council as it exists today – and I believe it must be getting on to 25 years of age, or at least 20 – really has not made a significant mark, and I think it is a pity. I think they must look to themselves to see why this should be so. I grant you that it is difficult for any umbrella organisation which is not well funded to achieve miracles, and indeed we have organisations such as the YMCA and the YWCA which have suffered despite the fact that they are largely adult in membership, but I think the problems which the Youth Council has faced over the years have been largely of their own creation, and it may have stemmed from a lack of understanding of their proper role. I do not think that they have achieved the amount of respect among the youth organisations in the country which they ought to have achieved. If the formation of a Youth Congress as outlined is going to improve the situation, then I think all good and well.

I support the Resolution, which I think is a wise one, and I sincerely hope that the owners of the property in question will have no difficulty in finding alternative purchasers.

SENATOR J. E. D. WILLIAMS: Mr. Deputy President, I must thank Senator Clarke and, in some respects, Senator Hall. Senator Hall, whenever he speaks on matters pertaining to youth, gives us the impression anyway that he is speaking with a certain degree of conviction and compassion.

Senator Hall started off by saying that he really saw the wisdom in the Government using the YMCA rather than continuing to acquiring the three pieces of land. I believe that for too long enough attention has not been paid to the YMCA. I believe its location is good, it has great potential for further development in terms of providing facilities , and I would have to agree with Senator Hall that, ultimately, it should be converted into something like an auditorium.

Senator Hall, however, went on to make reference – and Senator Greaves did subsequently as well – to the Barbados Youth Council. I have had occasion to speak about the BYC. I said then that it has failed the youth of this country, and it continues to do so. It is punctuated by political aspirants and nothing else. They are only individuals who think in terms of asking Government for a subvention every year. The only time you can find people from the BYC going to the respective Ministry asking about anything, is when it has to do with money. What they do with the money you never know.

I have heard the same individual who made all these bland statements recently in the Press being interviewed recently on radio and being asked to simply identify some of the things the Barbados Youth Council has done in the last ten years. He started off by saying that at its inception they lobbied for the voting age to come down to 18. I would have to say if they made a contribution in that regard it is a plus. The person who was interviewing them asked him to continue. He had great difficulty in saying anything else that the BYC had done from then until now.

It is an organisation that you find at every Annual General Meeting provides the forum, the mechanism for somebody to get up and to get headlines in the Press next day, which is Sunday, because the meeting is normally held on a Saturday, so you get Sunday Press. Apart from that, absolutely nothing, and for a long time both Governments have been expecting the Barbados Youth Council to play its part in terms of making a contribution when it comes to questions of youth in this country. It has failed the then Administration, in my opinion, and it continues to fail this one.

I hear mention of people like Dennis Hunte, who was the first President of the BYC, a man who was a

former Senator. We are hearing that the Barbados Labour Party is setting up a National Youth Congress and because they are going to set it up, it will have to be political, but when the Youth Council was set up under the Democratic Labour Party regime, headed by a person who ran for political office, we were asked to believe that it was neutral. There was nothing political about that one, there has got to be something political now about a National Youth Congress.

If the Barbados Youth Council continues to fail the youth of the country, the Government has a responsibility to those individuals who, to my mind, represent about 67 per cent of this society. If you look at population statistics you will find that persons under 35 years of age represent something like 67 per cent of this society, and if you have an organisation like the BYC that is supposed to feed information to Government and it continues to fail and not perform its function, then Government would have to set up that kind of mechanism to get that kind of input which can inform its decision making. It certainly is not the Barbados Youth Council.

I would be glad tomorrow if Government was in a position to say we see signs that the BYC can perform the role which we think the Youth Congress can perform. I would be happy, because, ostensibly anyway, it would have an image which would suggest that it is neutral. But that is not the case. It is not functioning, it has not functioned, and Government cannot continue any more to fail young people in this country. It has to set up some kind of institution, and if the Barbados Youth Council means well when it comes to youth, they can make an input, they can make a contribution as well, rather than people getting up and making statements about arrogance and belligerence on the part of the Minister. Those are bland statements, and I am very surprised to hear reference made to the thing. In a sense, Mr. Deputy President, I quite agree with you that we have all moved away from the Resolution, but you had a Barbados Youth Council where members took the grant that they were given, and some of them found themselves as far as Cuba. For what reason I cannot say, Why did they not go somewhere else like Jamaica, to Kennelworth, and see how the youth camps there operate? They found themselves in Cuba.
12.50 p.m.

They argue year after year for the money, and then when you ask them what they are going to do with it, they cannot say. The Government has been forced to take that same money and give it to many youth organisations in Barbados, because via a trickle down approach or what, those youth organisations never used to get any of the money. The money used to remain at the top. They used the money for fellows to get to Cuba, and those people now come and go on the radio trying to castigate the Minister, when the Minister is only doing the job that the Barbados Youth Council is supposed to do. I honestly believe that the setting up of a National Youth Congress cannot come too soon because the Barbados Youth Council has failed young people. I am aged 35 and I am included in that group. They have failed me.

I really have to, in some respects, support Senator Greaves when he made the point that four years is a little too long. I am sure that no Government would try to make the time frame within which they are going to make a decision as long as possible. It is fairly obvious that if you identify an area and if you see somewhere else that is better, like Senator Clarke has said, then, I think, it is incumbent that the Government should shift its emphasis from the original location to the place which they consider as being better. I am very sorry in this case that it is four years, because they might have been operating under the illusion that it was going to be acquired, and after four years might not be able to find buyers.

Senator Clarke has said that the land is in a very good location and can be considered as prime land. All of that is true, but, nevertheless, I think it is something that we have to be cautious about, and it is a very significant point that Senator Greaves has made. But let me hasten to say that there is no insensitivity of Government in this regard, because Government tries its best to expedite matters, and it is only in those cases where we have found better or alternative accommodations that we have shifted our emphasis from the original acquisitions.

Senator Greaves, as always, must make reference to St. Lucy. For what reason, I do not know. St. Lucy has a representative, and I believe it will have the same representative for quite a long time, but, nevertheless, he continues to make reference to St. Lucy. I cannot say it is dear to his heart. I would be presumptuous to say so.

He made reference to some piece of land that Government intends to acquire at Archer's Bay. When the National Park is all completed it will stretch from Archer's Bay to Ragged Point. The Deputy Chairman of the National Conservation Commission re-assures me of this and, therefore, I am not even sure whether or not this piece of land does not fall within that area. But Senator Greaves can rest assured that any problem that anyone has in St. Lucy has always been taken care of or articulated by the present representative.

I trust and hope that in the not too distant future, we will see a nice complex at the YMCA, so that we can be justly proud in saying that we have finally provided facilities for people within the city area. It has been long in coming, and I really hope that the people in the city finally have found a resting place.

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

BORROWING OF EQUIVALENT TO US $11 MILLION RE ASSISTING IN FINANCING ROAD MAINTENANCE AND REHABILITATION PROJECT OF GOVERNMENT

Order No. 16 was called – To move the passing of the Resolution to approve the borrowing of an amount in various currencies equivalent to US $11 million from the International Bank for Reconstruction and Development (World Bank) for the purpose of assisting in the financing of the Road Maintenance and Rehabilitation Project of the Government.

SENATOR THE HON. C. A. GRIFFITH: Sir, the Resolution seeks to approve the borrowing of $11 million from the World Bank for projects in the Ministry of Transport and Works. The two projects that are focussed on in this programme are a programme of road maintenance and the rehabilitation of approximately 64 kilometres of primary roads, and a highway safety programme, including the improvement of sections, road alignment, sidewalks and the procurement of equipment, and the institutional strengthening of the Ministry of Transport and Works.

The emphasis on the Ministry is to try to implement by the end of March, 1986, an integrated accounting system which would provide for cost accounting, looking at the construction and maintenance costs, and monitoring a day-to-day system for financial management. It will also look at the establishment of a small Planning Unit to assist in improving investment and budget priorities and looking at in-house analysis and co-ordination within the Ministry. This has been a study that has been going on for some time, and the recommendations have been supportive of improving the institutional framework of the Ministry so that it can become a more effective organ in the Government.

The loan is repayable twice annually, in October and April, commencing in 1987 and ending in 1999. Interest is payable on the principal amount of the loan withdrawn and outstanding from time to time at a rate per annum for each interest period equal to one-half per cent per annum above the cost of Qualified Borrowings for the last Semester ending prior to the commencement of such interest period. A commitment fee at a rate of three-fourths of one per cent per annum on the principal amount of the loan not withdrawn from time to time and a front end fee of US $27 431 are also payable.

Mr. Deputy President, Sir, I beg to move that the Senate concur in this Resolution.

1.00 p.m.

SENATOR E. E. GREAVES: Mr. Deputy President, when the Government comes down with a Resolution to borrow money, I think it raises a number of questions in the minds of members of the Senate and in the minds of the members of the public, particularly when one is conscious of the fact that we already have a very serious mounting problem of debt in this country. I know that I will be told that we have nothing to fear, because we can meet our commitment as far as the repayment of our debt is concerned. The standard criterion which is used and which I have heard in here over and over again, to substantiate the arguments which have been advanced by the Government is that a low percentage of our foreign earnings goes into servicing of our debt. I think that this criterion, which seems to be the standard one applied to Barbados, is something which is going to land us in some very serious trouble.

Mexico and Brazil a couple of years ago were pioneers for the banks. They were supposed to be some of the fastest growing economies in the western hemisphere, with a lot of potential, but what has happened to those countries? They have now become almost bankrupt, they are certainly unable to meet the debt servicing which they have been able to accumulate in the recent past. Indeed the situation has become so bad in these areas, particularly the developing world, that far from countries which are in debt being in a weak position in terms of negotiations with the banks, they have become very strong in that they can now dictate to the banks the way in which they can repay their debts.

We in the Democratic Labour Party are very concerned about the mounting debt which seems to be accumulating in this country. In 1976 our total debt, and I am speaking purely from memory now, was somewhere in the vicinity of $258 million. In 1984, I am told that the debt is somewhere just a little beneath $1 billion. In that short space of time we have been able to accumulate debts in excess of $700 million. I think we have to stop and ask ourselves a number of questions. Where are we going? What do we have to show for it? Indeed the question which Senator Williams asked relative to the Barbados Youth Council about money which they were collecting as a subvention from the Government and not having anything to show for it is a criticism that can be levelled at the Government. There is over $700 million in debt, and what do we have to show for it?

We are being asked to give approval for the borrowing of US$11 million, Bds$22 million, for the purpose of assisting in the financing of the road maintenance and rehabilitation project of the Government. It was a deliberate and conscious policy pursued by the Barbados Labour Party not to do anything to the roads, and they allowed the roads in this country to get into such a state of disrepair that we in the Democratic Labour Party

were drawing to the attention of the Government for a long time that if you allowed our roads to deteriorate to the extent that they allowed, when it came to rehabilitation of these roads it would take well over $25 million.

We are seeing now that the Government is seeking to borrow $22 million for the purpose of rehabilitating 64 kilometres of road and some other surfaces which they want to do. That has to be taken in the context of the Transport levy, that additional tax which was imposed on the taxpayers in this country. When it was imposed, it was stated very clearly that it was to assist the Government in its road programme, and also in reorganising the Transport Board, purchasing buses. We have all of this money there from which to draw. I would have thought that the Minister would have been able to give us some outline today, since we are dealing with money for road maintenance and rehabilitation, about what is happening and what has happened with the money which has been taken out of people's wages and salaries for the Transport Levy. What has been done with it? Is it still there sitting down in the Treasury or wheresoever it is and not being utilised? You should do that rather than coming and on top of that imposing further burdens on this economy.

The Government would not take advice. If the Government had had a continuous policy and a programme for the maintenance of roads which was initiated by the Democratic Labour Party, we would not be in this position today. The Government was warned about that kind of wrongheaded and pigheaded approach of not doing anything at all to the roads, and I am saying that the roads throughout this country are in a horrible state. To think that the Government has allowed this situation to develop now so that it would appear as if in one fell swoop it can solve that problem is totally unnecessary, because this could have been avoided. But I suppose the Government probably has certain dates in mind, and therefore you allow a situation to develop and deteriorate to such an extent that coming up to a certain date you start all of this massive road programmes so that you can point at what you are doing, finding jobs for people. People want jobs, but you cannot employ everybody who is out of work on road building, although there would be a lot of high profile activity, and at least you will see people working, because they would be on the roads.
1.10 p.m.

Those of us who have been concerned with the state of our roads have been saying that there is need for a proper programme. This programme should not be on any political basis. It should be on the basis of touching every area and making sure that roads all over the country get some attention. I think it is grossly unfair for any Minister of Transport – and it seems as if this seems to be a weakness of Ministers of Transport – to tend to look after their constituencies first. I think that is bad. Those of us who have not had an opportunity to be Ministers of Transport have been saying over and over again that you need to have a programme where you will take the politics out of it. I hope that there would not be any politics in this and that you would have a situation where all the roads which need fixing would be done and dealt with not only from the point of view of priority, but also ensuring that all the areas get as much as possible.

Senator Griffith indicated from Section 3 of the Addendum to this Resolution the repayment rate for this loan. Just for my enlightenment, I should like to get some explanation from him about the term, "Qualified Borrowings for the last Semester". All of us may not be *au fait* with these terms which are used in the borrowing of money and, therefore, I think we ought to be enlightened. I hope that when he replies he will be able to do that.

As I said, the Barbados Labour Party Government allowed the roads in Barbados to deteriorate. And they did it deliberately, because they did nothing about it. If you look around not only at the road surfaces, but the curbs, once upon a time people would have been employed in trying to clear the gutters of debris and clear the grass from the roads. None of that is done now, so when there is a slight amount of rain, the roads become flooded. I think that we ought to get back to a proper programme for the maintenance of roads in Barbados.

I see here that part of the objective of this project is to improve the capacity of the Ministry of Transport and Works to plan and execute road maintenance and rehabilitation work. I believe that this is long overdue. If there is some success in this particular area, then I would think that we are going somewhere.

But I must confess that I am particularly disturbed about yet another act on the part of the Government which will further push our National Debt closer to the one billion dollar mark. If the Barbados Labour Party people are not concerned about that, as a citizen, I am concerned about it, and I am sure that there are a lot of citizens in this country who are concerned about our ability to pay. I think that our recent failures in tourism and in agriculture, particularly in sugar, will indicate very clearly that we ought to be very careful that the criteria which we have used to justify our ability to pay might be fast disappearing.

We ought to be very careful about this. I think that some reason has got to be brought to bear on this situation. And this is not the only Resolution that we are going to be considering today for borrowing money, I will be expressing similar concerns when the occasion arises.

SENATOR C. A. GRIFFITH: Every time there is a question of a Resolution involving the borrowing of

money for capital projects, we hear of the National Debt, we hear the fulminations from the other side in matters which I am satisfied are beyond the comprehension of some of the people who like to speak on these things. I keep saying in this Chamber that every time these people get up to talk about the past and about what is happening, they should remember that they had power in this country for fifteen years.

Our goodly Senator talked about the Transport Levy; he said he does not see what is happening with the Transport Levy and that it is an additional tax on the people of this country. He wonders what the people are getting for it. I am sure that the Senator in his meanderings from Rock Dundo Park to the Union Headquarters and elsewhere might have avoided passing over the new Bridge Road bridge. Even if he did pass at some time during the construction stages, if he could read, he would have been able to read that this was the Transport Levy funds at work. Why would he ask for an explanation of how Transport Levy Funds are spent when he sees that.

The Government gets blamed for the state of the roads. Of course, the Government must get the blame for everything, but I like the point made about the additional tax. I should like to deal with that, because it is relevant to the debate as far as the World Bank is concerned. When we talk about additional tax, we must remember that the World Bank has imposed tax on the people of Barbados under the Democratic Labour Party. We hear about the Constitution of the country being left in Washington and that they will bring it back when they are returned to power. But they are the first people who took it to Washington, because the 5 per cent Sales Tax that was imposed in this country in 1974 was imposed on a recommendation from the World Bank in 1973. If one cares to look at the World Bank Report of 1973, one will see that.

I keep hearing the Leader of the Opposition talk about having institutions like the World Bank make decisions for these poor countries. I agree with him. That decision was made for a country which never had the institutional framework to incorporate a 5 per cent Sales Tax regime, or any kind of Sales Tax regime, if you want to look at the whole problem of the Sales Tax collection, even now. But yet in 1973, when it was imposed, it was accepted willy nilly by the then Government, which is now trying to talk about taxes on the people, a Government at the time when people earning twenty-five dollars a week were paying Income Taxes added a per cent Sales Tax. Today you are talking about people who have to pay a Transport Levy where they are paying no taxes on $145 per week or less.

The goodly Senator went as far as Central America and all down in South America to talk about countries which have debt problems, from Mexico he went to Brazil. If you are going to talk about the problems of countries and if you want to analyse the economic situation of these countries, you must try to understand what you are reading, try and understand why Mexico and Brazil had their problems and try to relate it to Barbados.

1.20 p.m.

What happened with those countries? They were caught up in the flow of petrodollars to the western banks, when oil was being sold at high prices and when the banks were overflowing with money to lend out, and when bankers were going with briefcases and just asking countries to borrow money willy-nilly. That is what caused those countries to get into problems. There were problems in Mexico because PAMEX, one of the biggest employers in Mexico, the Mexican National Oil Company, a borrower in its own right, incurred great debt along with the corruption that was going on there. So you cannot equate Barbados with the Mexican problem or you cannot equate Barbados with the Brazilian problem. You have to understand the situation as it is in Barbados and understand the situation as it is in Mexico, Brazil, Poland and in the other countries that have had those problems. You do not have to be a sharp economist like Senator McClean or Senator Owen Arthur or some of the people in the Central Bank to appreciate them. A little reading and understanding would help. We cannot make political points on these things all of the time without ourselves understanding the implications of what we are saying.

We have roads in this country, tenantry roads and other feeder roads, that have been destroyed over the years as a result of the pace of economic development. Twenty years ago how many heavy duty trucks could you see in Barbados? Let us be realistic. Our roads were not built to accommodate the kinds of trucks that we see around Barbados, that are owned by the big construction companies and even some of the road building companies themselves. They were not built for those purposes. You just do not go and say – you are going to try and build roads to accommodate those overnight. It takes a lot of detailed study because you want to build to accommodate heavy-duty traffic and because of the lack of experience in the past.

We keep complaining about what we have borrowed money to do. I do not believe that it makes sense for a Government to get up and say that we have a low debt profile, like the Democratic Labour Party liked to say – $258 million in National Debt in 1976 – which had 28 per cent unemployment and borrowed money to pay civil servants salaries. You can criticize a low debt profile where there is no effort to improve capital formation in the country and, therefore, the country suffers economically. But here it is you are talking about a situation in which you can identify where the money has been spent. We have invested $100 million for a

cement plant alone, in the parish of St. Lucy, the parish in which that goodly Senator was born and which he so dearly loves, a cement plant which will solve some of the problems of construction in this country, a cement plant which can provide cement to build roads in this country.

I keep wondering why we must go through this formality if we do not understand the relation of National Debt to capital and economic development of the country. I get very concerned about somebody who says that you are borrowing money and it is going to lead you into serious trouble without explaining to me what trouble you can get in. I do not believe in borrowing just for the sake of borrowing either. I am not going to support that. But I believe if you are concerned and you know where the dangers are, spell them out to us; if you cannot do that, then I am satisfied that you should forever hold your peace on matters which are beyond your comprehension and knowledge. I keep talking about the need for people to get up in here and generate headlines without saying anything of substance, and I really do not want to continue talking to our friends about this kind of problem. But I think that it is about time when you are dealing with serious matters that you develop an understanding so that you can explain to the people in Barbados what you are doing.

Later in this session I believe we will have more of an opportunity to talk about economic matters, because there are other Bills which have that kind of relevance in today's proceedings. Therefore, I will say no more at this time but to move that the Senate concur in this Resolution.

Mr. DEPUTY PRESIDENT: The question is that the Senate concur in this Resolution.

SENATOR E. E. GREAVES: Sir, I just want to query something. Senator Griffith is well informed and well versed on matters relating to economics and finance, and borrowing. I should like to find out if he would condescend to explain to us what is the meaning of the cost of "Qualifying Borrowings for the last Semester"

Asides....

SENATOR E. E. GREAVES: You are the Minister. Then why do you come down here with this and cannot explain it? I want to find out.

SENATOR THE HON. C. A. GRIFFITH: Mr. Deputy President, I am getting a simple explanation made out for him.

SENATOR E. E. GREAVES: I think this is a reflection on the Minister and his capabilities.

Mr. DEPUTY PRESIDENT: The question has already been put.

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

SUSPENSION

Mr. DEPUTY PRESIDENT: I propose at this stage to suspend for a period of 40 minutes. The sitting stands suspended.
1.30 p.m.

ON RESUMPTION

Mr. DEPUTY PRESIDENT: The sitting is resumed.

LAND DEVELOPMENT DUTY (RATE OF DUTY) ORDER, 1984

SENATOR THE HON. C. A. GRIFFITH: Mr. Deputy President, I suppose this Resolution should not involve too much debate. Simply, Sections 5(1) and (2) of the Land Development Duty Act, Cap. 78 provides that there shall be charged, levied and paid on the capital gain arising on the occasion of every transfer or sale of any land in a special development area, at any time during a valuation period, a duty, called a development duty at the rate specified in accordance with subsection (3).

The Minister proposes to impose by the Land Development Duty (Rate of Duty) Order 1984, a development duty at the rate of 50 per cent in respect of the following development areas:

The Heywoods– Speightstown area
The Deep Water Harbour Extension
The Spring Garden-Fontabelle area.

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

The question was put to the Senate and agreed to.

BORROWING BY THE ISSUE OF TREASURY BILLS FURTHER SUMS NOT EXCEEDING $100 000 000 TO PAY OFF AT MATURITY BILLS ALREADY LAWFULLY ISSUED AND OUTSTANDING

SENATOR THE HON. C. A. GRIFFITH: I believe that this is the Resolution that some of the goodly Senators would have been waiting for to provide them an opportunity to talk about the National Debt, but I suppose that all the complaints would have been exhausted and I do not anticipate too much difficulty in this one.

Simply put, the Act for Treasury Bills provides that whenever authorised by a Resolution of Parliament the Minister of Finance may borrow through the issue of Treasury Bills sums not exceeding the amount specified in such Resolution. So far, a total of $325 million has been authorised by Parliament. The value of Treasury Bills issued and outstanding at the present time is $323.7 million, leaving an amount available for issue of only $1.3 million.

The Government's financial programme for the year projects that we will spend about $602 million. The revenue projected was $611 million, which gives us a projected surplus on current account of about $8.8 million. There is also a projected programme for capital of $195 million, which gives us an overall deficit of $186 million. But there has been an amount of $133 million in projected financing which has been identified so far. Indicated in this are foreign loans of $26 million, banking source, $48 million; debentures, $20 million; and Treasury Bills, $35 million, for the total of $133 million.

It is to be noted that in this financial programme which includes the issue of Treasury Bills for $35 million, and there is only $1.3 million available in the Treasury Bill limit, the Government needs to increase its authorisation for Treasury Bills from $325 million to $425 million, an increase of $100 million. The new limit will not only satisfy the requirement for this year but will leave room for further issues of Treasury Bills during the next financial year.

This morning we heard about some public debt, and I want to give some figures. It is estimated that the public debt will increase from $818 million at the end of 1983 to $859.8 million at the end of 1984, an increase of 5 per cent. As of 31st August this year, last month, the debt stood at $843.2 million. This figure, added to the $35 million which we are seeking for Treasury Bills at this present time, with amortisation payments then subtracted, provide the figure of $859 million I mentioned above.

The foreign component of the public debt is expected to show a marginal increase in absolute terms from $340.3 million in 1983 to $340.5 million at the end of 1984, some $200 000. Percentage-wise the foreign component has dipped slightly from 42 per cent in 1983 to 40 per cent in 1984, at 2 per cent drop. This stabilising trend being exhibited by the foreign component of the debt has come about simply because most of the external loans earmarked for the funding of major capital projects during the last few years – Spring Garden, St. Barnabas highway, school buildings, – have been fully drawn down and some repayments on previous loans have been made.

The foreign debt component of the public debt requires foreign exchange to service it, and of course it is important that one recognises that foreign exchange can come from only three major areas as we see them right now, the export of goods and services, sugar, tourism earnings and manufactured goods. Usually the criterion for evaluating whether or not you are not in deep trouble with your foreign debt service is to look at it as a ratio of payments to foreign exchange earnings. In 1983 the debt service amounted to 8.5 per cent of total exports of goods and services, and the ratio for 1984 is expected to be 9.7 per cent.

I do not want to say too much about this, and I believe we may get some comment again on the size of the debt and whether or not that kind of ratio is one with which the country can live, but we know that in some cases, if you look at the profile of countries that are more developed than Barbados, you usually find that in some areas, they are worse off than Barbados. Say like in Argentina, where I was hearing the Minister of the Economy saying some time this year that they were using two-thirds of their export earnings, or a little more than that, to service their foreign debt. That is a very dangerous situation – two -thirds represents over 66 per cent – because then you had difficulty in really doing anything with your domestic economic situation if you are going to earn foreign exchange, and indeed it limits your ability if you have limited foreign exchange to pay for goods and services that are to be imported.

That kind of situation is undesirable in Barbados and I do not suppose that any responsible Government would find itself climbing to those undesirable limits. When you compare that to the situation in Barbados, where you are talking about a projected 9.7 per cent debt service ratio, I think we can safely say that we are far away from ever being in a difficult position to service our debt. Indeed, I would go so far as to say that wherever the Government is represented, one of the things we get is considerable praise for the fact that this country is a good credit risk. It has a very good international credit rating, in other words, and that is why it is so easy for the Government to attract offers of loans at all times for support for capital projects.

I beg to move that the Senate concur in this Resolution to increase the Treasury Bill limit to $100 million.

SENATOR E. E. GREAVES: Mr. Deputy President, I would not let this Resolution pass without again making my contribution. As I said, when it comes to borrowing I must express some concern about this. This particular Resolution, however, has to do with domestic borrowing, which I suppose in a way takes on a different look.

What concerns me about this is the fact that the Government is now competing on the local market for scarce money with the business community. It is almost

as if the Government is withdrawing money from the source, or the amount of money which will be available to the private sector for productive purposes. Indeed, I think that this is a matter which the Government itself recognised in the 1980–81 period when so much local money was taken up by the Government in Treasury Bills to finance Government projects. I am pretty sure that it was admitted that this was a bad decision on their part to have done this so we have this kind of situation being repeated.
2.25 p.m.

Once more I want to voice my concern about our debt and the servicing of our debt. Senator Griffith indicated that our ability to service our debt must relate to our foreign exchange earnings, and I said that one has to be very careful with this, particularly in the light of the fragility which is being experienced in our foreign exchange earning sectors, whether it is in manufacturing, in sugar, or whether it is in tourism, the three key areas of foreign exchange in this country. One can very well find a situation developing where even although at the present moment it is 9.7 per cent, you might find that if we do not earn the foreign exchange, as all indications would suggest that we are going to have a downturn in our earnings this year and in years to come, then one would find that the percentage is going to rise.

At present, companies are going into liquidation. Hotels are groaning under the weight of taxation, the cost of utilities and not having enough people to keep then in a viable operation, and, as a result, a lot of them are going under. Just last week Club St. James, that is the hotel just outside of Sandy Lane going towards Speightstown, had to close its doors, and over 100 people were laid off. They cannot even, as they said, meet their commitments for holidays with pay and other things which are due and owing to the people who were employed there. As a matter of fact, a lady on Wednesday called me indicating that they owe her now about $5 000 for vegetables which she delivered to the hotel, and she finds herself in a situation now where apparently she cannot now recover that particular debt, I think, a serious matter.

Tourism seems to be in a very bad way, in spite of the many statements which have been made by the Government about how the numbers of tourists seem to be increasing. In truth and in fact, that may be so, but, certainly, the length of stay and the kind of expenditure which the tourists are involved in has taken a serious dip. Normally at this time of the year, July, August and September one finds that there used to be a tremendous boost of tourists from Trinidad and Tobago. Now, I think the hoteliers will tell you that they have felt the pinch this year in as much as it would seem as though – I do not know if it is a policy decision – Barbados as a destination for Trinidadians seems to have taken a very deep dive and now comes very low on their priority ratings. I understand that Trinidadians are now encouraged to go to Margarita, an island off Venezuela, in which they can get duty-free shopping to the same extent that they used to enjoy in Barbados. The earnings which we are expecting from that sector are just not there.

When it comes to sugar, those of us who have been following the fortunes of sugar in the last decade would appreciate that sugar is in a very serious state. I understand that the total earnings from the 1984 sugar crop is expected only to be about $63 million, which is a far cry from what was anticipated and indeed from the kind of contribution which sugar has made to our foreign exchange component over the years. There was a time when sugar contributed, in some instances, in excess of $100 million, but it is down almost by half.

When we come to manufacturing, we have a similar situation in that our manufacturing sector is almost dead. Again, the earnings, except from, I believe, Intel and a few of the companies which are involved in the high or semi-high tech areas, are not responding to the projections which were made.

So we have to be very careful with this. I am asking the Government to be cautious in borrowing, not only local borrowing, but foreign borrowing. Since this particular issue of Treasury Bills refers to local borrowing, the point which I am making has to do with the fact that the Government, by doing this, is going out on the open market and is competing with the private sector for what scarce resources are available there, and they are taking a large slice out of the local money market. I can see this having a developmental effect in terms of its being for the good and promotion of development but it could lead to some serious problems if we are really going to be talking in terms, as we ought to be, of putting manufacturing, tourism and sugar back on their feet.

I am very concerned about this. I notice from what the Minister has said that this would now move the limit from $325 million, to $425 million and will give the Government the leeway for the next year or so to be able to go and borrow without having to come back to Parliament. So we will see a continuation of this borrowing, I presume, by the Government on the local market for the next year, thereby, if the facility is utilised, aggravating the problem.
2.35 p.m.

SENATOR A. W. A. McCLEAN: Mr. Deputy President, I first want to comment on the suggestion that this Resolution is expressive of an attempt by Government to compete more vigorously with the private sector for funds in the local market, and the added suggestion that this should not be so. In financing

Government expenditure, there are four ways in which this can be done: through taxation, through local borrowing, through foreign borrowing and, the fourth, through borrowing from the Central Bank, what we call printed money. If we engage in borrowing from the Central Bank, this quite early results in the erosion of the foreign reserves of the country, it is particularly dangerous and it returns to haunt the country. It creates problems such as Jamaica now confronts, therefore you must avoid that at all costs. If you take the option of borrowing overseas, you have to be very careful about the limits to foreign borrowing, as has been already indicated by Senator Griffith, that we do not put ourselves in the position of Argentina and other countries of that type. So, very often, you find that where a clear determination is made as to the appropriate levels of Government expenditure and the appropriate levels of taxation, then the desired route is for Government to raise as much as reasonably possible through borrowing in the local market. Remember that taxation is a form of competing away local resources, but in a way which is rather more final than borrowing, that is, you appropriate incomes on to the Government while the borrowing route is that you just borrow their incomes and you pay them back some time, and many people would prefer Government to borrow from them than to tax them.

Again, you should not get caught up in the notion that Government should not be involved in competing with the private sector. This is a necessary thing sometimes. It is not necessary all the time, and if done in sufficient amount could result in a deterioration in the balance of payments of the country. We recognise that the private sector has its financial requirements and these have to be met, but these should be taken into consideration at the level of the overall planning of Government expenditure.

Again, notice that the amount of credit in nominal terms in the country expands from year to year, indeed from month to month and from week to week, and you only get Resolutions in Parliament once a year or thereabouts for expanding the Treasury Bill limit. In a sense, therefore, these Resolutions can often be seen as restoring the real position. Three hundred and twenty-five million dollars a year ago is rather more than $325 million now in terms of what it represents of the share of domestic credit.

In those terms, I do not see any specific need for alarm. However, there is one little point in the wording of the Resolution to which I would like to direct attention to find out whether or not the Resolution is adequately explained by Senator Griffith. I am referring here to the third line in the main part of the Resolution:

> "Be It Resolved therefore that the Minister responsible for Finance be authorised to borrow by the issue in this Island of Treasury Bills further sums not exceeding one hundred million dollars and such sums as may be required to pay off at maturity, bills already lawfully issued and outstanding, "

I wonder if this is a provision for $100 million plus an additional amount for the specific purpose of paying off outstanding bills, meaning that the amount outstanding at a particular date can be temporarily in excess of the $325 million on condition that the excesses were specifically earmarked for reducing outstanding bills. That is the way I read it, but I wonder if I might have misinterpreted the content of the Resolution.

SENATOR THE HON. C. A. GRIFFITH: I am trying to look at the Resolution again. It does seem a bit ambiguous to me, but I will get clarification on it. I do not think it means that we are going to borrow more than $100 000 000.

I detected a more reasonable approach by the spokesman for the Opposition on this Resolution relating to the economic situation. I believe that after a good lunch he probably digested, in addition to the fare, what was said this morning about appreciating the need to be rather sanguine about these matters since there is no cause for alarm.

In addition to the points made by Senator McClean on the question of the competition that Government borrowing provides in the local market, this is a classic argument being used, for instance, in the United States of America today where the excessive demand of the Government to bridge the budget gap is competing with the private sector organisations in the United States, the manufacturing industries, and it has more validity in the United States. When you look at what is needed in Barbados by the private sector honestly, and what is needed in the United States in the private sector, there is no comparison at all, and when we start worrying about whether the private sector has enough access, I am satisfied that there is access.

I know there is a lot of pity in Barbados and a lot of concern expressed for the poor manufacturers, the poor businessmen in this country, and while I am very concerned about the problems of the manufacturing sector, because I believe that a vibrant private sector has done a great deal for this country, and as long as it is supported by the Government will continue to do more, we must remember that some of the problems of the private sector are problems brought on by the private sector itself, problems of poor management, problems of lack of understanding of financial control. These kinds of problems are problems that you cannot blame the Government for, and these are things endemic in the business community today in Barbados, and that is a fact of life. So when you hear that the Barbados Manufacturers Association is castigating the Government for not helping the private sector or whatever other private sector groups, you must remember that they must clean up their own backyard. When we hear of the failing of some of these companies where people are thrown out of work, we must remember that everything that should be known has not been said about the failure of some of the companies.

There is not even all that can be said by us about some of the people who get around talking that we must have CARICOM or perish and that it is nonsense to talk about extra-regional markets. I am satisfied that it is incumbent upon the private sector, with the assistance of Government and Government agencies, to try and make sure that we take advantage of extra-regional markets. I keep saying in here that the regional market is only limited, that it can only go so far, and you are limiting yourself within a given area in terms of being able to compete if you believe that you can operate only in a protected market and do not feel the repercussions at some point in time.

I take the points made by Senator Greaves about the fall in earnings in sugar and the tourism problems. Indeed, when you talk about tourism, I think there are lessons in tourism for all of us. I have always said that Barbados is a country where we have been successful in our tourist industry for many years in spite of ourselves. I like that terminology. People came to Barbados, they enjoyed the sand, the sea and the sun and nobody bothered them. They went and told their friends what a good time they had in Barbados. All that is finished. We are facing an increasingly competing world where people do not have to come to Barbados for sand, sea and sun. They can go to the Mediterranean Islands or to Italy. What people must understand is that as bad as people may say New York is, or as bad as London may be, if they want to see Buckingham Palace they must go to London, and they must go to New York if they want to see the Empire State Building, and they must go to London and New York if they want to do business. They do not have to come to Barbados for sand and sea and sun, they can go any place else in the Caribbean.
2.45 p.m.

This means that we must certainly look again at the kind of product we have to sell. My own view of the product is conceptualizing the fact that you must think of Barbados in terms of Barbados as a country attracting people for business, not only offshore business, but also business in the field of energy. I was just in London talking to people who are interested in building a windmill in Barbados for our Windmill Research Project, and they kept talking about the number of people who are interested in coming to Barbados just to see how the Barbados Windmill Project will work. That is an area of tourism.

You need quality tourists. You do not need people who are going to come – this is a thing that is prevalent now – to Barbados and want to know if they are going to get pass the Customs with the food they are bringing in. This is a common thing now, bring in the food, look for an apartment hotel with all the ancillary services and cook their own meals. So even though you may say you have numbers of tourists, you have to think in terms of quality. As my friend said, it is statistics. You have more tourists but they come and spend less. You need to have more and more of the up-market type of tourist who will come and spend money and support the ancillary services.

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

PROPERTY TRANSFER TAX (AMENDMENT) ACT, 1984

Order No. 20 was called – To move the Second Reading of a Bill to amend the Property Transfer Tax Act, Cap. 84A.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, this Bill seeks to give effect to the Budgetary Proposals delivered by the Minister of Finance and Planning on April 17, 1984. In those proposals certain changes were made with respect to the Property Transfer Tax. For example, with effect from April 18, 1984, the current rate of Property Transfer Tax in the case of the local vendor has been increased from 3 per cent to 5 per cent, and the current rate of the tax in the case of the foreign purchaser has been reduced from 17 per cent to 10 per cent.

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

SENATOR E. E. GREAVES: I take it that the Property Transfer Tax has to do with the question of the value of a particular property, because I do not think that we could get a transfer tax unless we know for sure what the valuation of that property is, which brings me to the question of valuation of properties in Barbados.

There is concern throughout the length and breadth of Barbados by property owners about the high valuations which has almost doubled in three years, which have recently been placed on their properties. I have seen tax bills for properties. There is one for an area of land in St. Lucy which was shown to me and the valuations have doubled. I am told of one person in Flint Hall whose house was valued at $60 000, and the valuation of that is now $440 000.

Sir, where are we going in this area? I think that we have to be realistic. I believe that a lot of these valuations are unrealistic. I do not know what criteria are used for establishing the valuations, but I am satisfied that there are a lot of unrealistic valuations particularly in this last one.

The whole process of appeal is a joke, because in order to get a review of your assessment, what do they ask you on the form? You have to supply what you think is the valuation of the property. You have to supply a statement from a competent valuer. You have to go through all

sorts of rigmarole. It means that you have to put yourself to expense that you may not be able to afford, because there are a lot of people who cannot afford to pay the taxes, which if you use the present rate is going to be extremely high. They would not be able to pay the taxes which would be imposed because, as has been pointed out, the present rate of valuations was fixed when the value of properties was very low. I do not think that the rate has been revised for a long time, maybe not in decades.

Not only are people concerned about the high and unrealistic valuations which are put on their properties, particularly during the last valuation, but they are also concerned about the fact that the rate which is now applicable for taxation purposes has not moved. Therefore, having to pay the same rate on a valuation which has quadrupled over a very short period of time will mean that people are going to be in a very serious state. I think that this is something which the Government ought to pay some very serious attention to; otherwise, the Government might very well find itself in a position where it has these high valuations and may have to come and take up the properties. The last state of demand would be worse than the first. You have high valuations, you cannot collect the taxes and people would tell you to keep the properties, as some people in Jamaica did, as I understand it, at the airport; they sent a letter or message to the Government telling them that they can collect the keys at the airport for the property.

I do not think we would want to have that happening in this country. I am therefore appealing to the Government from this floor to be a little more realistic, try to get a re-valuation and set more realistic criteria for determining the values of properties in Barbados. At the same time, I am appealing to the Government to reduce the rate which is applicable in this area so as to ease the burden of taxation which will necessarily fall on people.

What will happen if this state of affairs continues is that you will find that this will keep spiralling. It means that the business community will have to absorb this additional cost, and what will happen is that prices are going to rise as a result of that, because the only way you are going to absorb the cost is to put a little something extra on their goods and services. I am sure that Senator Seale, as a good businessman would recognize that. He is not a philanthropist, he is not in business for his health, although it would seem as if the business is doing his health some good.

Aside.

SENATOR E. E. GREAVES: But I am sure that is not the only reason for the success which he is making.

Aside.

SENATOR E. E. GREAVES: Oh, good rice! I cannot advertise the rice that you are selling. You always want to advertise what you are selling.

Costs are going to rise and this will mean that prices will rise. Landlords will, of necessity, push their rents up. I think that it creates the kind of climate which will not be good for our economic and social health. I hope the Government would take my reasoned appeal in this matter to heart.

2.55 p.m.

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

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

Clauses 1 and 2 were called and passed.

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

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

STAMP DUTY (AMENDMENT) ACT, 1984

Order No. 37 was called – To move the Second Reading of a Bill to amend the Stamp Duty Act, Cap. 91.

SENATOR THE HON. C. A. GRIFFITH: This is another Bill which seeks to give effect to Budgetary Proposals for the year 1984. The Stamp Duty was raised from 3 per cent to 5 per cent in the Budgetary Proposals, 1984, among other things.

One other point that should be brought out is that in the Budgetary Proposals provision was also made for a rebate under this section to people or manufacturers who import raw materials for re-export, and it has been seen as an incentive.

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

SENATOR C. D. SEALE: Sir, I think in this Bill there is one section that has been left out. I believe that a rebate on Stamp Duty should be allowed, that is goods re-exported in their same state. What is happening is that no Stamp Duties are being given back or rebated for goods that are re-exported. It means that if we are trying to build up a trade with the small islands, these goods become uncompetitive, because paying a Stamp Duty at the rate of 5 per cent and not being able to have it rebated means that our prices here are much higher.

There is a lot of business to be done in Barbados with the small LDCs, if we can become a centre here for goods for reshipment. It is not always possible for these goods to remain in the Bridgetown port. We have to bring them out and pay import duty on them. While there is provision for the duty to be rebated, there is no provision for the Stamp Duty to be rebated. I wonder if the Government would take a look at that.

In declaring an interest in the case of goods manufactured, I have noticed that they do not allow goods that are packaged in Barbados and are exported to benefit. They do not seem to think that the people in Barbados that package the goods are Barbadian workers. We are losing out there again, because in our packaging industry we are using the same raw material; we bring it in and we send it back in a different state – but we are not actually manufacturing anything so we are denied rebate not only on the Stamp Duty, but also on the duty as well.

In my business we sent a couple of shipments of packaged rice – very popular you know – to St. Lucia. But unfortunately we are unable to get back the 15 per cent duty and the 5 per cent Stamp Duty. This is a high duty and it makes the product much more expensive at that end. So although we make efforts to land the raw material a lot cheaper than what the islands can land it at, our problems come because of the duty not being rebated. I would not mind if that was looked at as well.

SENATOR E. E. GREAVES: Senator Griffith in introducing this Bill said that the rate was being removed from 3 per cent to 5 per cent. The fact of the matter is that one has to look at the impact of this Stamp Duty, because Stamp Duty, as I understand it, goes on everything which comes into Barbados except goods over $100 000. There was an outcry when the Stamp Duty was increased or was put on as an additional duty in two or three Budgets ago. I think this is even making the situation worse, because to raise it now from 3 per cent to 5 per cent means that this must have an impact on the final cost of goods, and also some services, which will eventually reach the consumer.
3.05 p.m.

It was imposed since April. This is just now the legislation validating that, and one is glad to see that the Government did not wait until ten months to bring in this bit of legislation. It only shows that it is possible for the Government to get legislation in in a reasonable time. But my main concern in this particular matter, to which I would want to draw to the attention of this Chamber, is that the Stamp Duty continues to have an upward impact on prices in this country.

I recall when the Stamp Duty was imposed there was an outcry from the insurance business about the effect of the Stamp Duty on insurance business. I seem to recall that there was a rate per thousand of the policy, and as a result of the representation which was made, and certainly the position which was taken by the Democratic Labour Party on this matter, pointing out the error which was made by the Minister of Finance in putting on this particular tax, we have had a change made. I think a more reasonable position was taken where the Stamp Duty now goes on, as we understand it, not on the value per thousand of the policy but on each policy which is issued, which I think is a more reasonable position.

One has to watch and certainly be very concerned when we see the Government taking these avenues to raise taxes, thereby making it more difficult for people to exist in this society.

SENATOR A. W. A. McCLEAN: Mr. Deputy President, I think we should note that the Stamp Duty provided for in this Bill is really a tax on goods passing through our Customs and therefore has the same effect as Customs Duty or Import Duty, whatever you want to call it, and as such it constitutes, especially moving from 3 per cent to 5 per cent, moving from being a trivial to what can now be regarded as a significant departure from the free trade arrangements which exist under the CARICOM Treaty and the Common External Tariff arrangements. CARICOM goods are now subject to 5 per cent tax, and we would have deviated from the structure of the Common External Tariff by the extent of the Stamp Duty, and remembering that the Stamp Duty is on top of the Import Duty, it is rather more than 5 per cent.

Perhaps the time has come for us to entirely review the provisions of the CARICOM Treaty to determine the basis on which we should continue our regional integration experiment. All of the other countries, or at least the major or larger countries, have breached the agreement in one form or another, and in Barbados we also have our breaches which are not trivial by any means, so we should get together and agree on something which we want to work rather than pretend that something exists which is not working in any area at all.

SENATOR D. A. C. SIMMONS: I want to support Senator McClean on that last point and to raise another matter.

In imposing these measures, these various taxes and duties on goods and services, I think soon from now somebody has to sit down and do a detailed and in-depth study as to whether in fact they are incentives or disincentives, and to what extent the imposition of these duties cut across the objectives for regionalism and the exchange of persons and so on throughout the region. You can have some very analogous and incongruous situations. It is not to do with duties necessarily, but it

exemplifies the point I want to make in the area of work permits.

We talk about CARIFESTA and a cultural exchange of artists from the area. We seek to promote regional artistic talent. That is all well and good for CARIFESTA, but if a performer wishes to come from Trinidad you want him to pay on a work permit and all of that. The man is coming for a night. I think it is a disincentive and it is a nuisance tax. The $60 or $120 you get is a waste of time and you do a lot of damage at the level of the attitudes of people. You get people fed up. You cannot go to Barbados to perform because you have to fill up all these forms and pay all these taxes, and you are only going for a weekend. I do not mind the little entertainment tax, even if you say you are entitled to entertainment tax, but work permits? Rubbish!

It was funny in March this year. The Barbados Turf Club goes out of its way to promote a spectacle like the Cockspur Gold Cup and to bring thousands of people to the Garrison. It is a spectacle that has done Barbados so well that Barbados has been featured in magazines overseas, not only pure racing magazines, but also fringe magazines like Horse and Hound. They now call it a group race overseas. We invite four or five horses from Trinidad to come to lend some competition to our horses so we can beat them up and feel proud of something. Do you know the Turf Club had to pay a duty and a Stamp Duty on a horse? A horse which is coming in to Barbados for a week to race and go back out the next week? That is rubbish. I do not know who thinks out these things, but there should be some wide provision to exempt.....

Asides

SENATOR D. A. C. SIMMONS: They had to pay Departure Tax too? I would not be surprised. They would soon want an airline ticket tax on them. It is true that horses have passports. I had to dramatise this with something that would appear to be comical, but is absolutely true.

I think somebody should be there in one of the Ministries or whatever that is easily accessible when you have a situation like this, which you should never have but you have because it is legislated, to appeal to them and say it does not make sense. The person should be able to say it is a disincentive to regionalism and exchange, so forget it. But the rigmarole you have to go through! You have to pay Stamp Duty on a horse!

SENATOR THE HON. C. A. GRIFFITH: When one starts to think of fiscal policy where taxation is employed – I heard the terms incentive and disincentive one has to think in terms of what the measure is designed to do. There is no doubt in anyone's mind that if a Government imposes a tax it intends to raise revenue, but there is also another reason for the imposition of a tax, and it is to be a disincentive for some form of consumer behaviour. It can be designed to stop people from buying imported goods, for instance, and I have no doubt that honourable members recognise that this is a policy of the Government. So if the Stamp Duty is raised, it may be designed not only to raise revenue but to put a control on consumer behaviour in some form or other.

In Trinidad, for instance, we had the imposition of the ECO forms across-the-board, which were designed to control the haemorrhaging of foreign exchange from that country last year, and we know the history of the ECO form. We know that it has caused a lot of chaos in the Caribbean as far as the manufacturing entities are concerned. We know that it even caused problems within Trinidad, because some people took advantage of that type of system.

3.15 p.m.

In the LDC's there is a 15 per cent Stamp Duty. In Barbados we are talking about 5 per cent, and we hear that this is designed to interfere with CARICOM marketing arrangements. I know that Senator Greaves likes to talk about how these taxes will create hardships for the people of Barbados, and, of course, increase prices, but look at the inflation rate. What is the inflation rate in Barbados today? That is the yardstick. We have had single digit inflation over the past year. I believe the rate is at 5 per cent, and the stamp duties have been collected. These new stamp duties have been in effect since the 18th April, and there is no discernible increase in the inflation rate, so what is the point you are making? Where are the increased prices that are coming in the wake of the 2 per cent increase in Stamp Duty? Has the imposition of the Stamp Duty done any serious damage to the price of retail goods in the community? Inflation in some months has dropped lower than the average annual rate of 5 per cent. I say that it has not done any damage and I think that is the point.

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

On the motion of SENATOR THE HON. C. A. GRIFFITH, Mr. DEPUTY PRESIDENT left the Chair and the Senate resolved itself into Committee on the Bill, SENATOR H. R. LINTON in the Chair.

Clauses 1 to 4 inclusive were called and passed.

On the motion of SENATOR THE HON. C. A. GRIFFITH, the Senate was resumed and the Bill was reported as having passed in Committee without amendment, Mr. DEPUTY PRESIDENT in the Chair.

On separate motions of SENATOR THE HON. C. A. GRIFFITH, the Bill was read a third time forthwith and passed.

BORROWING OF $3,551,850 FROM THE ROYAL BANK OF CANADA (LONDON) FOR FINANCING THE PURCHASE OF THE PROPERTY AT 263 TOTTENHAM COURT ROAD

Order No. 25 was called – To move the passing of the Resolution to approve the borrowing of $3 551 850 from the Royal Bank of Canada (London) for financing the purchase of the property at 263 Tottenham Court Road, London W.I., to house the Offices of the Barbados High Commission and other associated bodies.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, the Barbados Government has various offices in London, chief of which is the office of the High Commissioner, presently located at Upper Belgrade Street. The lease on that property at Upper Belgrade Street expires in early 1987, and it is not considered that we should enter into any agreement for that property. The Government, therefore, has considered purchasing a property at Tottenham Court Road, and it is expected that the property at Tottenham Court Road will serve to house the Barbados High Commission, the Barbados Export Promotion Corporation, Caribbean Airways, the London Branch of the National Bank and the Tourist Board in London.

We have looked at it, and it is considered that the ground floor would give ground floor access to the National Bank which, at present, operates out of the basement of the High Commission at Belgrade Street. It is the only bank in a basement. Then we have Caribbean Airways on Brutten Street and the Tourist Board itself presently on Belgrade Street, which is not exactly the kind of accommodation one would expect to find people who are in a promotional business occupying. It is somewhere at the back of the stairs going up to the High Commissioner's office in Belgrade Street.

We are expecting to have better facilities at Tottenham Court Road, facilities which would encourage Barbadians in London, as well as tour promoters who have to deal with the Embassies, to go to these offices, and we intend to provide adequate accommodation for all of them. The Resolution seeks parliamentary approval for our borrowing of the money from the Royal Bank of Canada for these purposes. The Addendum sets out the conditions under which the loan has been negotiated.

I want to stress the fact that the present location of the High Commissioner's office in London does not lend itself to regular visits by persons who are Barbadians in London, except they have to go to the Embassy, whereas in Tottenham Court Road people would be much more inclined to get off the tube and do their business at the Embassy.

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

SENATOR D. A. C. SIMMONS: I am very happy today. I cannot imagine the Government doing anything that I have advocated for a long time but in a previous debate in here, if not in the Estimates this year, the Estimates last year, this is precisely what I called for. I incurred the wrath of some of the people at the Tourist Board when I had to level strictures against the operation in London. They have at last rationalised the situation, having all the various agencies representing the Government at one location, an accessible location, more accessible than where it is at Belgrade now, and I compliment the Government on this and I hope that we can see more rationalisation in other areas in the not too distant future.

I would only trust that, with a spirit of nationalisation, in looking at the people who are going to be given the job of refurbishing these premises at 263 Tottenham Court Road, some consideration would be given to Barbadians who work in that business in England. There are a few good reputable Barbadians who are in the business of rehabilitating and refurbishing flats. I know one who works for some Arabs and he does beautiful work. If you can get some Barbadians involved in it, I think it would all be to the benefit of the country. Third World countries have to understand that when they are in these kinds of markets they are fair game for persons in the first world who are waiting to rip them off, the rip-off artists, in every sphere, so it might be well for them to advertise and go out to tender and hope that they get a few Barbadians who can do the work well and at a reasonable price for them.

3.25 p.m.

SENATOR H. R. LINTON: Mr. Deputy President, I rise to support this Bill for several reasons. While I was living in England, when I became a student, I worked both with the High Commission and the Tourist Board, and therefore I am very familiar with the operations of the Tourist Board and the High Commission in London, and I have felt for some years, and have indeed said so in here as well as elsewhere, that they were too cramped for space firstly, and, secondly, that the location which the Democratic Labour Party went and hurriedly bought in 1967 to satisfy the whims and fancies of a High Commissioner who was not a Barbadian was very out of the way. In fact, they bought the lease on very unsatisfactory terms. Even though I had just embarked upon law studies, I was very dissatisfied and very enraged that they should have allowed an expatriate High Commission to inveigle them into purchasing something of that sort. But that is water under the bridge. We have lived in it for about thirteen years, and now we are getting out I am extremely happy.

I trust that the workers up there will take the opportunity to co-operate with each other now that we have tourism, Caribbean Airways and export promotion together with the High Commission and the National Bank. Right now you have rigid divisions even though the Tourist Board is under the stairs, as it were, at the High Commission. They come to work there together, they meet together and they probably play cricket together sometimes, but never the twain shall meet, and there is not this co-operation that you need if you must have a successful entity.

I discern signs of Caribbean Airways going its own way, and I think it is rather timely that we should in fact have got it under the same roof as the High Commission and the other bodies so that they can all buttress each other. I just travelled by Caribbean Airways to and from London, and there is not total satisfaction among the staff at all. Part of the problem is that an English public relations firm has been hired to go down to Gatwick to make sure that Barbadians who are boarding the plane are happy, and these English people whom they send down there to Gatwick do not have a clue who is a Barbadian from who is a Ghanaian. I do not think they are performing a function at all. I am going to write the chairman, Mr. Herbie Yearwood, about it. I have not got around to it yet, but I certainly will write him, because I think it is a waste of time and money having that English firm as the public relations firm. I have nothing against English people, I rather like them, but so far as their performing the duties of public relations officers for Caribbean Airways at Gatwick is concerned, I do not agree with it.

The High Commission knows of this problem because when I was there I was talking to Mr. Harold Brewster and he was highlighting this very problem, and indeed talking to someone on the phone about it as he mentioned to me. So if the High Commission could be closer to them, then they could in fact guide each other.

So far as the Tourist Board is concerned, I do not want to get too involved in that, because the last time that came up for discussion it was Senator Greaves who took it to task and it was me who had to take the lashes. I hope that as they are moving into new premises with more spacious surroundings and they will be more centrally located that they will now reach out to the people in London who are dying to come home.

I think from talking to them that they are still perhaps aiming at the wrong market. They are still aiming up market. I gather they are quarrelling because the promotion is going from home. We have to aim at interest groups, we have to aim at Barbadians who have been there for a long time, we have to aim at cricketers. With the value of the pound people do not want to come home individually, they cannot afford it, so we have to aim at the down market tourists, people who want to come home in groups and try to revive the charters that we witnessed in the Sixties.

I said earlier speaking on another Bill, the Immigration Bill, that I would return to this problem. I know that part of the problem at the High Commission where it is presently situated is that they sit in little rooms and very often the officers do not see each other for a large part of the day, and sometimes for weeks, because of the layout of the building. I do believe that with the acquisition of the new premises these problems will be alleviated and the officers will be able to confer more regularly and we will have a better system where each officer knows what is going on. When I was there, I wanted to discuss something with the gentleman who was sitting downstairs issuing passports. He had not seen a newspaper for four weeks because it took that long to get from upstairs.

Our public relations is still lacking as well, and we do not have the officers going out as they used to. They complain that they are hamstrung because they have to phone home to get permission to go out of London. That may be so because we have a tight situation here and we have to control them, but that is no excuse. I am going to write the Minister about this because I think some of our officers up there are not really getting out as they should. They want to get out to Manchester, Birmingham, Liverpool, Ipswich and places like that and talk to the Barbadians and do a proper public relations job.

A lot of this sprang from the fact that their surroundings were less than salubrious and they could not operate at maximum efficiency. I have seen the premises which we now propose to buy. I went there a day or so after the Foreign Minister, Mr. Tull, and the Permanent Secretary, Mr. Babb visited, and I think it is a marvellous investment. As a matter of fact, if the Democratic Labour Party had done something like this when they bought the 13 year lease in 1967, I do not think they would have got thrown out of power. That alone might have kept them in. It is good that we are buying this. We should have bought it thirteen years ago.

I wish to congratulate the Government. They were a bit slow in doing it, but now it is coming I welcome it. I want to support Senator Simmons in suggesting that when they are going to renovate it Barbadians should get a little pick. When the present premises were renovated one or two Barbadians had a little pick there and they were very happy, and they continue to do the maintenance. There is a very qualified electrician, the brother of Clement Lashley, the lawyer, who has been asking for a pick, and I do not know if they are too keen on giving him, but I want the Minister who is introducing this Resolution to voice the concern of myself and Senator Simmons to the Minister concerned and let him send up a message to Mr. Harold Brewster, the High Commissioner, that Bajans up there must get a pick.

Some of the Bajans who want a pick are from St. Philip, and they cannot vote down here, but they must get a little pick in those renovations. Things are bad in England at the moment and a lot of people are out of work, so the more work we can give to our people the better.

SENATOR C. D. SEALE: Mr. Deputy President, I support this Resolution, and like the other Senators I wish to congratulate the Government on their decision to buy a property in England rather than continue to make a lease. Indeed, if the property had been bought in 1967, Barbados would have been selling it now at a very handsome profit and it would have helped our balance of payments, because I am quite satisfied that the valuations have skyrocketed since 1967.

There is a point about which I am a bit disappointed. I get the impression that we are being rubber stamps in this Resolution, because we would have thought that we would have had a photograph. We do not know where it is. I would have thought that they would have produced some sort of floor plan, maybe even a future floor plan, that we could see. While I have a general idea where Tottenham Court Road is, I like to see who is around and that type of thing to see whether we really have made an excellent buy. I think to buy a property is very excellent, but whether we have bought the right property or not I cannot really tell from just saying that it is at 263 Tottenham Court Road.

I was very pleased to note that Senator Linton was originally involved in tourism. I did not know he worked in tourism. I think we should try and get him back there because I think he would do a wonderful job for us.

Speaking on tourism, there is a lot being said in Barbados about the high exchange rate against the pound and how the pound has dropped so low. But there is one interesting fact, that in 1979 when the pound was worth around $4.70 or $4.80 we had less visitors to Barbados than in 1983 when the pound is down to only $3.00. It only goes to show that it is nothing to do with the value of the pound that is responsible for getting people down here. When the pound was very valuable, we did not have anybody. When its value is going down lower, we are getting people. I think it is to do with something called "promotion". I hope, since we have raised the head of tourism that once again, we would do some promotion.

3.35 p.m.

We have been working on a report and a very interesting fact which has come out is that the length of stay – which I believe everybody knows – has been considerably reduced. We have had a situation in Barbados where rather than the tourists staying for ten days as they did before, they are only staying for six days. Rather than our slapping our breasts and saying that we are 10 per cent up in arrivals, we would have to be something like 70 per cent up in order to get back where we were. In other words, we need 600 000 tourists in Barbados next year just to feel good like we felt in 1980. They are only staying six days.

I think it is time we involve Barbadians in bringing people. Why not let us have a competition in Barbados where the population is involved. If you write overseas and you bring in a certain number of tourists, you win something; the Government gives you something. We have over 100 000 people working. It means that each person only needs to bring in six people in order to reach a target of 600 000. We can set the whole of Barbados on a campaign of bringing tourists to Barbados. We should see from the Grantley Adams Airport right down to Bridgetown that our target is 600 000. There should be bulletins – we are at 202 000 and this sort of thing going on – so that you would get the whole population of the island moving towards bringing people here to Barbados.

Let every individual start writing letters. We are not going to get a cent more for sugar no matter what we do. We cannot continue to subsidize it. Our salvation lies in tourism and we must impress upon the public of Barbados to try and get 600 000 people here next year. I think it is MacDonald's in the States where you see outside of all of their restaurants that so many billion hotdogs have been sold so far. Let us see how many tourists are coming to Barbados. I hope that Senator Linton – because when he was there, it would appear that we were not doing too badly in tourism – will rejoin.

We need a lot more promotion. We need to get Barbadians more involved. Let us get rid of this idea of worrying about vendors and worrying about somebody getting stabbed. We are going to get that all the time. I worry about it, too. Let us get the newspapers off that stupidity. Let them report nothing more. They are hurting tourism in Barbados. The newspaper people are the biggest people hurting tourism, because they bring up all these soft stories about how somebody was stabbed and was crying and dying. We do not want to read about those problems. I think they should get off their feet a little bit and really promote Barbados and get people to come here.

Soon we are not going to have advertisers, because we are not going to have any companies to advertise. Let us get stories that will encourage people to talk about Barbados. Each day we should have stories in the newspaper saying how sweet this island is, that people have been here, spent two or three days, and thought that this is the best place in the world – they have never seen anything like it. This should be going on every single day.

But no! We get somebody saying he was stabbed or squeezed. I do not read anything like that in the overseas newspapers. I do not want to get too warm.

Laughter.

SENATOR C. D. SEALE: I want to congratulate the Government once again on their decision for purchasing the property. I think it should go a long way to consolidate all the services we have in England.

SENATOR A. W. A. McCLEAN: In rising to support this loan, I should just like to direct attention to the Addendum and ask for some clarification on the second paragraph there. First of all, in the final sentence of the Addendum, I believe that it does not convey to everyone present that this loan quite evidently is at a variable rate of interest, and that the reference to 12 per cent, only relates to 12 per cent under existing conditions or conditions which exist at the time that this document would have been prepared. It seems as though the rate is indicated by reference to the London Interbank Offer Rate. It would seem as though the rate would be 1 1/8 per cent above the London Interbank Offer Rate.

But there is one element of confusion here in reference to this loading factor, based on the cost of maintaining reserves. I am wondering if this is another element of variability where this loading factor would be computed in the light of any variations in that area, or is it just fixed 8 per cent on the same level of the 1 per cent and in actuality what you have is a quotation which is 1 1/8 per cent above LIBOR, or whether you have 1 per cent above LIBOR plus another variable loading factor, based on some given formula. If there is some formula for generating that loading factor, I am wondering what it is.

SENATOR THE HON. O'B. TROTMAN: It seems to me, first of all to answer Senator McClean's question, that the 1 1/8 per cent is in addition to the 1 per cent above the London Interbank Offer Rate. I shall try and get the rationale of the loading factor for you during the other debate.

Somebody asked about where the building is located. The building at 263 Tottenham Court Road is at the corner of Tottenham Court Road and Great Russell Street. Senator Greaves would know Great Russell Street because in that street is headquarters of the Trade Union Congress. It is not too far away from the British Museum, the YMCA is across the street and the Confederation of British Industry Headquarters is nearby, so we are in a fairly good area.

On getting a piece of the action for the artisans of St. Philip, we will have to relay that to the High Commission in London. We did not come across the building by accident. We were searching for a building in London for some time. These things get around in the business, I suppose, because a company of interior decorators called Complex Interiors offered to assist the Mission in locating a good property, with an undertaking that if they did get a good property and it was accepted by the Government of Barbados that they would get some of the business. I think we have some commitment to them, but we can always tell them that we would like them to help out the artisans from St. Philip. South or North?

(SENATOR H. R. LINTON: Both.)

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

BORROWING OF $1 710 150 FROM THE BARBADOS NATIONAL BANK (LONDON)

To move the passing of the Resolution to approve the borrowing of $1 710 150 from the Barbados National Bank for the purpose of refurbishing the property at 263 Tottenham Court Road London W1 to house the office of the Barbados High Commission and other associated bodies.

SENATOR THE HON. O'B. TROTMAN: I do not know if there is anything that we could add at this stage, except to make the formal motion that the Resolution do now pass, because I did make mention in my reply to the two St. Philip Senators that there is a company with which we have an agreement to give them the main contract for the design and lay-out of the building and they are charging us.

We are hoping that, with parliamentary approval, the London Branch of our National Bank would finance the refurbishing of the building.

I beg to move, Sir, that the Senate do now concur in this Resolution.

The question was put and agreed to.

3.45 p.m.

BETTING AND GAMING ACT, 1984

Order No. 27 was called – To move the Second Reading of a Bill to regulate the law relating to betting and gaming, and provide for related matters.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, I am advised that at present there are four Statutes on our Book which outlaw or limit gambling in some way, namely the Gambling Act, the Betting and Duties Act, the Gaming Act, and the Vagrancy Act. The Bill before us seeks to in some way consolidate those Statutes into one Bill. There is some difference. Whereas the Gaming Act and the Gambling Act sought

to outlaw gambling, the new Bill seeks to control gambling. The Act in some way reflects the mood of the community. From the outset, let me say that my advice is that there is no provision in the Bill for casino gambling. The church, the Hotel Association, and other organizations have been consulted on a draft and I believe that all parties are now quite happy with the Bill which has been produced.

I do not know enough of the details of gambling to explain Section 7 of the Bill, but my advice is that Section 7 of the Bill makes it extremely difficult or impossible for casino gambling to be carried on under Part 2 of the Act.

Part 1 of the Act gives the general framework of the executive structure which is supposed to handle gambling in Barbados. It sets out the establishment of the Betting and Gaming Committee functions of the committee, and in the Schedule to the Act one finds the composition of the committee. The committee as established by the Bill will be under the chairmanship of the Comptroller of Customs, and will consist of the Commissioner of Inland Revenue, Commissioner of Police, the Solicitor General and five other persons appointed by the Minister. Part 2 of the Act permits gambling in the privacy of one's homes while at the same time controlling the kinds of games which people might play in their homes without violating the laws of Barbados. Part 3 controls games on premises licensed under the Act in respect of clubs other than gaming machines. Part 4 deals with on-course betting, as at the Turf Club. Part 5 controls pool betting, bookmaking operations. Part 6 controls lotteries and games. The famous one-armed bandits are controlled under Part 7, gaming by means of machines. Part 8 provides gaming debts. Part 9 relates to finance, it sets out the terms for duties and licences for lotteries and bets. Part 10 in some way refers to a social situation in Barbados, because as I understand it, under the Gambling Act before it was illegal to play cards under the street lights and that kind of thing. Although we are not encouraging gambling on a highway, one could certainly play cards under a tree safely away from the highway and from the public.

I believe that it is important to point out that the draftsmen of the Bill took into consideration the report of the Gambling Commission as well as the general policy on gambling, and the Bill which is now before Parliament has taken into consideration all of the views put and is in some way a compromise to all. It does not promote any new gambling but merely seeks to put a tighter control on gambling without disparities for different kinds of games.

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

SENATOR E. E. GREAVES: Sir, I notice that honourable Senators like to wait for me to start off the ball. I must confess that I am at a slight disadvantage here, because I know very little about gambling. I buy a few tickets here and there - that is my extent in gambling. I do not even know how to play dice, except to shake them. If I went into a dice game, I would not know whether I am winning or losing. I have never gambled, so I am at a disadvantage. I just want, however, to say that I am at a further disadvantage because my colleague was the person who was supposed to lead off the discussion from the Opposition on this particular matter, but he is taken up in another engagement which he thought he would have finished. So I am in a difficult position, however, not lost for words.

It is significant that Senator Trotman in his introduction indicated that the previous legislation on gambling was more prohibitive of gambling in the society, whereas this legislation is more or less permissive and seeks to bring some kind of regulation to gambling in Barbados. I think that we ought to be really thinking in terms of our society and put curbs on gambling rather than trying to become more permissive in this area.
3.55 p.m.

I think that this Act will put gambling in Barbados on a more systematic basis and in that context will have the effect of encouraging gambling. Certainly one has only got to examine within the last six or seven years the proliferation of gambling in this society in the light of the very liberal view which the Barbados Labour Party Administration has taken to gambling. I think that we should really examine this in the context of other disturbing features, and this is a disturbing feature to me, which we see developing in our society.

A liberal view to gambling brings problems with which we may not be able to cope. We have had situations where poor people have staked their week's pay, and some people their month's salary, in games of chance, whether it is on the one-armed bandits or any of the other games which are currently going, in the hope of making a fortune – although I notice that the Wheel of Fortune has run out of fortune – but have ended up losing all of their money. It is quite easy for a person of little means to be tempted into a situation where they are lead to believe that they can make a big fortune with the investment of a small amount, or indeed with the investment of a bigger amount. The temptation is there, and if we have a very liberal approach, as this Bill will obviously provide, to use Senator Trotman's words, we are opening the door for all sorts of things and a further deterioration of the fabric of this society.

Just last week I heard a man who I would consider to be a poor man – I am sure he does not work for $200 a week – saying that he spends $50 a week on Let's Go To The Races tickets. That might be good news for Senator Seale, but I do not think that it is good news to his wife or his family when a man could waste

that amount of money, when that money could be used in a more productive manner, providing for his family on a much better basis than he is doing without that $50. It really opens the way for a whole set of further disturbing developments in this society that the society really cannot afford to have at this stage of our development.

I am glad to have heard Senator Trotman say that, far from allowing casino gambling to take place in Barbados, Part II, Section 7, prevents casino gambling from taking place in Barbados. I welcome that news, but I really do not know how true this is, because it may very well have more to do with what is a definition of a casino in the context of gambling. I must confess that I am further at a loss because there are a number of terms in this Bill with which I am not familiar, and probably in Committee I could ask for some enlightenment on them, for example, staking against a bank and that type of thing. But, based on what Senator Trotman has said, and I have to take his word for it, it will not permit casino gambling, and I welcome that news. I only hope that we do not hear in the next three or four months, when this Bill is passed, that there is a casino operating at Heywoods, or at the Hilton Hotel, or at Sam Lord's Castle, because I have it on very good authority that those three areas have been earmarked and will be promoted by the Board of Tourism as areas where casino gambling will take place in Barbados. I should like to get a definitive statement from the Government that this will not happen.

Already, there are people who are going around in this society to various sporting organisations asking them to hurry up and get a letter in to the Comptroller of Customs who, I think, is the Chairman of the Betting and Gaming Committee, for permission to have these table games going to raise money for sporting purposes. I wonder what control this Act will have on that kind of activity and on the persons who will be operating these activities on behalf of sporting organisations, because they will have an interest. As I said earlier in the case of Senator Seale and his penchant for business, they will not be doing it for their health, they will be doing it for their personal benefit and aggrandisement.

The only benefit which emanates from gambling is that those persons who are the operators, the people who cut the pot, or whatever it is called, or the medici, are the people who really benefit, they do not have to chance anything. I know some people will argue that it is recreation for some people who can afford it, but I am concerned about people who cannot afford it and will be encouraged and enticed into gambling, and the effect which this can have on them, their families, and then the entire societal effect. Because if you have a situation where a person can easily get involved in gambling and lose all his money, then you are going to find that that person might very well resort to stealing, robberies and breaking and entering. All those things are attendant on a liberal policy which is adopted on gambling.

4.05 p.m.

I am very concerned about gambling and the fact that we are adopting a liberal approach towards it. I think that we ought not to be concerning ourselves at this stage with setting up an opportunity for a few people to make a killing and make a good living out of the unfortunate people in the society as has happened when the one-armed bandits came into Barbados, when a few people made millions of dollars out of that operation. I do not know what is the state of the one-armed bandits industry now, if you can call it that, but the fact is that a few people made millions of dollars out of the unfortunate people in this country.

Gambling provides an opportunity for a few people to make a lot of money, for transferring wealth from a lot of people into the hands of a few people, what little wealth there is. I do not think that that is the kind of thing that we should be encouraging at this stage of our development. I would prefer if the Government could come up with ideas for a more productive use of our wealth. A more positive effort should be demonstrated in the creation of national wealth rather than through the promotion of gambling, which does not really create wealth.

In addition to the economic argument which I have advanced against wealth, there is a moral aspect to it. I do not think that we are doing justice to a society which is firmly founded on a strong moral base by encouraging gambling in the way in which we are encouraging and certainly seeking to legitimize it. Gambling is now part of the national culture of Barbados. This is what has happened within the last five or six years. This is one of the things that the Barbados Labour Party can take credit for, for having gambling firmly embedded in the psyche of the people of this country.

I think there is a definite link between gambling and the desperation of many people in Barbados. This desperation can be seen by the hundreds of people who are scattered all over Barbados selling Let's Go To The Races tickets. I have never yet seen so many people selling race tickets or promoting gambling in the way in which it is being done. Unemployment is very high and people are desperate, so what do they do? They resort to selling Let's Go To The Races tickets. Go down in the yard. I am sure that you will find at least six people in the Public Building yard selling Let's Go To The Races tickets. On the outside you will find another six, behind the Post Office – all over the country you find people selling these tickets.

I do not accept that this is a form of employment, because this is really disguised unemployment. It is just that people cannot find anything else to do and have

to resort to this. It is an indication of not only the level of unemployment, but the level of desperation in Barbados, and I think that we ought to sit up and take note of these things. We have a class developing in Barbados now whose only occupation is getting up on mornings and going down to the racing pools and hanging around rather than looking to do something productive, just hoping to win some money.

I am also concerned about the possibilities which exist in this gambling environment for the big professions in gambling, who would stop at nothing to ensure that they get and maintain a Government in power which is favourably disposed towards a liberal policy in gambling. I am concerned about the millions of dollars that can be thrown in to corrupt an electoral and political process and the possibilities which exist there. So far from welcoming this Bill, I am very unhappy that we have reached the stage where we are considering this kind of legislation.

4.15 p.m.

SENATOR D. A. C. SIMMONS: Mr. Deputy President, the honourable Senator is running into a corner already as if I am shaping up in one corner and he is running. I have not started to share any blows yet, and I do not intend to. I am not like that to my friends. I tell them the truth, and what I am going to tell him, he is not going to like to hear.

He was grounded in emotionalism as usual, I appreciate my friend's difficulty; he was struggling with a subject for which Senator Hall is really the spokesman. He occupied the time on the clock, I would not say usefully – he spent some time telling us about his own personal problems with gambling. It is a matter that one has to view in a balanced way and not be carried away by emotionalism.

My friend began and ended on casino gambling and he said he hoped that casino gambling would not be allowed in Barbados. He has not yet attempted to define casino gambling from his point of view. I do not know what is casino gambling. There was one casino that I got near to in Mauritius in 1976, but did not go inside because it held no attraction for me, when we were on a CPA conference in a very Catholic society. I do not know what a casino is like.

My public position is well known from some years ago when it was sought to introduce a form of gambling that I was not accustomed to through the back door. I made it public knowledge that I was not going to support it, and to that extent I am grateful that at least an attempt has been made in this legislation to codify and bring up to date the various bits and pieces of legislation which admitted of gambling. So we now have an Act that covers all forms of gambling, one which I hope would provide enough safeguards and controls for the society as to negative the possible abuses that may exist in any situation where a lot of money can be thrown around without too much hard work to achieve that money.

When one looks at gambling in Barbados in 1984, one cannot be ignorant of the history of legislation dealing with gambling in Barbados. I am aware of legislation in 1965 which legalised the racing pools in Marhill Street. Senator Greaves complains that in 1984 there is a class of gamblers that is developing in Barbados, a set of people who hang about the racing pools all day long and betting. I hope Senator Greaves will be gracious enough when he repeats this statement to attribute the creation of this class to the Democratic Labour Party. They passed the legislation that allowed Mr. Haloute, Mr. Khan and Mr. Fernandes to have the racing pools, as well as the man who cannot read and write but has a lot of money, Joseph. These are the kinds of people that they allowed in here to set up gambling establishments.

Asides

SENATOR D. A. C. SIMMONS: He cannot read and write. I am a steward and I know he cannot write his applications. That is the kind of person that Senator Greaves is now complaining about, the man who hangs around in the betting shops and bets on English and Trinidad racing.

He said, again ignorant of his history, that in the last six or seven years we have seen the proliferation of gambling in Barbados, and that the Barbados Labour Party has adopted a very liberal attitude to gambling and have encouraged gambling. What are the facts? Prior to 1974, there was not any form of one-armed bandits gambling in Barbados. In 1974 as in 1965 the Democratic Labour Party was in power. Mr. Parks and Mr. Wright came to Barbados in 1974 and gradually sneaked in one-armed bandits into Barbados from Jamaica, and the situation gradually mushroomed. They had the permission to do it from the Democratic Labour Party on condition that some of the takings went back. I am not calling any names. I have some documents – they can break my office again and they would not find them – including an affidavit sworn to in 1975, a copy of which I have, that said that in 1975 there were 152 bandits in Barbados, and Racketeer Clarke, the late great, as they would say, took that affidavit to a Ministry in Barbados.

I know, from statements that I have locked away and they cannot find them, that on Fridays members of the Democratic Labour Party used to send to Parks and Wright to receive money. I am not saying that that is corruption. You can call it what you like. I am not accusing anybody, I am just stating the facts. The conclusions might be drawn. I know that I did not hear

about this same liberal attitude that my friend is talking on, I think, May 18, 1976, in Marshall Gap just off Baxters Road in the by-election of Billie Miller. The *Nation* will show you, it is all there in the library. Heading a group of Democratic Labour Party supporters in a white "T" shirt marked "DLP – Vote Carmichael" was Mr. Parks, the one who brought the bandits in here, supporting the Democratic Labour Party in the by-election against Billie Miller. If I had remembered today before I started I would have photocopied it from the library and brought it in here. It is part of the history of this island, and it is part of the history of gambling in this island, that in 1976, in the by-election in the City, Parks' money helped finance the campaign of the Democratic Labour Party in the City. So who are they now to talk about liberal attitudes to gambling? They positively encouraged gambling in Barbados in the most recent forms that we have known, that is, chiefly through the one-armed bandits. Some of them profiteered out of it, too.

I am not now talking about the Hospital Sweep. That is a different form of gambling. That did not last too long. I said some things in here about the West Indies Hospital Sweepstake already, how I was embarrassed in London to read about it and what Captain Fergusson had to say. I am talking about the one-armed bandits which are with us, and which were legalised by the Barbados Labour Party in 1977 in the Betting and Gaming (Duties) Act. It was legalised because it was found that rather than have these machines operable in Barbados in circumstances where their legality was in doubt, according to George Moe when he was Attorney General, and in circumstances where it was entirely possible for politicians to be corrupted by the presence of those machines in Barbados, a conscious decision was taken by the Labour Party, against a lot of criticism, that rather than throw them out, you should legalise them, and that was done. It is the only time that I can think of where a Government has done something to do down evil that the Government has incurred criticism and wrath. It is a strange phenomenon, but it happened in Barbados after the passage of the Betting and Gaming (Duties) Act.
4.25 p.m.

But there is more to it than that. Apart from supporters of the DLP getting money out of it and encouraging it between 1974 and 1976, there is more to it. What has shocked the country in the last week is the stance adopted now by the Leader of the Opposition. Some years ago, the shadow spokesman on Finance was most vehement in his criticism of gambling. I did not read a word from him within the last week. I do not know if he is in the island. But all of a sudden the Leader of the Opposition is taking this stance: "I really do not have anything against gambling. I do not see anything wrong with it. I would like some controls." So in 1984, let it be known, let the Press and everybody know, gambling is no longer an issue between the parties. The right honourable Leader of the Opposition has killed that. At last the Opposition has searched its soul and realized that it did not lie in their mouths morally to continue, ostensibly, to oppose gambling, when they were the originators of this form of mechanical gambling that is now prevalent in Barbados.

I wish to compliment the Leader of the Opposition. I do not mind if it is published that I complimented the Leader of the Opposition. He made one or two points that I think are of significance. Indeed, they come close to points that I was making recently on two programmes in Barbados about sports.

I want to deal with the positive aspects of the legislation. Sport in Barbados has always gone through hard times in terms of being financially viable. Some years ago, whereas there had been a practice that an approved sporting organization could attach itself to a games room where there were a few blackjack tables – whatever is black jack; I understand there – are twenty-one tables – a few years ago all of that was stopped because it was suspected that it was in breach of the law. The reality of the situation has been that national sporting associations – I am not talking of individuals – are no longer able to finance themselves to the level required to give our sportsmen the best possible opportunities to develop their talents particularly in the sphere of regional competition and the exchange of athletes in games in Trinidad and elsewhere. In some areas, it is non-existent because the organizations cannot finance it.

As usual, everybody has started to milk the cow of the private sector and they go cap in hand begging the private sector to support them in one way or the other. There is only so much that the private sector can do. Nationally, we are going through very difficult times, and there is very little that Government can do. All we have got for capital this year at the National Sports Council is $870 000. That cannot go very far with the cost of a hard court being $70 000, and the stadium in need of repairs to the tune of at least $400 000. The stadium could be closed down now. But I am going to try and stop that from happening by begging for some money to be released from another source of capital that we have so that we can tackle the stadium immediately and do a remedial job by way of maintenance on some of the structure. But to repair the stadium properly and put down a new track in time for the CARIFTA games next April will cost $1 000 000 easily, and also to replace all the lights, which are now corroded.

Government gives the National Sports Council $30 000 or $40 000 to dole out to organizations. But we have thirty-seven organisations which are nationally approved. How far can $30 000 or $40 000 go? When

you think of what it cost the Football Association to bring the team from Guyana here, I think it was last year, put them up after the game and send them back, whenever they counted the cost they were down $30 000. With Government only giving $30 000 to share out among thirty-seven organizations – I am not talking about capital – it just does not work. With the organizations not being able to hook on to a hotel, club or whatever, we are only making sport at sport.

Aside.

(SENATOR E. E. GREAVES: That is the CBC advertisement.)

SENATOR D. A. C. SIMMONS: I have not heard it. They are telling me that somebody has pre-empted me.

The real problem is sports financing. You see the problems of lack of finance manifested at the Olympics. We have a four by four team which finished sixth in the world in the final. It set up a national record of just over 3.01. Forde did very well in the individual 400. But Forde was not able to do the kind of pre-Olympic work that he should have done since May when his school went on recess. When I was in London in July, I saw Mike Paul, the 400 runner from Trinidad, in Helsinky – this was on television – running at White City and at a meet in Scotland, all within ten days. I have not seen a Bajan yet, because the Olympic Committee which was responsible for athletics could not afford it.

We must move, knowing that we have a residuum of talent in Barbados, to the stage where money from gambling must be put back into sports. I have a few views as to how this could be done. Senator Seale can tell me how many millions the Government is getting by way of taxes from Let's Go To The Races. One year they only got $184 000 in taxes I believe from the Instant Money Game.

Aside.

SENATOR D. A. C. SIMMONS: No. They are getting a lot of money from us every week.

This money could go into the Consolidated Fund and it could then be handed back out after Estimates to the National Sports Council for the Sports Council's own programmes and for dissemination to various organizations, which will have to meet certain criteria, of course, proper accounting and all that.

One can conceptualize, let us say, that in the January of the Olympic year, the Olympic Committee will come to you and say, "We have a hard core of ten people here who we think may have medal chances. But we want to give them some special pre-Olympic training with their peers all over the world. Therefore, we want $100 000 from you to help finance this. They are working on their own." That is how some of the money could be used.

What we have in this legislation, on the other hand, is a situation where certain organizations must now attach themselves, as before, to hotels or whatever and try and raise money that way. I do not know how well it will work. It is a start, I am not happy with it, but let nobody mistake what I am going to say – I intend to pursue the right of the National Sports Council to attach itself to somebody too, like any other organization. The reason is that cricket has its own, racing has its own, football and the various organizations such as hockey will probably get on to somebody, but there are some sports out there like squash, which need help.

4.35 p.m.

The Secretary of the Badmington League was here today. They want to go on a tour to Guyana. It will cost them $900 000. They cannot raise the money, and they came to me. I have not got any money. All of my money is gone already. I dished it out, and some people only got $500.

Senator Hall probably knows about dominoes. I do not mean to be exhaustive in my list. This is Barbados in 1984, but nothing much has changed, and you might find that an operator of a hotel may not really want to get himself attached to the Dominoes Association. You will hear all kinds of things, because there is no big person, with a few letters behind his name leading the Dominoes Association and we have to look at that. So I would be concerned, from the Sports Council's point of view, to see if we can have an arrangement with some operator too so that the Sports Council can be of assistance to those sporting organizations which perhaps are not as fortunate or as pretigious as some of the others which we all know, and which may have an easier chance of getting an attachment.

We heard all kinds of talk before – I did not hear it today – about not having casino gambling, whatever that means, because of its alleged connection with the Mafia. It may be a real fear, it is probably an assumed fear, but I have never heard it alleged – I am sorry Senator Greaves is outside – by him or anyone from the Democratic Labour Party that the Cunard ships which come in here and which have black-jack tables, I am told, and one-armed bandits have any connection with the Mafia. It does not follow – in fact, the argument they use is fallacious – that because somebody is engaged in a form of gambling that allows one-armed bandits and blackjack tables, they are Mafioso lurking in the background. I have never heard it alleged about the Cunard ships, and they do it everyday.

I think one can get carried away with emotionalism and lose all sense of balance. I accept that where there is gambling, there is a propensity to a certain laxity of standards – people might assume that the virtues of hard work are not important because you may go one day and bet on a horse or pull a one-armed bandit and win a few dollars and feel that you can do it everyday. So one has to police this operation very carefully, and one also has to monitor the causal effects that gambling can have on members of this society, but nobody has done a sophisticated study on the effects of gambling of this society for me to be convinced that there is great fear that this society is deteriorating and fragmenting because of gambling. I would have to be convinced, on some statistical base, before I could be led astray by pure emotionalism. Whether you had the bandits or not, you still had people in Marhill Street betting and losing daily, and whatever form of gambling you allow, people will find ways and means to get around it.

There are one or two typographical errors, but my only difficulty is that I do not understand Section 7. I accept it for the reason that until the contrary is proved, where the Prime Minister and Minister of Finance makes a statement that Section 7 prohibits what is expertly called casino gambling, then I am prepared to go along with it. Even from a professional point of view, I have tried to apply some canons of construction to this section. But I must confess that unless one knows the jargon, it does not make any sense. It says "the game involves playing for staking against a bank". Barclays Bank or Scotia? I do not know what is "a bank." My friends will tell you that I may have a little $20 bet if I have a horse running in the hope that he wins, I will have a bet on Gold Cup Day – I cannot bet on Senator Seale's horses; they are always favourites, they are all at $2.00, Sir. I have to admire them. Concorde Hero ridden by Hall! – but I am at a loss in card games.

I have played whist and fifties as a boy. I cannot play bridge, I do not know. So when you say to me, who is not familiar with gambling, "it involves playing or staking against a bank whether the bank is held by one of the players or not," I do not understand. Someone will have to explain to me how a human person all of a sudden becomes a bank around a table, and all the other terms.

Senator Greaves expressed a doubt as to whether or not it excludes casino gambling. That is only because he does not want to believe anything the Prime Minister says, because he is not sufficiently gracious, as I was to the Leader of the Opposition, to say that he accepts the word of the Prime Minister. But I would have thought, for this reason, that the Prime Minister would have given the directions to the draftsman to specifically exclude a circumstance that could be classified as casino gambling. I am assuming that that would have done, and the draftsman would have tried his best. So I am accepting the word of the Prime Minister that casino gambling is not intended, casino gambling in the form as is known, I suppose, in London and Las Vegas if this Act will allow national sporting organizations, which are approved by the National Sports Council and approved under the old Gambling Act, to better finance themselves and promote the respective sports in Barbados, then I have to support it, because I think the objective would be worthwhile. I think that we have also to compliment the Government, in the face of all the unjustified criticisms in the past, for its courage in attempting to modernize the law, rationalize it, and codify it so that in the future, the situations that prevailed with the original introducers of one-armed bandit gambling to Barbados, and politicians, will no longer continue.

4.45 p.m.

I trust that Senator Hall will make some positive points on this legislation. I know he is very interested in several areas of sport. He is not a gambler, he will have a little bet now and then on Concorde Hero when his son is riding him, or, for that matter, on any horse which his son is riding. He is very sentimental. He ignores the form book when his son is riding and that is why, if he ever has a bet, he will lose.

I trust that, the debate on gambling is now dead. I have not heard the Church raise its voice in anger or protest against this Bill. I am assuming again, without knowing, that since the last confusion, when a few blackjack tables or whatever they were came in and were being run at the Music Man Inn, since some of us have been bold enough to speak out and say do not bring it through the back door, come properly, that the Government would have consulted widely with the churches and would have received a measure of consensus for this legislation from the churches. If that assumption is correct, then I think we have gone a long way towards recognising the fact that people in society will gamble, and towards recognising the need to legislate and circumscribe gambling in Barbados.

Finally, earlier today Senator Greaves complained about the downturn in tourism, the downturn in agriculture, the downturn in manufacturing, the downturn in sugar.

Mr. DEPUTY PRESIDENT: Senator Simmons, you have only one minute.

SENATOR D. A. C. SIMMONS: I can do it in one minute, Sir. I am grateful.

From my knowledge of tourists and visitors to Barbados, one thing that concerns them apart from the high hotel rates and the high cost of hotel food and so on, which I do not accept are legitimate, is that after a week you have exhausted most, if not all, of the forms of entertainment, and they would not mind at all having

a place of resort at night where they can go and spend a few loose dollars, have a few drinks and enjoy themselves. If this will in some way provide another outlet for tourists, then I think ultimately – I am not saying in the next year or even two years – we may see the resurgence of tourism when it is known that there are things to do in Barbados, you can have a little blackjack game after you have exhausted going and seeing the man go under the stick playing limbo, or eating a piece of fire. They want something else. This is another dimension of tourism another diversion for the tourists, and I think there are positive features of the Bill. Therefore, I support this piece of legislation.

SENATOR W. W. HALL: Sir, I am very sorry that I was summoned from this Chamber to attend to other matters. Obviously, I did not get the opportunity to speak on the other important matters before the Chamber today on which I would have liked to voice my opinion, but I am happy that I have managed to get back to say a few words on this Bill.

I am sorry that I did not hear the contributions of the speakers before me. I meant to be critical of them. By and large I think that Senator Simmons knows that when we sat in council in matters pertaining to sport in Barbados in particular, and in the West Indies in general, we have always managed to have the same views. I have not quarrel with the contribution I heard, but I must say I do not know what he said before.

Like Senator Simmons, I have a difficulty with Section 7, moreso because I am not a card player. I cannot play cards, I cannot play poker, although some of my friends can, and I am not privy to all this slang and jargon like "banks" and "medici" and things like that. I do not make it a habit to speak on matters that I have little cognisance of, and, therefore, as far as that part of the Bill is concerned, perhaps the Minister in replying could tell me exactly what is " a bank," "a medici" and all these alien words to my vocabulary.

In relation to casino gambling, if the Prime Minister says that this Bill does not encourage casino gambling, or it is not a forerunner to casino gambling, I, like Senator Simmons, will wait and see. I am not going to say anything to the contrary. He is the Prime Minister of this country and if he makes a statement like that, as a citizen of this country I will have to accept it. If perchance casino gambling comes along, then you can rest assured that – provided it is before 1985 or 1986 – I will have my say on the matter, so I do not think I need address myself to that particular aspect of this Bill.

There are some areas which need looking at very closely. To be a compulsive gambler is no different from being an alcoholic. There is no doubt about that. If you are a compulsive gambler, you will gamble on two flies going up a wall, and because of that, I think we have to save some people from themselves. I feel that whenever there is the chance of people going the wrong road because they cannot help themselves we must do something about it.

I refer specifically to these machines, the bandits as they are called. Even though I must confess that I have never put a dollar in a machine, it is not that I do not like games of chance, or not that I am not adventurous, or not game enough to take the plunge, but I believe I was weaned on the destruction that machines can cause those who cannot help themselves.

I was given a contract in 1965 to captain a side in Australia called Ranwick, in Sydney, and I had to live at a place called South Sydney Junior League Club, a football club. When I got there – I took my wife with me – I was amazed that I was living on the premises and they had well over 300 machines. I could not believe my eyes. They had guards and they had a fantastic membership. You should see them on Ladies Day. The entire town was conspicuous for its absence of consumer and shoppers. The ladies never went anywhere else but to the machines, and they gambled and gambled away.
4.55 p.m.

At the same time, the club prospered, so much so that three years later when I returned as a member of the West Indies team in 1968–69, the building was at the corner on a triangular spot of land and it had fifteen houses up the road. They had expanded just on profits from the machines. It was a private club, so people could go in and get membership and play the machines.

Barbados cannot boast of a fifty metre swimming pool. We do not produce swimmers. We cannot when we do not have the facilities. I can understand it, because a fifty metre pool is an expensive exercise. That club had two fifty metre pools for their patrons, four dining rooms and a library. You had to see it. And that was not the biggest, St. George's in Sydney is bigger, but the truth soon came home when people were able to see what it was doing to people who could not help themselves, and there were many who could not help themselves with these gambling machines.

Even though some of the people who own the machines are my friends – I know them well – I am interested in the person who cannot resist the temptation of spending their last dollar on it. Those who go to play the machines for recreation, that is all right with me.

But there is another point to that. If you are going to play them for recreation, it means that you need to let your hundred dollars last as long as possible. There is no point having $100 and putting it into the machine and in ten seconds it is gone. It does not make sense.

You need to have a little play for your cash. It is with that in mind that I wish to refer to the fact that only a few years ago, the Prime Minister in a Budget Speech said that the percentages would be posted on the machines. I have gone the length and breadth of Bridgetown and I have not seen any percentages. Can the Minister say that 85 per cent goes to the player and 15 per cent to the owner? I would be very grateful if he can say that.

Only Wednesday, my birthday, I went out of this Honourable Chamber to go to a funeral, and as I got to Milk Market I stopped at a gentleman whose birthday I knew it was – wherever I am I send him a telegram or telephone him and say "Happy Birthday" – another sportsman, Byron Clarke, the ex-jockey. September 12, 1937 was his birthday. It is a ritual, he is my friend. I got out and I said "I would like to buy you a drink as usual." A lady came in and wanted $5 in change. I am telling you that within a twinkling of an eye she was out. I did not hear any jingling. I did not hear any noise behind me and I said to her "Are you going? " She said "Yes". I said, "Have you lost only a dollar? " She said, "The twenty quarters, $5.00". They were gone, and that is how it is.

The Dean headed the Gambling Commission and, as far as I am aware, it said that they should have inspectors appointed to check the payouts. I am now aware that this has been done. All over the world where they have machines, not only percentages are there for all to see but you will find that the inspectors are there.

It is folly for us to believe that this is not necessary, when you have people like the Instant Cricket telling you how much money you are getting. I know that Senator Seale alluded to the fact that they might not be getting the amount, but subsequent statements have led me to believe that if they say $50 000, it is indeed paid out. In the Turf Club Let's Go To The Races they pay out the money. I have no doubt about that. People know that the money is there and people know that the money is paid out. With the machines, there is no guarantee and that is all I am saying.

I know some of the people, especially some of them who own horses that my son rides. He is not going to get anymore rides, but I have to speak on it as a matter of principle. I have nothing against them, let them make money, but we have to save some people from themselves. The compulsive gambler does not know any better. We have to let him know that it is wrong, and then if it is in the clubs like in Australia, or if you feel like losing your $200 or $500, that is all right with me. But I am making a plea to let us get inspectors, let us see the percentage payout. Bingo will tell you how much you are getting. If you are renting a car you know that it is a car, not a wheel. These are the important things, so I feel that we must know.

Nigel Harper headed some commission or committee and I saw bold letters in the front page of the "Sun" that the report was ready. Who buried it? Where has it gone? I am not privy to any of its contents. I want to know what is happening.

Asides.

SENATOR W. W. HALL: Is it there? If that is it, where are the percentages? Where are the inspectors? How they can have a big, long study and not ask for inspectors and not ask for percentages?

I am not being critical, but I have an interest in some of these things and I have friends who like to play these machines. The ladies love them, but they would like to get a little more play for their money because they do it recreationally, I feel that these are issues we must certainly look at.

We do not have the money in Barbados that we need for the total development of sport. I am aware of this. I would be the last to be severely critical that the allocation is not enough. I said that in the Estimates. I am also aware of the fact that money is a little scarce. So you will find that the idea behind the game of chance situation is one where sporting organisations, who are ambitious and who have the initiative, can go ahead and get money from them. The Cricket Association has done just that. They have done yeoman service in that all of the clubs, whether you are 1st Division, 2nd Division or Intermediate, have been able to get financial help from the Cricket Board of Control. Even in the knock-out competitions, those clubs that come last get a little bit of revenue so that they can make ends meet. I can tell you without a shadow of a doubt that illustrious clubs of the past, like Empire, Spartan, even Wanderers and Carlton, would never have survived if they had to go ahead on their subscriptions and things like that.
5.05 p.m.

We have to be wary of people out there who would use games room for their own self-aggrandisement. Plainly put, I would venture to say that you may well have a struggling association who knows nothing at all about this – associations have not read this – but you may get a smart Alec coming along and he will tell you to get a letter out to the Ministry of Finance, get another one to the Comptroller of Customs, and as soon as this is made law, right there you have an association applying, not even knowing the contents of this thing, and this smart Alec operates the thing and he gets the main course and the association gets the entree.

I do not believe that the Government is making this situation of games rooms for that purpose, but unsuspecting people might well fall for this sort of thing and you find in the end they are getting nothing. So whereas I applaud the fact that associations may be able

to get some well needed revenue, these people who would be looking for well needed revenue might be foxed into a situation that they themselves would not like to be in, and therefore I am sounding a word of warning to never let it be said that immediately this Bill is passed in here people get the associations to get in their letters quickly to see how much money can be made out of it. I do not agree with it.

I sincerely hope that the Athletic Association will be able to make some money. I know fully well, as Senator Simmons said, that the Barbados 4 x 4 team was gold medal material. I knew that three years. I knew that we had five youngsters in this country that could run a quarter mile in under 46 seconds; and with proper training and with the facilities that you need for a quarter miler we would have made it, even if not gold certainly silver or bronze. But what happened? The first race was our best performance. That was because we ran well to qualify, but there was no reserve left as the competition gets harder. It is analogous to playing for the BCL or Spartan and then you are pitchforked into a test match. It gets tougher, and this is what happened. Just as the going got tougher, our boys were slackening off, not that they did not try harder, but they did not have the necessary inputs that should have been there. People seem to think that to run fast and things like that that you need only to have the ability, but you need some help. You need the type of people who can help you in between races if not with advice certainly to massage you and to give you the technical advice that one needs in running a mile in four, that is 4 x 400 meters. This is the reason why these things happen to small developing countries.

Some of our people go to university just to qualify for the Olympic team, because the good competition out there will qualify them for the Olympic team. What do the Americans do? The Americans take a year off from university to train for the Olympics. Some of the African boxers take the year off and go to Communist countries, I am sorry to say, and win medals. This is the difference between Barbados' athletes, with our limited resources, and the ones that you find in developed countries, so I am sure that what Senator Simmons said will bear fruit, and I am sure if he goes along the line like that, never mind he has not got my expertise anymore – that is only the folly of a Minister who does not know better – he will succeed.

Let us have a look at racing. Senator Seale is sitting up and taking notice. The Turf Club has been run by a group of men who have done quite well over the last fifty years or so. I saw my first race in 1942, won by Telegram from Buccaneer. Senator Simmons will know that this is a long time ago. This is even before Senator Seale owned a horse.

SENATOR D. A. C. SIMMONS: On a point of elucidation, I was only two years when he saw his first race.

SENATOR W. W. HALL: But I am sure he is such a great researcher that he knows what I am saying is true.

I believe that we can no longer go along the same line where you will find that a house divided against itself cannot stand. I say that because I noticed the other day that Senator Seale agreed with the comments relative to the non-inclusion of Barbadian horses in the classics in Trinidad. It is a great example of cowardice, because from time immemorial Barbadian horses have gone there and completely annihilated them, and they feel we should not be down there. Senator Seale does not like that, but Senator Seale has agreed with them that something should be done about it, and lo and behold the Turf Club comes along the next day and denies they would be party to any suggestion that Trinidad should be banned from the Jockey Club. So we have to get a united front.

Racing is an industry that employs lots of people and brings great joy to others, like Senator Simmons any myself. I am therefore calling for a Racing Authority, because I feel that Caesar cannot appeal to Caesar. I feel there must be a right of appeal in the Turf Club. I know that Senator Seale is the Vice President, and I think he knows and understand what I am saying.

Last Saturday, for instance, you had a situation where one horse beat another horse by a head, and the consensus of opinion is that the jockey made a mistake, and when a horse wins a race he goes up a sub-class, which is five pounds, so the handicapper who is not paid has to make a decision. You have a horse which is giving another horse 18 or 19 pounds and had been beaten by a head, so he is 18 or 19 pounds better. Three pounds is a length, so a head is a pound. What happened is that the handicapper put the horse that won in E2 and the horse that lost in E1 and behold there is a hue and cry, justifiably, from the owner, because he pays the bill and he feels his horse was unfaired.

The poor handicapper cannot put a bad horse in the same class with one which is 18 pounds better. He could also have done another thing. He could have left it in FI, because next Saturday there is a FI race, and he could have handicapped it accordingly. Everybody knows that three pounds is a length, so if he puts thirty pounds on his, that is ten lengths, as in the case of Senator Seale's great horse Concorde Hero, which had 142 pounds. You would believe it was a train, they were putting so much weight on it. But it is a train that cost $100 000, and it has a jockey on it that cost $1 million, so there is nothing about that. But the owner cannot appeal to the Turf Club because the Turf Club made that decision. If you had a

Racing Authority, there would be a right of appeal and you could do that.

Trinidad has a racing authority, and God forbid, we do not want one like Trinidad's. The biggest thing there is that some politicians are the ones alleged to have taken millions and flown the country. Let me explain to you what a racing authority is.

Mr. DEPUTY PRESIDENT: Senator Hall, you have three minutes to get to the end of the race.

SENATOR W. W. HALL: A Racing Authority is a recognised turf authority by, say, the Barbados Turf Club, as the authority responsible for controlling horse racing in the country. Even the stewards of the Turf Club, like Senator Simmons and Senator Seale, would have to be okayed by the racing authority. If we can get one in Barbados and do away with all the bad things that have been associated with Trinidad and learn from the good things that could assist racing, I think that it would be a blessing for all of those who have horses and racing at heart.

5.15 p.m.

As far as this Bill is concerned, with the proviso that the Prime Minister is right and is telling me.....

(*Aside:* The truth.)

SENATOR W. W. HALL.....the truth that there will be no casino gambling coming out of this Bill, then, with the exception of the phrases which are linked to games like poker, which I have little knowledge of, there are some very good points in the Bill.

I wanted to talk about bookmaking because, as the Merrymen said, "You never see a thin nutseller", you never see a poor bookmaker yet. I should like to make some suggestions for the punter, the man in the street. I know that the bookmakers all pay $50 000 a year, $5 000 for the broadcast and another $1 000 in Government fees. But in putting in a bet, the punter could lose $20 000 in a day. I should like to think that he has the right to go and bet the next day and no bookmaker could tell him, "I am not taking your bet." There should be something built in where the bets must be taken. If you go to Ascot or any part of London, William Hill or Colliers, there would be ten race days with six races and you could bet in any one. Here, it is a matter of what the bookmakers believe are the hardest races, the handicaps and the selling platers. Some of those horse owners do not know who is going to win so you cannot know.

I wish I could really enlighten the dark corners of the Senators' minds on this. But there will be another time, although I do not believe it will be in the near future. I believe that this will be the last occasion I will have of speaking in this Chamber for some time, as I will be off next month. I would have liked to say a bit more on this Bill.

Aside.

SENATOR W. W. HALL: I cannot ask for any more time. It is getting late.

I should just like to say that we have to think in terms of the people out there who are compulsive gamblers, who cannot think for themselves when they get into that mood, and cannot control their emotions. Therefore, we must make legislation which will help them and save them from themselves because they all have families. When a man gambles all of his wages, then his poor wife and children are left with nothing. I think that this is a serious problem. It is not emotionalism.

I hope that some of the other Senators will take up from where I have left off, especially Senator Seale on the racing commission.

SENATOR C. D. SEALE: I really did not intend to say anything on this Bill. I support it and I am pleased to see that the Government has been able to bring legislation on gambling to both Houses of Parliament that has really got no opposition, not even from people in Bridgetown. I recall that about three or four months ago, when it was mooted that the Bill was coming, I saw a lot of hot air coming from another direction. But somehow, as Senator Simmons said, I noted nothing was said in the Other Place by this gentleman on this Bill. So it would appear that it is a very acceptable Bill.

I am pleased that hotels are again going to be able to have games rooms. I think that when you have a luxury hotel like Heywoods you must have some facility for gaming. I think that any of the associations will be the first to go down there. They may not do so well at the beginning, but they are going to reap their just rewards after a time. I think that this is going to be an asset.

I am a little surprised that Senator Greaves was a little worried about having a games room at Heywoods, because most of the people who are employed at that hotel seem to come from the north. I would have thought that he would have been most pleased, because, without a doubt, this games room activity, if it does come about at Heywoods, will create a lot of employment there.

Senator Hall got on to racing and called for the establishment of a racing authority. I shall be very honest and give a very personal opinion. I totally agree with him. I have nothing against a racing authority. I think that this country needs one.

We need to have a new track. We will not get a new track until we have a racing authority in Barbados. We

need a new track because we need night racing in Barbados. We will not get night racing in Barbados until we get a racing authority. We need night racing as activity for tourists at night. We need it to create work for the taxi men. We need it to help the restaurants. People who win money at night want to go out and spend it. We should have night racing. Unfortunately, the lobby there is a little too strong. That is the truth.

There is talk of a new track, but the Government has got to set the racing authority in motion in order to get the new track. They have got to let the Turf Club know that in order for racing to progress in this country, it cannot, unfortunately, progress at the Garrison. That is a small track. It has served its purpose. It has done us well. It is beautifully situated. I like it. It is quaint and smart and you can see the whole race. However, for racing to go on, we must get something better. We just cannot continue with the same thing.

I love Roebuck Street, but I have to be in Tudor Bridge. I had to come out of the way I did business in Roebuck Street to do the business of the 1980s. We have to come with the race track. I believe it is the only building in Barbados where if you see a picture of it during Hurricane Janet, you see it with the roof off, and it is the same building as existed then since 1955. In fact, it is the same building which has been there since 1925. There has been no changes. It is appropriately placed near the Museum.

Laughter.

(SENATOR W. W. HALL: The jockeys' room.)

SENATOR C. D. SEALE: Senator Hall reminds me of the jockeys' room. We have to show what old Barbados looked like, and that is old Barbados.

There is one personal point on the Turf Club, but I am not speaking for the Turf Club in any way. I believe it would have been useful if the regulation that makes the bookmakers close at 12.00 o'clock on race day was removed. I think that would bring a lot more revenue to our betting at the Turf Club. This was instituted many years ago because we had a conservative element running the Turf Club who were really planters, and who felt that there must be no competition around and, therefore, you must close the pools down. If we had those pools open, the pools would have to bet with us, because they would have to lay off their bets at the track. We would have a lot more interest in racing. We would not just take up the papers and learn about it.

We could also have starting price odds started from the pools. If the pools started starting price odds, we would get a lot more interest at the Garrison. I do not think it is too late. I think there is a reasonable majority who might agree with me.

I hope that the Government would write the Turf Club and ask them if it is absolutely necessary to close bookmakers at 12.00 o'clock on Saturdays. Let them open and pay some more overtime. Let people bet and let there be more people around. It will help Bridgetown. They would not hurt the Turf Club. I can assure you of that. They will make our races a lot more popular.

I made the points earlier today on tourism. One point I did leave out was that I feel that the newspapers, rather than tell us about the amount of potatoes that arrived in the island or the amount of containers that arrived in the island with various stuff, could tell us every day the amount of arrivals we had at the airport. Instead of telling us how many jobs were lost in certain areas, they could tell us how many taxi men got jobs from the airport through the tourists that arrive. I think these are the things that we want to see – some positive reporting to help tourism. We do not want to descend into a disaster, lawlessness, and poverty. We want betterment, loyalty, and prosperity.
5.25 p.m.

SENATOR THE HON. O'B. TROTMAN: Most of the debate involved arguments on racing from Senator Hall which were a little bit too high for me. I am not a gambler myself, so I do not understand these things. As I was saying on the corridor a few minutes ago, my nearest association with gambling was a night when I was on the Charles Duncan O'Neal Bridge and heard the Leader of the Opposition saying that I was gambling at some house somewhere in Maxwell, that I was playing poker. I got myself in a frenzy and said that I was going to put him in court because I never played poker and, furthermore, I was going to use as evidence that he had called about six names of people playing poker the same night. I turned to my friend Howard Roberts and said that he must be mad, because how can so many people play card games. My exposure to cards was merely to rummy and these kinds of things, and on that night I was enlightened that you can play card games in large numbers.

Senator Greaves put some burden on Government what he considers the erosion of morals by gambling under the present Government. I believe that, with the exception of the Betting Duties Act, which sought to take some of the revenue from the proprietors of the gaming machines in 1977, this is the first time the present Government has done anything about organized gambling, whereas it is true to say that the former Government legalized pool betting and bookmaking in Barbados.

Senator Greaves went on to say to make the point that he sees a new breed of person going to their bookmakers day after day. Let that be at his door step.

I have no particular objection to people who want to gamble. If they earn their money and want to gamble, let them gamble it away. That is their business. I am nobody's keeper.

He asked about the meaning of Section 7. He does not know what it means and I do not know either, because I have no idea what these technical terms mean. I am not able to assist him in the question of "banks" lying between player and all sorts of other confusion. I have absolutely no idea and, furthermore, I have no intention of trying to find out.

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

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

SENATOR J. E. D. WILLIAMS: Mr. Deputy President I beg to move that the Bill be taken in Parts rather than in clauses.

Clause 1 was called and passed.

Clause 2 was called.

SENATOR THE HON. O'B. TROTMAN: I beg to move that Clause 2 stand part.

SENATOR D. A. C. SIMMONS: On page 3 there is a grammatical error at the bottom. It says "but does not include a person that operates, or is employed in operating a totalisator".

I should like to delete the word "that" and substitute the word "who". It is not a person "that". It is "a person who", and the whole Bill speaks of a person "who". A person "that" is not correct grammar.

Mr. CHAIRMAN: Thank you. If the Clerk will make a note of that, that can be regarded as one of those typographical errors that can be corrected in due course. You are quite correct.

SENATOR D. A. C. SIMMONS: The honourable Senator is raising a good point. This party used to complain about the way that Mr. Moe, when he was Attorney General, used to arrogate to himself the power to tidy up Bills. Why can we not just move the amendment here and let it be dealt with, or does it have to go back down?

Part I was called.

SENATOR THE HON. O'B. TROTMAN: I beg to move that Part I stand part.

SENATOR D. A. C. SIMMONS: On page 9, Clause 4, I see a little differential in the rule. It says "The functions of the Committee are:

"(b) to consider all applications and grant or refuse approval for the issue by the Comptroller of licenses in respect of the importation and use of gaming machines in Barbados;".

I wonder if there are two types of gaming machines provided for in this Bill – gaming machines and amusement machines. As far as I know, amusement machines have to be imported from abroad, which require the sending out of foreign exchange. I wonder if this is a policy matter that amusement machines are deliberately exempted from the necessity to have an import licence.

In reading this during the week, I asked one of the operators of an amusement arcade about this, and she said she had to get an import license, but it is not provided for here. I wonder if there was any good reason for its exclusion from the requirement of licensing.

SENATOR THE HON. O'B. TROTMAN: It is not a matter of excluding the amusement machines from licensing here. Licensing is usually a function carried out by the Consumer Affairs Division of the Ministry of Agriculture. In the normal run of things all licences for importation are issued through that department, but in addition to anything which the Consumer Affairs Division has to do with licensing, we have also put gaming machines specially on this one. So it is not a matter of excluding gaming machines from the Gambling Act, it is a matter of insisting that we have a tighter arrangement on gaming machines than there is on other machinery.
5.35 p.m.

The whole area of foreign exchange and commodities will still be handled by Consumer Affairs, but because we want to have a tighter control on gaming machines, it is specifically put in here.

The question that Part I stand part was put to the Senate and agreed to.

Parts II to V inclusive were called and passed.

Part VI was called.

SENATOR THE HON. O'B. TROTMAN: I beg to move that Part VI stand part.

SENATOR W. W. HALL: Sir, I really wish to make mention in relation to lotteries that having looked at this situation very closely over the years, I feel the time has come when Barbados must think in terms of having a national lottery. I know the detractors would say that it would be a question of personal funds when you have the money to give out to associations, but there is such a hue and cry every year when associations have to approach the Government through the National Sports Council for funds, that perhaps it might be a better idea if we think

in terms of the establishment of a national lottery where all the sports would come under its umbrella as far as funds and subventions are concerned, and indeed we should think in terms of welfare.

I agree that the mechanics of it would have to be worked out, but I have observed that in other countries they have been able to successfully launch lotteries; and I must say that the money derived from such a game of chance is ploughed back into sport and into welfare. I feel that we must look very seriously at this, because when all is said and done, you have to realise that no Government in Barbados will ever have enough money to spend on sport. That is an undeniable fact and one which we must address ourselves to, and I feel that if the Government looks at this question of a national lottery, you would not then have a situation where sixteen sporting organisations are vying against each other with the little car raffles and the little games house.

I think that enough money would be collected from a national lottery, and enough employment would be given to people who not only sell the tickets but who are otherwise employed in the administrative side of it, that it might be a good thing to have this sort of thinking in mind and soon put this on the drawing board. I am sorry I did not have the time to elaborate on it, but perhaps another time will come soon when I will be able to give you chapter and verse of my view on a national lottery.

SENATOR C. D. SEALE: Just now I supported Senator Hall, but this time I cannot support him. Senator Simmons made a very valid point earlier on. He said that a part of the very heavy tax which is placed on the Turf Club's lottery, Let's Go To the Races, could be channelled back into sport. I am aware of the fact that, so long as sales reach a reasonable level, the Government will benefit by something like $3 million, and I am satisfied that probably we could pass a third of their tax over to sport and then they would have no worry about running any lottery in competition with anybody.

It will be difficult for a Government lottery to be successful unless you ban everything else. If you ban everything else, every other lottery, every other business, the Government would then possibly be successful. But to run it while we keep running our little raffles and other things, it will not be successful, and it might become the subject of corruption, and I would not support that in any way.

SENATOR W. W. HALL: On a point of elucidation. I never really intended that you should run a national lottery along with all these other little lotteries. Obviously if you have a national lottery, these other little games that are here today and gone tomorrow will go by the board. I am aware that the Turf Club will give $3 million to sport, but I want to say that we are in Barbados and we must remember that although people would go for it because they think they might win something quickly, you might get a wider base if it were a national lottery. People might say they do not like the Turf Club, the Instant Money or the Bridge League, but with a national lottery, I feel you would get the average Barbadian interested even from the point of view of loyalty to your country.

I certainly meant that these little lotteries should go by the board and the Government would then be charged with the responsibility, I hope through the Sports Council, for the disbursement of these funds.

The question that Part VI stand part was put to the Senate and agreed to.

Part VII was called.

SENATOR THE HON. O'B. TROTMAN: I beg to move that Part VII stand part.

SENATOR D. A. C. SIMMONS: I want to look at page 65, clause 56(7). During Senator Hall's speech, I think he complained of the fact that the percentage pay-out, as he read and Act, would not be displayed on bandits. I believe that there is provision in 56(7) (c) for that.

> "There shall be displayed on a machine or premises mentioned in subsection (1)
>
> (c) a statement of a percentage as being the percentage or minimum percentage of the aggregate value of the charges for play inserted in the machine which the machine is designed to pay out;".

I believe that maybe that is what they are getting at there, but I have a complaint under this section. We are told in Clause 10 that no person under 18 should take part in gaming. I would have like to have seen in 1967/57 a statement to that effect on the machines and in the premises, some warning. You are displaying various things for public viewing and I think it would help the youngsters and keep them out of these areas if signs are displayed.

5.45 p.m.

It can be done in the Regulations. The Minister, under his power, can issue regulations to that effect, but I am sorry that it is not now in the Bill itself.

Mr. CHAIRMAN: Senator Simmons, look at Clause 18, page 23.

SENATOR D. A. C. SIMMONS: Yes it says "no minor shall be present in any room while gaming is going on". But that presumes that the minor knows the law. That only says that he should not be present.

What I am calling for is a notice. Just like how you see "NO SMOKING", I want a notice in these places where you have the bandits saying "No children under 18 allowed in here" or "to play these machines", however you want it. That is the intent that I am after.

SENATOR THE HON. O'B. TROTMAN: Mr. Chairman, I believe that this is a matter for the Regulations because I seem to remember seeing such signs displayed on machines, so there must be, at present, some provision for the displaying of notices on the machines prohibiting minors from playing. It is just a matter of putting in the Regulations how the signs should be done, but, certainly, Section 18 covers your point.

The question that Part VII stand part was put to the Senate and agreed to.

Parts IX – XI were called and passed.

The First and Second Schedules were called and passed.

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

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

DEFENCE (AMENDMENT) ACT, 1984

Order No. 28 was called – To move the Second Reading of a Bill to amend the Defence Act, 1979–25.

SENATOR THE HON. O'B. TROTMAN: This Bill seeks to change some of the conditions of service of members of the Defence Force in various respects.

In Clause 2, Section 30 of the original Act is amended by increasing the cost to a soldier who wishes to purchase his discharge from the Army The original provision was $500. The amendment seeks to raise that to $2 000 in order to reflect a more realistic cost incurred in training a soldier at today's rate. It does take a lot of money to train a man to become a disciplined soldier and $500 is absolutely no money.

Section 3 is a new provision. There are public officers who go on training and on their return, they are bonded to remain in the service for some time to reflect the length of cost of their training to the Government. Section 3 in this Bill provides for a new Section 30 of the original Act. Section 30A provides for similar conditions for members of the Army, that where a member of the Defence Force undergoes training under the auspices of the Force, he shall, on completion of the training course, serve with the Force for such periods as may be prescribed.

Section 188 of the original Act prohibits the unauthorised use of and dealings in decorations, and the original Act provides for the prohibition of the wearing in a public place, without authority of uniforms of the Defence Force, providing for permission to be given to persons appearing in stage plays or under certain prescribed conditions.

The amendment goes further and also prohibits the wearing of any uniform commonly known as a camouflage suit which is so popular, from any surplus store. It also prohibits the wearing of any uniform which is normally worn by any military organisation of any country. It goes on in Part C of the amendment to provide for the prohibition of having in one's possession uniforms and military equipment.

5.55 p.m.

Section 6 regularises pensions for persons who were serving as teachers or other public officers and who have now gone to the Defence Force, to ensure that their service with the earlier civil organisation is properly counted as service with the Defence Force without any confusion as to break in service.

Section 6 also amends Section 226(b) and provides for retirement of the Chief of Staff. There is a schedule of retirement for age for a soldier, but one could appreciate that if a Chief of Staff has to leave office because of some difficulty with the Prime Minister or the Defence Board, he could easily lose his pension if he had not had in the required number of years according to the required statute. If a Chief of Staff is removed from office in accordance with the new amendments, he would be deemed to have retired at the age appropriate to his age, which in the case of the present officer is age 55 years.

The new Section 226(c) provides for the appointment of civilian staff by the Defence Board. At present civil staff are still considered public officers, and obviously there is difficulty in having public officers and army personnel operating in the same compound under the same supervisors.

These are the main points of the Bill. I beg to move that the Bill be read a second time.

SENATOR E. E. GREAVES: Mr. Deputy President, whensoever any matter relating to Defence and Security is debated in Parliament, there is always a tendency to raise quite a bit of controversy. Indeed this goes back not only to the time when the Barbados Labour Party gained the Government, but certainly to the time when the Democratic Labour Party held the reins of Government in this country. I think it is because there is a certain

amount of concern which people have about expenditure on defence, and in this regard I just want to raise two points which, in my view, are serious points, and on which one would expect some statement coming from the Government.

Senator Trotman indicated that this Bill seeks to raise the penalty for a soldier wanting to leave the service, after having been trained, from $500 to $2 000, and he suggested that the reason for that was that there was some cost involved in training and if a person wanted to leave, having received this training, he should be made to pay a proper sum to the Government. I am really wondering if there is not another angle to it, whether it is not so much a fee relative to training, but a deterrent to prevent people from wanting to leave the Defence Force easily, because it is more difficult to find $2 000 than it is to find $500. Whereas at least it has been said that there are a number of people who have joined the Defence Force, now realising what is involved and the kind of possible dangers they are exposed to, there may very well be a large number of people, I do not know, who might have expressed an interest in trying to get out, and this might be one of the ways of making it more difficult for them to get out.

I would have thought that the Minister would have taken the opportunity in introducing this Bill to allay public concern about the very serious damage which was done to the Trident – I think that is the name of the boat – a few days ago. There is a newspaper report indicating that the Trident our Flag Ship, which will eventually cost the taxpayers of this country $20 million when we are finished paying for it, if we have not finished paying for it already, was damaged, and there does not seem to be sufficient explanation. Certainly I have not seen sufficient explanation for the reason why the accident or whatever it was took place, and I think we ought to know something.

I know there is a certain amount of secrecy which surrounds defence matters, but certainly in a matter where money is involved to the tune of $20 million, and it is said that repairs would run into hundreds of thousands of dollars, I think we ought to be treated with the courtesy of some explanation from the Minister. I am wondering if he is in a position to give us the benefit of an explanation tonight, or whether we can expect some statement coming from the Ministry of Defence and Security on this particular matter, because I think there is general public concern about this.

I believe that there are a number of Barbadians who have expressed some concern about the event relating to the presence of the same Trident in the waters of St. Vincent on the eve of the general elections in St. Vincent and the Grenadines. When this question was raised it was stated by the commander of the Coast Guard that the Trident was on a routine training exercise, after having first been denied by the Government. I wonder why it was considered appropriate, knowing the sensitivities of people and indeed the amount of concern which would could be raised, to send a ship on a training mission within the territorial waters of St. Vincent at the time of elections.

I do not want to hear the argument about it was legal and that this is part of some defence pact put as an excuse. In my considered opinion, it was both improper and dangerous. Imagine a Cuban vessel or an American military presence in our territory, including our territorial waters, in similar circumstances. Could you imagine what would be said around here? I am submitting that the only rational interpretation which would be put to the presence of a Cuban vessel, or to an American presence, or indeed the only rational interpretation that could be put to the presence of the Trident and Barbadian sailors in St. Vincent waters during election time in St. Vincent, is that it was for the purpose of intimidation, and I say that without fear of contradiction. This heightens an undesirable image which this country is developing, especially in recent times in the Caribbean. It is developing a reputation as being an aggressive and imperialistic country. I think that we have got to watch this.

6.05 p.m.

Barbadians, unfortunately, through the attitude and the approach of Government to matters of a regional nature, are becoming very unpopular throughout the Caribbean. The image which we are projecting is not a good one for this country. This behaviour on the part of our naval arm of our Defence Force really topped the cake. I hope that something would be done to reduce that kind of undesirable profile which seems to be developing about this country throughout the Caribbean and amongst neighbours in the area.

In the past I have expressed reservations about numerous aspects of our whole defence policy, the way in which we are building up our Defence Force and the amount of money which is being diverted in that direction. My thoughts on that are well known, but I could not have allowed this debate to go without raising those two points which I consider to be very important and very germane to the debate. I hope that the Minister in reply will take the opportunity to clear the air on these two issues.

SENATOR THE HON. O'B. TROTMAN: I do not believe that anybody in 1984 would think that $2 000 could prevent a soldier who wants to leave the force from leaving. Soldiers are not underpaid. Two thousand dollars in any working man's pocket today is not the large sum of money that it used to be in the 1950s. We are talking of two month's wages or something like this. That could not be a serious argument in relation to preventing persons who want to leave the Army from

leaving. If a man felt so strongly about leaving the Army in Barbados, you would have to give a little more digits than just $2 000.

My advice is that the Trident was damaged in an accident. An investigation is being carried on into how the accident took place and what caused the accident. That investigation is not yet completed. When all the enquiries are finished, I supposed we will all then be in a position to know what happened to the ship, but it would be improper, especially in a military situation, to try to prejudge what an enquiry is going to reveal. I do not think the Senator would like me to do that.

Senator Greaves asked why we were in somebody else's waters and then answered himself. If you have joint participation in the Defence Pact, I do not suppose you are in a position to complain if your waters are used for training. You cannot be part of a team and not part of a team at the same time. I do not know who the Trident would have been intimidating. I do not know that anybody in Barbados has any interest in which party wins elections in St. Vincent. Who is intimidating whom? I do not know if he wants to tell us about his party, but certainly we are not interested in interfering in anybody else's free elections. If his party has an interest in a party in St. Vincent, he can let us know.

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

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

Clauses 1 to 9 inclusive were called and passed.

The Schedule was called and passed.

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

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

6.15 p.m.

EDUCATION (AMENDMENT) ACT, 1984

Order No. 14 was called – To move the Second Reading of a Bill to amend the Education Act.

SENATOR J. E. D. WILLIAMS: The amendments to the Education Act are indeed necessary in order to make clear provisions for the function of the Minister in relation to the admission and transfer of pupils in public schools. It also seeks to provide for the designation of an appointed day for the transfer of the assets and liabilities from the former governing bodies to the Crown, and it provides for the preservation of certain terms and conditions of service of teachers who held permanent appointments with the former governing bodies.

The Ministry of Education was required to consider the implications of recent Supreme Court actions and decisions relating to the Education Act and, therefore, steps were taken to resolve the problems which were posed by those same decisions. We all recall the action brought against the headmasters of Combermere School and Foundation School. That action was filed subsequent to the admission on transfer of a number of pupuls at the Foundation School and Combermere School contrary to the procedures laid down for the effecting of transfers of pupils to public secondary schools. The application which was filed with the court sought a declaration that the headteachers of those two schools had no authority, without the permission of the Minister, to admit the pupils involved, in accordance with the rules governing competition in secondary schools entrance examinations, and that the said admission of those pupils was contrary to the laws governing the admission of pupils into the schools.

The policy as enunciated by Government was contained in several circulars of headteachers of all secondary schools. It required that applications for such transfers should be submitted to the Ministry of Education and states that such approval is governed by certain criteria, which includes the marks which the children got during the entrance examination, the geographical location, and the performance of the child at the school to which he was allocated.

It became necessary, because of the judgement of Justice Worrell, for us to amend the Education Act. The advice of the Attorney-General was sought on the matter, and steps were taken to ensure that the procedures for admission and the transfer of pupils to secondary schools were given legal effect. The Attorney-General advised that the tightest way to deal with the matter was to amend Sections 24 and 59 of the Education Act and, as we will do later, Regulation 25. These amendments will have the effect of including the admission and transfer of pupils to secondary schools in the Minister's function, as well as making specific provision in the Regulations for the carrying out of these functions and the determining of qualification marks. In addition, provision is made for the Minister to have the power to give direction in respect to any matter which may not be specifically provided for elsewhere in the Act.

It also was necessary to amend the Act as a result of another court action. In this instance, it was the case

where the Attorney-General sought to restrain the actions of the headmaster of Lodge School. The action actually arose out of the dismissal of a pupil from Lodge School on the ground that his work was unsatisfactory, and the subsequent refusal of the headmaster to re-admit the pupil, despite the direction of the Board to do so. This refusal led to a request by the Board that disciplinary action should be brought against the headmaster. Again, the judgment in essence declared that the section of the Act which provided that teachers listed in the Schedule to the Act would come into effect, Section 65, was null and void.

I made reference to an Order designating what is considered the appointed day under Section 22. The designation of the appointed day has relevance as it relates to the transfer of rights and liabilities and assets of the schools from the former governing bodies to the Crown. The amendment of Section 22 will provide for transfer of those assets to be effective from June 1, 1983, the day on which the sections relating to the management of secondary schools were brought into force by proclamation.

The amendment to Section 23 of the Act provides that the lands and properties vested in or held by the governing bodies will be transferred and vested in the Crown, to be managed and administered by the Board of Management on behalf of the Crown rather than to be held in trust by the Board of Management, as was originally provided for.

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

SENATOR E. E. GREAVES: Mr. Deputy President, I think that this amendment can be called the Lodge School amendment, because essentially what this amendment seeks to do is to regularize what was not provided for in the 1981 Education Act, and as the Parliamentary Secretary has indicated, it stems out of a court decision of some months ago.

It is rather ironic that today we are discussing this amendment and the news has broken that the Headmaster has been fired. I think that this says a lot. This is very instructive about the administration of the education system in Barbados. I believe that there are a lot of shortcomings in the administration of the system, both from the point of view of the Ministry and also from the point of view of the respective schools. I think that we have reached a point in this country where it can be said that education, and particularly the area of administration, is at the cross roads.
6.25 p.m.

I want to go very carefully through this, particularly since we are amending the Education Act, and deal with some issues which have arisen since we last had an opportunity to speak on educational matters in this country. I believe that we ought in this country, particularly in the area of education, to be trying to devise a system which will be a credit to us, and we ought to be able to develop an administration and techniques for administering the system which would also be a credit to this country. I am saying, without any fear of contradiction, that this is far from being so, and as a result of the kind of attitude which has been adopted by the Minister of Education, we are now left with nothing but chaos in our educational system, chaos which will do irreparable damage to the children who are at present in our educational system. You only have to think of the kind of damage which has been done to those children when three headmasters were taken to court. A child usually has a head of a school not only as a mentor but as an image, a person who he or she can look up to, and when headmasters are humiliated nationally for children to be laughing at them, it is a very serious thing.

I think it is a very serious indictment on the Ministry of Education to allow the situation to deteriorate in the way it has deteriorated. There was no need, in my view, to have gone to that extent. If, for example, there was a problem relative to the taking in of pupils through the back door, I am sure there could have been another way of dealing with it, because it was something that had been going on for a long time. Senator Lynch knows that.

At the root of these problems which we are experiencing in education today is the wrong headed, pig headed arrogance of the Minister of Education. This kind of wrong headed, pig headed arrogance typifies the Government, the Barbados Labour Party Administration, and it is clear that this country will never get an improvement in education and in the administration of it unless the present Minister of Education is removed, and certainly unless the Government is changed. Never in recent memory has there been a period in which there has been so much chaos and confusion, anguish and anxiety, among parents and guardians, among pupils and teachers, among Ministry officials, as has been experienced recently over the direction of education in this country.

Lodge School will take a long time. I really do not intend to spend a very long time on Lodge School. The headmaster of Lodge School has said that he wants an investigation into the education system of this country, and I believe that such an investigation is well in order not only for the Lodge School, but at other schools in this country which need to be investigated, because the administration of them leaves a lot to be desired.

I want to just move to a school which, to a large extent, has moulded me; Coleridge-Parry. This school is, as it were, part of me. I was among the first group of pupils who went into that school in January 1952. I also taught there, so you would appreciate my concern. Lots of things have been going wrong at this school for

the last five years or so, and rather than matters improving, they are getting worse.

I want to identify six areas of concern which I would hope the Ministry will do something about. They highlight the problems which seem to be causing all sorts of difficulties at the school. In the first instance, there is disquiet and discontent amongst the staff because of the bad relationships which exist between the staff and the headmaster.

Just on Wednesday when we met, Senator Lynch re-emphasised a point which I have been making a long time ago as a member of the Lower House, that the schools today need heads who are not only trained to teach a particular subject, or who have served long in the Teaching Service, but who must have more than a passing acquaintance with techniques of labour management relations and in encouraging people to work with a view to getting the best out of them. That only comes from being able to foster and develop good relationships between the people who have to give directions, in terms of taking the ultimate responsibility, and the teachers.

If there is one place where the concept of workers' participation can be effectively practised in Barbados is in the schools, where teachers can be involved in a meaningful way in decisions which have to be made for administering a school. This does not take place at this school where you have a head who does not consult, or does not even think that he has to consult, with the teachers, and that is a very serious problem. I suspect that it is repeated at a number of other schools.
6.35 p.m.

Secondly, on the question of the administration, I do not think any headteacher should allow a situation to develop where you have one or two forms where children do not have benches or chairs on which to sit. I think this is a serious problem and a reflection on the administration of the school. At Coleridge and Parry, what you are finding is that pupils in the Third Form have to sit on their desks because there is a shortage of chairs. How do you expect children to learn in this kind of environment?

There is also a shortage of chairs in the staff Room. Teachers are quarrelling about this among themselves. That is another serious matter.

About 50 per cent of the members of staff are not appointed. When you get a situation like that, it is an indication that something is going wrong, or has gone wrong.

There is confusion over the headmaster's house, whether it should be used as a place for the Home Management Studies, as it was designated, before the present headmaster took over as headmaster of Coleridge and Parry. When he took over he reconverted it into a residence for the headmaster, although, as I understand it, when the advertisement went out, there was no indication that a headmaster's residence was part of the deal for accepting headship of this school. Coleridge and Parry has now gone co-educational and Home Management Studies is part of the curriculum, particularly for the girls. An arrangement was made to have a separate entity where Home Management Studies could be conducted in the atmosphere of a home type situation, and find that it has been denied them.

These things point to a number of very serious problems at that school. And when I talk about Coleridge and Parry, I really talk about it with some feeling, because I am really hurt to think that a school which has moulded me could deteriorate to such an extent. I think it has to do with the administration, which has got worse and worse over the years. Something ought to be done about it, and in the overall context of what is happening. It is a reflection on the administration of our educational system in this country.

Under the Education Act, which we are amending here this evening, the Act provides for private schools and private educational institutions. On July 30, there appeared a notice in the *Official Gazette* indicating a register of private schools and private institutions. I do not have to call out the names of those schools which appear on that register, but they were certified as being in accordance with Subsection (2) of Section 30 of the Education Act, 1981, and was signed by the Chief Education Officer.

A school about which I am concerned, Leacock's Private School, was left off this register, in spite of the fact that all of the conditions which are required under the Act for registration of these private schools were met by that school. As a matter of fact, you will be surprised to know that a number of these schools which appear on the register as having satisfied the requirements, I am saying, without any fear of contradiction, have not satisfied the requirements. You only have to look at them and see where they are situated. When you compare – I do not want to turn this into a personal thing – if you can take a school like the Metropolitan in Roebuck Street, read the provisions of the Education Act and tell me if you think that that could ever qualify. Yet, that appears there. Some of the schools in the same category as Leacock's Private School are registered here, but, up to this date, they have not met with the requirements. As a matter of fact, the head of one of these private pre-primary to primary schools who, on the weekend, visited Mrs Leacock, admitted that she has not been able to satisfy half of the requirements. Yet, the name of her school appears on this register.

The Act requires that each school submits a syllabus to the Ministry of Education, an approval from the Town

and Country Planning Department, a certificate from the Fire Service, a certificate from the Ministry of Health and that an inspection be done. All of these legal requirements were fulfilled and submitted by the proprietor of Leacock's Primary School before October, 1983.

In October, 1983, an inspection was made of Leacock's Private School. In March, 1984, another inspection was made. In October they examined facilities such as toilets, lunch rooms, office, classrooms and took measurements of the rooms presumably to verify the information submitted by Mrs. Leacock. In March the inspection looked at facilities again, and watched the children at work. Nobody objects to being inspected, especially when they know that they are doing a good job and that their facilities are up to mark.

The inspection of Mrs. Leacock's Private School goes back to 1957, when after an inspection carried out by the late L.T. Gay, who was the Inspector of Schools, he wrote: "Mrs Leacock's Private School is a model for primary school teaching in Barbados." This school's facilities have improved over the years. It is now a modern two-storey building. It has not only improved its facilities, but it has been able to improve the quality of its staff and can boast of teachers with 6 and 8 "O" levels teaching on its staff, something which many of these private schools cannot boast of. But yet we find that Mrs. Leacock is experiencing some considerable difficulty in getting her school on the register. I wonder why! I wonder why she is being harassed like this.
6.45 p.m.

The Ministry of Education is adopting that attitude towards the registration of Mrs. Leacock's Private School for political reasons. As a matter of fact, the Minister of Education said during the St. Peter by-election that she would deal with Mrs. Leacock. When she said that at the time we did not know what she meant, but we are seeing a manifestation of what she meant now when she said that she would deal with Mrs. Leacock. Mrs. Leacock, having fulfilled all of the requirements for registration, yet finds that registration is denied.

In this context, I want to look at the primary schools in St. Peter, for example, the Speightstown Girls' School, which is above the bus stand. Look at the environment in which those children have to go to school and work. One finds that unlike Mrs. Leacock's Private School, which has toilet facilities enclosed in the building, the children there have to walk far away from the school building in order to reach the toilets. There is an open pit below the toilets which poses a danger to the children. The road to the school is bad, and when the rain falls it is almost impassable. There is bush around the school from the adjoining area, Forde Land, the environment is in a deplorable condition, and yet the Government, which owns and operates this school, does nothing to improve these conditions. But you have a situation where Mrs. Leacock's Private School is in a proper environment, has all of the facilities, has met all the requirements, but yet it seems as if there is some difficulty in getting registration.

Everything about the Indian Ground School and the Boscobelle Boys' School seems to be wrong; broken fences, broken guard walls, rocky yard, windows hanging off, no proper toilet facilities, toilets more often out of order than in order. Schools in St. Peter are in a shabby state, but the Government does not in its wisdom see it possible to put them into shape to get them up to some suitable and required standard, a standard which any normal person would expect children to operate in. They do nothing about that, but they want to harass a lady who has made, and continues to make, a significant contribution to education in Barbados.

It is interesting to note that when the furore broke out over the non-registration of Leacock's Private School, the Chief Education Officer admitted in an interview that he had processed thirty schools and had approved of them, according to the newspaper report which was not denied, presumably for onward submission to be published in the *Official Gazette.* But only 29 schools came out in the *Official Gazette.* I can draw an inference from that, and the inference I will draw is that somebody somewhere took off the name of Leacock's Private School from the thirty. It is really spiteful, to say the least. It is malicious to do that kind of act to a person who has tried her best to meet the requirements laid down in the Act.

Sir, if you ever pass across Pine Road, you will notice a private school which operates out of a garage, a lean-to building. Have you gone to Onxards and seen a private school operating out of a basement of somebody's residence? Have you ever gone up Maxwell Hill and seen a private school operating partly out of a garage and partly out of the home of a person? You can go all around and see that. Up there just at the back of Carrington Village going to Bridge Road you find that there is a similar private school operating with a galvanised shed put up at the back. No way, I am sure, could these schools have reasonably met with the requirements of the Town and Country Planning Department, the Ministry of Health or the Fire Service, but yet you find that these have gotten approval.

Education is one thing in which we have to be very careful about politicising to the extent of attempting to penalise people who are making a genuine contribution to the upliftment of this country purely because that person chooses to associate with and be a member of a political party which is in opposition. I think that we ought to pass that. There is too much politics, too much spite in the administration of education in this country.

When one examines the way in which the Minister of Education has been functioning and bringing about

chaos and disruption in our educational system, one can come to three possible conclusions: either that the Minister is acting contrary to the advice of her Ministry officials; (2) that the Minister is being badly advised, or (3) that there is collusion between the Minister and the Ministry officials to victimise people. Either one of the three of those is possible, and I leave you to choose whichever one you want to choose. Whichever it is, I think that all that has happened has left a very bad impression in the minds of the public and a very bad impression on the children, and can have a very serious effect on a whole generation of people in this country – all because of the way in which the Minister has administered the Ministry of Education and the schools which fall under her responsibility.

There should be, and I certainly would want to call for, an investigation into the administration of education in this country. I think that this is timely because too many things have been going wrong. We cannot afford to have the luxury of a Minister who punishes people and victimizes people in the way that people in the educational system, whether one is a pupil, an administrator, proprietor or proprietress of a private school have been. The victimization and the spite which seem to be coming through out of directives from the Ministry of Education need to be investigated and put right. Until we do that, we are going to be moving downhill. We will reach a point where all will be practically lost. I do not think that we should allow our educational system to be subjected to the kind of mismanagement which is clearly evident as of today.

I said that I would say much on the Lodge School. That is a case in itself. I know that Senator Simmons, who is a former pupil of the Lodge School, will probably speak about the Lodge School in the same kind of terms that I have spoken about Coleridge and Parry. I think that when people who have gone to school see a situation deteriorating to such a point, they have to speak up.

I have an interest in education. It hurts me, as I am sure it hurts other people, to see the misdirection which seems to be the guiding policy in education today. We have to do something about it, and do it quickly, otherwise, we are going to end up in a lot of trouble.

SENATOR MRS. E. M. LYNCH: Mr. Deputy President, I believe that members of this Chamber must have some little recollection of comments made by me on a number of occasions, certainly on two or three occasions when the Estimates were being debated. I have stressed repeatedly that while we keep discussing the Entrance Examination, in my estimation, we have been failing to pay sufficient attention to the inner life of our schools. I think it was the day before yesterday when I spoke about the remuneration for the headteachers that I pointed out that the headteachers today have new challenges, are placed in new situations, and that teachers on the whole, and heads particularly, have got to develop the style of headship and the attitudes required for dealing with the problems of this particular era.

If a Government wants to have a wonderful time with education, they can allow a policy of drift. There are a number of areas and a number of problems in education which in my estimation have been hanging loose for a very long time. I am not going to make an apology for the Minister. I think that in my speech in the Estimates Debate, I made reference to her. She is a very serious person about her work. She is very earnest, very thorough about what she undertakes, but she has not been a teacher, she has not been an educationalist. Perhaps, she may want to see changes taking place a little more quickly than the people with whom she has got to deal can make the change. The people have to take a little time to accept an idea, to try out something, or to go about a task differently from the way they were formerly going about it. But as far as I can see, her intentions are good and she tends to be thorough.

Wherever we have had a Minister of Education who has tried really hard to do something innovative or get changes made quickly, that Minister has had difficulty. Mr. Sandiford was another Minister who was very earnest about his job. He had difficulties as well. He had the first strike we have ever had from secondary teachers. We know that in years past, the system in which children of fourteen were turned out of school every year, some hardly literate, so that the eleven year olds should get in, continued for a long time. St. Leonard's had a shift system which led to all kinds of social problems. What I am trying to say is that there is stress in the area of education, because, as I pointed out before, we are in an era when, for the first time, everything is changing at the same time. We are not dealing with a change in one area and not in the other area.

In the world at large everything is changing, and most countries are having to come to grips with their system of education. If you read popular educational journals from England, you get the impression that English education is in chaos. You have that feeling. In America, they are looking at their educational system and going back to the good old idea of passing each class and not just letting people drift up. So education is an area where a lot of change has to take place.

The kind of change that has to take place is difficult because it is not just the mechanics of a system. I have said over and over again that there many people in this island who do not accept the basic concepts underlying the type of educational system that we are trying to shape. They give a kind of lip service to certain ideas and principles, but when an effort is made to put those principles and ideas into practice, you find opposition. You find people taking part in panel discussions and expressing the kind of ideas that, quite

frankly, leave you shocked to know that people who are qualified to speak and write on education could take that kind of stance.

What we have also is not false statements so much, but the suppression of facts. You do not ever get the whole story. I have seen repeatedly that there is interference by teachers carrying on their professional duties, they are interfering with the intake of students through the Common Entrance Examination and also by transfer.
7.05 p.m.

The impression is being given that the system in which the secondary part of education was entirely in the hands of heads and governing bodies, in which heads were entirely responsible for admission and where the Acts governing their various schools gave them considerable authority, was an ideal situation. Some of the people writing and saying these things are not too far from my generation. I am getting on now, but I knew them as teachers, too. We know that under that system there were children whose experiences were, to say the least, extremely painful. If you were honest, you would recall that even as late as the 1930s, the sizes of the Fifth Forms in most secondary schools were always very much smaller than the First Forms. I entered the form in 1928; three of us survived to fifth. I was head of a school where the intake was about twenty-five or thirty single stream for years; the average size of the Fifth Form was five. It is obvious then that in the time when we talk about the heads having the sole right of doing the selections, this system of selection was very faulty, because very few of the children who entered survived to the Fifth. So the first proper system of selection and organization is that your Fifth Form is the size of your First Form – in fact, bigger, because, some children might come back to take a few more subjects in the second year of the Fifth.

The other day I heard a gentleman being interviewed on the television. When he was asked what he remembered of his school days, by which I think they meant the secondary stage, and I think they called the name of the school, he replied that he did not remember anything about it. I thought this was a very significant remark. It seemed that that able young man had erased from his memory the years of his secondary education. You can form your own conclusion.

Whatever the system, in the final analysis it is the people who work in that system who determine whether there is going to be a story of success or failure. But wherever a Minister has tried to do new things, wherever a Minister has tried to be firm, wherever a Minister tried to come to grips with problems, that Minister tends to get into some difficulty. Although Miss Miller may have made some mistakes, although her intentions may have been misunderstood, that fate has been shared by any Minister who tried to correct any problems in Education. Basically, I think a Minister always has to keep near to the teachers, listen to what the teachers are saying, and try to convey the idea that she understands the kinds of problems within the schools and that she listens to what they are saying and is willing to work with them.

We were really running two parallel systems of education at one time; one system which you paid and the other which you did not pay. As soon as the payment of school fees was removed and education was free, those older secondary schools really changed their status *de facto* the everyday life of the school. They were Government-maintained schools. Just as the newer secondary schools were fully maintained, so were they – they got the free books that the other people got. The difference was that they had their governing bodies and that each of those older secondary schools had its own Act, the Act by which that school had been established.

Those Acts are in most cases more than one hundred years old, because I hear that Harrison College is now 250 years old. Most of those Acts would date back to the 19th century, except St. Michael, which was built in 1928. It is obvious that those Acts were made in a community where the whole situation was very different. Since those days tremendous changes have taken place in society and, therefore, there was bound to be changes in education, and especially there is a marked change in the view as to who is to have secondary education. Mr. Williams who left land to found the Foundation School or Mr. Harrison for Harrison College, their view would have been that secondary education was for the potential leaders of the society and that the leaders would be of a certain colour, and also for a group known as "the poor white". These were the kinds of people that the benefactors were thinking about. They were people of their day. There was no ministerial government, so when people say that the Minister has too much power now, he could not have had that power then, because there was no ministerial form of government.

The people who were the trustees for the Codrington School were people in specific positions who were named. I am sure Britain must have had the same sort of problem because we inherited some of this. They had this same kind of historical development from schools that were founded by private foundations and then gradually became Government Schools. So there must be some sort of tradition of how one gets this change satisfactorily in legal terms.
7.15 p.m.

Some heads held the view that they were still functioning under the Acts by which they were established. So directives or guidelines coming from the Ministry of Education were carefully worded, because we were servants of our governing body and things like that. But in real terms, any Trust left to run those schools

could not run them in these days, and in fact the schools which we regarded as the older secondary schools were Government-maintained, just like the others. So the *de facto* and the *de jure* situations seem to me not to be identical.

Even in the Forties when we were still a colony and Directors of Education were brought here, they had difficulties too. We speak now from time to time of abolishing the Common Entrance Examination, and then we say if we abolish the examination what can we do, and you come up with the solution which the second Director of Education had introduced. He introduced a series of testings in the primary schools at 7, 9 and 11, and I think his intention was that in the secondary schools it would be at 13, and a cumulative record card, which carried a lot of information, kept not only of the child's work at school and comments by his teacher, but also something of the social side of the child – how many children are in the family, are they the biggest, second or third child in the family, who came before or after them, boy or girl, and so.

At the time very few teachers in secondary schools were trained, and this cumulative record would get as far as the top of the primary school, but when it was to come over with the child into the secondary school, what were then called the grammar school teachers would have nothing to do with that. So that system did not continue, with the result that today, 40 years on, we are calling or suggesting the very thing that a Director of Education tried to introduce 40 years ago and found he did not have the power to insist that the cumulative record should go with the child and be continued through his secondary years. Although he was Director of Education he could not implement it, he could not say that the older secondary schools must do it. So it is fairly obvious that if you are going to have a properly articulated system, you could not continue that way, you had to find some way in which you articulated the different parts of the system.

There is going to be conflict, because people have got accustomed to functioning in a certain way. They have a very strong attachment to their older secondary schools, and it is noticeable that in the cases with which we have to deal, as far as I can see, the heads concerned are comparatively young heads. I think that they think in terms of headship as they saw it growing up, as they were sort of accustomed to it, and we do need to make a lot of adjustments to function in the new situation.

While the Acts governing those schools have remained static, a lot of changes take place. In 1937 you would have been told that agricultural workers had earned a shilling a day for a hundred years. This gives you some idea of how static the society was, and if you think of all that has happened between 1937 and now, you will realise that education had to change, because the community itself was changing so quickly and in so many directions. For example, primary school teachers moved from being under the authority of the Church and chose to be civil servants. Being civil servants gave them a wider choice of job opportunities. They could move from teaching into a number of other posts in the Civil Service, and it gave them the opportunity to improve their financial status, because they had to be paid in the same certain scale along with the other civil servants, and so they made advances through being civil servants. You can see, therefore, that when confronted with the idea now that something has got to be done about the 300-odd older secondary teachers, because they were not civil servants, it is going to be more difficult to offer the newer secondary people and the primary school people a change to accepting, say, a Teaching Service Commission, and it is going to be even more difficult for the older secondary school teachers to accept the status of civil servants. This is the sort of basic problem with which you have to deal.

I should point out something which has too seldom been said. The Government did not do anything underhand, the Government did not set out to deprive teachers of their rights surreptitiously, or anything like that. I happen to know that the teachers were thoroughly consulted on the Education Act of 1981, and I really cannot understand how they did not see any of these difficulties in the Act that have since arisen.

There are legal minds in the Other Place, there are legal minds in this Chamber. I must admit that I assumed that in the consultation with teachers whatever should have been done was done in terms of the offers that were to be made to teachers, and things of that sort. After all, they have an organisation which has the status of a trade union, the duty of which is to protect the interests of their members, and even more interesting was that the teachers worked for some time under the Act and did not protest. They never said they were being made civil servants and they did not want to be such.

Mr. DEPUTY PRESIDENT: Senator Lynch, you have two minutes to go.

SENATOR MRS. E. LYNCH: If you look back at what happened, you will find that several teachers moved from the staff of the older secondary schools to the Community College, and at least three of them have been Chief Librarians in the Education Office. In fact, they move into the Civil Service fairly cheerfully if the opportunity is favourable financially. So I think that we should realize that it is a time of change. There are lots of changes going on; teachers have to adapt to these changes and the community has to adapt to these changes.

7.25 p.m.

There were guidelines about transfers. In my estimation a transfer is something that should not be casually done. The Ministry did give guidelines. I do not think that the impression that it was a dictatorial thing is quite fair, because the Ministry acted as a clearing house. Some applicants came from overseas, Britain, Canada, the United States of America, Barbadians sending their children to live in Barbados or returning with their children, and the Ministry had those applications. The Ministry had the guidelines as to who would pay school fees and they sent us a list of people who could sit for the places, with their reports and the other information about them, but it was the head who decided who would have the places that were available, not the Ministry of Education. We examined the students and we decided which students would have the places that we had, and they had to be carefully looked at, because we were fitting them into the existing places. You had to decide who would fit best into these places.

I hope that this time I am not supporting an Act that has only pitfalls in it, and I hope that all that is necessary has been done. I trust that the community will realize that however wrong something may be, or whatever difficulties we may encounter, our first responsibility is to the children. Our first aim must not be to oppose and upset them. I make a strong plea to newspapers not to publish the photographs and any information of a kind which might be detrimental to the child in the Press. I really feel that we should respect the inner life of the school, the privacy of the child, and remember that it is a small community. Even if a child has been slow at school or even badly behaved, I do not think we should see his picture in the newspaper with the relevant facts. I feel we have to have some sort of responsibility and remember that it is a child's life at stake.

Boards of Management also have lessons to learn and they have to learn, above all, to select heads. That is what I mean when I say that you have to select your heads well and they have to be carefully selected. Whatever assistance they need has to be given.

We also have a right to remember that we are training children to grow up in a democracy. The Communists see that their children learn to be good communists. What do we do to teach our children the responsibilities, the duties, not only their rights, of growing up in society? When you hear 600 chairs are bad, it is not that those children never had chairs. It is that they destroy the furniture and male staff particularly smile and say, "Well, what do you expect from boys! " We are not teaching children to take care of the school furniture, to take a part in the shaping of their school community.

I hope that this Act will be the beginning of a more peaceful period in education. I would be sorry if anything happened to that very pleasant lady, Mrs. Leacock, but, from what I read in the Press, the list of schools was not complete and I must point out that there is a special officer in the Ministry of Education who looks after private schools.

SENATOR A. W. A. McCLEAN: Mr. President, in rising to support this Bill, I would like especially to single out Section 3 for special commendation, and that relates to giving the Minister the authority to determine the classification of the schools and to make provision for admission and transfer of pupils to those schools. The rules related to the provisions for admission and transfers should be very clearly set out and be made public knowledge, and favouritism should have no place in those rules or guidelines. I do believe that some of the furore that we have had in recent times relating to transfers resulted from an effort on the part of the Minister to remove what might have been seen as favouritism in certain quarters, favouritism in whatever complexion. I would support her in her efforts to make sure that transfers and admissions are made strictly on the basis of clearly articulated principles and not on the whims and fancies of anyone or any attempt to do favours for people, for whatever reasons, which are considered as qualifying for favours.

Going beyond that, I should like to direct attention to a few areas of the education system that I believe can benefit from a little improvement, and the first area relates to the selection of headteachers. Not enough care, attention and concern is paid to the selection of headteachers at all of the Secondary Schools in Barbados. I am certain that anyone chosen to be headmaster or headmistress of Harrison's College or Queen's College will be someone who most people would agree would be worthy of performing the task of a headteacher in a secondary school in Barbados, because that is the regard that all and sundry would have for Harrison's College and Queen's College. There are other schools in Barbados where I do believe that considerations other than equality of the applicants could creep in. For instance, it might be felt that you can improve someone's pension by promoting them late in life, although they are known to be of an inferior quality to some of the other applicants. That type of thing should not happen, because in doing so you are really jeopardizing the future of a lot of people who have to go through the particular schools involved.

I am certain that at the moment in Barbados there are headteachers who are not worthy of their position and who really are not equipped to cope with the duties of a headteacher – and remember the schools that are least regarded in terms of the point I was just making are the ones that need best quality staff. If there was a tendency that you could use headships to promote people close to the age of pensions to enhance their pension, that should be discontinued, where it has happened and the people are of pensionable age, although

not reaching the compulsory age of retirement, they should be induced to go home and draw their pension, and the schools should be put in the hands of people who can manage and improve them.

Relating to this is the tendency, perhaps, to overcrowd certain schools. I do not think that anyone would ever ask Harrison's College to take 240 students, because the school is not equipped to handle such in the first year. Other schools that are not equipped to handle 240 are asked to take in 240, and they end up with floating classrooms and other funny things. That is not fair, so much closer attention should be paid to the intake in schools, which should be related to the plan available within that school.

That should not be particularly difficult because I rather suspect that the attainment level of some of the students that get into the secondary schools does not really indicate that they would benefit from the style of teaching that takes place in these schools. They would be better suited to another type of educational institution. I am not speaking so much in terms of the content of the curriculum either, I am talking about the style of teaching. These people, slow learners and low level achievers, would benefit from a different style of teaching, so there should not be grave difficulty in terms of excluding people who can benefit from the style and the type of education that we get in these secondary schools if we pay due regard to the amount of plant we have available to accommodate these students in a comfortable way.

7.35 p.m.

The third point I would like to allude to is the choice of people who compose the Boards of Management. We have only had, I believe, under the present regime, one set of Boards of Management which were elected almost simultaneously, some time not so long ago. When you look down these lists, I am not so sure one can say unequivocally that educational considerations were paramount in all instances in the choice of those people. Some of the Boards could do with a bit of improving, and I hope that the type of criterion that seems to suggest itself for selecting these Boards would not continue to suggest itself when you look at the composition of the people. We have to make sure that all the Boards have an appropriate blend of people with skills and experience which would ensure that the Boards can function well. I am not saying that everybody must be an authority on education, but you must look at your Boards and make sure that at least there is one member who can guide the Board in the various areas in which they have to take decisions.

SENATOR W. W. HALL: Mr. Deputy President, I crave your indulgence to make a few remarks. I have to rise because there are one or two areas that the other speakers did not really touch on, and I really feel that they should be aired in this Chamber.

Senator Lynch asked whether we remember what she had said over the years. This is the month of remembering, and I certainly do. The biggest problem is that I am not sure whether the Minister and the officials in the Ministry of Education listen. Perhaps they listen but do not hear, and I think perhaps she should try some other means of getting to them so that they get the benefit of her vast experience and expertise.

There are two areas I want to touch on, both coming from today's or yesterday's paper, and one, of course, is the Lodge School. I am not going to delve into the glorious uncertainties of the matter because nobody seems to know exactly what is going on – if they do know, they are not telling. I think of the children in a case like this because when you can have your headmaster suspended, brought back and now fired, and he is still coming back and things like that, it is a very bad impression on the kids. That school has had a strike already and they may be resentful of authority. If the headmaster can be suspended and you suspend a boy, he can take you to court too, because if the headmaster takes you to court, the kids might see it fit to take you to court.

I feel you should be very conscious of this when you realise that no self-respecting old Lodge boy seems to entertain the idea of his children going to Lodge. People always thought in terms of sending their children to the school that they have attended, but people who have been to Lodge think that the day will soon come when the whole thing will change and they will regret sending their children to Lodge from day one, and subsequently or ultimately would have to seek to have them removed. This is a sad affair because Lodge has produced some of the best brains in this country, but now it is said that the school with such great tradition and such a reputation is falling by the wayside, such that people will not put Lodge fifth, sixth, seventh or eighth down the line when they are going to select a school for their kids. I really hope that some special attention will be paid to the Lodge School, so that we will be in a better position in a few years to come, to make sure that the children get what they duly deserve, a good education in happy and congenial surroundings.

I think Senator Lynch also alluded to the fact that there was a man who could not remember anything about his school days. I can remember nearly every day of my school life. That is not very hard for me. It is not to say that I did not go to school. From the age of four to eight I remember them because under Charles Winston Cumberbatch, the headmaster of St. Giles' School, the College on the hill, one had to remember his school days. There is no joke about it. Even if you were not the brightest boy in school, you still had

that integrity pumped into you day after day. You had to be in a position where you had to join the Joneses or leave it out.

I long for the day when the headmasters in primary schools will make the children line up and show their fingernails and their teeth, and run a comb through their hair. That does not happen nowadays. It used to happen, and when a kid had that done to him for six or seven years from age four to eleven, those good traits remained with him for the rest of his life; and when it comes to secondary school, the trouble you see nowadays would never come from him because he does not know what it is to give trouble. He is obedient, he listens to what the teacher says, and any bad egg would easily be seen, and he would obviously be given the punitive measures that he deserves. That is the reason why people of our age can remember our school days. We can remember them with pleasure because we know exactly what it is to be disciplined and what it was to come along the hard way and be proud of the fact that you have done very well.

It is getting late, but I cannot but say how distressed I was to read in today's paper that the CXC examinations this year seem to be troubled. It seems to me that something has gone drastically wrong that some of the people taking the examinations were disqualified. It is a flaw in the most important aspects of administration in our education when you find that you can have people having access to the examination papers and things like that. We do not need that sort of thing in the West Indies. We were very proud of the fact that CXC examinations had come along. We felt that we should no longer have to teach our children about England and things like that. We need to teach them West Indian Geography and History and things like that, and we hoped that we could not only set the exams but correct them ourselves down here, and as an independent nation and independent people we felt we could look after our own educational affairs. That sounds very well and good, but when you get a situation where the security is in trouble, when you get a situation where you are now being told that the kids have access to the papers, I think that we are in dire trouble.
7.45 p.m.

I hope that it is not as serious as it sounds. I hope it has not got to the stage where we are in real trouble and that some people who were not caught were privy to the questions and things like that. We have to hope that, otherwise, we would have a lot of idiots walking around here with eight and nine certificates and asking for jobs which they do not deserve.

When there are schools where the leadership is good – I spoke about Charles Winston Cumberbatch and Major Noot at Combermere, when there are people of that calibre, it has a tendency to go right down through the ranks, because those people expect the best from their teachers – and nothing but the best. When there is that, pupils themselves give of their best. We need seriously to look at it a bit more so that these kids today will be in a position not only to do us proud, but to understand from where we have come.

There are teachers today with a lot of degrees. Everybody has a degree. In 1950 at Combermere, the only person who had a degree was Major Noot, who came from England. There was another gentleman called Mr. Hertz who I think had a degree, but I understand that it was as counterfeit as a fifty dollar bill. He did not last too long. Everybody in these schools now have got degrees. In the primary schools, it is the same thing. Some teachers get their degrees and then they do not go back to teach. What we really need is some of that old time teaching coming back, where the teachers wanted to know about the total child, what sort of environment you came from, about your mother and father. Teachers used to go and talk to your parents. In that way, their jobs became a lot easier. We want to see in the secondary schools, not necessarily people with five and six degrees, as they try to have nowadays, we want to see more Harold Sealys. Anyone who has been to Combermere or has been associated with Combermere would know that children tended to talk to Harold Sealy more than to their own parents. Those of you who are now on the Board of that school would understand what I am talking about. I am sure that the very headmaster of the school would have told you this.

What Senator Lynch said is true. Children must understand that they have got it easy and everything is free, but that it was not always that way. I feel that if these things are done, you will find that we would not get all of the hooliganism that is found at the schools. If we do these things we would put the children on the right path and not play Russian Roulette with their destiny.

We need to understand what is happening at Lodge School. I think I have always said in here that the Government s' public relations department seem either unwilling or unable to let people know exactly what has happened. The truth sometimes hurts, but I still feel that people should know exactly what is going on. If there is a problem with the headship at Lodge School, let people know. Tell them exactly what the score is and you will find that they will understand. When you cloud the issues in mystery and you do not know exactly what is going on from one day to the next, and from one term to the next, it is ridiculous to say the least.

I notice that there are a lot of amalgamations with the schools now. There is a school by the airport, I think it is Providence, with St. Patrick's, there was St. Giles Boys' and Girls', and now I understand there is the Westbury School. Senator McClean said that you have to look at the headships of the secondary schools; one

has to look at the headships of those primary schools as well. Prior to amalgamation, there would be two headmasters, and when the amalgamation takes place, there is only one headmaster. It is very convenient to do it when one headship goes on retirement. But you also have to look at it from the point of view that if that does not happen, there are fewer headmasters coming into the stream. I think perhaps we can look at that and see exactly what we can do to help those people who have worked so hard to get promotions.

But what Senator McClean said is true. You have to look very carefully and make sure that you do not get a square peg in a round hole. You have to make sure that if people are not qualified to do the job, they can be told to go home on retirement and make sure that the best man or lady for the job is chosen.

It is getting late and I do not wish to keep the staff. I think the Senators can stay, because the people's business is important; if you cannot stay, then you are entitled to go. But I feel that when you think in terms of the staff who work here, we have to be very considerate of them.

I wish the Minister to say something about the CXC Exams.

Aside.

SENATOR W. W. HALL: I know that it might not have happened in Barbados. I am not saying that it happened in Barbados. But if it happened in the West Indies, I am a West Indian and I want to know about the whole thing. I feel that it did not happen here, but I do not feel that anybody should get nine subjects in St. Lucia or St. Croix or wherever it is, if they are only deserving of one.

It is at a very sensitive stage, but I wish somebody could say something about the Lodge School situation because all you are hearing are a lot of rumours. Some of the rumours sound so real you wonder if they are true. You hear that there is no co-operation and that other people want the job and that sort of thing. I do not particularly believe that. I believe that the Ministry must be aware of all the facts and that they can make the type of decisions which would not only be pleasing, but right.

SENATOR D. A. C. SIMMONS: I am just begging for five minutes, Sir.

Asides

SENATOR D. A. C. SIMMONS: I wanted to say that just as Mrs. Leacock was the shortest serving Member ever, I am going to make my shortest serving speech. A lot has been said, so it would be remiss of me – Senator Trotman must understand; I sat down in here and heard Lodge School being torn apart – having been a headboy of Lodge School, not to say something. But since the staff has to go, I will reserve it for another occasion.

(Aside: Wednesday.)

SENATOR D. A. C. SIMMONS: Wednesday?

Asides

SENATOR D. A. C. SIMMONS: I am deeply hurt tonight and I feel ashamed of what is happening at Lodge School. Those who say that it was a mistake not to make Mr. Gooding the headmaster are probably right, and those who say that the answer to Lodge School is to have Frost are also probably right. But I will tell you more next week.

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

On the motion of SENATOR J. E. D. WILLIAMS, Mr. DEPUTY PRESIDENT left the Chair and the Senate went into Committee on the Bill, SENATOR H. R. LINTON in the Chair.

Clauses 1 to 10 inclusive were called and passed.
7.55 p.m.

On the motion of SENATOR J. E. D. WILLIAMS, the Senate was resumed and the Bill was reported as having been passed in Committee without amendment, Mr. DEPUTY PRESIDENT in the Chair.

On separate motions of SENATOR J. E. D. WILLIAMS, the Bill was read a third time forthwith and passed.

SUSPENSION

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, I believe we still have some seven items to be done, but in view of the time, I believe we have to suspend at this time to accommodate the staff.

I beg to move that the Senate be suspended until 11.00 a.m. next Wednesday, September 19, 1984.

The question was put to the Senate and agreed to.
8.00 p.m.

ON RESUMPTION

Mr. DEPUTY PRESIDENT: The sitting is now resumed.

RESOLUTION TO APPROVE THE EDUCATION (AMENDMENT) REGULATIONS, 1984

SENATOR J. E. D. WILLIAMS: This Resolution follows on from the amendment to the Education Act which was passed last week. The amendment seeks to make provision for the correction of certain anomalies and omissions from the Education Regulations of 1982.

I must point out that Section 59(3) of the Education Act, 1981 requires that the Education (Amendment) Regulations, 1984 be subject to affirmative resolution.

I beg to move that the Senate do now concur in this Resolution.

The question was put to the Senate and agreed to.

STUDENT REVOLVING LOAN FUND (AMENDMENT) ACT, 1984

SENATOR J. E. D. WILLIAMS: Mr. Deputy President, the Government of Barbados entered into an agreement in 1977 with the IADB for the establishment of a Student Revolving Loan Fund. The IADB's contribution on that occasion was US$800 000. The Government subsequently signed a new agreement with the IADB on February 1, 1984 for a second loan of US$2 million. This will continue the Student Revolving Loan Fund Project. The actual total cost of the programme is estimated at US$3.025 million. Government's contribution is US$1.025 million.

The Agreement stipulates that the Student Revolving Loan Fund Act should be amended to make provisions for the expanded scope of the operation of the Fund. The Student Revolving Loan Fund Regulations should also be amended for a similar reason. The Fund should be reimbursed with the amount of any outstanding monies or loans which are in default, and those payments which are in arrears for one hundred and eighty days or more from their respective due dates as of 31 March, 1983.

The Agreement provides for the granting of loans to students to attend approved courses of study other than those at tertiary level institutions. Students pursuing post secondary education at the Barbados Community College, Erdiston Teachers Training College, technical and vocational education at the Samuel Jackman Prescod Polytechnic and in the Skills Training Programme and the National Training Board Programme will therefore be all eligible to receive loans.

The Agreement also provides for the introduction of a grant element in all loans, so that a portion of the loan may be converted into a grant whereas this was not the case with the previous Agreement. This, of course, presupposes that the student successfully completes the course of study in the period specified.

The other variations between this agreement and the earlier agreement has to do with a provision of increased rates of interest on loans and also the charging of a credit fee on all loans at the rate of one per cent, in the case where the study is within the Caribbean, and two per cent outside of the Caribbean.

There is also a change in assessing the maximum family income ceiling from gross income to disposable income or after tax income. Applicants whose family income was $24 000 were considered, but preference was given to those students where the family income was $18 000 or less.

There is an increase in the period of bonded service. Under the existing regulations, students were required to sign a bond and return to work in Barbados immediately after completing the course of study for a period equal to the course, or five years, whichever was greater. Under the new agreement, students will be required to return to work in Barbados immediately after completing a course of study for a period not less than twice the period of the course of study, or a period equal to the repayment period of the loan, whichever is less.

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

SENATOR A. W. A. McCLEAN: Mr. Deputy President, in rising to support the general Objects and Reasons for this Bill, I should like to ask Senator Williams if he could provide us with the specific information relating to the new income qualification level. He did indicate that it has been changed from gross income to disposable income, but I am not sure that I heard him mention the particular figure that now applies.

To relate my comment in this area to what obtained previously, I wish to suggest that the level of income which must be earned by households to which the applicant belongs, so that the person can qualify for a loan, is decidedly low, $2 000 a month. It is $1 500 in the preferred area, but he has indicated that $2 000 a month was the maximum. That is not at all substantial. I do not believe that a household with $2 000, even if that is disposable income, can be in a position to finance a child who is a dependant at a university abroad, or in Barbados, in any meaningful way, although the qualification level should be rather higher. Preference, quite evidently, should be given to poor people. You may even have a system where the maximum that you can obtain under the scheme, by way of the loan, can be related to your family income, rather than having a disqualification point. You could have a sliding scale, an arrangement where you can associate the amount you can borrow to the level of family income.

11.15 a.m.

Because of the effect of the way it will operate, people by virtue of earning $100 a month or $200 a month more than other families will find that their children will not be able to benefit from the fund, in situations where the need is just as great. I believe that should be looked at.

There are other areas of legislation in Barbados where there are strict qualification barriers which create these kinds of anomalies and undesirable features, but they are especially pronounced in the area of being able to borrow money through this particular facility for education.

SENATOR J. E. D. WILLIAMS: I just want to quickly respond to the query raised by Senator McClean. I did mention that under the first loan agreement the family income should not have exceeded $24000 per annum and that Government had decided to give a certain preference to those individuals whose income was less than Bds.$18 000. I am not of the impression that this is going to change, except that the emphasis is now going to be placed on disposable income rather than gross income, which does bear a true reflection on whether the person has the ability to pay back the loan or not. I hope that suffices as far as the question raised by Senator McClean is concerned.

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

On the motion of SENATOR J. E. D. WILLIAMS, Mr. DEPUTY PRESIDENT left the Chair and the Senate resolved itself into Committee on the Bill, SENATOR H. R. LINTON in the Chair.

Clauses 1 to 9 inclusive were called and passed.

On the motion of SENATOR J. E. D. WILLIAMS, the Senate was resumed and the Bill was reported as having been passed in Committee without amendment, Mr. DEPUTY PRESIDENT in the Chair.

On separate motions of SENATOR J. E. D. WILLIAMS, the Bill was read a third time forthwith and passed.

COMPULSORY ACQUISITION OF LAND AT WESTBURY ROAD, ST. MICHAEL

Order No. 36 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at Westbury Road, St. Michael for the purpose of expanding and upgrading the Westbury Schools.

SENATOR J. E. D. WILLIAMS: Mr. Deputy President, the Ministry of Education has taken the decision to amalgamate the existing Westbury Infants School with the Westbury Junior School. It is expected that after amalgamation the two schools will have a new roll of approximately 800 pupils. The Government, therefore, is seeking to acquire the property comprising 851 square metres of land together with a dwelling house situated on Westbury Road and 8th Avenue New Orleans. The notices relating to the acquisitions of the property have already been published in the Press. The total land area available to the school is just over an acre.

Vehicular access is obtained off the Westbury Road. The Ministry of Education considers that the opportunity should be taken to align the boundaries of the property and to provide the access off 8th Avenue New Orleans; thus reducing the risk of serious accidents to the pupils at the school. It is for that reason that Government has decided that the property situated at the intersection of Westbury Road and 8th Avenue, New Orleans on the eastern boundary of the school should be acquired. The acquisition of this property would not only permit the proposed new access to the school but it will also allow for the additional facilities to be provided for the school without encroaching on the limited recreational area which is available at present.
11.25 a.m.

Parliamentary approval is therefore sought for the compulsory acquisition of the property in order to enable Government to proceed and to obtain an indefeasible title to it, as well as to enable Government to compensate the owner.

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

SENATOR A. W. A. McCLEAN: Mr. Deputy President, in rising to support the Resolution, I should like to suggest that Government should follow this trend in other areas of acquiring adjacent properties to schools so that they can properly align the boundaries to the schools and provide additional facilities which should be where they are needed.

There is one area which I think should be acquired by Government, one in close proximity to Ellerslie Secondary School. It is a spot which had a house on it, but the house was destroyed by fire some time ago, and I believe that the only type of structure that should go back on that sport should be one pertaining to the school. In the alternative, it could simply be cleared and incorporated into the school compound as an area which can be used by the cadets for drilling and other groups within the school generally, expanding their circulation and providing more areas that are available for general open air use.

If the time should come, it could also accommodate some kind of building for the school, but I think it would

be a great misfortune if a private dwelling should go up again on that spot. It is adjacent to the entrance to Ellerslie School.

SENATOR C. D. SEALE: Mr. Deputy President, speaking in the same vein as Senator McClean, I have noted that Government has just built a very smart school at St. Patrick's which has replaced the former school. I wonder what happens to the former school. I get the impression that it just stays there and becomes vandalised. I wonder when the new schools are built if plan are put in right away for the old properties, rather than just leave them and let the Rastas take over.

I have to make my favourite plea each time such a Resolution comes up. The bit of plan that I saw makes no sense to me whatsoever. I would like to have seen a site plan and various traffic flows. If we apply to Town and Country Planning Department for permission, Government makes us send in a host of plans so that they can see what happens, but we come here and we are not able to see anything too good – just a surveyor's plot. I should like once more to plead that we get some sort of site plan and a sketch of what is going to be done. I am quite certain that the Ministry has this already and they could pass it out.

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

ROAD TRAFFIC (AMENDMENT) ACT, 1984

SENATOR St.C. E. HOWELL: Mr. Deputy President, the Bill which is before the Senate seeks approval of a Resolution that Part XV of the Regulations entitled The Road Traffic Regulations, 1984 made by the Minister responsible for Transport on the 6th July this year in accordance with section 122 of the Road Traffic Act of 1981 be approved.

The need for new regulations in Barbados to control the increase in traffic on the highways was recognised as early as the 1960s. A committee was set up under the chairmanship of the Chief Technical Officer, and it consisted of officers of the Ministry of Transport, members of the Police Department and the Chief Town Planner. It was soon realised that it would have been futile to bring such regulations into operation as the law then existed. The regulations were supposed to be a replacement for earlier regulations which were passed, I think, in 1952, and the state of the law at the time could not really afford new regulations in relation to the Road Traffic Act, since it was tantamount to putting the cart before the horse. Therefore, efforts were taken to study the existing law and to bring it up-to-date, as it were, in order to meet present day demands on the highways. As a result, the Road Traffic Act of 1981 came into operation, and then the Committee was resumed to look at the regulations in view of the changes, some of them sweeping, under the new Road Traffic Act of 1981.

The new regulations have embodied part of the old regulations, but with some extensions. There are, in particular, two new provisions. One deals with a learner's permit. This will now be valid for six months from the date of issue, and the renewal period is now three months. There is also Regulation 20, paragraph 7, which deals with the tinting of glass in motor cars. Basically it says that an owner of a motor vehicle is not to permit the glass of the vehicle to be tinted to such a degree as to make the driver of the vehicle unidentifiable from a reasonable distance outside of the vehicle.

My understanding is that in some of our neighbouring countries, motor cars with this sort of very heavy tint have presented a problem in identifying persons during criminal activities where motor cars are used as get-away vehicles. Also law enforcement officers have actually stated a number of cases where people have been identified, within reasonable distance, when motor cars have been used for getaway purposes, and they think that very heavily-tinted glasses would cause considerable frustration in crime detection.

11.35 a.m.

Mr. Deputy President, I beg to move that the Senate concur in this Resolution.

The question was put to the Senate and agreed to.

ROAD TRAFFIC (AMENDMENT) (NO. 2) ACT, 1984

Order No. 29 was called – To move the Second Reading of a Bill to amend the Road Traffic Act, 1981–40.

SENATOR St.C. E. HOWELL: Mr. Deputy President, the Road Traffic Amendment Act No. 2, 1984, is to correct an error which was made when the Road Traffic Amendment Bill of 1983 was amended during its Second Reading in the House of Assembly.

One of the major objectives of the 1983 amendment was to provide unlimited liability cover for all passengers whether carried for reward or not, irrespective of any contract to the contrary. In other words, there can be no contracting out the liability, provided at all times that such passengers are carried without violation of the law. In order to achieve this, a new Section 38(a) was inserted immediately after Section 38 of the principal Act, and Section 38 (2)(b) of the principal Act should have been deleted, but when the Bill was before the House, the provisions for the deletion of Section 38(2) (b) was inadvertently removed. As a result, there is direct conflict between the new Section 38(a) and 38(2) (b) of the principal Act, hence this amendment.

The amendment also seeks to put an end to what is known in Barbados as the "name driver clause." The amendment is really following the English Road Traffic Act of 1972, having watch that in operation for some twelve years. What would happen is that a husband buys a car, he and his wife is going to drive it, and the car is covered for insurance purposes in respect of those two persons only. But a third party may be driving the car, and an innocent third party, through no fault of his own, is injured, sometimes death ensues, and there can be no liability, because he is not covered.

This sort of contracting out of liability is now prohibited. The law is trying to spread the liability on to the shoulders of those who can bear it, and ensure that innocent parties who were injured on the highways, through no fault of their own, sometimes it is the bread winner, should not go without any compensation whatsoever.

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

The question was put to the Senate and agreed to..

On the motion of Senator St.C. E. HOWELL, the Senate resolved itself into a Committee on the Bill, Senator H. R. LINTON in the Chair.

Clauses 1 – 4 inclusive were called and passed.

On the motion of Senator St.C. E. HOWELL, the Senate was resumed and the Bill reported as having passed Committee without amendment, Mr. DEPUTY PRESIDENT in the Chair.
11.45 a.m.

On separate motions of Senator St.C. E. HOWELL, the Bill was read a third time forthwith and passed.

COMPULSORY ACQUISITION OF LAND AT LYDIA HILL, CONTENT, ST. THOMAS

The next Order of the day was called – to move the passing of a Resolution to approve the compulsory acquisition of land at Lydia Hill, Content, St. Thomas, for the purpose of providing recreational facilities and for road development.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, I am going to pass around this surveyor's plot, but as Senator Seale would say, it does not tell us a lot about where the land is. Certainly I do not know where Lydia Hill is, although I know where Content Plantation is.

The Government has commenced action on the compulsory acquisition of an amount of land measuring 2 338 hectares from Dunscombe Estates Limited for the provision of recreational facilities and road development. There are no recreational facilities at Lydia Hill, Content, St. Thomas at present, and it is proposed to provide a playing field, pavilion and hard courts for that area. The catchment area for Lydia Hill includes Porey Spring and Rock Hall. There are no facilities either at Porey Spring or Rock Hall. The National Sports Council is consulting with the Ministry of Sports on this matter, and it is proposed with their assistance to provide some meaningful recreational facilities for the people of St. Thomas around Porey Spring and Dunscombe.

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

SENATOR C. D. SEALE: Sir, I support the Resolution and I am not going to ask for a site plan, although I do not know where this one is.

Private developers are undertaking developments around this country and one that comes very much to mind is the new development in Belair, St. Philip. Originally there was a nice playing field there and now this development has cancelled it. When private developers are given permission to develop land with a certain number of houses, say if they can have fifty housespots, I think there should be some area designated for recreation. I do not think that we should just let all these little villages just mushroom up and there is no area whatsoever for recreation.

I bring to mind Belair Park because there was a recreation area, there was quite a nice cricket ground, and what has happened now is that they moved the bulldozer in, created a lot of roads, the developer has sold out, he is going to get his profit and nobody is going to build on that land for another ten, fifteen or twenty years. You may get three housespots or maybe four in the 75 or 100, but all those other people that were in the area have been denied sporting facilities and have to go somewhere else. That developer of that particular piece of land, in my opinion, should have been made to leave an area for cricket, football or whatever they were playing there before, and I feel that Government should look at that strongly. I am not against developing places but they should leave places for recreation. Thank you.

SENATOR H. R. LINTON: Mr. Deputy President, I rise to support this Resolution and to endorse the remarks of Senator Seale and to thank him for the support which he has obviously given me in St. Philip South. I say that because for some time now I have been asking for appropriate and adequate playing facilities not only for the people in Belair, St. Philip, but also for the people of Seaview, the Crane, Foul Bay, Six Cross Roads, Four Roads and Charnocks. I did have some officials from the Ministry of Housing visit some areas

in St. Philip, but nothing has come of it, and I notice now that every time I ask for something, the gentleman from the Other Place gets up and thanks the appropriate Minister for having done that something.

Be that as it may, as far as Senator Seale's point is concerned about the particular development of Belair and development generally, the Town Planning Department always insist that a certain area be left as a recreational area. This obtains in Union in St. Philip, in Ruby Park in St. Philip and in Ocean City in St. Philip. The problem that I have with those is that the open area is just left there and nothing is done to enhance the development of the particular area. I have checked and provision has been made in this particular development for an area in Belair, St. Philip, not as much or not as appropriately sited as the area that the residents of Seaview and Belair formerly made use of, but nonetheless a small area.

However, the answer to this is not to compel the developers of that particular area of land to leave it open so that the residents of the surrounding areas can use it. The answer is to acquire a portion of land, and there is a good portion which can serve not only the residents of Belair but the residents of Seaview, the Crane, Union and probably Rices, and the area that I am referring to is the area which formerly housed an institution called the Lazaretto, not the one in Black Rock. This is the place where the lepers went. It has been in disuse now for several years, and quite recently I wrote to the Ministry of Housing and Lands, on the advice of an official of the Ministry of Culture, asking that this piece of land be released to facilitate the construction of playing and recreational facilities for the people in that area of St. Philip South. I think it would be much better for the Government to acquire that area of land – Senator Seale knows the area I am talking about – just above the owner of the park that he was talking about, and which is more appropriately sited, and would serve not only the residents of Belair, but also the residents of Ruby, Union and as far afield as St. Martins.

I trust that Senator Seale will continue to support me and that he will go further and write a letter to the Ministry of Housing telling them that my suggestion was a plausible one and perhaps they should follow through. I wish to thank Senator Seale very much.

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

COMPULSORY ACQUISITION OF LAND AT THE BELLE AND WATERFORD, ST. MICHAEL

The next Order of the day was called – To move the passing of a Resolution to approve the compulsory acquisition of land at the Belle and Waterford, St. Michael, for highway construction and improvement for agricultural, industrial and housing development and also for a sewerage scheme.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, the Belle Plantation originally consisted of 809.012 acres of land which was made up of the Belle Plantation itself, 637 acres and a part of what was Waterford Plantation containing 187.3 acres. So far the following sub-divisions have been made: 189.9 acres developed by Mr. H. A. Went, 128.374 acres developed by Mr. Godson and another 12.09 acres developed by the same Mr. Godson.
11.55 a.m.

At present, the owners of the Belle Estate, Belle View Estates Ltd., 1979, are indebted to the Agricultural Banking Division of the Barbados National Bank to the tune of $1 649 829.89, including interest of $300 846. In order to short circuit the lengthy business of the bank taking action against Belle View Estates, having it foreclosed and putting it up for auction and then have it purchased by the Government – because we do need part of that land for various purposes – it has been decided to acquire the entire estate.

The ADC will be asked to run the agricultural land which is left. Government proposes to use some of the land for highway and industrial development, and some of it will be used in providing the sewerage system for the greater St. Michael area. This will not come on stream immediately; we have to do the south coast first and then the west coast and then we will go to St. Michael. But the Belle will be sewered when the two coasts are completed, and this land will be used partly for that purpose.

I beg to move that the Senate do now concur in this Resolution.

SENATOR E. E. GREAVES: Sir, it is rather interesting to hear what Senator Trotman had to say in introducing this Resolution. I think that it is disturbing to say the least, to find a situation which has developed where one owner of a small plantation finds himself, through his company, indebted to the Agricultural Division of the Barbados National Bank to the tune of almost $2 million, $1.6 million presumably as money which was lent and over $300 000 as interest accruing on that particular loan.

This points to a particular feature of our agriculture loan policy where, unfortunately, the loan section of the National Bank for agricultural credit seems to be the section which is burdened down with a lot of these bad dents. This is just one of them. I believe it is a very serious matter because if one were to think in terms of

the real intent and purpose of that particular institution, it is designed to assist with credit in the area of agriculture, but not credit from the point of view where owners of plantations and agricultural land would borrow money and would never be able to pay it back, and where they could have access to credit on such easy terms that nobody seems to have been interested in putting a break on this particular development.

It is not only Belle View Estates which faces this problem, I believe that there are other plantations which are in a similar position. My area of concern is that we have allowed the matters to reach this particular stage. I know that some persons will want to argue that they could only pay back if they are making money, but certainly they could not have the same kind of easy arrangement with one of the private commercial banks. I think there is need for review of a policy in that particular direction. I am not at all suggesting that one has to be hard on the plantations and not make it possible for them to get loans to keep the agricultural production and agricultural activity going, but I should think that there is need for exercise of much more care in this particular area.

It is an established fact that in the past, because of the very liberal approach of the Agricultural Credit Division, a lot of people who had access to credit used the money which was borrowed not for agricultural purposes – this is a matter of fact – but for other purposes not pertaining at all to agriculture. I believe that a lot of the money which is now outstanding, due and owing to the Agricultural Credit Bank has to do with money which was misused. I am using "misused" in a tight sense in that it was not used for the purpose for which it was lent, but it was used for other purposes. I know that as a fact.

I think that one really has to get that division reorganized and let people know that this kind of manoeuvring should not take place. It is a very sad commentary on this particular institution that we could have this kind of situation developing where one company has reach a point where it owes so much money that the Government can come along and, in satisfaction of the debt which it owes to a public institution, take over the land.

Moving more specifically to the intent and purpose of this acquisition, which is for highway construction and improvement, agricultural development, housing, industrial development and sewerage scheme, I thought that the Minister would have been a little more specific in his presentation. We got a very general view of what the Government proposes to do with the land. I do not think he enlightened us any further than what is contained here in the Resolution, except to say that as far as the sewerage scheme for the Belle is concerned, it will not be coming in haste, it will probably come in another ten years or so. In any event, they would not be around as the Government. This is something that will have to be done by another Administration.

Aside.

SENATOR E. E. GREAVES: I would suspect by the DLP Administration. Certainly, not by Senator Seale's Administration.

I was looking forward to a more detailed treatment of this Resolution. The impression I am getting is that the Government has no plan for developing this area. They have looked at it and they have come up with an idea that this is what they could possibly do with it.
12.05 p.m.

There was a time when there was a lot of talk in this country – I heard it being repeated time and time, and indeed I think I had to take Senator Howell to task for it, about the administration of the Democratic Labour Party and how we took land out of agriculture and put it into various other things, and that kind of nonsense, as if you expect that all of the lands of Barbados or any country will continue to be in agriculture. The fact of the matter is that as a society develops, one has to look for areas for development and, therefore, it is going to be necessary for any Government to move in on lands which were previously allocated to agriculture, specifically sugar production.

There are some areas of marginal lands in Barbados as far as sugar production is concerned and, therefore, one has got to look at the best utilization of this particular area. However, I am under the impression – maybe it is a false impression – that the Belle area is a fairly good area as far as agricultural production is concerned. I think it is somewhere on the St. Michael and St. George border, and I am wondering if this proposal for highway construction improvement, housing development, and industrial development would not have the effect of taking additional agricultural land out of production. The point has been made that the Barbados Labour Party is not committed to taking land out of agricultural production but to returning land to agricultural production. The facts would indicate, however, that far from that being the case, more land has come out of agricultural production under the Barbados Labour Party than has gone into agriculture. I, therefore, find myself in a little difficulty, because, outwardly, you are committed to a particular policy, but we see now a situation where the whole pace of development and modernization forces itself on you in such a way that a policy to which you are committed you find that you will not be able to adhere to. I am wondering if Senator Trotman could give some information to this.

I am not knocking the provision of housing. I think there is need for more housing stock – more public

housing stock at that, too. There is a tremendous shortage of housing in this country, and I believe that any attempt by the Government to answer this need by providing additional housing stock is one which ought to be encouraged. I do not think that anybody in either party or any party in their right mind would oppose that particular development because it is for the good of the people who need houses. Similarly, in industrial development again, it is recognized that, provided you can attract the kind of industries which will provide stable jobs, with proper wages for people, that is a commendable direction in which any Government should go. So, therefore, one is not knocking that kind of development. But the point I am making is that we have to be realistic and must recognize that these are decisions which will have to be taken from time to time, and therefore we have to be very careful sometimes with the kind of blind policies that we are holding dear to. We find that situations can change from time to time and can force this Government to alter its position on these things, but yet one hears the kind of nonsense which comes from the mouths of the spokesman of the Government on agricultural policy.

I remember that was a study done on the sugar industry by McGregor some years ago, a study that was commissioned by this administration, and McGregor was making this very point – if I had access to the report I would give the reference to it – when the Government had taken a decision – one, as far as I am aware, has not been reversed – relative to the Barbados Marketing Corporation. I seem to recall that the Government's decision was to resite the Barbados Marketing Corporation somewhere in the Belle area. I am wondering if this is in that same area, because McGregor was very critical of the decision of the Government to take agricultural land out of sugar production and resite the Barbados Marketing Corporation thereon.

I know that Senator Ward will be speaking and I will get the McGregor Report and get the reference, because sometimes when I say things Government Senators look at me with some disbelief. But I do not come in here unless I know what I am talking about.

There is also talk, as I understand it, about resiting the headquarters of the Transport Board from Weymouth to somewhere in the Belle, also. I want to find out if the industrial development that the Minister is talking about also includes resiting of the Transport Board. These are matters we have to know about, and unless we are told, then we are not sure exactly what the Government proposes for this particular area. I hope that the Minister will be so kind as to give us some indication as to what his plan is for this particular area.

We did say that the agricultural land will be operated by the Agricultural Development Corporation. I hope that the ADC, which will have an access to some useful and productive land, will be able to really do the kind of work that it was set up to do; that is to provide research in agriculture with a view to developing echniques and methods to benefit the whole agricultural process of this country, rather than an over-concentration, as it seems to me, at present. A lot of land is in sugar, but the ADC, does not seem to have made any agricultural diversification in this country. It has made some contribution, but I think the impact could be much more effective if the ADC had been concentrating more on the real purpose for which it was developed, that is to foster and encourage agricultural diversification in this country. I would hope, therefore, that we will see some important work done in this area by the ADC.

12.15 p.m.

SENATOR L. A. WARD: Mr. Deputy President, I do not intend to spend a long time on this, but I would like to answer one or two statements made by Senator Greaves.

I believe most of the sugar estates in the island are indebted to the Barbados National Bank, but prior to 1981 I believe there were very few that owed any money to the Agricultural Division of the Barbados National Bank. However, because of the unfavourable reaping season we had in 1981 and the stand over canes that could not be harvested, and at the same time the strengthening of the American dollar to which our dollar is tied, the sugar industry began to run into trouble, especially the sugar estates, and I believe since 1981 the majority of estates have been locking up funds yearly. There may be a few of the better ones that have not locked up money.

As regards the misuse of funds that were lent by the bank for agriculture, I would not know anything about that, because I was not party to it, but I would like to assure this Chamber that the loans from the Barbados National Bank to the sugar estates are carefully monitored. Each week you have to satisfy the officer at the bank on the quantum of money you need, and what you need it for. You have to present your accounts to the bank and they stamp them that they have provided the funds for those accounts, so there is no room for the misuse of funds today. If it is a misuse of funds, it is perhaps because of bad management.

I am not trying to defend the Government, I am quite sure the Minister is quite capable of doing so, but unless the use of land, working land, is profitable you are going to get land to go out of production. You cannot expect people to continue to work land for losses every year. The time will come when they cannot work the land any more and it will go out of production. I do not think that agricultural land has gone out of production to be used for housing or any other money

making concern. I think that if it has gone out, it has gone out for economic reasons. It has not been profitable for the people to work it and that is the reason why it has gone out. It has not been taken out for development.

In relation to the Belle, there is only one thing I would like to be assured about. I suppose something has to be done about it. I always understood the Belle area was a restricted area for building and industries, and now we hear that the Belle will be used partly for building and industries. What about pollution of our water resources? I suppose careful consideration has been given to this, but perhaps we could be told if this is so.

SENATOR THE REV. CANON I. McK. JONES: Mr. Deputy President, Senator Greaves started out by saying he was rather disturbed at what was happening between the Government and the agricultural sector and some plantation that found it impossible to keep itself going and had taken so many funds for agricultural development to the extent that the Government now has to buy over that estate to save a lot of other trouble, perhaps. I am equally disturbed about that. What is more disturbing to me than that is the fact that the Senator talks about it being a fact that money that was lent for agricultural purposes was used for something else – and then the willing suspension of enunciating that fact.

It seems to me that the Senator seems to think that so long as he says it is a fact, it is a fact, and he does not have to give us any reasons for this fact, he does not have to spell it out. I should like to hear that fact spelt out, because I think it is a smear to make a statement like that in this Honourable House and not give the details. If he knows as a fact that money was borrowed from the Agricultural Credit Bank for one thing and used for other purposes, I think it is honourable for him to state what other purposes it was used for. Otherwise, he leaves us just not knowing what is happening and he has smeared the entire company, and I do not think we should have smear campaigns in this Honourable Chamber.

I should like to suggest to the Senator that when he makes these statements and says that it is a fact, it is not a fact because he says it is a fact. It will be a fact when he brings the details to prove that it is a fact.

SENATOR C. D. SEALE: Mr. Deputy President, I support the Resolution but on a different theme. I am going to appeal to the Government that now they are going to acquire the Belle, they police the area to stop the illegal dumping of garbage that goes on at the Belle. It is very unsanitary, and I hope that the Government would now make an all-out campaign to stop this. I know that the former owner tried his best, but from the accounts you can see that he could not afford very much. I hope that we could get that stopped.

Thank you.

SENATOR A. W. A. McCLEAN: Mr. Deputy President, I rise to support this Resolution as an appropriate response by Government to deal indeed with what is a pressing problem in Barbados at the moment, that is the non-viability of the sugar sector.

At this stage, however, given the way in which the Resolution was presented, I think I should declare some kind of interest, because since April this year I was made a member of the Board of Directors of the Barbados National Bank. In that regard, I listened with considerable interest to what Senator Greaves and Senator Ward had to say about the implications for the bank and its operations. I assure you that I will make my best contribution to see that all is well in that area.

Barbados is confronted with a major problem associated with the fact that sugar has not been profitable for the last four years or so, and it does not seem that the day when it will be profitable again can easily be predicted. Indeed, all indicators are that it is entirely possible that the best days for the sugar industry are entirely behind us. If we want to stay in things like cane, we will have to find other things to do with cane apart from producing raw sugar for export to Britain and the United States of America.
12.25 p.m.

It would also seem quite evident from what we hear by way of presentation of the Resolution that the Barbados National Bank would have made some considerable effort to take at least a part of the stage where it has gone in terms of remaining in the industry under the original ownership for that period of time. It is also distinctly possible that the BNB has made a similar contribution to the continued operations of other estates, but quite evidently credit from a financial institution or a bank cannot be seen as any type of long term solution to the problems that confront agriculture at the moment; indeed, not even the intermediate solution, especially in circumstances where the particular plantations are exceedingly heavy in debt coming close to a position of negative net worth and things of that order.

I think Government must sit down rather urgently and come up with a plan for ensuring that this country does not come to a serious state of embarrassment in the agricultural sphere, and also in the financial sphere, because of the stress that the sugar industry is in at the moment. This approach here, I would want to suggest, has in it the essential elements of what, in my view at this stage, is the necessary approach to the problem. Of

course, one can exercise greater levels of imagination in generating variations on this theme as far as generating solutions are concerned. However, I support this Resolution, because I think part of it is required for the highway linking the Deep Water Harbour and the airport, the highway is going to pass somewhere in that area, and for other purposes indicated, and there are also the additional reasons as expressed by Senator Trotman in his introduction of the Resolution. Those other additional reasons are also commendable. I thank you.

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

SOIL CONSERVATION (SCOTLAND DISTRICT) (AMENDMENT) ACT, 1984

Order No. 34 was called – To move the Second Reading of a Bill to amend the Soil Conservation (Scotland District) Act, Cap. 127.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, the purpose is really one of straightforward streamlining of administration. The Act as it now exists says that the Board shall consist of the Deputy Chief Agricultural Officer, who is chairman, a Senior Agricultural Officer, a Chief Technical Director, a Chief Engineer, Waterworks Department, a Chief Town Planner and four other persons appointed by the Minister as representatives of the agricultural community. Since that Act was written, the Waterworks Department has become a statutory body and there is no Chief Engineer, Waterworks Department. It is therefore proposed to up-date the legislation in order to accommodate the *de facto* position that there is no Chief Engineer of the Waterworks Department, but that water is now managed by an Authority, so we now want to provide for the General Manager of the Barbados Water Authority.

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

The question was put to the Senate and agreed to.

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

Clauses 1 and 2 were called and passed.

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

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

TENANTRIES FREEHOLD PURCHASE (AMENDMENT) ACT, 1984

Order No. 35 was called – To move the Second Reading of a Bill to amend the Tenantries Freehold Purchase Act, 1980–53.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, the Tenantries Freehold Purchase Act does allow plantation owners to resite tenants from what they consider to be unsuitable land to another lot which is suitable, so that those persons who have been living on small spots or on spots which it would be difficult for them to develop their houses properly could be resited at a more convenient place. For the purposes of this Act, it was considered that they were always living on the second location. Before the Act was passed, however, some persons went ahead and did relocations, and therefore there was some doubt as to whether or not the Act applied to those movements which were carried out before the Act was passed.

The amendment seeks to clarify that matter and to make it clear from doubt that all those persons who are so relocated will now come under the ambit of the Freehold Purchase Act of 1980.

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

SENATOR E. E. GREAVES: I just want to raise one question. It is a very short question, but it is something that has been bothering me for some time. What is the definition of "tenantry"?

I understand there was some amendment recently about a tenantry. I seem to recall that a tenantry was defined as an area of land where you have more than five houses?

Asides.

12.35 p.m.

SENATOR E. E. GREAVES: I am asking a question. I do not know and that is why I am asking. My understanding of the original concept of a tenantry is that it was an area of land which a person would have had five houses on rented to people. Recently I have been told that this has been reduced to two, and there is some confusion because I believe that Senator McClean can tell you that he has had questions on *Gutterperk*, I am not promoting that programme, and I am not too sure that they have been answered. I am not in here all the time when Acts are passed, so I am asking the question since I do not know. If it is a new law, I think that you could use the opportunity to clear the air on it.

SENATOR THE HON. O'B. TROTMAN: He says he wants to hear from me. It is not a matter of

Government policy, it is a matter of interpretation by the courts. As I understand it, and I am a little bit without my grounds, there are two separate Acts involved in the definition of a tenantry. The 1965 Act sets the limit as five for the purpose of development of tenantries. As far as the Freehold Purchase Act is concerned, a tenantry is two. They are two separate and distinct businesses, and the one is nothing to do with the other. That is my understanding.

SENATOR E. E. GREAVES: Am I to understand, therefore, that if I have an area of land and I rented this area of land to two people for two housespots and they wanted to purchase it under the Tenantries Freehold Purchase Act, that because I may be under the impression that five.....

Mr. DEPUTY PRESIDENT: I suspect that at the Committee stage you will have a chance to raise this question in greater detail. Will you agree to that?

SENATOR E. E. GREAVES: Yes.

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

On the motion of SENATOR THE HON. O'B. TROTMAN, Mr. DEPUTY PRESIDENT left the Chair and the Senate resolved itself into Committee on the Bill, SENATOR H. R. LINTON in the Chair.

Clauses 1, 2 and 3 were called and passed.

On the motion of SENATOR THE HON. O'B. TROTMAN, the Senate was resumed and the Bill was reported as having passed the Committee without amendment, Mr. DEPUTY PRESIDENT in the Chair.

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

COMPULSORY ACQUISITION OF LAND AT HAGGATT HALL, ST. MICHAEL

The next Order was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Haggatt Hall, St. Michael, for housing development.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, we are going to acquire five small lots of land belonging to Wonder Bakeries, Dowding Estates, Carlisle Best, another piece belonging to Dowding Estates and a small piece belonging to Ms. Ruby Pilgrim.

As a result of the construction of the new St. Barnabas Highway, and the round-about and the realigning of the road, some of these properties cannot now be used for what they were used for before. Some was agricultural land and I am sure one or two were small agricultural lots. This cannot be considered as taking the land out of agriculture even though I believe one of the ladies used to grow a few pounds of potatoes on the lot, because having a small potato plot in the middle of the round-about is not going to be a compatible arrangement, and it has been decided to re-arrange the whole area properly.

Wonder Bakeries is willing to exchange another plot of land with the Government in order to facilitate their own interest, and the Government will acquire the other properties to resite persons who will be affected by the construction of the new highway which goes from Wildey to the airport.

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

The question was put to the Senate and agreed to.

COMPULSORY ACQUISITION OF LAND AT GALL HILL, CHRIST CHURCH

The next Order was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Gall Hill, Christ Church, for the extension of the Christ Church Foundation School.

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, as part of its thrust in agriculture, the Government has been supporting the teaching of agriculture at a secondary level, and it is so proposed to teach agriculture at the Foundation Schools.
12.45 p.m.

The Resolution seeks to acquire 137.8 square metres of land owned by Eldica Jones, adjoining the school's property, for the purpose of providing land for the students at Foundation to be taught Agricultural Science.

I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ADJOURNMENT

SENATOR THE HON. O'B. TROTMAN: Mr. Deputy President, I beg to move that the Senate do now stand adjourned *sine die.*

SENATOR C. D. SEALE: Sir, I wonder if the Minister could give an indication of the *sine die.*

Laughter.

SENATOR THE HON. O'B. TROTMAN: The *"die"* shall be after the reconstruction of the other place,

as I understand it. They are going to meet some time in October, and they are going to ask us to allow them to use this place while that place is being renovated. We will meet some time after that.

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

12.48 p.m.

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